



# Planning Commission Staff Report

Meeting Date: April 7, 2026

Agenda Item: 9D

DEVELOPMENT CODE AMENDMENT CASE NUMBER:	WDCA25-0006 (Attainable Housing Density Bonus)
BRIEF SUMMARY OF REQUEST:	<b><i>Amends Washoe County Code Chapter 110 (Development Code) in Article 336 Housing Incentives, to create density bonuses for the development of attainable housing and attainable senior housing, and to establish a minimum period of affordability.</i></b>
STAFF PLANNER:	Eric Young, Senior Planner 775.328.3613 eyoung@washoecounty.gov

## **CASE DESCRIPTION**

For hearing, discussion and possible action to initiate an amendment to Washoe County Code Chapter 110 (Development Code) within Article 336 housing incentives, to establish a density bonus for attainable housing that scales to the underlying regulatory zone, providing for higher attainable densities in more intense regulatory zones; to establish a density bonus for attainable senior housing above the bonus for non-age restricted attainable; to prohibit the stacking of multiple density bonuses; to set the minimum period of affordability at 30 years for rental project and 9 years for sale products; and all matters necessarily connected therewith and relating 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 recommend denial. If approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

Applicant:	Washoe County
Property Owner:	NA
Location:	Unincorporated Washoe County
APN:	NA
Parcel Size:	NA
Master Plan:	NA
Regulatory Zone:	NA
Planning Area:	All
Citizen Advisory Board:	All

Development Code:	Authorized in Article 818, Amendment of Development Code
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**STAFF RECOMMENDATION**

**INITIATE AND  
RECOMMEND  
APPROVAL**

**DENY**

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**Development Code Amendments**

The Washoe County development code is Chapter 110 of the Washoe County Code (WCC). The development code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters. Because the development code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the development code to keep it up to date with the most current and desirable trends in planning and development.

The development code amendment process provides a method of review and analysis for such proposed changes. Development code amendments may be initiated by the Washoe County Commission, the Washoe County Planning Commission, or an owner of real property. Development code amendments are initiated by resolution of the Washoe

County Commission or the Planning Commission. Real property owners may submit an application to initiate a development code amendment.

After initiation, the Planning Commission considers the proposed amendment in a public hearing. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment. The Planning Commission records its recommendation by resolution.

The Washoe County Commission hears all amendments recommended for approval, and amendments recommended for denial upon appeal. The County Commission will hold a first reading and introduction of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading. Unless otherwise specified, ordinances are effective 10 days after adoption.

### **Background and Proposed Amendments**

Housing affordability and attainability are identified in County strategic planning and vision documents as one of the most pressing issues in Washoe County. Throughout 2024 and 2025, the planning program brought forth multiple development code amendments in support of the county commission's housing related priorities. These initiatives have come forward in a series of "housing packages."

Thus far, the county commission has reviewed and adopted housing packages that support:

- multi-family and accessory dwelling units;
- creating new use-types for "missing middle" housing;
- senior housing development; and
- creating infill development opportunities in existing neighborhoods.

Housing related development code amendments currently under consideration include:

- allowing residential development in commercial areas; and
- creating expedited processes for attainable housing projects.

Progress on the entire series of housing related amendments can be found at the planning program's [Master Plan Implementation](#) webpage.

The development code amendment presently before the planning commission creates density bonuses for attainable housing.

### **What is a Density Bonus?**

The use of density bonuses as a tool to achieve desired forms of development is a longstanding approach commonly utilized by jurisdictions to incentivize affordable housing, sustainable or "green" development, senior housing, and other development types deemed desirable by the community that remain difficult to achieve. Jurisdictions have developed and implemented density bonuses in diverse ways and for diverse purposes. Per NRS 278.250, Nevada established density bonuses as an allowable tool in 1999. Density bonuses have since been incorporated into statute in multiple places.

### **Original 1999 Legislation.**

**NRS 278.250 Zoning districts and regulations excepts:**

4. In exercising the powers granted in this section, the governing body may use any controls relating to land use or principles of zoning that the governing body determines to be appropriate, including, without limitation, *density bonuses*, inclusionary zoning and minimum density zoning.

5. As used in this section:

(a) “*Density bonus*” means an incentive granted by a governing body to a developer of real property that authorizes the developer to build at a greater density than would otherwise be allowed under the master plan, in exchange for an agreement by the developer to perform certain functions that the governing body determines to be socially desirable, including, without limitation, developing an area to include a certain proportion of affordable housing.

Subsequently in 2007, the state adopted NRS278.235, which added a menu of twelve tools from which local jurisdictions must choose at least six items to pursue locally. Density bonuses are a component of three of the available twelve choices. The adoption of this code amendment will further promote the intent of this statute.

#### **2007 Legislation. NRS Chapter 278.235:**

1. If the governing body of a city or county is required to include a housing plan in its master plan pursuant to NRS 278.150, the governing body, in carrying out the plan for maintaining and developing affordable housing to meet the housing needs of the community, which is required to be included in the housing plan pursuant to subparagraph (8) of paragraph (c) of subsection 1 of NRS 278.160, shall adopt at least six of the following measures:

(h) Providing money, support or *density bonuses* for affordable housing developments that are financed, wholly or in part, with low-income housing tax credits, private activity bonds or money from a governmental entity for affordable housing, including, without limitation, money received pursuant to 12 U.S.C. § 1701q and 42 U.S.C. § 8013.

(i) Providing financial incentives or *density bonuses* to promote appropriate transit-oriented housing developments that would include an affordable housing component.

(j) Offering *density bonuses* or other incentives to encourage the development of affordable housing.

#### **Density Bonuses in the Washoe County Master Plan**

The Washoe County Master Plan Population and Housing Element focuses on diversification of housing types as the primary strategy for providing adequate housing in the county. Housing diversity is defined across all aspects of housing, including sizes, construction types and materials, housing types (single, middle, multi-family), neighborhoods, and target markets. In pursuit of greater housing diversity, the master plan encourages using a balanced set of tools. Principle Three supports the implementation of density bonuses as one tool to pursue this goal.

#### **Washoe County Master Plan Population and Housing Element**

**PH Principle 3.** Use a balanced set of tools to increase and maintain the diversity of housing types across all income levels and to facilitate more affordable and workforce housing.

- 3.1. Allow for more flexibility in the zoning and land use regulations to enable more housing types to be built throughout the community where adequate infrastructure exists.
- 3.2. Reduce regulatory barriers to the provision of affordable and workforce housing through methods including, but not limited to streamlining the development process or offering regulatory flexibility and/or financial incentives for affordable and attainable housing.
- 3.3. Regularly monitor and reevaluate the fees associated with housing development.
- 3.4. Support accessory dwelling units as a method of providing affordable and workforce housing.
- 3.5. Require and/or incentivize a mixture of housing types (i.e. product types, unit sizes, and price points) in large development applications and subdivisions.
- 3.6. Disperse affordable and attainable housing throughout developments and neighborhoods

### **Density Bonuses in Other Jurisdictions**

The use of density bonuses for affordable housing has become a common tool in jurisdictions across the country. Many different methodologies are employed but most attempt to customize common tools for local circumstances. These tools are most often aimed at multifamily developments in urban settings. And in general, they are structured to prioritize and target low income families. Some of these common practices include the following.

- Use of a tiered system that provides larger bonuses to lower Area Median Income (AMI) targets, seeking to provide a greater incentive to lower income households.
  - 30-60% AMI receives a 100% bonus
  - 60-80% AMI receives a 50% bonus
  - 80-120% AMI receives a 25% bonus
- Use of menu options for other incentives such as:
  - Increased building heights
  - Decreased setbacks
  - Decreased parking standards

### **Washoe County's Proposed Approach**

This proposed development code amendment is targeted towards increasing attainable housing and senior housing. It is designed to consider these important aspects of density bonuses and housing development in Washoe County:

Existing zoning opportunities:

1. Higher density zoning is relatively uncommon in the county.
2. Densities above 3 units per acre (Medium Density Suburban) typically require zoning and master plan amendments to achieve.
3. The costs associated with obtaining discretionary permits, particularly zoning and master plan changes is overlooked as a significant barrier to lowering housing costs.

Existing development patterns and community character:

1. Washoe County has relatively few areas with urban zoning or an urban land use pattern.
2. The locations where future urban regulatory zones could exist may be limited by existing suburban and rural character zoning such as 3-unit and 1-unit zones.
3. Greater incentives to lower incomes, which typically require higher density, may seem valuable on the surface, but may be unlikely to be achieved on the ground.
4. Incentives for medium density projects may have more opportunities and be more compatible with existing land uses.

The relationship between transparency and ease of use:

1. The master plan is committed to transparent processes.
2. Calculating traditional density bonuses can be complex due to the multiple levels of percentages and tiers utilized in these approaches.
3. These complex approaches make it difficult for a landowner or the public to quickly understand the development potential on a parcel.
4. The proposed process does not require any additional calculation beyond the simple density calculation currently utilized for any zoning district.

The recent housing-related code accomplishments:

1. Other development constraints such as height and parking can be legitimate barriers to housing projects.
2. However, Washoe County adopted a series of code related housing amendments specifically targeting these development standards for multi-family and middle housing projects.
3. These previous accomplishments reduce the need for additional development standard relief.

**The Proposed Amendments.**

**The following are the text of the amendments for the purpose and applicability sections.**

**Section 110.336.00 Purpose.** ~~The purpose of this article, Article 336, Housing Incentives, is to provide incentives for select housing in unincorporated Washoe County.~~  
**The code established under this article is intended to support the diversification of housing types as promoted by the Washoe County Master Plan. The code sections in this article provide for density bonuses and other incentives to increase and maintain the diversity of housing types across all income levels and to facilitate more attainable housing, providing additional incentive for senior housing. As permitted by Nevada Revised Statute 278.250, the density bonuses described in this article may grant greater densities than would otherwise be allowed by the master plan.**

**Section 110.336.05 Applicability.** **The incentives made available in this article are individually designed and directed toward specific housing types and demographics. To apply the incentives efficiently and rationally, the following standards apply to the use of all incentives as described in this article.**

- (a) Incentives may not be combined (stacked) unless the calculation for combining the incentives is specifically provided for in this Article.**
- (b) The resulting calculation for all incentives will be rounded down to the nearest integer.**
- (c) A project's residential use-types must be permitted uses in the underlying regulatory zone.**
- (d) Attainable units developed for retail sale to an income qualified homeowner shall be subject to the affordability standards established for the applicable tier of attainable housing. The first retail sale and any subsequent sale within 9 years must be to an income qualified family. After this 9-year period, subsequent retail sales to homeowners are not required to be income restricted unless required by another relevant agency or the underlying funding requirements.**
- (e) Attainable units developed for the rental market must meet the affordability standards for the applicable tier of attainable housing for a period of 30 years**

**The following are the text of the amendments for the density bonus sections.**


**Section 110.336.20 Attainable Housing Density Bonus Standards.** A development that dedicates, through deed restriction, a minimum of 80% of its dwelling units to meet the definition of attainable housing, tiers one through five, as found in Article 902 Definitions, is eligible for a density bonus according to the following standards and thresholds:

- (a) In the Medium Density Suburban regulatory zones, the maximum density shall be 7du/acre for single family detached, and 9 du per acre for single family attached, middle housing and mobile home parks.
- (b) In the High Density Suburban regulatory zone, the maximum density shall be 10du/acre for single family detached, and 14 du per acre for single family attached, middle housing and mobile home parks.
- (c) In the Low Density Urban regulatory zone, the maximum density shall be 21 units per acre.
- (d) In the Medium Density Urban regulatory zone, the maximum density shall be 42 units per acre.
- (e) In the High Density Urban regulatory zone, the maximum density shall be 50 units per acre.
- (f) In the Neighborhood Commercial regulatory zone, the maximum density shall be 10du/acre for single family attached or detached, and 14 du per acre for middle housing and multi-family.
- (g) In the General and Tourist commercial regulatory zones the maximum density shall be 21 units per acre.

**Section 110.336.25 Attainable Senior Housing Density Bonus Standards.** Attainable Senior Housing refers to housing that meets the definition for both senior housing and attainable housing as found in Article 902 Definitions.

- (a) Attainable Senior Housing projects are permitted to stack the attainable incentive with the senior housing incentive found in Development Code Section 110.336.10 Senior Housing

Examples of the densities resulting from these bonuses are displayed in the following table.

<b>REGULATORY ZONE</b>	<b>BONUS</b>		<b>%</b> 	<b>10 ACRE EXAMPLE</b>	<b>MINIMUM 80% ATTAINABLE</b>
<b>MEDIUM DENSITY SUBURBAN (MDS)</b>	SFD	Existing: 3 du/ac Bonus: 7 du/ac	133%	30 units to 70 units.	56
	SFA and MH	Existing: 5 du/ac Bonus: 9 du/ac	80%	50 units to 90 units.	72
<b>HIGH DENSITY SUBURBAN (HDS)</b>	SFD	Existing: 7 du/ac Bonus: 10 du/ac	43%	70 units to 100 units.	80
	SFA and MH	Existing: 9 du/ac Bonus: 14 du/ac	55%	90 units to 140 units.	112
<b>LOW DENSITY URBAN (LDU)</b>	SFD	Existing: 10 du/ac Bonus: 21 du/ac	110%	100 units to 210 units	168
	SFA, MH, MF	Existing: 14 du/ac Bonus: 21 du/ac	50%	140 units to 210 units	168
<b>MEDIUM DENSITY URBAN (MDU)</b>	SFD, MH, MF	Existing: 21 du/ac Bonus: 42 du/ac	100%	210 units to 420 units.	336
<b>HIGH DENSITY URBAN (HDU)</b>	SFD, SFA, MH, MF	Existing: 42 du/ac Bonus: 50 du/ac	19%	420 units to 500 units.	400

SFD = Single Family Detached. SFA = Single Family Attached. MH = Middle Housing. MF = Multi-Family.

**The Proposed Approach is:**

- Consistent across all AMI targets, without a tiered system of incentives. Provides equal opportunities for higher AMI target families. Including the newly established tier 5 (120-150% AMI)
- Consistent across all housing types, not just traditional multi-family approaches to affordable housing. Provides equal opportunities for non-multifamily products, such as single family, cottage court and other middle housing.
- Consistent with lower density projects that can blend with existing unincorporated development patterns.
- Transparent. Avoids the need to “calculate” density based on various formulas regarding how AMI and bonus % come together to establish a density.
- Focused on the value of additional density and reducing the need for entitlements.
- Functional without additional incentives. Previous housing packages have addressed multi-family development standards.

## **Findings**

Washoe County Code Section 110.818.15(e) requires the Planning Commission to make at least one of the following findings of fact. Staff provides the following evaluation for each of the findings of fact and recommends that the Planning Commission make all four findings in support of the proposed Development Code 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.

*Staff comment: The proposed amendment responds to the Population and Housing Element's principles and policies regarding housing diversity and flexible land use tools. In particular, this amendment promotes implementing Principle 3.1 and its associated policies.*

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.

*Staff comment: This amendment provides transparent and functional incentives to encourage attainable housing developments in Washoe County. The amendments promote the public health, safety and welfare by creating more opportunities for adequate housing.*

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.

*Staff comment: This amendment is in response to the Washoe County master plan, in particular the Population and Housing Element and Chapter Three, Implementation. The amendment further responds to the County Commission's strategic priorities and action plans derived from the Washoe County master plan.*

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.

*Staff comment: These amendments will have no direct impact on the Conservation Element. These amendments will promote and implement the Population and Housing Element.*

## **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.

**Recommendation**

It is recommended that the Washoe County Planning Commission initiate and recommend approval of WDCA25-0006, to amend Washoe County Chapter 110 (Development Code) within Article 336, Housing Incentives. The following motion is provided for your consideration.

**Motion**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission initiate and recommend approval of WDCA25-0006, to amend Washoe County Chapter 110 (Development Code) within Article 336, Housing Incentives. I further move to authorize the Chair to sign the resolution contained in Attachment A on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on the Planning Commission's ability to make all 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 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.

**Appeal Process**

An appeal of the Planning Commission's denial of a development code amendment may be made to the Washoe County Board of County Commissioners within 10 calendar days from the date that the Planning Commission's decision is filed with the Secretary to the Planning Commission, pursuant to Washoe County Code Section 110.818.25 and Washoe County Code Section 110.912.20.

xc: Dave Solaro, Assistant County Manager  
Eric Crump, Community Services Department Director  
Elizabeth Hickman, Deputy District Attorney

Kelly Mullin, Planning and Building Division Director