



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: September 9, 2025

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TO: Board of County Commissioners
FROM: Courtney Weiche, Senior Planner, Planning and Building, Community Services Department, (775) 328-3608, cweiche@washoecounty.gov
THROUGH: Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, (775) 328-3619, kmullin@washoecounty.gov
SUBJECT: Public Hearing: Master Plan Amendment Case Number WMPA25-0002 & Regulatory Zone Amendment Case Number WRZA25-0002 (700 Harper Court).

Consideration of the Planning Commission's recommendation to:

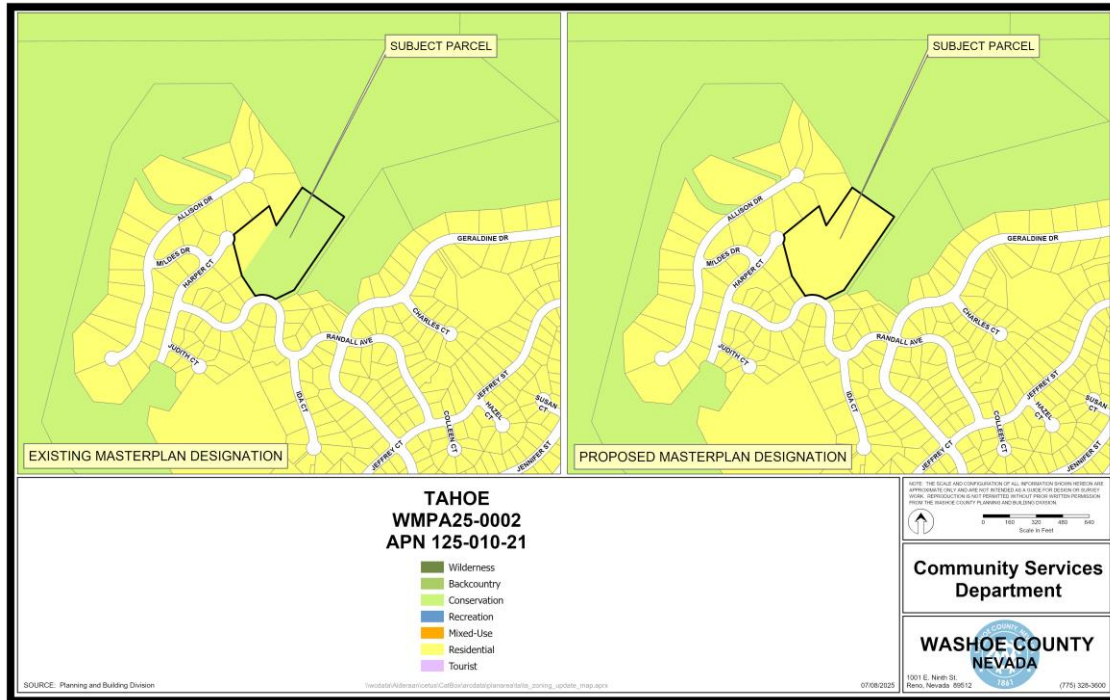
- (1) Adopt an amendment to the Washoe County Master Plan, Tahoe Area Plan, to change the master plan land use category on a 5.74-acre parcel (APN 125-010-21) from 80% Conservation and 20% Residential to 100% Residential; and if approved, authorize the chair to sign a resolution to this effect. The master plan amendment is subject to approval and a finding of conformance with the Tahoe Regional Plan by the Tahoe Regional Planning Agency.
AND
- (2) Subject to final approval of the associated master plan amendment and a finding of conformance with the Tahoe Regional Plan, adopt an amendment to the Tahoe Area regulatory zone map, to change the regulatory zone on the same parcel from 80% Mount Rose and 20% Incline Village-1 (1-unit per parcel) to 100% Incline Village-1 (1-unit per parcel); and if approved, authorize the chair to sign a resolution to this effect.

The applicant is Exline and Co., Inc. and the owner of the property is Mitchell E. Larson Living Trust. The site is located at 700 Harper Court, Incline Village. The Board of County Commissioners may adopt the proposed amendments, may modify the proposed master plan amendment and refer the matter back to the Planning Commission for its report in accordance with NRS 278.220(4), or may deny the proposed amendments after the public hearing. (Commission District 1.) **FOR POSSIBLE ACTION**

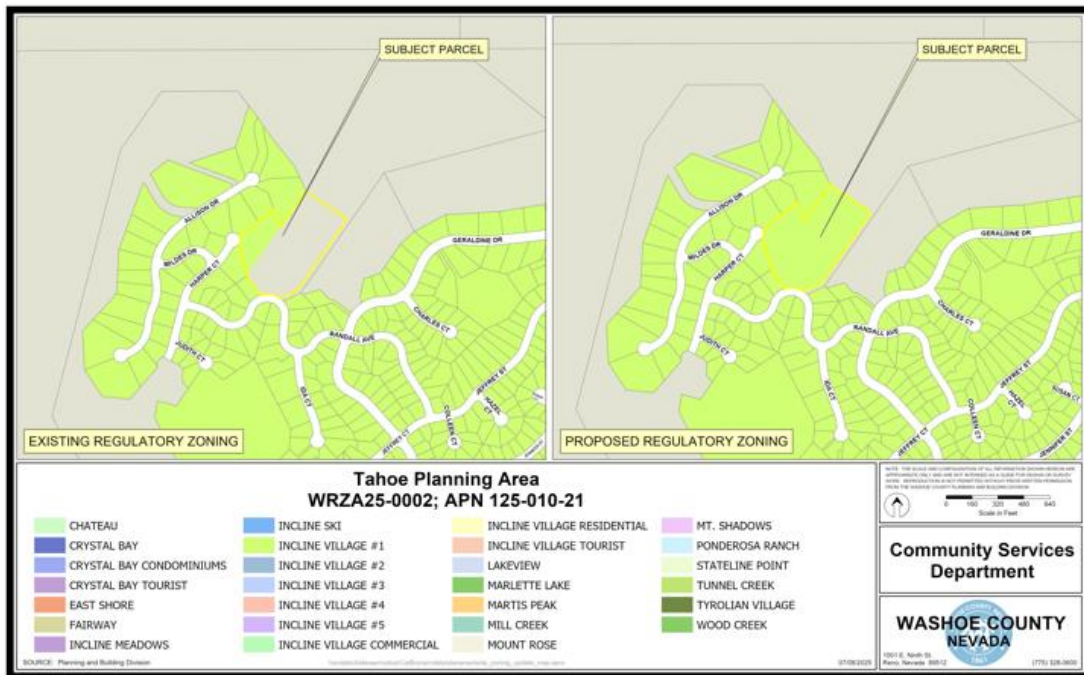
AGENDA ITEM # _____

SUMMARY

This is a request to approve a master plan land use map amendment to change the master plan land use category on a 5.74-acre parcel (APN 125-010-21) from 80% Conservation and 20% Residential to 100% Residential and to approve a regulatory zone amendment to change the Tahoe Area regulatory zone map on the same parcel from 80% Mount Rose and 20% Incline Village-1 to 100% Incline Village-1.



Existing and Proposed Master Plan Designations - Side by Side Comparison



Existing and Proposed Regulatory Zone Maps - Side by Side Comparison

Washoe County Strategic Objective supported by this item: Economic Impacts - Meeting the Needs of Our Growing Community and Support a thriving community.

PREVIOUS ACTION

August 5, 2025. The Washoe County Planning Commission (PC) reviewed the proposed master plan amendment and proposed regulatory zone amendment, and voted unanimously to adopt Master Plan Amendment WMPA25-0002 and to recommend adoption of Regulatory Zone Amendment WRZA25-0002 to the Board. In doing so, the Planning Commission made all findings for each request:

Master Plan Amendment Findings (at least three of the five must be made)

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of

the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

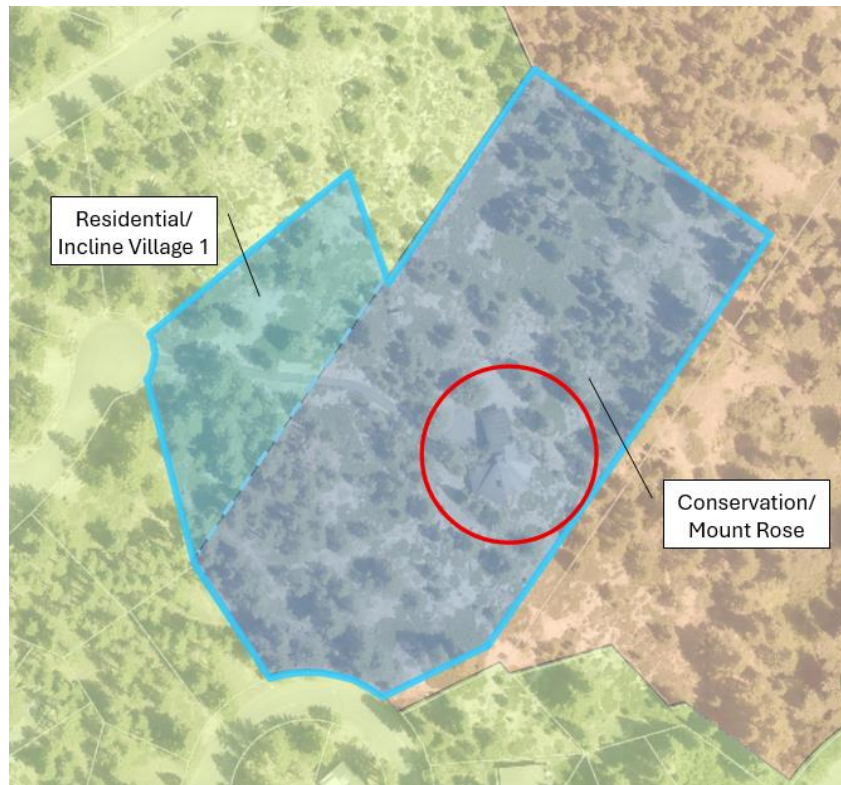
Regulatory Zone Amendment Findings (all must be made)

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

BACKGROUND

The subject request is intended to remedy a non-conforming use of a parcel with bisected master plan designations and regulatory zoning. Currently, the subject parcel has both Residential (Incline Village-1 regulatory zone) and Conservation (Mount Rose regulatory zone) land use categories within the property boundaries. The applicant wishes to amend the master plan and regulatory zones for the entirety of the subject parcel to be master planned and zoned as “residential”. The parcel is 5.75 acres and developed with a single-family dwelling built in 1992.

As it currently exists, approximately 48,813 sq ft (1.12 acres) of the parcel lies within the Residential/Incline Village-1 master plan & regulatory zone, and approximately 202,150 sq ft (4.64 acres) of the parcel lies within the Conservation/Mt. Rose master plan & regulatory zone. As illustrated below, the existing single-family dwelling is located solely in the Conservation/Mt. Rose master plan and regulatory zone portion of the parcel and is considered non-conforming: year-round residential uses are not an allowed use type in such designations.



Aerial Image with Master Plan/Zoning Overlay

The only residential use type allowed in the Mount Rose regulatory zone is for “summer homes”. The Tahoe Regional Planning Agency defines use types in the Tahoe Basin. Summer homes are defined as: *“A cabin-type single-family house intended primarily for intermittent vacation use and located in USFS summer home tracts or other remote recreation sites. Such structures are generally located in areas of restricted winter access.”* The applicant has stated that they wish to remove the restrictions associated with the “summer homes” land use type for their existing dwelling to allow for flexibility of use (not restricted to summer months/vacation use only) by amending the master plan and regulatory zone from conservation to residential, thereby allowing a change in use type from “summer homes” to “single family dwelling”.

The Tahoe Area Plan provides justification for the requested amendment by stating: *“[conservation] regulatory zones focus primarily on resource management use types. Public service and recreation uses are also widely available in these regulatory zones. Recreation uses are largely undeveloped, such as hiking and snowshoeing. While summer homes are an allowed use, other residential dwellings are extremely limited. The majority of the land in these regulatory zones is publicly owned and managed for dispersed public access.”* As illustrated in the above aerial image, the existing dwelling has year-round paved access from Harper Court and is located in an established neighborhood, inconsistent with the intent of a conservation regulatory zone and the “summer homes” use type. In addition to the use type modification, the application states the requested amendment will also *“clear up any nuanced liability that may result from the current bi-sectioned zoning should the use of fire insurance ever be needed.”*

It is important to note, due to TRPA coverage restrictions, this parcel cannot be further developed beyond that which exists today. No additional structures or impervious

surfaces would be permitted on this parcel as they are already over their maximum coverage for land capability per TRPA's regulations.

A full staff analysis of the project and required findings can be found in Attachment D, Planning Commission Staff Report.

NEIGHBORHOOD MEETING

NRS 278.210(2) and WCC Section 110.820.20 require a neighborhood meeting for any proposed master plan amendment. The neighborhood meeting was held virtually using "Google Meet" on April 16, 2025. Not including the three (3) representatives of the homeowner/applicant; five (5) people were in attendance. After a presentation on the intent and purpose of the requested amendment, clarifying questions were asked on future development potential (replied no more than any other residential use was allowed), defensible space requirements, and tree removal permitting. The applicant states in their meeting summary: *"the meeting came to a close with neighbors feeling satisfied with the proposed project's commencement. The meeting provided the nearby community with answers concerning the need for the proposed amendment, discussions concerning the previous property owner and history of the property also occurred."*

PUBLIC HEARING NOTICE

Master Plan Amendment Public Notice

Notice for master plan amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.220(3) and WCC Section 110.820.23. Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

A legal ad was placed in the Reno Gazette Journal at least 10 days before the public hearing date.

Regulatory Zone Amendment Public Notice

Notice for Regulatory Zone amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.260 and WCC Section 110.821.20.

Owners of all real property to be noticed are owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is sent to the last known addresses of such real property owners as identified in the latest County Assessor's records.

A minimum of 30 property owners within 750 feet of the area to which the proposed amendment pertains must be noticed by mail at least 10 days before the public hearing date. Notice must also be given in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

Noticing for this proposal:

64 property owners within 750 feet of the subject parcels were noticed by mail not less than 10 days before today's public hearing.

A legal ad was placed in the Reno Gazette Journal at least 10 days before the public hearing date.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners:

- (1) Adopt and authorize the Chair to sign the resolution contained as Attachment A to this staff report to amend the Tahoe Area Plan as set forth in Master Plan Amendment Case Number WMPA25-0002, subject to final approval of the amendment and a favorable conformance review and adoption by the Tahoe Regional Planning Agency.
- (2) Adopt and authorize the Chair to sign the resolution contained as Attachment B to this staff report to amend the Tahoe Area Regulatory Zone Map, as set forth in Regulatory Zone Amendment Case Number WRZA25-0002, subject to final approval of the associated master plan amendment and a favorable conformance review and adoption by the Tahoe Regional Planning Agency.

POSSIBLE MOTION

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

"Move to: (1) adopt master plan amendment case number WMPA25-0002, which is an amendment to the Tahoe Area Plan as provided in Attachment A; and (2) subject to final approval of the associated master plan amendment and a finding of conformance with the Tahoe Regional Plan by the Tahoe Regional Planning Agency, adopt regulatory zone amendment case number WRZA25-0002 as set forth in Attachment B."

Attachments:

- A. Master Plan Amendment Resolution
- B. Regulatory Zone Amendment Resolution
- C. Planning Commission Resolutions
- D. Planning Commission Staff Report
- E. Public Comment (post Planning Commission Staff Report)

Applicant: Exline & Company, Inc. Attn: Jaden Wuelzer
jaden@exlineandcompany.com

Property Owner: Mitchell E. Larson, Living Trust LLC