



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: May 12, 2026

DATE: April 14, 2026

TO: Board of County Commissioners

FROM: Eric Young, Senior Planner Community Services Department, (775) 328-3613, eyoung@washoecounty.gov

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

SUBJECT: Public Hearing: Second reading and potential adoption of an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 302, Allowed Uses and Article 406, Building Placement Standards, and creating Article 403, Residential Uses in Commercial Regulatory Zones, to allow multi-family residential use types in commercial regulatory zones with the application of multi-family development standards, to establish standards for mixed-use including a minimum percentage for commercial use-type square footage, a maximum square foot percentage for civic use-types, site development standards for parking, landscaping and other similar standards, a height restriction, and a requirement for municipal water and waste-water services; and all matters necessarily connected therewith and pertaining thereto. (All Commission Districts.) FOR POSSIBLE ACTION

SUMMARY

The Board is asked to conduct a public hearing and possibly adopt an ordinance amending Washoe County Code Chapter 110 (Development Code) in Article 302 Allowed Uses and Article 406 Building Placement Standards, and establishing a new Article 403, to allow multi-family residential use types in commercial regulatory zones and to proscribe requirements and development standards for such projects. The proposed code amendments are further summarized in the Proposed Amendments section of this staff report, and the full text of the proposed code can be found in Attachment A, Working Copy of Proposed Ordinance. 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

AGENDA ITEM # _____

February 3, 2026. The Washoe County Planning Commission reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code) and voted 5-1 to recommend approval of Development Code Amendment WDCA25-0005 to the Board with some recommended changes to the draft ordinance. The recommended changes are discussed in detail in the Background section below. With the PC's recommended changes, 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.

April 14, 2026. The Board of County Commissioners conducted an introduction and first reading of the proposed ordinance for Washoe County Development Code Amendment Case WDCA25-0005 (Residential uses in commercial regulatory zones.)

BACKGROUND

A new law passed during the 2025 legislative session, Assembly Bill (AB) 241, mandates Washoe County permit the development of multi-family uses in commercial zoning districts (Neighborhood Commercial, General Commercial, and Tourist Commercial). The county may also permit mixed-uses of both residential and commercial or civic. The proposed amendments to the development code comply with AB 241.

The proposed changes also respond to the County Commission's strategic priority to increase the supply and affordability of housing. At the direction of the Board and prior to the 2025 legislative session, the planning program began pursuing multiple initiatives in support of the commission's housing related priorities. One of these initiatives was to explore allowing residential uses in commercial zones. Progress on the entire series of housing related initiatives can be found at the planning program's Master Plan Implementation webpage.

During the Planning Commission meeting on February 3, 2026, the commissioners recommended changes to the ordinance prepared by staff centered on two themes. The first theme was a desire to avoid creating a new set of standards for mixed-use projects, with a preference to simply apply the existing standards for multi-family and commercial

uses. The second theme was an overall desire for development standards to result in projects that look and function more like residential projects than commercial or mixed-use projects.

In requesting changes to reflect these themes, the Planning Commission recommended the deletion of standards associated with ground floor height, façade transparency, and pedestrian/multi-modal safety. The Planning Commission also recommended the addition of a height limitation of thirty-five (35) feet, which could be exceeded only with the approval of a special use permit. This height was selected because it represents the height of typical multi-family developments in the unincorporated county. The resulting draft ordinance (Attachment A, Working Copy of Proposed Ordinance) reflects these deletions and additions.

The draft also includes changes to combine two proposed sections into one section. The first section regards projects with only multi-family uses. The second section regards mixed-use projects. Together with the requested deletions, combining these two sections responds to the Planning Commission's desire to avoid creating a new set of standards solely for mixed-use projects.

PROPOSED AMENDMENTS

Proposed changes occur in Divisions Three, Allowed Uses, and Four, Development Standards. The changes are summarized below. A draft ordinance showing all code amendments is attached as Attachment A.

The proposed ordinance would establish:

- Purpose and Applicability sections for the new Article 403, Residential Uses in Commercial Regulatory Zones.
- Maximum densities of 9 du/ac in NC, and 14 du/ac in GC and TC.
- Minimum percentages for commercial use-types in mixed use projects.
- Maximum percentages for civic use-types in mixed use projects.
- Standards for parking and landscaping.
- A maximum height of 35' for residential and mixed-use projects without a special use permit; and
- A requirement for municipal water and waste-water services.

FISCAL IMPACT

No fiscal impact.

PUBLIC WORKSHOP

A public workshop to discuss the amendments took place on Wednesday January 8, 2026, from 5:00-6:00 PM. The workshop was held via zoom meeting. Twelve (12) 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 proposed densities for commercial zoning and the ultimate impact of requiring adequate infrastructure.

RECOMMENDATION

It is recommended that the Board of County Commissioners conduct a second reading of the attached ordinance amending Washoe County Code Chapter 110 (Development Code) in Divisions Three, Allowed Uses and Four, Development Standards as set forth in WDCA25-0005, 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

Any member of the Board may introduce and conduct the first reading of the proposed ordinance. However, 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) within Article 302 Allowed Uses and Article 406 Building Placement Standards, and creating Article 403 Residential Uses in Commercial Regulatory Zones, to allow multi-family residential use types in commercial regulatory zones with the application of multi-family development standards, to establish standards for mixed-use including a minimum percentage for commercial use-type square footage, a maximum square foot percentage for civic use-types, site development standards for parking, landscaping and other similar standards, a height restriction, and a requirement for municipal water and waste-water services; 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 WDCA25-0005
- D. Planning Commission Resolution No. 26-01
- E. Planning Commission Staff Presentation
- F. February 3, 2026 Planning Commission Minutes