

Washoe County Planning Commission



WDCA22-0002

**Amends Chapter 110, Article 220 (Tahoe Area), IV-C Regulatory Zone, SA-1 &
Incline Village Commercial Regulatory Zone Special Policies**

November 1, 2022

DCA Request



Amend Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) to add single family dwellings, limited to air space condominiums, as an allowed use in Incline Village Commercial Regulatory Zone Special Area 1; and to amend Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use to add Tahoe Area Plan Policy LU2-9 as a special policy

Background



- **January 2021** - BCC adopted Article 220 Tahoe Area Plan and Article 220.1 Tahoe Area Design Standards
- **May 2021** - TRPA Governing Board adopted the Washoe County Tahoe Area Plan and amendments as necessary to the TRPA Code of Ordinances
- **October 2021** - Applicant submitted special use permit application (WSUP21-0029) to construct a 40-unit multifamily residential project
- **December 2021** - Applicant submitted a Tentative Subdivision Map application (WTM21-012) to subdivide a proposed 40-unit multifamily dwelling project
- **July 2022** - Applicant submitted a development code amendment application (WDCA22-0002) to add single family dwellings, limited to condominiums, as an allowable use in the Incline Village Commercial (IV-C)-Special Area 1 regulatory zone subject to Land Use Policy LU2-9, requiring “single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units”.

Requested Amendment



The following is a summary of the specific sections of Article 220 recommended for amendment:

- 1) **Section 110.220.145 Incline Village Commercial Regulatory Zone.** Add single family residential, limited to air space condominiums, as an allowed use to the table of allowable land uses for the Incline Village Commercial Regulatory Zone Special Area 1.
- 2) **Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies.** Add Tahoe Area Plan Policy LU2-9 as a special policy to Section 110.220.150, which provides that single family dwellings shall only be allowed in the Incline Village Commercial Regulatory Zone when they are part of a mixed-use development or when they are affordable housing units.



DCA Text Amendment



Stream Environment Zone Restoration	A	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling*	A	1 unit per parcel
Multiple Family Dwelling	A	15 units per acre minimum 25 units per acre
Employee Housing	A	Based on other residential use densities
Nursing and Personal Care (Section 110.220.410)	S	

***Only when associated with an approved tentative subdivision map of multifamily into air space condominiums**

Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies. The following special policies will be implemented in the Incline Village Commercial Regulatory Zone.

- a. The Incline Village Commercial Regulatory Zone includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, *Special Designations*:
 - (1) Preferred Affordable Housing Area
 - (2) Scenic Restoration Area
- b. Parking areas should be developed taking access from local streets such as Alder Avenue and Incline Way.
- c. Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units.**

August 22, 2022, the applicant held a zoom meeting between 5:00pm and 6:00pm, to request feedback on the requested development code amendment. A total of 3,264 individual email recipients received the meeting invitation. Thirty-four people were in attendance. The applicant provided a summary and transcript of the community workshop, included as Exhibit B.

- A total of 29 emails were also received and are included as Exhibit C to this staff report.
- A total of 17 additional emails were received after distribution of the PC agenda packet. All comments have been distributed to the Commissioners and posted to the County webpage.

DCA Findings



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 does not conflict with the policies and action programs of the Master Plan and are compatible with the new Tahoe Area Plan. Per Chapter 2 of the Tahoe Area Plan, redevelopment offers the best path to sustainable development by directing the remaining development capacity in the Region into areas with existing development and infrastructure, promoting economic activity, replacing sub-standard development with more energy-efficient and environmentally friendly structures, and creating more compact walkable and bikeable Town Centers. Allowing single family dwellings, limited to air space condominiums, in Incline Village Commercial - SA 1, a Town Center, provides additional housing options consistent with many goals and policies identified in the Tahoe Area Plan, including the creation of walkable Town Centers.

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: The proposed development code amendment is intended to encourage more diverse use types within town centers by allowing the division of multifamily dwellings for individual ownership, i.e. single family dwellings, as air space condominiums, as an additional option for development.

DCA Findings



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.

Staff comment: The Tahoe Area Plan, adopted in 2021, and the Washoe Tahoe Local Employee Housing Needs and Opportunities study, completed in September 2021, both identify the need to diversify and provide support for varying housing options, specifically in town centers. The subject DCA accomplishes this by affording property owners in Incline Village Commercial- Special Area 1 regulatory zone the option to include single family dwellings, as air space condominiums, in future development projects. In addition, Policy LU7-1 of the Area Plan directs the County to identify barriers to redevelopment within town centers and states that amendments to the Area Plan should be pursued to remove barriers or otherwise facilitate redevelopment in these areas. Limited housing has been developed in Special Area 1 despite the stated goal to create walkable communities where people live, work and play. The amendment will incentivize high density residential redevelopment in the Town Center by increasing opportunities for economically viable projects.

4. No Adverse Effects. 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: The 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. The amendment will not remove multifamily dwellings as a permissible use in Special Area 1 of the IV-C regulatory zone. Rather, it adds single-family dwellings, as condominiums, as an additional housing option. The amendment does not impact the maximum density allowed.

Recommendation



It is recommended that the Washoe County Planning Commission consider approval of WDCA22-0002, to amend Washoe County Chapter 110 (Development Code) within Article 220.



Possible 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 recommend approval of WDCA22-0002, to amend Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) and to amend Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use to add Tahoe Area Plan Policy LU2-9 as a special policy; as reflected in the proposed ordinance contained in Attachment A-1. 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 ability to make all of the following four findings in accordance with Washoe County Code Section 110.818.15(e) *[or insert which findings you are making]*

Thank you

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