

Weiche, Courtney

From: Brooke Sampson <brookesampson@yahoo.com>
Sent: Monday, October 31, 2022 3:29 PM
To: Washoe311
Cc: Weiche, Courtney
Subject: OPPOSE Nov. 1 Agenda Item 8.D. Amendments to Washoe County Code Chapter 110, Section 110.220.145, and Section 110.220.150

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Dear Planning Commissioners:

I urge you to OPPOSE the November 1, 2022 Agenda Item 8.D. Amendments to Washoe County Code Chapter 110, Section 110.220.145, and Section 110.220.150.

Affordable and Workforce Housing Units were envisioned for the the Incline Village Commercial Regulatory Zone Special Area 1 to address the housing shortage in the area. Single family dwellings identified as air space condominiums were not.

Affordable and Workforce Housing were incentivized by TRPA with increased height and density allowances, and reduced coverage requirements. Single family dwellings identified as air space condominiums were not.

As written on March 18, 2022 by Joanne S. Marchetta, then acting Executive Director of the Tahoe Regional Planning Agency:

For the Tahoe Regional Planning Agency (TRPA), providing for more affordable and achievable housing is fundamental to the integrity, sustainability, and climate resilience of the region. Not only do long and costly commutes into the basin take a toll on workers and their families, they add to local greenhouse gas emissions and compound our traffic problems. More employees staying in the basin also provides greater local demand for transit, which ultimately supports a more connected and viable transportation system. And when businesses and organizations are able to attract and retain qualified staff, they are more likely to thrive and reinvest in Tahoe communities. That reinvestment underpins environmental redevelopment and much-needed water quality improvements. The integrity of the whole depends upon the healthy workings of all its parts.

The proposed Amendments to the Washoe County Code Chapter 110, Section 110.220.145, and Section 110.220.150 will not encourage Affordable and Workforce Housing projects, only air space condominiums with high monetary returns for their developers, which will serve to undermine the "integrity, sustainability, and climate resilience of the region."

I urge you to OPPOSE Agenda Item 8.D. Amendments to Washoe County Code Chapter 110, Section 110.220.145, and Section 110.220.150.

Regards,
Brooke Sampson
Incline Village, Nevada

Public Comment Washoe County Planning Commission 11.1.2022 Item 8D

Submitted

by Carole Black, Incline Village resident

I urge you to disapprove the application at the upcoming November 1, 2022 Planning Commission meeting item 8D, Development Code Amendment Case Number WDCA22-0002 Amendment to Tahoe Area Plan. This proposed significant zoning change apparently created for the benefit of one developer as a general zoning code change is, I believe, not in the public interest.

In the staff report submitted in support of Planning Commission approval I found what I believe to be incorrect statements and conclusions including:

- The application attached to listed document (WSUP21-0029) submitted by a developer rep is dated December 2021 and clearly specifies that it is an application for a condominium project on two parcels (941 and 947 Tahoe Blvd, Incline Village). I also found a hand written document in the Washoe County Permit data base also dated in December 2021 which mentions both “multi-family” and “condominiums.” I could find nothing showing the content described by staff report with an October date.
- Staff report indicates that the correct zoning info was “subsequently discovered,” a truly remarkable statement since developer lives locally/has professional consultants and county planning department reviewing is the same department working on Tahoe Area Plan. Indeed condos have been built as single family residences in Washoe County Tahoe area for decades. This is not new – I have personally owned such units dating to 1970’s/1980’s.
- Also, the statement re “future developer plans” for condos in staff report seems incorrect since condos are mentioned along with multi-family in the hand-written application I found on line dated 12/2021. And, the developer is listed in the staff report as applying 12/2021 for parcel division (WTM21-012) which would support plan for single-family/condo and not multi-family use as of 12/2021. And reviewing Tahoe Area Plan/related 2021 TRPA Code of Ordinance changes I could find no evidence of changes in related land use definition for multi-family vs condos.
- Not mentioned in the staff report >>> There was apparently a community meeting in August 2022 in which the developer reportedly discussed this proposed zoning change. Reports indicate that main community concerns were: restricting units from STR use; increased traffic at an already rated “F” intersection on Tahoe Blvd; and that zoning change would broadly undermine Area Plan, TRPA and Washoe County initiatives to develop much needed, more affordable housing options.
- More affordable housing options is a County, TRPA and community priority & centrally located properties are prime sites. This theme is woven through multiple zoning and planning documents and is undermined by the proposed zoning code amendment. Further, though the developer has restricted STR use which also adversely impacts available housing options, this can change in a CIC ... BUT the STR use is precluded for the allowed multi-family use with >4 units/parcel in existing code.
- The staff report presents current project as “multi-use” which seems a stretch since there are proposed 40 condos >1000 to >4000 sqft with one tiny office space ~ 900 sqft. In addition, understand affordable condos but why make a code change simply because a proposal is multi-use > multi-use or not the housing impact is the same
- Though formally adopted in 1/2021, the comprehensive Area Plan related changes were being reviewed by Washoe County staff and in public committee and community settings substantially earlier and before property was purchased by current owner. Hard to believe that in the short time since 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.*” How many changes between beginning and end of 2021 other than this one developer’s wish??

Please do not support the requested zoning code changes pending further coordination with on-going/planned Washoe County housing/zoning initiatives! Thank you.

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 9:15 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: Public hearing item 8.D

Comments on your case.



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department
rpelham@washoecounty.gov | Direct Line: 775.328.3622
My working hours are generally Monday-Friday 7:00am to 3:30pm
Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?
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From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 7:40 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Public hearing item 8.D

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512



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From: CA Starr <castarr@nvbell.net>
Sent: Monday, October 31, 2022 7:30 AM

Posted 10/31/22

Public Comment - 8D WDCA22-0002

To: Washoe311 <Washoe311@washoecounty.gov>

Subject: Public hearing item 8.D

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Please do not vote for the amendment to support additional parcels for a luxury condo complex. Our town needs workforce housing not more rich people from elsewhere.

Thank you.

Connie Starr

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Dear Planning Commission Members,

I am writing this email to urge each of you to disapprove the application at the upcoming November 1, 2022 Planning Commission meeting on item 8D, Development Code Amendment Case Number WDCA22-0002 Amendment to Tahoe Area Plan.

There are two separate processes going on to amend the Tahoe Area Plan in the coming months. One amendment process is applicant initiated (the November 1, 2022 Planning Commission hearing) and relates only to the 947 Tahoe Blvd. condominium project only, and one amendment process that is County initiated is currently in the planning stages and is coming in the future.

The 947 Tahoe Blvd. application, is a proposed amendment for the benefit of one single developer and if approved by Washoe County Planning Commission at the November 1, 2022 hearing, will be brought forward as a request for consideration to TRPA for an Area Plan Amendment on the following time frame:

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Nov. 9- Draft TRPA Packet Due

Dec. 13- BCC 1st Reading

Dec. 14- TRPA RPIC Informational

Jan.- BCC 2nd Reading

Feb. (Jan. possible)- TRPA RPIC Hearing

March (Feb. possible)- TRPA APC and GB Hearings

1. **Please require that the proposed Amendment Case WDCA22-2022 proceed at the same time and public hearings as the currently being developed Washoe County Amendment to the Tahoe Area Plan.**

The schedule above would not be a time to discuss the County initiated Area Plan amendments, which will proceed later. The County initiated Area Plan amendments are to add some workforce housing policy initiatives. There are no specifics yet. **The two processes should not proceed separately and no construction can begin during the winter months so balancing the harm to the entire Incline Village Crystal Bay community versus one developer, a delay to put both hearings together will not be as prejudicial to the single developer versus all of Lake Tahoe!** This procedure of allowing two separate TRPA Area Plan amendment processes with different community goals and results. The "one-off" TRPA Amendment for the benefit of one developer at 941 Tahoe Blvd. **whose consultants did not bother to look at the Tahoe Area Plan** should await the Washoe County amendment that will have full public input.

2. **The proposed amendment is contrary to the current Tahoe Area Plan goals and provisions.**

The Tahoe Area Plan at pages 33 and 41-43

(https://www.washoecounty.gov/csd/planning_and_development/files-planning_and_development/Tahoe-Area-Plan_052621.pdf) clearly states this goal, and states among other things:

- a. **At Page 41: "Policy LU2-9 Single Family Residential in the Incline Village Commercial Regulatory Zone 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.**"

- b. See Development Code Section **110.220.150 (3)**, Incline Village Commercial Regulatory Zone Special Policies. https://www.trpa.gov/wp-content/uploads/documents/WCTAP_A.DevelopmentCode_Final.pdf
- c. Policy LU5-3 **Preferred Areas for Affordable and Employee Housing** The Crystal Bay Tourist, **Incline Village Commercial**, Ponderosa Ranch (Special Area), and Incline Village Residential regulatory zones are **preferred areas for affordable, moderate, achievable and employee housing.**

d. **From Page 33 of Appendix A referenced above:** 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.

*"(1). The **Incline Village Commercial Regulatory Zone** includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, Special Designations:*

- (a.) **Preferred Affordable Housing Area**
- (b). Scenic Restoration Area

Please recall that TRPA touted the increased height and density and reduced coverage in town centers as **needed in order to incentivize and cause developers to build affordable/workforce housing...**and now this will just be for more dense and tall profitable condo projects for affluent people (the price range is \$2 million - \$7 million). The first amendment for the one developer will support reduced affordable/workforce housing opportunities throughout Lake Tahoe and Incline Village, and reduced commercial development, and that is against the public welfare. This is a proposed condominium project in a commercial zoned area which only allowed residential if it was housing to encourage affordable housing. We have very very little commercial zoned property in Incline Village.

A presentation was recently made at our recent IVCB Citizen Advisory Board Meetings by Karen Fink of TRPA and several TRPA consultants on affordable and workforce housing, showing that the only way to get workforce housing built is make it taller and denser. This is in accordance with the current Tahoe Area Plan which lists increasing affordable/workforce housing as an important TRPA goal.

The Planning Commission hearing must make the following findings, and **there is absolutely no support for these finding in the Staff report, except that Staff says without support that all the conditions are met, and these should all of each be commented on, if possible:**

"1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan". As discussed above this is not consistent with the Tahoe Area Plan, or representations made to the IVCB community by both TRPA and Washoe County, or in the best interests of the IVCB community.

"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". Again, this is not true and is contrary to the community's desperate need for workforce housing. Further, as discussed above

this is not consistent with the Tahoe Area Plan, or representations made to the IVCB community by both TRPA and Washoe County, or in the best interests of the IVCB community.

“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”. As noted in 1 and 2 above this is patently false and unsupported. The only changed conditions are that we are in greater need of workforce housing than ever because short term rentals have taken away the bulk of long-term rental housing, and taking one of the few parcels **away from the requirement of affordable housing for absolutely no reason except a developer wants this** is damaging to the community; and

“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”. The adverse effects of this taking away one of the few parcels for workforce housing and the dangerous precedent it sets are never discussed by the Staff report and as noted above in 1-4 above there are significant adverse effects.

Not one of the conditions are met, and staff has no studies and gives NO supporting arguments for any of the four conditions being met.

3. This item has had NO or inadequate public discussion with TRPA and Washoe County.

It is very important to deny this application at the November Planning Commission meeting, because, the IVCB CAB meeting regularly scheduled for November 7, 2022 has been cancelled so that an all-Washoe County CAB meeting can proceed on the topic of the proposed Washoe County Ordinance to allow cannabis lounges in all of Washoe County. (That will be an important meeting for the community as well so I am not complaining about the change).

But unfortunately, this caused the cancellation of the regular IVCB CAB meeting previously scheduled for that date, which included speaker Jacob Stock, Senior Long-Range Planner, who was scheduled to explain the TRPA process to amend the Tahoe Area Plan, so that we could better oppose the and provide input to TRPA. This agenda item was to allow the Incline Village Crystal Bay community the opportunity to give input on this proposed amendment of the Tahoe Area Plan which would allow single family homes (condominiums) in the Incline Village Commercial Regulatory Zone-Special Area. Mr. Stock is not available to speak until our January meeting. But even this is not a formal presentation by TRPA to gather public input and this is pushing the Washoe County Planning Commission approval to occur before there is full public comment on this topic.

This is reminiscent of the **major zoning change was made to the Tahoe Area Plan, by Map 2A at page 2-12 of the Plan “Incline Village Commercial Center” which occurred at a similarly schedule Washoe County Planning Commission meeting. This changed the location of the ESE or School Site zoning from the Map as shown to the public by TRPA and Washoe County at the one noticed public meeting which took place at the Chateau, and from all subsequent versions of the Map which were available to the public online, with no public notice or discussion. The change was made during the Planning Committee Meeting which reviewed and approved the Plan.** The meeting took place in Reno and there was not any notice given to the Incline Village community before the meeting of this request for change. Prior to that change the Incline Village community had discussed with the County both in connection with the Plan and for other reasons, that the former ESE or School Site would be best used for workforce housing to benefit the community. **At the Planning Commission meeting, unknown to**

the Incline community, a TRPA representative made a presentation to change the one page of the Map from town center commercial designation identical to the adjacent parcels (they were all the same color before the change) to “public use” to allow for a transportation/mobility hub at the former ESE or School Site. This change in zoning was contrary to the representation made by the County representative and concurred in by the TRPA representative at Chateau meeting concerning the lack of zoning changes made by the plan, except for three (or four) changes which Eric Young of Washoe County described to us in detail and showed us on a map, and those were not significant. This change did not come up until much later, during the time that the TTD was pushing the County Planning staff to agree that the School Site be used as a transportation hub to solve problems outside of Incline, and the TTD, TRPA and Washoe County were not including any Incline public engagement or disclosing these plans to the Incline community, and were ignoring the requests by the then Incline Village, District 1 Commissioner (former Commissioner Berkbigler) to engage in public outreach. The community had not known of or been noticed by the County or the TTD of this change in the huge Plan document. This zoning change was solely for benefit of TTD and there was no public outreach or disclosure. This proposed zoning change is solely for the benefit of one developer and is not in the public interest.

I thank you in advance for considering this public comment.

Best,

Diane Becker
805-290-2779
Full time resident, Incline Village, Nevada

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 9:12 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: Public Comment Opposition to Agenda Item 8. D. - Nov 1 2022 WC Planning Commission Mtg _Tahoe Area Plan
Attachments: Attachment A -Application - WDCA22-0002.pdf; Attachment B - Staff Report - WDCA22-0002.pdf

Comments on your case.



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department
rpelham@washoecounty.gov | Direct Line: 775.328.3622

My working hours are generally Monday-Friday 7:00am to 3:30pm

Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



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From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 7:14 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Public Comment Opposition to Agenda Item 8. D. - Nov 1 2022 WC Planning Commission Mtg _Tahoe Area Plan

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512



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Kerfoot, Lacey

From: Weiche, Courtney
Sent: Monday, October 31, 2022 12:30 PM
To: Kerfoot, Lacey
Subject: FW: Please add to public record for November 1, 2022; Opposition to proposed Amendment to Tahoe Area Plan and Section 110.220.150, Case Number WDCA22-0002

From: Diane Heirshberg <dbheirshberg@gmail.com>
Sent: Monday, October 31, 2022 9:44 AM
To: Weiche, Courtney <CWeiche@washoecounty.gov>
Subject: Please add to public record for November 1, 2022; Opposition to proposed Amendment to Tahoe Area Plan and Section 110.220.150, Case Number WDCA22-0002

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Dear Ms. Weiche and Planning Commission Members,
I am sending the opposition below for the public record, and Ms. Weiche please confirm that all of the Planning Commission members have received a copy. I also wanted to add an additional comment to my October 27, 2022 objection.

1. This is not really a multi-use project. Putting in a little 900 sq foot office in a high rise condominium project should not suffice to allow a **single family condominium project** to be built in an area zoned for multi-use commercial property with affordable housing zoning. There is so little commercial zoned property in Incline Village, there should have to be a real commercial component to projects in the multi-use commercial zoned areas.

I respectfully request that you read the discussion below from the email which I sent on October 27, in opposition to the proposed amendment.

Thank you, Diane Becker, full time Incline Village resident.

Diane Heirshberg <dbheirshberg@gmail.com>

to diazbareschi, commissioners, katenelsonpe@gmail.com, f.donsnick@att.net, rmflick, chviliceks, rpierce, pataphillips

Dear Planning Commission Members,

Please add this letter of opposition to the Public Comment on this issue.

I am writing this email to urge each of you to disapprove the application at the upcoming November 1, 2022 Planning Commission meeting on Development Code Amendment Case Number WDCA22-0002 Amendment to Tahoe Area Plan.

There are two separate processes going on to amend the Tahoe Area Plan in the coming months. One amendment process is applicant initiated (the November 1, 2022 Planning Commission hearing) and relates only to the 947 Tahoe Blvd. condominium project only, and one amendment process that is County initiated is currently in the planning stages and is coming in the future.

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2. **The proposed amendment is contrary to the current Tahoe Area Plan goals and provisions.**

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a. At Page 41: “Policy LU2-9 Single Family Residential in the Incline Village Commercial Regulatory Zone 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.*”

b. See Development Code Section 110.220.150 (3), Incline Village Commercial Regulatory Zone Special Policies. https://www.trpa.gov/wp-content/uploads/documents/WCTAP_A.DevelopmentCode_Final.pdf

c. Policy LU5-3 Preferred Areas for Affordable and Employee Housing The Crystal Bay Tourist, Incline Village Commercial, Ponderosa Ranch (Special Area), and Incline Village Residential regulatory zones are *preferred areas for affordable, moderate, achievable and employee housing.*

d. From Page 33 of Appendix A referenced above: 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. “(1). The **Incline Village Commercial Regulatory Zone** includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, Special Designations:*

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Tahoe and Incline Village, and reduced commercial development, and that is against the public welfare. This is a proposed condominium project in a commercial zoned area which only allowed residential if it was housing to encourage affordable housing. We have very very little commercial zoned property in Incline Village.

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presentation by TRPA to gather public input and this is pushing the Washoe County Planning Commission approval to occur before there is full public comment on this topic.

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I thank you in advance for considering this public comment.

Best,

Diane Becker

805-290-2779

Full time resident, Incline Village, Nevada

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 4:16 PM
To: Weiche, Courtney
Cc: Lloyd, Trevor
Subject: FW: A new Service Request has been created [Request ID #125821] (Comment on BCC Agenda Item) - Washoe County, NV

Another comment



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department
rpelham@washoecounty.gov | Direct Line: 775.328.3622

My working hours are generally Monday-Friday 7:00am to 3:30pm

Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?
[Submit a Nomination](#)

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 4:12 PM
To: Galassini, Janis L <JGalassini@washoecounty.gov>
Cc: Planning Counter <Planning@washoecounty.gov>
Subject: FW: A new Service Request has been created [Request ID #125821] (Comment on BCC Agenda Item) - Washoe County, NV

Greetings,

Below please find the public comment submitted to Washoe311. Let us know if we can provide additional information.

Thank you,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512



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From: Washoe311 <Washoe311@washoecounty.gov>

Sent: Monday, October 31, 2022 4:10 PM

To: Washoe311 <Washoe311@washoecounty.gov>

Subject: A new Service Request has been created [Request ID #125821] (Comment on BCC Agenda Item) - Washoe County, NV

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Washoe County, NV

A new service request has been filed.

Service Request Details

ID 125821

Date/Time 10/31/2022 4:10 PM

Type Comment on BCC Agenda Item

Address Sun Valley

Origin Call Center

Comments 11/1/2022 Planning Commission Item 8.b Public Comment

Please submit my public comment below to the members of the Planning Commission:

I don't believe the staff report gives you anything to support the required findings to approve this development code amendment. I think you will hear from our community that, in fact, this amendment would do harm by allowing hundreds of additional dwelling units that, if past actions predict future outcomes, will become short term rentals. Additionally, the likelihood of development of affordable units or apartments will be slim to none.

The special area along Tahoe Blvd. consists of over 30 acres of land. It was specifically identified as a potential location for some form of

affordable housing or apartments, thus the multi-family limitation. Current zoning would allow for nearly 800 apartments. If the amendment is approved, there would be a potential for 800 luxury condominiums. So much for workforce housing. Based on the experiences of another recent project of condominiums in Crystal Bay, the majority of these condominiums would become short term rentals, adding to the already peak season problems of traffic, trash and dangerous congestion in the event of a need to evaluate. The average occupancy of full-time residences is 2.1. The maximum allowable occupancy of short term rentals is now over 6. During peak season, STR's are typically filled to capacity, if not over capacity.

Incline Village already has an estimated 1000 short term rentals. The vast majority of these are condominiums. The STR ordinance allows only one STR per parcel, so if the two parcels driving the code amendment contained 40 apartments, only 2 could be permitted as short term rentals. If the proposed amendment is approved, all 40 of the air space condominiums could become short term rentals. This is not what was envisioned when the Tahoe Area Plan was finally adopted just last year. Our businesses are closing because they cannot hire employees. With the difficult winter driving conditions, it is even more critical to have a supply of local workforce housing in the basin. There are few apartment complexes in Incline Village. Almost half of the housing units here are condominiums. We need workforce housing, in particular apartments. What we don't need is more condominiums. Please vote no on the Development Code Amendment.

Submitter Miller, Judith
970 Mica Ct
Washoe County, NV 89450
408-781-0130
pupfarm1@gmail.com

[View in QAlert](#)

Washoe County, NV

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 9:14 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: vote on a proposed Development Code amendment

Comments on your case.



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department
rpelham@washoecounty.gov | Direct Line: 775.328.3622
My working hours are generally Monday-Friday 7:00am to 3:30pm
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CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?
[Submit a Nomination](#)

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 7:24 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: vote on a proposed Development Code amendment

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512



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From: Kevin Simens <kjjgsimens@hotmail.com>
Sent: Saturday, October 29, 2022 9:10 AM
To: Washoe311 <Washoe311@washoecounty.gov>
Subject: vote on a proposed Development Code amendment

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I have been a long-term resident in Incline village. We bought here in 1998.

Tahoe is already developed to full capacity for high end condos. The amount of traffic and the real concern of forest fires cause me great alarm to think about adding more congestion to the areas of Incline Village this proposal will create.

This type of redevelopment really needs to focus on solving our real problems, the workforce housing shortage. Our workers are driving from other areas because they cannot afford to live in Incline Village. Since they are already working here their cars would not add to our full capacity. Having the original plot map as it was drawn is the way to help all of us that live here.

Do not approval to make changes that will not benefit the people who live and work in Incline Village.

Julia Simens
1000 Lakeshore Blvd. #5
Incline Village, NV. 89451

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 9:13 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: Public hearing item 8.d

Comments on your case.

Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department rpelham@washoecounty.gov | Direct Line: 775.328.3622 My working hours are generally Monday-Friday 7:00am to 3:30pm Visit us first online: www.washoecounty.gov/csd Planning Division: 775.328.6100 | Planning@washoecounty.gov CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512

Have some kudos to share about a Community Services Department employee or experience?
Submit a Nomination

-----Original Message-----

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 7:19 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Public hearing item 8.d

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,

Washoe311 Service Center
Communications Division | Office of the County Manager washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512

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Posted 10/31/22

Public Comment - 8D WDCA22-0002

-----Original Message-----

From: L Elley <gr8relle@gmail.com>

Sent: Saturday, October 29, 2022 3:19 PM

To: Washoe311 <Washoe311@washoecounty.gov>

Subject: Public hearing item 8.d

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Please do not recommend the amendment to the above hearing item. This project will increase traffic, add to environmental demise. It is for pure profit for the developer. It is not affordable housing. Please vote with a conscious.
Lin Elley Sent from my iPad

October 31, 2022

Honorable Members of the Washoe County Planning Commission

Via: Email

Dan Lazzareschi – dlazzareschi@gmail.com

Kate S. Nelson – KateNelsonPE@gmail.com

Francine Donshick, Chair – f.donshick@att.net

R. Michael Flick – rmflick@washoecounty.us

Sarah Chvilicek, Vice Chair – chviliceks@unce.unr.edu

Rob Pierce – rpierce@washoecounty.gov

Pat Phillips – pataphillips@yahoo.com

Re: Area Plan Amendment to Include SFD As a Permissible Use In Special Area 1 of the Tahoe Area Plan's Incline Village Commercial Regulatory Zone

The properties located at 941 and 947 Tahoe Blvd (APNs 132-231-09 and 10) (the "Properties") in Incline Village were previously developed with a restaurant and gas station. The Properties are located in the recently adopted (2021) Tahoe Area Plan covering the Washoe County area of the Tahoe Basin. More specifically, the Properties are located in Special Area 1 of the Incline Village Commercial Regulatory Zone, a Town Center where dense urban redevelopment is encouraged. Palcap FFIF Tahoe 1, LLC ("Palcap") purchased the Properties in November 2020 with the understanding condominiums were permissible in this developed urban area, and engaged an architect, an engineer and other consultants to design a 40-unit condominium project on the Properties.

Important to note is that a two-step process is required to subdivide a condominium project in the Basin. First, the project must be approved as a multiple-family dwelling (MFD) project (i.e., multiple residential units located on a single parcel of land such as townhomes or apartment-style structures). Second, the approved MFD project must be subdivided into individual airspace condominiums each comprising a separate legal parcel. Once subdivided, each airspace condominium is a single-family dwelling (SFD) defined as "one residential unit located on a parcel."

In Fall 2021, Palcap applied to Washoe County for the 40-unit project and Tentative Subdivision Map and to TRPA for the MFD project. Palcap met with Washoe County and TRPA staff on multiple occasions during project review with no mention that SFD condos were not permissible on the Properties. The only potential issues raised concerned height and level of service at the nearest intersection. These issues were resolved with staff.

A neighborhood meeting in Incline Village to discuss the project, including the subdivision component, occurred in January 2022, and the Tentative Subdivision Map was scheduled for Washoe County Planning Commission approval in February 2022. During TRPA's review of the

project in late January 2022, staff discovered permissible uses for Special Area 1 of the Incline Village Commercial Regulatory Zone did not include SFDs – a restriction atypical, to say the least, within an urban area / Town Center! Up until then, staff proceeded to process the SFDs / air space condos submittal were permissible on the Properties and both agencies supported the project and proposed condominiumization.¹ In light of the foregoing, the Planning Commission subdivision hearing has been deferred.

Outside Special Area 1 of the Incline Village Commercial Regulatory Zone, SFDs are permissible when part of a mixed-use project or when they are affordable housing units.² The SFD prohibition in Special Area 1 and the land use policy allowing SFDs only when part of a mixed-use project or they provide affordable housing were carried through from the former Incline Village Commercial Community Plan adopted by TRPA and Washoe County in the 1990s.

Palcap met with staff at Washoe County and TRPA to discuss the potential for an amendment to the Area Plan to remove the Properties from Special Area 1 where SFDs are prohibited to enable the condominiumization of the units as intended. Since staff was surprised SFDs were not permissible in this area, they expressed general support for an amendment. Palcap engaged with management at TRPA and the County who also expressed support.

If an amendment were approved to remove the Properties from Special Area 1, the project would need to include a mixed-unit component to be able to subdivide the MFD units into SFD condos. As a result, Palcap repurposed roughly 1,000 sf of space within the building as commercial office space. With staff's recommendation of approval, the TRPA Governing Board unanimously approved the MFD-Commercial Mixed-Use Project on June 22, 2022. Since MFD and commercial uses are allowed in Special Area 1, Washoe County Community Services Department approval of the project is not required. Although Palcap's 40-unit project is now approved, it is not economically feasible to build as a for rent project but it is feasible as a for sale condo project.

Palcap applied to Washoe County on July 8, 2022, to amend the Area Plan by removing the Properties from Special Area 1. After a meeting with County and TRPA staff, and at the County's recommendation, Palcap revised its amendment application to, instead of removing the Properties from Special Area 1, add Land Use Policy LU2-9 to Special Area 1 such that SFDs would be permissible on all properties in Special Area 1 so long as they are part of a mixed-use project or when they are affordable housing units.

Notably, neither the prior Community Plan nor the Area Plan has advanced the goal of creating walkable communities in the Town Center (i.e., areas where residents live, work and play). No residential development and little investment of any kind has occurred within Special Area 1 in

¹ It is typical in urban areas, particularly within Area Plans, for MFD projects to be subdivided as for sale condominiums.

² Land Use Policy LU2-9 of the Area Plan provides: "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."

Posted 10/31/22

Honorable Members of the Washoe County
Planning Commission
Page No. 3
October 31, 2022

Public Comment - 8D WDCA22-0002

FELDMAN
THIEL LLP

over 20 years despite the goal of the current Area Plan and former Community Plan. (See enclosed table of properties in Special Area 1.) *Area Plan Policy LU7-1 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.* To advance these goals, the amendment eliminates these barriers and incentivizes high density residential redevelopment by enabling property owners to pursue economically viable projects responsive to the Area Plan's directive to concentrate development in Town Centers.

The prior restaurant and gas station uses at the Properties generated between 1,200 and 1,700 daily trips. The approved MFD-Commercial Mixed-Use project will generate less than 200 daily trips.

THE ONLY DIFFERENCE BETWEEN THE APPROVED PROJECT AND THE PROPOSED CONDOMINIUMIZATION IS THE FORM OF OWNERSHIP.

We respectfully request the Planning Commission to recommend approval to advance the environmental redevelopment of these previously disturbed urban sites.

Sincerely,

FELDMAN THIEL LLP

By:


Lewis S. Feldman

LSF/ld

cc: Courtney Weiche
Trevor Lloyd
Dave Solaro

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 9:14 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: Code Amendment

Comments on your case.



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department
rpelham@washoecounty.gov | Direct Line: 775.328.3622
My working hours are generally Monday-Friday 7:00am to 3:30pm

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Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?
[Submit a Nomination](#)

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 7:25 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Code Amendment

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512



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From: Rebecca Arnold <arnoldamore@yahoo.com>
Sent: Friday, October 28, 2022 4:39 PM
To: Washoe311 <Washoe311@washoecounty.gov>
Subject: Code Amendment

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

We are full time Incline Village residents. Please vote no on the code amendment to allow high end condos on the hwy 28 corridor! The change will only exacerbate the lack of employee/ full time resident housing options and encourage STRs. Thank you
Rebecca Arnold

[Sent from Yahoo Mail on Android](#)

Weiche, Courtney

From: Planning Counter
Sent: Monday, October 31, 2022 9:13 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: Please vote NO on agenda item 8D Washoe County Planning Commission

Comments on your case.



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department
rpelham@washoecounty.gov | Direct Line: 775.328.3622
My working hours are generally Monday-Friday 7:00am to 3:30pm
Visit us first online: www.washoecounty.gov/csd
Planning Division: 775.328.6100 | Planning@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?
[Submit a Nomination](#)

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Monday, October 31, 2022 7:18 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Please vote NO on agenda item 8D Washoe County Planning Commission

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512



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From: Scarlett Martin <scarlettmartin@gmail.com>
Sent: Saturday, October 29, 2022 7:10 PM
To: Washoe311 <Washoe311@washoecounty.gov>
Subject: Please vote NO on agenda item 8D Washoe County Planning Commission

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

The current plan was developed to meet the needs of Incline Village, including workforce housing. The proposed modification will only benefit developers and will hurt Incline Village.

Please vote NO on the proposed Amendment.

Scarlett Martin
650
scarlettmartin@gmail.com

From: Doug Flaherty <tahoesierracleanair@gmail.com>

Sent: Sunday, October 30, 2022 4:15 PM

To: KateNelsonPE@gmail.com; f.donshick@att.net; chviliceks@unce.unr.edu; Pierce, Rob <RPierce@washoecounty.gov>; Phillips, Patricia (External Contact) <pataphillips@yahoo.com>; Kerfoot, Lacey <LKerfoot@washoecounty.gov>; Washoe311 <Washoe311@washoecounty.gov>

Subject: Public Comment Opposition to Agenda Item 8. D. - Nov 1 2022 WC Planning Commission Mtg _Tahoe Area Plan

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

To: Washoe County, NV Planning Commission Members:

Dan Lazzareschi

dlazzareschi@gmail.com

Kate S. Nelson

KateNelsonPE@gmail.com

Francine Donshick, Chair

f.donshick@att.net

R. Michael Flick

rmflick@washoecounty.us

Sarah Chvilicek, Vice Chair

chviliceks@unce.unr.edu

Rob Pierce

rpierce@washoecounty.gov

Pat Phillips

pataphillips@yahoo.com

Secretary Lacey Kerfoot

LKerfoot@washoecounty.gov

General Public Comments

washoe311@washoecounty.gov

Dear Washoe County Planning Commission Board Members:

Please consider this written public comment in opposition to Agenda Item 8.D. during your Planning Commission Meeting set for November 1, 2022 - i.e. Development Code Amendment Case Number WDCA22-0002 (Amends Chapter 110, Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) and Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) (Attachment A - Application) (Attachment B - Staff Report)

Tahoe Sierra Clean Air Coalition (DBA TahoeCleanAir.Org) is a Nevada 501 (c) (3) non profit corporation. Our organizational purpose extends beyond protecting clean air and includes, among other purposes, protecting and preserving natural resources, including but not limited to clean air, clean water, including lake and stream clarity, soils, plants and vegetation, wildlife and wildlife habitat including wildlife corridors, fish and fish habitat, birds and bird migration, insects, forest and wilderness from adverse environmental impacts and the threat and potential of adverse environmental impacts, including cumulative adverse impacts, within the Nevada and California Sierra Range, and its foothill communities, with corporation/organization geographical purpose priority being that of the Lake Tahoe Basin.

Our purpose further extends to all things incidental to supporting environmental impact assessments and studies, including the gathering of data necessary to analyze the cumulative adverse environmental, health and safety impacts from public and private projects inside and outside the Lake Tahoe Basin, and addressing and supporting safe and effective evacuation during wildfire.

Our purpose further extends to supporting transparency in government to ensure that our purpose and all things incidental to our specific and primary purposes are achieved.

A. Objection to the Tahoe Area Plan Development Code Application and Amendment (Attachment A and Attachment B)

TahoeCleanAir.org objects to the proposed application and Tahoe Area Plan code change amendments since the application and amendment are in conflict with various sections of Tahoe Area Plan and since the Washoe County Staff and Applicant failed to provide adequate substantiation, evidence and data to support the required WC Development Code findings in order to consider, support and approve the Application as explained below.

1. Applicant does not have "standing" to seek the Special Area 1 Plan Amendment:

The applicant, Pal Cap FFIF 1 Tahoe LLC, 8333 Douglas Ave, Suite 900, Dallas, TX 75225 represents that of an "Interloper", as Applicant has no standing to submit this particular Washoe County Development Tahoe Area Application, to request to "expand" the list of permissible uses to other parcels beyond Applicants property affecting the entire Special Area 1 of which, after subtracting Applicants ownership, Applicant lists approximately 35.5 acres of land and approximately 40 parcels, of which the Applicant has not demonstrated ownership of, or partial ownership in **(Pages 3 and 4 of Exhibit A)**

Further, if Washoe County grants application submission standing to the Applicant, Washoe County would be practicing unequal treatment under the law, thereby disenfranchising other Incline Village residents and property owners, and practicing prejudicial abuse of discretion. This since, as a precedent as to whether to allow standing connected with past development issues regulated by the Tahoe Area Plan, the county has denied standing to individual property owners/residents in connection with appeals, stating that they have no standing connected with projects more than 300 Feet from their property and/or residence. The Applicant in this case, after subtracting Applicants ownership, has not demonstrated ownership of, or partial parcel ownership within 300 feet of each and every one of the approx 40 parcels and 35.5 acres within Incline Village, NV Special Area 1 listed on Page 3 of the development code change Application **(Attachment - A)**.

If Washoe County allows this far reaching proposed development code amendment to be heard and approves the application, the county will be practicing prejudicial abuse of discretion in the form of an unsubstantiated "gift" to the developer and the developer community and setting an unreasonable and unfair precedent, allowing any project owner at anytime to submit a proposed development code amendment within any given "Development Zone" be heard, thereby affecting all property the project owners within that given "Development Zone".

2. The "Purpose" listed in the Application as the foundation for substantially amending the WC Development Code is unnecessary and insufficient to justify the far reaching proposed Development Code amendment:

The developer lists the following single "Purpose" as a reason for amending the Development Code: "to achieve the goal to create walkable communities in the Town Center".

This single listed "purpose" is actually a "Red Herring " and not a necessary or justifiable "purpose" on its own merit, to justify the approval this far reaching proposed Special Area 1 wide code amendment.

The current WC Development Code already allows "multi family mixed commercial" or "affordable housing" projects to achieve this goal.

Therefore, it is not necessary to consider this singular "purpose" of adding "single family residential, limited to air space condominiums, as an allowed use which already exists, in order to achieve the goal of "walkable communities in the Town Center ".

Additionally, the application, while only listing one Goal of the Area Plan (that of walk-able communities), failed to adequately list other goals and policies within the Tahoe Area Plan that are germane to the concept of promoting "workforce or low and medium housing", of which would be contrary to the Applicants goal of constructing single family condominiums. This then, makes any approval of the proposed development code change out of "harmony and equilibrium" with the other important Special Area 1 Goals and policies.

If Washoe County allows this far reaching code amendment to be heard and approves the application based on this proposed insufficient single "purpose", and out of "harmony and equilibrium" with and ignoring the other important goals within the Tahoe Area Plan, Special Area 1, the county will be practicing prejudicial abuse of discretion in the form of a substantial and unjustifiable "gift" to the developer and future project developers within the jurisdiction of the Tahoe Area Plan.

3. Washoe County's reason for hearing the Application and approving the application will be arbitrary, capricious, and will be an Act of Prejudicial Abuse of Discretion.

The WC Staff Report Application Page 4, Paragraph 1, Development Code Amendments states:

"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".

The proposed application, code amendment, and staff report application fail to provide substantial data and substantial evidence that clearly demonstrates that the proposed code change amendment is needed "to keep it up to date with the most current and desirable trends in planning and development". Applicants and the Staff failed to adequately discuss, identify, define or list what "most current and desirable trends in planning and development " are.

In light of the failure to substantiate or even discuss or define what the most current and desirable trends in planning and development are, the application and staff report are arbitrary, capricious and will result in prejudicial abuse of discretion and result in a substantial and unjustifiable "gift" to the developer and future project owner community.

The term above stating "it is expected" is not defined, discussed or explained within the staff report, application or Area Plan and therefore the use of the term is vague, arbitrary, and lacks specific guidance and parameters as to the meaning. There does not appear to be code language allowing a development code amendment based on what "is expected".

Further, the Area Plan, application and staff report fail to discuss who determines what "is expected" and this phrase without specific definition is arbitrary and capricious.

4. The far reaching Special Area 1 proposed WC Code change amendment is out of harmony and equilibrium with and is contrary to the Tahoe Area Plan and the Compact.

A. LU2-9 Single Family Residential in the Incline Village Commercial Regulatory Zone 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."

Note: The proposed Special Area 1 Code Change opportunity to provide for affordable housing units and arbitrarily ignores this policy in favor of the predetermined goal of condo construction negates the policy without any substantive discussion whatsoever within the Application or Staff Report.

B. Policy LU5-3 Preferred Areas for Affordable and Employee Housing: The Crystal Bay Tourist, **Incline Village Commercial**, Ponderosa Ranch (Special Area), and Incline Village Residential regulatory zones are preferred areas for affordable, moderate, achievable and employee housing.

Note: Allowing four story condominiums throughout Special Area 1 would not satisfy this goal, as it has been demonstrated by testimony that the 947 Tahoe project Condos could run in excess of \$2,000,000.

C. Action LU-6 Workforce Housing Incentives Develop land use policies that promote and incentivize workforce and affordable housing within close proximity to employment, main-line transit services, paths, and trails.

Note: Allowing four story condominiums throughout Special Area 1 would not satisfy this goal, as it has been demonstrated by testimony that the 947 Tahoe project Condos could run in excess of \$2,000,000.

D. Goal LU8: Maintain consistency with the Regional Plan and the community's long-term vision.

Note: The proposed code amendment is not consistent with **Policy LU5-3 Preferred Areas for Affordable and Employee Housing** or **Action LU-6 Workforce Housing Incentives**.

E. Policy LU8-4 Changes in Permissible Use

Washoe County should encourage changes to allowable uses in an area if the changes are supportive of an expanded local economy and consistent with environmental thresholds. New uses should not conflict with the community's long-standing character and identity.

Note: The proposed code amendment allows the potential for extensive increases in **Short Term Rentals (STR's)**.

STR's disincentive and erode Policy LU5-3 Preferred Areas for Affordable and Employee Housing or Action LU-6 Workforce Housing Incentives.

STR's add significant safety and environmental impacts to Incline Village and the East Shore, including adding human capacity, increased deposits of trash and plastic, adding daily vehicles miles traveled, adding negative to Nevada's pristine East Shore by increased use and impact of the East Shore trail (increasing animal and human feces and trash), and significantly adding to health and safety impacts on an already crowded and dangerous "F" graded Tahoe Blvd (SR 26) highway at Southwood Blvd.

F. Endangerment to the public and visitors during a wildfire

The application, project description and staff report all fail to discuss resident and visitor evacuation during a wildfire.

The code amendment has the potential to significantly increase the use of Short Term Rentals (STR's) adding to the human capacity of Incline Village, creating increased traffic on an already over capacity and dangerous bottleneck "F" graded Tahoe Blvd (SR 26) highway at Southwood Blvd. during a wildfire. This then as residents and visitors tend to panic during fire and smoke visibility events and which often involve accidents due to panic and low visibility thereby blocking roadway exits. This increases the likelihood that residents and visitors will be trapped, injured or suffer physical harm from smoke, fire and accidents in the area unable to safely and adequately evacuate with only two ways in and out of Incline Village.

G. Significant Failure on the part of Washoe County or the Applicant to discuss to Special Area 1 wide cumulative impact of Eastern Forest Tree Removal

Washoe County, the Applicant and WC Staff failed to discuss, list and consider the cumulative impact of "Eastern Forests" tree removal resulting from the approval of the proposed far reaching Aea 1 Code Development change.

Example

As an example of Eastern Forest tree impact, a glimpse of the last proposal connected with the 947 Tahoe project stated with regard to tree removal "Approximately 44 trees are proposed for removal with this project, 20 of which are greater than 24" diameter. 24" is the threshold in Eastern Forests.

The amendment, if approved, without discussion of impacts on the Eastern Forest tree removal impact, demonstrates malfeasance.

H. Cumulative impacts

The Applicant and Washoe County Staff failed to adequately consider or discuss the cumulative effects of potential impact on the entire Special Area 1 environment.

Cumulative impacts result from the tyranny of incremental impact of small decisions when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts result from individually minor but collectively significant actions taking place over a period of time.

Washoe county failed to consider cumulative impact of the proposed development code change by failing to analyze, determine and discuss the following cumulative effect on Incline Village and the East shore:

The extent that Wood Creek and Third Creek will be impacted by years long of up to 4 story condo construction up and down Tahoe Blvd, including mass grading soil removal and hauling, traffic, sediment, dust, air quality, underground water table pollution impacts connected with construction impacts from extensive underground parking garages, noise, impacts on public services including sewer and water and impacts on recreation as connected with the Incline Village General Improvement District and impact on wildlife due to extensive tree removal, as well as impacts from all other projects currently planned or scheduled within the Tahoe Area plan.

Example

With regard to an example of sub surface water impacts we one can review the 947 Tahoe proposals as well.

Imagine then the potential cumulative impacts with regard to sub-surface water contamination and sediment issues for the entire Tahoe Area Plan 1.

The 947 Tahoe project proposed an excavation depth of 30 feet below ground surface (bgs). TRPA approved an excavation depth of 24 feet bgs with Soils Hydrology Application #LCAP2021-0291. Per Special Condition 3.H., below, the applicant shall seek approval

for the revised excavation depth of 30 feet bgs. If approval for the revised depth is not granted, the applicant shall revise the project design to meet a maximum excavation depth of 24 feet bgs and a maximum structure height of 56 feet.

Therefore, it is within Washoe County's option to request the developer supply a complete EIS before going forward to considering approval of this Area Plan Code change.

The TRPA and Washoe County continue to fail the Compact

One can only conclude from the recent Tahoe Summit UC Davis TERC report that the Lake Tahoe Basin is out of "Equilibrium" and "Harmony" as required by the Bi-State Compact and is in an environmental free fall.

This, since the TRPA and its government "partners", i.e., Washoe County, have failed to adequately monitor and consider Lake Tahoe Basin wide cumulative impacts since the inception of the bi-state compact (50 years ago) and as importantly, since the adoption of the 2012 Regional Plan..

This proposed development code change can only result in increased incremental cumulative human capacity, relaxation of planning regulations, increased parking, and transportation, increased human capacity, decreased public safety and the promotion of high-density growth.

Final Comment:

In conclusion, the "Standing" issue, environmental impacts, cumulative impacts, and safety impact issues discussed above, affecting the entire Incline Village Special Use Area 1, as well as the proximity of Wood and Third Creeks and their watersheds, I request 1) That the Planning Commission votes not to hear the proposed amendments, and 2) request the Applicant to **provide a full Environmental Impact Statement (EIS)** before returning to the County Planning Commission on this matter.

Doug Flaherty, President
Tahoe Sierra Clean Air Coalition (DBA TahoeCleanAir.org)
A Nevada 501(c)(3) Non Profit Corporation
774 Mays Blvd 10-124
Incline Village, NV 89451

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		214.263404	Staff Assigned Case No.: _____	
Project Name: Tahoe Area Plan Amendment				
Project Description: Add single family dwellings (condominiums only) as an allowed use in Special Area 1 of the Incline Village Commercial Regulatory Zone				
Project Address: Tahoe Blvd, Southwood Blvd, Village Blvd, Alder Ave and N. Enterprise				
Project Area (acres or square feet): 37.45 acres				
Project Location (with point of reference to major cross streets AND area locator): Tahoe Blvd, Southwood Blvd, Village Blvd, Alder Ave and N. Enterprise				
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:	
See enclosed list				
Indicate any previous Washoe County approvals associated with this application: Case No.(s).				
Applicant Information (attach additional sheets if necessary)				
Property Owner:		Professional Consultant:		
Name: Pal Cap FFIF 1 Tahoe LLC		Name: Feldman Thiel LLP		
Address: 8333 Douglas Ave, Suite 900		Address: P.O. Box 1309		
Dallas, TX	Zip: 75225	Zephyr Cove, NV	Zip: 89448	
Phone: 214.855.2959	Fax:	Phone: 775.580.7431	Fax:	
Email: rfleisher@hamiltonrf.com		Email: kara@fmontahoe.com; lew@fmontahoe.com		
Cell: 214.507.7450	Other:	Cell: 530.545.3522	Other:	
Contact Person: Randy Fleisher		Contact Person: Kara Thiel or Lew Feldman		
Applicant/Developer:		Other Persons to be Contacted:		
Name: Same as Owner		Name:		
Address:		Address:		
	Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:	
Email:		Email:		
Cell:	Other:	Cell:	Other:	
Contact Person:		Contact Person:		
For Office Use Only				
Date Received:	Initial:	Planning Area:		
County Commission District:		Master Plan Designation(s):		
CAB(s):		Regulatory Zoning(s):		

Development Code Amendment Application Supplemental Information

(All required information may be separately attached)

1. What section of the Washoe County Code (WCC) 110 of the Development Code is being requested to be amended?

Section 110.220.145 Incline Village Commercial Regulatory Zone

2. Provide the specific language you are seeking to delete and/or add to the Development Code?

Add Single Family Dwellings (Condominiums only) an an Allowed Use (A) at a density of 1 unit per parcel in Section 110.220.145 Incline Village Commercial Regulatory Zone, Special Area 1.

3. What is the purpose to amend the Development Code?

To expand the list of permissible uses in Special Area 1 to include single family dwellings, as condominiums only, in an effort to achieve the goal to create walkable communities in the Town Center

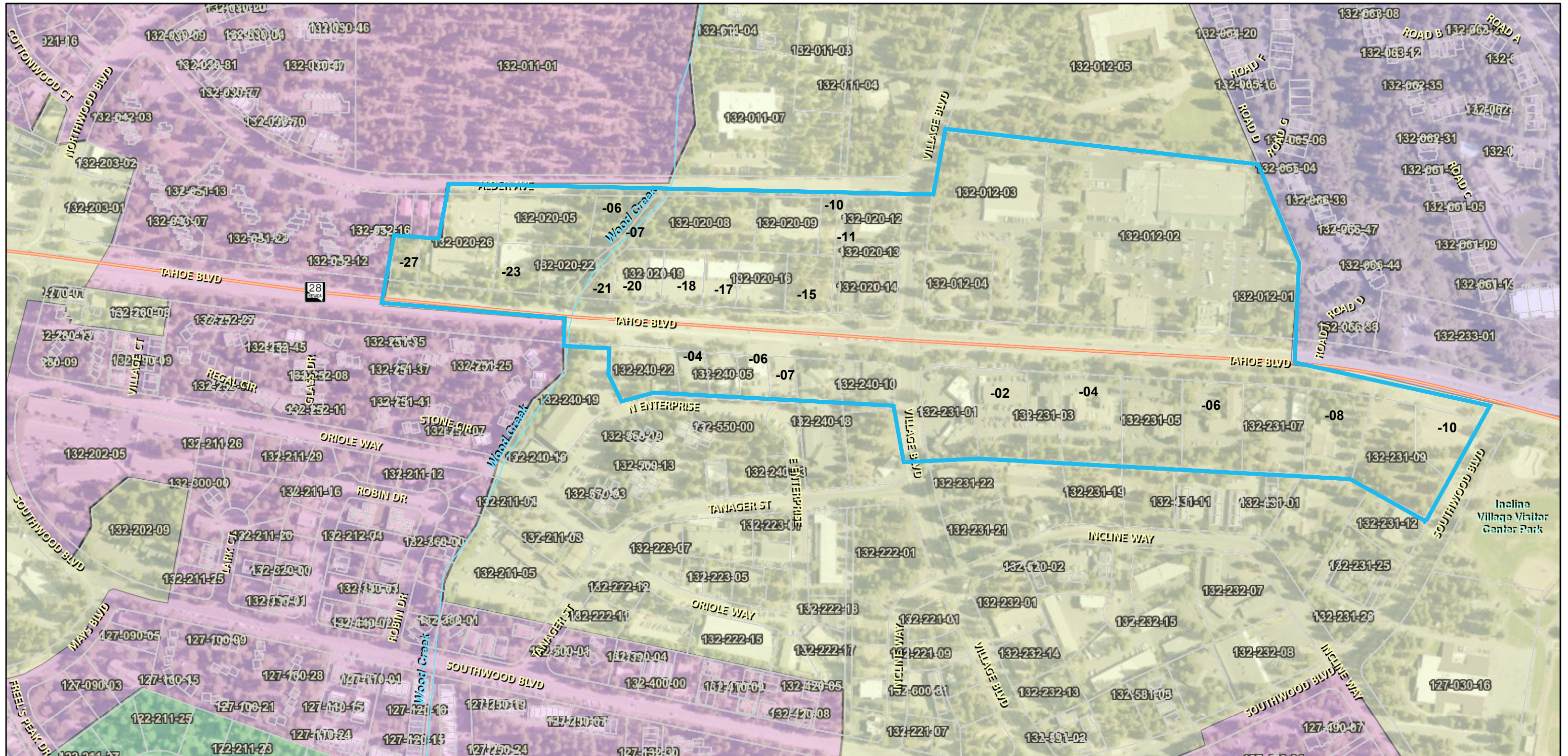
4. Are there any negative impacts to amending this section of the Development Code?

No

APN	STREET NUM	STREET	CITY	CURRENT USE	YEAR BUILT	PARCEL SIZE (OWNER)	MAILING ADDRESS
132-240-10	899	TAHOE BLVD	INCLINE VILLAGE	COMM / OFFICE BLDG	2002	0.537 DAVIS A M MERCANTILE CO	PO BOX 82226 LINCOLN, NE 68501
132-240-18	893	TAHOE BLVD	INCLINE VILLAGE	RESTAURANT & RETAIL	2004	1.175 DAVIS A M MERCANTILE CO	PO BOX 82226 LINCOLN, NE 68501
132-240-07	889	TAHOE BLVD	INCLINE VILLAGE	RETAIL W/ (1?) RESID UNIT	1966	0.265 LAKE STREET PARTNERS LLC	2370 DEL MONTE LN RENO, NV 89511
132-240-06	885	TAHOE BLVD	INCLINE VILLAGE	COMM / OFFICE BLDG	1980	0.286 KAHN INVESTMENT CO	PO BOX 5157 TAHOE CITY, CA 96145
132-240-05	881	TAHOE BLVD	INCLINE VILLAGE	COMM / RETAIL	1965	0.293 DRAHEIM-KESLER FAMILY TRUST	881 TAHOE BLVD INCLINE VILLAGE, NV 89451
132-240-04	877	TAHOE BLVD	INCLINE VILLAGE	COMM / RETAIL	1965	0.289 NLI PROPERTY LLC	PO BOX 777326 HENDERSON, NV 89077
132-240-22	873	TAHOE BLVD	INCLINE VILLAGE	COMMERCIAL (VACANT)	1973	0.673 EVC INCLINE VILLAGE LLC	3501 SW FAIRLAWN RD STE 200 TOPEKA, KS 66614
132-231-10	947	TAHOE BLVD	INCLINE VILLAGE	APPROVED 40 UNIT MFD		0.598	
132-231-09	941	TAHOE BLVD	INCLINE VILLAGE	" " " "		1.389	
132-231-08	937	TAHOE BLVD	INCLINE VILLAGE	COMM / OFFICE BLDG	1996	1.005 DGKIDS INC	968 FOURTH GREEN DR INCLINE VILLAGE, NV 89451
132-231-07	931	TAHOE BLVD	INCLINE VILLAGE	RESTAURANT	1978	1.148 DANIEL JACUZZI	437 CENTURY PARK DR STE B YUBA CITY, CA 95991
132-231-06	925	TAHOE BLVD	INCLINE VILLAGE	COMM / OFFICE BLDG	2002	1.106 SIERRA NEVADA MEDIA GROUP	PO BOX 1927 CARSON CITY, NV 89702
132-231-05	923	TAHOE BLVD	INCLINE VILLAGE	COMM / BANK	1978	1.122 923 TAHOE BLVD HOLDINGS LLC	1225 ALPINE RD STE 202 WALNUT CREEK, CA 94596
132-231-04	917	TAHOE BLVD	INCLINE VILLAGE	COMM / OFFICE BLDG	1981	1.131 BYE BYE BENTON LLC	PO BOX 6950 INCLINE VILLAGE NV 8945C
132-231-03	913	TAHOE BLVD	INCLINE VILLAGE	COMM / OFFICE BLDG	1998	0.627 KASDEN FAMILY TRUST	907 TAHOE BLVD STE 11 INCLINE VILLAGE, NV 89451
132-231-02	907	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1960	1.001 KASDEN/FRANK DEVELOPMENT LLC	907 TAHOE BLVD STE 11 INCLINE VILLAGE, NV 89451
132-231-01	901	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1976	1.006 SCHARFF FAMILY TRUST	PO BOX 4177 INCLINE VILLAGE, NV 8945C
132-020-27	836	TAHOE BLVD	INCLINE VILLAGE	VACANT		0.25 WASHOE COUNTY	
132-020-26	845	ALDER AVE	INCLINE VILLAGE	LIBRARY		1.254 WASHOE COUNTY	
132-020-23	855	ALDER AVE	INCLINE VILLAGE	LIBRARY	1979	0.456 WASHOE COUNTY	
132-020-22	856	TAHOE BLVD	INCLINE VILLAGE	OFFICE BLDG	1970	0.464 AWESOME ANT ENTERPRISES LLC	PO BOX 3536 INCLINE VILLAGE, NV 8945C
132-020-21	866	TAHOE BLVD	INCLINE VILLAGE	RETAIL STORE (GARDEN)	1969	0.156 HIGH SIERRA GARDENS INC	866 TAHOE BLVD #2 INCLINE VILLAGE, NV 89451
132-020-20	868	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1978	0.343 PENGUIN PROPERTIES, LLC	PO BOX 2541 CUPERTINO, CA 95015
132-020-19	870	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1978	0.183 PENGUIN PROPERTIES, LLC	PO BOX 2541 CUPERTINO, CA 95015
132-020-18	872	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1979	0.462 PENGUIN PROPERTIES, LLC	PO BOX 2541 CUPERTINO, CA 95015
132-020-17	880	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1979	0.388 PENGUIN PROPERTIES, LLC	PO BOX 2541 CUPERTINO, CA 95015
132-020-16	868/880	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1979	0.574 PENGUIN PROPERTIES, LLC	PO BOX 2541 CUPERTINO, CA 95015
132-020-15		TAHOE BLVD	INCLINE VILLAGE	VACANT		0.546 FLEISHER LAND LLC	
132-020-14	898	TAHOE BLVD	INCLINE VILLAGE	GARAGE/SERVICE/REPAIR	1971	0.6 SPARKS FAMILY TRUST	2170 BLAZE KING CT RENO, NV 89521
132-020-13	317	VILLAGE BLVD	INCLINE VILLAGE	RETAIL W/ 3 RESID UNITS	1967	0.241 GATELY ENTERPRISES USA LLC	1221 66TH ST SACRAMENTO, CA 95819
132-020-12	333	VILLAGE BLVD	INCLINE VILLAGE	COMMERCIAL	2008	0.568 TUNA VILLAGE LLC	
132-020-11		UNSPECIFIED	INCLINE VILLAGE	VACANT		0.16 TUNA VILLAGE LLC	
132-020-10		UNSPECIFIED	INCLINE VILLAGE	VACANT		0.202 FLEISHER LAND LLC	
132-020-09	889	TAHOE BLVD	INCLINE VILLAGE	COMM/MEDICAL OFFICE	1983	0.755 CHIM LIVING TRUST	930 TAHOE BLVD #802-88 INCLINE, NV 89451
132-020-08	877	ALDER AVE	INCLINE VILLAGE	VACANT		1.208 SPECKERT TRUST	PO BOX 5641 INCLINE VILLAGE, NV 8945C
132-020-07		UNSPECIFIED	INCLINE VILLAGE	VACANT		0.282 HIGH SIERRA GARDENS INC	PO BOX 1156 CRYSTAL BAY, NV 89402
132-020-06		ALDER AVE	INCLINE VILLAGE	VACANT		0.45 FOREST SERVICE	
132-020-05		ALDER AVE	INCLINE VILLAGE	PARKING LOT		0.962 WASHOE COUNTY	
132-012-04	900	TAHOE BLVD	INCLINE VILLAGE	COMM / BANK	1965	0.918 BANK BUILDING INC	101 N TRYON ST CHARLOTTE, NC 28255
132-012-03	910	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1976	3.34 MJ G3 TRUST	500 W CAPITOL AVE WEST SACRAMENTO, CA 95605
132-012-02	930	TAHOE BLVD	INCLINE VILLAGE	SHOPPING CENTER	1978	7.98 INCLINE CENTER	95 DAMONTE RANCH PKWY STE B PMB 495 RENO 89521
132-012-01	938/940	TAHOE BLVD	INCLINE VILLAGE	OFFICE BLDG / BANK	1969	1.06 WELLS FARGO BANK NEVADA NA	PO BOX 2609 CARLSBAD, CA 92018

37.453

Special Area No. 1

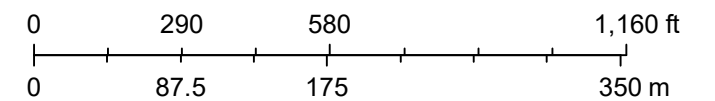


August 8, 2022

Regulatory Zoning - Tahoe

Chateau	Fairway	Incline Villiage #4	Marlette Lake	Stateline Point
Crystal Bay	Incline Meadows	Incline Villiage #5	Martis Peak	Tunnel Creek
Crystal Bay Condominiums	Incline Ski	Incline Villiage Commercial	Mill Creek	Tyrolian Village
Crystal Bay Tourist	Incline Villiage #1	Incline Villiage Residential	Mount Rose	Wood Creek
East Shore	Incline Villiage #2	Incline Villiage Tourist	Mt. Shadows	<all other values>
	Incline Villiage #3	Lakeview	Ponderosa Ranch	

1:4,514



Washoe County
 Washoe County GIS
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

This information for illustrative purposes only. Not be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.



Planning Commission Staff Report

Meeting Date: November 1, 2022

Agenda Item: 8D

DEVELOPMENT CODE: WDCA22-0002 Amends Chapter 110, Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) and Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies)

AMENDMENT CASE NUMBER:

BRIEF SUMMARY OF REQUEST: Amends Washoe County Development Code to: (1) add single family dwellings, limited to air space condominiums, as an allowed use in Special Area 1 of the Incline Village Commercial Regulatory Zone; and (2) add Tahoe Area Plan Policy LU2-9 as a special policy to Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies).

STAFF PLANNER: Courtney Weiche, Senior Planner
 Phone Number: 775.328.3608
 Email: cweiche@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion and possible action to approve a resolution 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) 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; and all matters necessarily connected therewith and pertaining thereto.

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: Feldman Thiel LLP
 Property Owner: Pal Cap FFIF 1 Tahoe LLC
 Location: Incline Village Commercial – Special Area 1
 APN: All parcels within Incline Village Commercial – Special Area 1
 Master Plan: Incline Village Commercial – Special Area 1
 Regulatory Zone: Incline Village Commercial – Special Area 1
 Area Plan: Tahoe
 Development Code: Authorized in Article 818, Amendment of Development Code
 Commission District: 1 – Commissioner Hill

STAFF RECOMMENDATION

APPROVAL

DENY

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 Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) as reflected in the proposed ordinance contained in Attachment A-1. I further move to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Planning Commission and to direct staff to present a report of this Commission's recommendation to the Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on the four findings within Washoe County Code Section 110.818.15(e).

(Motion with Findings on Page 12)

Staff Report Contents

Development Code Amendments 4
Background and Proposed Amendments 4
Findings 11
Public Notice 12
Recommendation 12
Motion 12
Appeal Process 13

Attachment Contents

Resolution with Proposed Ordinance Exhibit A and Attachment A-1
Community Workshop Summary Exhibit B
Public Comment Exhibit C

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 may be initiated by resolution of the Washoe County Commission or the Planning Commission. Real property owners may also submit an application for a development code amendment, which initiates the amendment.

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

January 26, 2021. BCC adopted a comprehensive package of amendments that amended the Washoe County Master Plan, Tahoe Area Plan (WMPA19-0007) and Tahoe Area Regulatory Zone Map (WRZA19-0007) and Development Code Amendments (WDCA19-0007) replacing Article 220 Tahoe Area Plan modifiers with two new articles, Article 220 Tahoe Area Plan modifiers and Article 220.1 Tahoe Area Design Standards.

May 26, 2021. TRPA Governing Board adopted the Washoe County Tahoe Area Plan and amendments to Chapters 34, 36, and 38 of the TRPA Code of Ordinances.

October 8, 2021. The applicant submitted a special use permit application (WSUP21-0029) to construct a 40-unit multifamily residential project at 947/941 Tahoe Boulevard, as required for projects located in the broader Incline Village Commercial regulatory zone. Staff later determined that the proposed project was located in Special Area 1 of the IV-C, in which multifamily dwellings are an allowed use. As an allowed use and not a special use, the 40-unit multifamily project would not require discretionary action by the County. The applicants indicated their desire was to eventually subdivide the multifamily dwellings into air space condominiums.

December 8, 2021. The applicant submitted a Tentative Subdivision Map application (WTM21-012) to subdivide a proposed 40-unit multifamily dwelling project located at 947/941 Tahoe Boulevard into 40 air space condominiums. Pursuant to Washoe County's development review process, the applicant held a neighborhood meeting in Incline Village on January 24, 2022, for the 40-unit project and subdivision.

Upon further review, it was discovered that single family dwellings are currently not an allowed use in IV-C Special Area 1. Per the Tahoe Regional Planning Agency's (TRPA) Code of Ordinances, condominiums are considered single family dwellings.

Upon subsequent consultation with Washoe County and TRPA staff, the applicant was informed that they would need to seek approval to amend the Tahoe Area Plan and Washoe County Development Code if they desired to pursue adding single family dwellings as an allowable use in Special Area 1 of the IV-C regulatory zone. This request would require both Washoe County and TRPA approval.

It is important to note that the subject development code amendment (DCA) is not specific to any one parcel or project in the IV-C Special Area 1 regulatory zone. The analysis contained in this staff report addresses the addition of single-family dwellings, limited to air space condominiums, for the whole of IV-C, Special Area 1.

July 8, 2022. The 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 which provides “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”.

Proposed 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.

The proposed text amendment is shown in Bold **Red**.

Section 110.220.145 Incline Village Commercial Regulatory Zone.

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Employee Housing	A	Based on other residential use densities
Multiple Family Dwelling	S	15 units per acre minimum 25 units per acre maximum
Multi-Person Dwelling	S	25 people per acre
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Single Family Dwellings	S	1 unit per parcel + 1 accessory dwelling where

		allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	A	5 units per site
Hotels, Motels and Other Transient Dwelling Units	A	40 units per acre
Timeshare (Hotel/Motel Design)	S	Based on hotel, motel and other transient use densities set forth above
Timeshare (Residential Design)	S	Based on hotel, motel and other transient use densities set forth above
Commercial		
Auto, Mobile Home and Vehicle Dealers	A	
Building Materials and Hardware	A	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	A	
Amusements and Recreation Services	S	
Privately Owned Assembly and Entertainment	S	
Outdoor Amusements	S	
Animal Husbandry Services	A	
Auto Repair and Service	S	
Broadcasting Studios	A	
Business Support Services	A	
Financial Services	A	
Contract Construction Services	A	
Health Care Services	A	
Laundries and Dry Cleaning Plant	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Sales Lot	S	
Schools – Business and Vocational	A	
Secondary Storage	S	
Food and Kindred Products	S	
Fuel and Ice dealers	S	
Industrial Services	S	
Printing and Publishing	A	
Small Scale Manufacturing	S	
Storage Yards	S	
Vehicle and Freight Terminals	S	
Vehicle Storage and Parking	S	
Warehousing	S	
Wholesale and Distribution	S	
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	

Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Recreation		
Day Use Areas	A	
Participant Sports Facilities	A	
Outdoor Recreation Concessions	S	
Recreational Centers	A	
Riding and Hiking Trails	S	
Sport Assembly	S	
Visitor Information Centers	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
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	

		40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Commercial		
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	S	
Privately Owned Assembly and Entertainment	S	
Broadcasting Studios	A	
Financial Services	A	
Health Care Services	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Schools – Business and Vocational	A	
Printing and Publishing	S	
Public Service		
Churches	A	
Cultural Facilities	A	
Day Care Centers/Preschools	A	
Government Offices	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Regional Public Health and Safety Facilities	A	
Social Service Organizations	A	
Pipelines and Power Transmission	S	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #2		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
General Merchandise Stores	A	
Mail Order and Vending	A	
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings, and Equipment	A	
Professional Offices	A	
Broadcasting Studios	A	
Schools – Business and Vocational	A	

Financial Services	A	
Health Care Services	A	
Printing and Publishing	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #3		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	S	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

***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.**



Incline Village Commercial – Special Area 1 Outlined in Red

Public Outreach

On 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 link to the community workshop recording can be found [here](#).

Public comment included a mix of both support and opposition for the proposed amendment. Many of the comments focused on a specific project, known as “Nine 47 Tahoe Condo”, recently approved by TRPA for new construction as a multifamily dwelling development in June of 2022. As discussed previously, the subject development code amendment would apply to the entire Special Area 1 of the Incline Village Commercial regulatory zone. The findings required for the subject development code amendment are for the addition of single-family dwellings as an allowable use for IV-C, Special Area 1 only, provided that: (1) the use is associated with an approved tentative subdivision map for multifamily use; and (2) the use is part of a mixed-use development or the single-family dwelling units are affordable housing units.

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 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.

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.

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 consider approval of WDCA22-0002, to amend Washoe County Chapter 110 (Development Code) within Article 220. 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 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]:

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 allow for a more desirable utilization of land within the regulatory zones; and,

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.

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.



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING APPROVAL TO THE BOARD OF COUNTY COMMISSIONERS OF AN ORDINANCE AMENDING 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; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 22-17

WHEREAS

- A. Development Code Amendment Case Number WDCA22-0002, came before the Washoe County Planning Commission for a duly noticed public hearing on November 1, 2022; and
- B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Development Code Amendment; and
- C. Whereas, pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Development Code Amendment Case Number WDCA22-0002:
 1. Consistency with Master Plan. The proposed 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 allow for a more desirable utilization of land within the regulatory zones; and,

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.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission recommends approval of the ordinance attached hereto as Exhibit A-1.

A report describing this amendment, discussion at this public hearing, this recommendation, and the vote on the recommendation will be forwarded to the Washoe County Board of Commissioners within 60 days of this resolution's adoption date.

ADOPTED on November 1, 2022.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Francine Donshick, Chair

WORKING COPY
INFORMATION ONLY

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

BOLD & RED TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: AMENDS WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) and Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use.

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending 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; and all matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires 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) in order to add single family dwellings,

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limited to air space condominiums, as an allowed use in the Incline Village Commercial Regulatory Zone Special Area 1; and to add Tahoe Area Plan Policy LU2-9 as to Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies); and

- B. The Washoe County Planning Commission initiated the proposed amendments by Resolution Number 22-17 on November 1, 2022; and
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA22-0002 on November 1, 2022, and adopted Resolution Number 22-17 recommending adoption of this ordinance; and
- D. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) is hereby amended as follows:

Section 110.220.145 Incline Village Commercial Regulatory Zone.

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Employee Housing	A	Based on other residential use densities
Multiple Family Dwelling	S	15 units per acre minimum

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		25 units per acre maximum
Multi-Person Dwelling	S	25 people per acre
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Single Family Dwellings	S	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	A	5 units per site
Hotels, Motels and Other Transient Dwelling Units	A	40 units per acre
Timeshare (Hotel/Motel Design)	S	Based on hotel, motel and other transient use densities set forth above
Timeshare (Residential Design)	S	Based on hotel, motel and other transient use densities set forth above
Commercial		
Auto, Mobile Home and Vehicle Dealers	A	
Building Materials and Hardware	A	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	A	
Amusements and Recreation Services	S	
Privately Owned Assembly and Entertainment	S	
Outdoor Amusements	S	
Animal Husbandry Services	A	
Auto Repair and Service	S	
Broadcasting Studios	A	
Business Support Services	A	
Financial Services	A	
Contract Construction Services	A	
Health Care Services	A	
Laundries and Dry Cleaning Plant	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Sales Lot	S	
Schools – Business and Vocational	A	
Secondary Storage	S	

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Food and Kindred Products	S	
Fuel and Ice dealers	S	
Industrial Services	S	
Printing and Publishing	A	
Small Scale Manufacturing	S	
Storage Yards	S	
Vehicle and Freight Terminals	S	
Vehicle Storage and Parking	S	
Warehousing	S	
Wholesale and Distribution	S	
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Recreation		
Day Use Areas	A	
Participant Sports Facilities	A	
Outdoor Recreation Concessions	S	
Recreational Centers	A	
Riding and Hiking Trails	S	
Sport Assembly	S	
Visitor Information Centers	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	

Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
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	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Commercial		
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	S	
Privately Owned Assembly and Entertainment	S	
Broadcasting Studios	A	
Financial Services	A	
Health Care Services	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Schools – Business and Vocational	A	
Printing and Publishing	S	
Public Service		
Churches	A	
Cultural Facilities	A	
Day Care Centers/Preschools	A	
Government Offices	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Regional Public Health and Safety Facilities	A	

Social Service Organizations	A	
Pipelines and Power Transmission	S	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #2		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
General Merchandise Stores	A	
Mail Order and Vending	A	
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings, and Equipment	A	
Professional Offices	A	
Broadcasting Studios	A	
Schools – Business and Vocational	A	
Financial Services	A	
Health Care Services	A	
Printing and Publishing	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #3		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	S	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	

Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

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

SECTION 2. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use is hereby amended as follows:

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.**

SECTION 3. General Terms.

- 1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
- 2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
- 3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to

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revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

- 4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2022.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2022.

Vote:

Ayes:

Nays:

Absent:

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Vaughn Hartung, Chair
Washoe County Commission

ATTEST:

Janis Galassini, County Clerk

This ordinance shall be in force and effect from and after the
__ th day of the month of ____ of the year 2022.

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IVCB Community 1st Summary of call

947 Tahoe Blvd. Zoning Amendment Meeting Highlights

AUGUST 23, 2022

The developer hosted an on-line community meeting to review the project and explain why they feel the zoning amendment would benefit Incline Village. They learned that in town center designated areas around the basin, the Tahoe Area Plan does not include single family dwellings, but instead is limited to affordable and/or multi-residential housing. Condominium units, like what is planned for the 947 project, are considered single family and therefore require a zoning amendment. They are specifically requesting a zoning amendment to the Tahoe Area Plan for the Incline Village Commercial Regulatory Zone Special Area 1, limited to condominiums.

They highlighted how the Tahoe Area Plan outlines the guidelines for development and growth encouraging redevelopment in town centers and the aging urban cores around the basin.

In their discussion, it was stated multiple times that affordable and multi-residential housing aren't economically viable residential projects. They also identified the Tahoe Area Plan allows for amendments to remove barriers for redevelopment. They also stated there is no incentive for the higher density projects.

They identified what they believe are the benefits of their project:

1. Increased density in town centers in support of the Tahoe Area Plan.
2. Promoting walking/biking and reducing the dependency on automobiles. *Public comment at the end of the meeting highlighted the 'F' rating for the eastern intersection of Southwood/Northwood at SR 28. The developer clarified this is an NDOT issue, not something the developer has the ability/requirement to change.*
3. Improved stormwater management.
4. A reduction of vehicle miles travels (VMT) and parking demand. *IV/CB Community 1st has inquired for a clarification on this benefit and have not yet received a response.*

Most public comment focused on a desire for restricting the condos from becoming short term rentals, the intersection safety, the need for affordable/workforce housing, property rights, and the potential impact of this amendment setting a basin-wide

precedent that will continue to erode affordable/multi-residential housing development. Multiple questions were raised as to why this amendment requirement wasn't identified at the project's inception in 2021. Click [here](#) to view a transcript of the public comments. It became clear that if TRPA and Washoe County desire multi-resident developments, financial incentives are needed.

The next steps include obtaining the Washoe County Planning Commission decision at their meeting on October 4th and then moving to the Washoe County Commissioners. If this is approved, it will then go move to TRPA where it will need to move from the Advisory Planning Commission to the Governing Board. If you are interested in writing the Washoe County Planning Commission, the emails are below along with the email address for all Washoe County Commissioners:

Washoe County Commissioners: commissioners@washoecounty.gov

Planning Commission District 1: dlazzareschi@gmail.com (The Incline Village/Crystal Bay District)

Planning Commission District 2: KateNelsonPE@gmail.com (she will need to recuse herself due to her IVGID involvement)

Planning Commission District 3: f.donshick@att.net

Planning Commission District 4: rmflick@washoecounty.us

Planning Commission District 5: chviliceks@unce.unr.edu

At-Large Planning Commission Member: rpierce@washoecounty.gov

At-Large Planning Commission Member: pataphillips@yahoo.com

Transcript from call

Participants

Chuck Butler – forward written comments to them	Jim Kaplan John Crockett Judith Miller	Sara Schmitz Seth Partlett Stacey
Chuck	Kathie Julian	T Scott Dutcher
Tim Kane	Kevin Hanna	Tim Kane
Erin Connell	Lew	Andrew Whyman
Beth & Jon Davidson	Linda Offerdahl	Aodhan Downey
Courtney Weiche	Linda Tokunaga	Barbara
DA	Nichole Roberts	Beth and Jon Davidson
Denise Davis	Pamela Tsigdinos	Ramona Lestack
Doug Flaherty	Ramona Lestak	Seth Bartlett
Helen Neff	Rob Brueck	Peter Todoroff

Q & A

Ronda Tycer

TYCER INPUT FOR MEETING 8-22-22

First, I'd like to point out that the developers, TRPA and Washoe County have all known since the developer's initial application last year that the 947 condominium project would require a code change to the Washoe Tahoe Area Plan.

I repeat some dates and facts:

- In September of 2021 the Project Plans were submitted to Washoe County.
- In or shortly after December 2021 Washoe County approved the traffic study and the geo-technical assessment.
- In January 2022 the Incline Community was informed of the project via a *Tahoe Tribune Article* letting us know there would be a neighborhood meeting but never mentioning a date. TRPA let us know that they were only obligated to notify parcel owners within 750 feet of the project most of whom were commercial parcel owners. The so called public meeting was reportedly a one-way presentation online with no opportunity for community input.
- In June 2022 TRPA put the project approval of 947 on their "consent calendar" based on their claim it was not "controversial." They approved the project without any public discussion.
- Now in August 2022, the developer, TRPA and Washoe County have announced that the 947 Project requires a Washoe Tahoe Area Plan code change. Although they have tried to minimize the potential impact, we citizens know this change could serve as a dangerous precedent. There is no enforcement and therefore no guarantee that the 26

owners who have already put in their deposit on one of the \$2 million plus condos will not vote to allow short-term rentals. The likelihood that any of these condos will serve local employees or be considered affordable rentals is zero.

The code change should be denied. The 947 Tahoe Boulevard project should be reconsidered and the developer should be required to provide a percentage of condos that are truly affordable, moderate, and achievable for Incline Village employees.

Ronda Tycer
Incline Village Resident
Tahoe Area Plan Amendment

Judy Miller

The reason it was carved out was because it's on the main highway – it would make ideal apartments - -but rather than doing away with the restriction – why not require a higher density of units – have a design that would provide
Rather than luxury units – on Big Water – more than 25% are now STRs -I hope we can find a way to address employee housing.

Speaker - My emails are included in the chat – send these thoughts – so I can respond – and touch base.

Pamela Tsigdinos

Participating - not in favor – lived in area – residents know the public safety constraints – adding more housing with people and vehicles will exacerbate – a congested area
Country club and Tahoe Blvd – ¼ mil from development
Already congestion intersections far more treacherous

This condo development which currently doesn't allow STRs – with a majority of owners in favor will eliminate restrictions on STRs.

Speaker

Based on long discussions with potential buyers – there is a strong desire to not have STRs – They don't want to deal with it the building – I don't anticipate that will change – Road safety and walkability and –We've gone through the studies – TTD – traffic light to help safe crossing – we're committed to work with authorities

If you read the Area Plan – promoting density is to ensure walkable communities – makes this location attractive -

Linda Offerdahl

As much as we'd like to see affordable housing – those efforts need to start with the County – identify parcels – and develop incentives.

We need more housing of all types. We have new families – affluent families – shortage of housing.

There is a lack of commercial redevelopment in IV – There is a lack of leadership for discussions – Without any community conversations, where does our community need stuff?

This development stimulates the local community and contributes to walkability. It is a good boon –The barriers to building are insurmountable – The lack of space – The local resistance to any change.

This developer lives in our community and is following all regulations –

The cost of development precludes development of affordable properties – I speak on behalf of promoting growth. The project deserves consideration.

Scott ?

I represent property owners adjacent to the development - 260' property line – real estate agent and 926 Incline Way – own 5 office buildings- comments opposed to this parcel – that would deprive this owner of any reasonable use of the property – he has the right to develop – **he's allowed to put 25-50 multifamily units on the property FALSE – IT IS CURRENTLY ILLEGAL]** – without any amendments – opposition to

Think it's a good project - we need housing

This owner isn't required to serve the community.

Kathie Julian

Questions – community meeting? Tahoe Area Plan – under 110.... It talks about what's being encouraged – in special zones –

Repeatedly mentions *affordable housing units* –

Again stated on p 33- allowable uses – *multifamily units*

Puzzled how with all your resources that this wasn't identified early on as an unallowable use of the property –

I found it in an afternoon –

So how did you miss this non-allowable use in your planning?

Concern that the County is looking to setting precedent – to undermine affordable housing

I attended the Tahoe Summit – affordable housing was a key message driven home by our leaders

Speaker

The reality is that affordable will never occur.

Remind you – please mute until called on

Carole Black

I second Kathie Julian – if there's a *zoning requirement* – I don't see how that's incentive on developers – use of the property –
My thought - we need more affordable housing –

[Chat Box Comments:

WALK anywhere? They're going to drive their Teslas to Raley's to recharge and shop!]

[No developer has the right to develop any property that isn't within the current zoning regulation. No, we do not need more multi-million dollar CONDOS. We need actual WORKFORCE housing, which is exactly what this property is zoned for: multiple family housing. Stop adding more and more mansions to our town. We need housing for the people who WORK here and can afford to raise children in our community. DO NOT approve this change in the zoning!!!]

Speaker

Needs of the community –

We are fully engaged in evaluating affordable opportunities – previous uses – gas station and restaurant - car traffic – whether this is 50 apartments or 40 condos – same traffic

[In what world is \$2 million affordable????]

Sara Schmitz

Trustee of IVGID – comments purely as a resident – don't reflect my fellow Board member views.

I am disappointed that – a great deal of time and money has gone into the project and after 1 year, now we hear of zoning restrictions.

Empathy

The Tahoe Area Plan – was 1 year – promote multi-residential development in commercial zones – around the basin – The intentions of the Tahoe Plan are what is needed for the Basin –We don't need more housing for 2nd home owners.

We need the restrictions and limitations – if this zoning amendment – It sets a precedence for the entire Tahoe Basin – needed in Crystal Bay for Resort At Tahoe – it will set the stage for removing the multi-residential element that was intended in the town centers.

We need to exercise support to deliver on the Tahoe Area Plan – The County needs to provide economic assistance –

This change will have a negative impact – and flies in the face of TRPA's efforts.

Speaker

* Goal of the overall plan was to create density = the unfortunate situation – huge success – created due to cost escalation – no increase in density unless you allow another form of multifamily – same impact – 40 condos vs 50 apartments.

• **Erin Connell** –

I agree with Kathie and Sara.

Developers come in – they have something in mind – We bend the rules and they go away and we're left with a hodgepodge of stuff. We do not have a village core. We have sort of a core. We have no sidewalks. Walking in the core is dangerous. Our other village core is by the Old Elementary School. We don't have enough parking, not enough sidewalks. Residents don't ride bikes around the town to get their groceries. It's a stretch to say that – If your building was to be in the commercial corridor and comply with the intent – if there was a commercial segment as part of the development...

Residents have not been able to voice concerns. We don't have a Civic Planner – it should be coordinated – That's not ever a part of what developers do – We need to up with developments with all the rest of the stuff.

I drive through Truckee there are sidewalks , stores, street lamps – flowers on lamp posts – we have nothing. We continue to live with ...

What's the purpose of having a Tahoe Area Plan?

We're not in opposition, we want a solution. But we're not in the problem-solving business. We do the live/work thing. Maybe put some commercial space in front of the condominiums. Maybe additional parking for rent. Something that contributes.

In a community that is starved

We can't serve those people who buy into the condo. We have no servers, no baggers – no employees. We need to look for a compromise -

Speaker

I know you've had bad experience with past developers. But the partners in this development have in excess of a combined 50 years of living in IV. A large commercial center creates traffic flow issues. We're proposing 40 units of multifamily. Rents would be astronomical. We're aware of the affordability issue.

Roxanna Dunn

Question what's the process to enforce or promote the Tahoe Area Plan? Was the process followed?

"IVCBA has initiated a Main Street program for redevelopment and revitalization that would provide community guidance to these issues."

Helen Neff

I'm an Incline Resident – and neighbor to the proposed project. The Tahoe Area Plan reflects the wants and needs of the community including transportation. The regulatory orientation is that development should have a strong pedestrian orientation. We need to deliver on the Tahoe Area Plan – accepted

Complete streets improvement – F rated intersection – vehicles only – not pedestrians – improvements need to be provided before any development

Need commitment to the community – NDOT mission is to move vehicles and efficiently as possible – no enforcement on SR28

Speaker

We will be making the area more walkable, safe, but don't control ability to put in a traffic signal – NDOT authority – we've seen the numbers – and will work with our neighbors to get the outcome that is safest.... We can try to make it happen

Doug Flaherty

Thanks for having the courtesy for a Q&A session. June 22 TRPA meeting.

[sent in printed comments]

Pam Straley

No developer has the right to develop any property that isn't within the current zoning regulation. No, we do not need more multi-million dollar CONDOS. We need actual WORKFORCE housing, which is exactly what this property is zoned for: multiple family housing. Stop adding more and more mansions to our town. We need housing for the people who WORK here and can afford to raise children in our community. DO NOT approve this change in the zoning!!!

Speaker

In regards to a consent agenda – We have no direct control – TRPA Board and prof staff review app and do their process – They make a decision as to whether it goes on consent agenda or not – our belief is we provided all the info and it's in spirit of Tahoe Area Plan –

Doug Flaherty

One other question – do you have any data that increase in density leads to reduction in traffic?

Speaker

commercial zones, downtown zones, it allows you to better drive traffic flows –make things more walkable – I don't believe we are proposing any increase in density – make things more walkable and closer – you end up with

T Scott Dutcher

“Has anyone noticed that “condominium” is not an “allowable land use” classification anywhere in the Tahoe Area Plan? It's either “single family”, “multiple family” or “multi-person”. This project is certainly attempting to fulfill the need for the high density housing which we need.”

EMAIL FOR SPEAKER: cbutler@palominocap.com

Kristina Hill

I’m a local planner and I came into this late – Can you outline the zoning amendment process -- what are the steps and where are you in the process?

Speaker

Rob can you answer?

We will take comments – emails – consider as we prepare environmental documentation – work with TRPAs – complete the staff reports – to different decision makers.

This has to go to Planning at the County – and get approved by 3 entities – Advisory Planning Commission and Governing Board. First County and then TRPA approval.

Follow up emails from town meeting

From: [Kathryn Nelson](#)
To: [Kerfoot, Lacey](#); [Lloyd, Trevor](#)
Subject: Fwd: Incline Village - The code change should be denied
Date: Friday, August 26, 2022 3:46:31 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Public comment on 947 Tahoe.

Sent from my iPhone

Begin forwarded message:

From: Julia Simens <julia.simens@gmail.com>
Date: August 26, 2022 at 10:27:05 AM PDT
To: Julia Simens <julia.simens@gmail.com>
Subject: **Incline Village - The code change should be denied**

This code change will have a negative impact on all of North Shore Lake Tahoe.

The 947 Tahoe Boulevard project should be reconsidered and the developer should be required to provide housing that is truly affordable, moderate, and achievable for Incline Village employees.

I do not believe promoting density will ensure walkable communities. Incline Village is not pedestrian friendly. It would seem necessary to get NDOT on board to make the traffic signals to be programmed to prioritise pedestrians over vehicle flow. We would need sidewalks or paths throughout the town which we do not have.

I am very concerned that the County is looking to set a precedent that will allow the whole area on the North Shore to become condos.

This property is zoned for multiple family housing so any changes should be denied.

Julia Simens
Long term owner
1000 Lakeshore Blvd, Unit 5, Incline Village, NV 89451

From: [Kathryn Nelson](#)
To: [Kerfoot, Lacey](#); [Lloyd, Trevor](#)
Subject: Fwd: 947 Tahoe Blvd. Zoning Amendment Resident Opinion
Date: Monday, August 29, 2022 8:44:38 AM

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Sent from my iPhone

Begin forwarded message:

From: Nicole Roberts <scubanicole@yahoo.com>
Date: August 28, 2022 at 4:04:12 PM PDT
Subject: **947 Tahoe Blvd. Zoning Amendment Resident Opinion**

Dear Washoe County Planning Commission Commissioners, Tahoe Area Plan author, and senior planner for Tahoe Area Plan,

I am writing to strongly oppose the zoning change being proposed for 947 Tahoe Blvd for various reasons.

The zoning change is in direct conflict with the desperate need for workforce housing. The Tahoe Basin is in a housing crisis, and many of the essential workers cannot afford to live in the basin.

Changing the zoning for a luxury condo community would only have negative impacts, such as increasing traffic along 2 dangerous intersections (Southwood & Village) and (Southwood & 28).

While the owner of the property has every right to build on his property, he needs to stay within the current zoning rules. The zoning rules were created to protect the community, and changing them sets a terrible precedent and would disregard many years of research spent to create them.

It feels irresponsible to even consider changing the zoning to allow luxury condos for the wealthy, while the essential workers such as teachers, ski patrol, and others cannot afford to live in town.

The reasoning that this would "reduce traffic" is illogical and simply makes no sense, it would only increase traffic.

The developer claims that these would not turn into STRs, but over time, HOAs change rules, and it is highly likely that this would turn into a condo complex full of STRs, which is another issue within the community.

Please consider the well being of the Incline Village and Lake Tahoe Basin community, the many negative impacts of this proposed project, and do not

approve the zoning changes.

Kind Regards,
Nicole Roberts

From: [Amy Smith](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: Nine 47 Tahoe
Date: Thursday, August 25, 2022 11:27:23 AM

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi,

My name is Amy Smith and I am a long time Incline Village resident. I am writing in regard to the Nine 47 Tahoe project in Incline Village. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment. I know people in opposition tend to be the loudest voices but I wanted to make sure you also heard from residents that support this project and developer. Development in our town, despite the lack thereof in many years, is inevitable and it would be wise to support development that will be the right type of investment for our town.

I know many people are worried about affordable housing in Incline Village and this is a very real concern, however the lack of this type of housing is not the fault of the developer nor is it their responsibility. In addition, I believe the location of this project will be beneficial to our community. Because it is close to the center of town it may encourage more walking and biking from the condo residents, therefore decreasing a little of the automobile traffic while at the same time encouraging support for local businesses. These are just a couple of the reasons I believe this project is a positive development opportunity for our town.

Thank you for your time,
Amy Smith

From: [Bryce Holman](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: In Support of 947 Tahoe
Date: Monday, August 29, 2022 11:35:30 AM

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Hello -

I would like to reach out to express my support for 947 Tahoe Blvd. I graduated from Incline High School in 2007 and I own a both residential and commercial buildings in Incline Village and firmly believe this project, as a condo project, will provide additional housing that will be beneficial to the community. This project would continue to push the community in the right direction and would be beneficial to all of the businesses and residents.

Thanks,
Bryce

--

Bryce Holman
(831) 277-7757

From: [Kendra Brodsky](#)
To: [Weiche, Courtney](#); [Hill, Alexis](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Cc: [Mickey Brodsky](#)
Subject: Nine47 Tahoe
Date: Wednesday, August 31, 2022 5:48:52 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear County/TRPA,

My husband, Mickey (cc'd) and I wanted to reach out and voice our support for Nine47 Tahoe. We were unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to write in regarding the project and the plan amendment.

This project would be the first housing project in over 20 years and provide a wonderful addition to our community. Many naysayers do not want any change or reinvestment, but Incline needs to move on from this stagnation and this project represents the types of investment we need.

- I prefer 40 condos over 50 multi family units. The owners will be less transient and some will live here full-time.
- Greater density within town centers encourages walkability and biking. It will also support our local restaurants and other businesses.
- The 40-unit project incorporates a multi-modal trail along its frontage that will further pedestrian and bike mobility.
- The developer has included restrictions on STRs in its organization documents and used it to attract like minded owners to the project. I think this is pretty admirable and supportive of the community views.
- I know there were some concerns on why the plan amendment was brought late. Who cares...condos, apartments...single family....the project is what Incline needs and it is better than having another gas station or convenience store.
- I do not know why everyone is blaming the developer for affordable housing. This is a problem that the County and Incline need to address. It is a real issue, but denying this project will not solve that. It would just result in more houses being bought up and leveled hurting other housing options.
- I am always disappointed that the negative minority are so vocal. There are many of us who do not want to be attacked but are supportive of growth in a responsible way. Incline needs to continue to redevelop and evolve. People are not going to stop coming so we need to support projects that help manage where they live. I think this one does.

Best,

Kendra and Mickey Brodsky

From: [Jacob Stock](#)
To: [Carolyn Kane](#); [Weiche, Courtney](#); [Hill, Alexis](#); [Lloyd, Trevor](#); [Jennifer Self](#)
Cc: [Randy Fleisher](#)
Subject: RE: Letter of Support -Nine47 Tahoe
Date: Tuesday, August 30, 2022 11:20:16 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Thank you Carolyn,

Your comment has been received and will be added to our records.

Best,
Jacob

From: Carolyn Kane <carolyn.kane@evrealestate.com>
Sent: Tuesday, August 30, 2022 10:43 AM
To: CWeiche@washoecounty.gov; AHill@washoecounty.gov; tlloyd@washoecounty.gov; Jennifer Self <jself@trpa.gov>; Jacob Stock <jstock@trpa.gov>
Cc: Randy Fleisher <rflleisher@hamiltonrf.com>
Subject: Letter of Support -Nine47 Tahoe

Dear County/TRPA,

My name is Carolyn Kane. I am a local realtor in Incline Village. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment.

This project would be the first (housing project?) in over 20 years and provide a wonderful addition to our community. Many naysayers -do not want any change or reinvestment, but Incline needs to move on from this stagnation and this project represents the types of investment we need.

- I prefer 40 condos over 50 multi family units. The owners will be less transient and some will live here part-time.
- Greater density within town centers encourages walkability and biking. It will also support our local restaurants and other businesses.
- The 40-unit project incorporates a multi-modal trail along its frontage that will further pedestrian and bike mobility.
- The developer has included restrictions on STRs in its organization documents and used it to attract like minded owners to the project. I think this is pretty admirable and supportive of the community views.
- I know there were some concerns on why the plan amendment was brought late. Who cares....condos, apartments...single family....the project is what Incline needs and it is better than having another gas station or convenience store.

I do not know why everyone is blaming the developer for affordable housing. This is a problem that the County and Incline need to address. It is a real issue, but denying this project will not solve that. It would just result in more houses being bought up and leveled hurting other housing options.

- I listened to the meeting and am always disappointed that the negative minority are so vocal.

There are many of us who do not want to be attacked but are supportive of growth in a responsible way. Incline needs to continue to redevelop and evolve. People are not going to stop coming so we need to support projects that help manage where they live. I think this one does.

Thank you for your consideration.

Carolyn Kane

CAROLYN KANE

Global Real Estate Advisor

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Website: carolynkane.evrealestate.com

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From: [Debbie Castello](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: Nine 47 Tahoe Boulevard
Date: Tuesday, August 30, 2022 9:17:22 PM

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello All,

We are sorry to have missed the zoom call meeting regarding Nine 47 Tahoe Boulevard on August 22nd. We wish to express our support of the idea as it is being proposed for a 40 unit luxury condominium . We know the land has been approved for 50 apartments but firmly believe that apartments are the last thing we need in Incline. A modern luxury project offers much more to this community. We know the developer to be a person of integrity and firmly believe his intention is to build a project that will add to the community. We, also, believe that the concerns brought forward by many will be addressed and resolved by the developer in a way that will satisfy the concerns.

Thank you for your consideration.

Debbie and Vic Castello

August 22, 2022

To: PALCAP FFIF TAHOE 1, LLC

Re: Comments - Proposed Washoe County code change application and 947 Tahoe Blvd Project meeting 8-22-22.

Dear Mr. Butler,

In anticipation of this afternoon's proposed code change application and 947 Tahoe Blvd Project meeting, I would like to provide my comments and concerns.

Per Washoe County, PALCAP FFIF TAHOE 1, LLC has submitted an application for a development code amendment to add single family, limited to condominiums, as a permissible use in Incline Village, NV Special Area 1.

Comment: While there has been public notification regarding this limited 1-hour meeting, no prior meeting materials have been provided in advance to the public for the public to prepare for this meeting.

I preface my comments with the knowledge that Washoe County and the TRPA do not appear to have in place, a development review Memorandum of Understanding as required by TRPA Code of Ordinances 13.7.1 and 13.7.5. Therefore, as previously stated by TRPA, even though TRPA adopted the Washoe County Area Plan in 2021, this project is not eligible for delegation from TRPA Review.

According to the Washoe County Planning Staff, it has been determined that single family dwellings are not a permissible use in Incline Village Commercial, Special Area 1.

Additionally, TRPA Code of Ordinances Section 21.2.4. States:
Proposed uses not listed in applicable plan area statements, community plans, redevelopment plans, **Area Plans**, and specific or master plans are **prohibited**. Also, proposed special uses for which the findings in subsection 21.2.2 cannot be made are prohibited uses.

Comment: I would assume therefore, your organization is seeking, what I consider a far reaching, precedent setting code change affecting all of Incline Village Special District 1.

For the reasons stated below, I am opposed to the application on its face.

Page 2-23 Tahoe Area Plan States:

Each project site will be responsible to **treat** stormwater **on site**, although the county may consider establishing regional treatment as part of a future assessment district (refer to future actions in the Conservation chapter).

Comment: Please explain how stormwater will be treated on site. This project is in the environmentally sensitive Third Creek Watershed and the project is in proximity of Third Creek. Third Creek has been determined to be among the highest environmentally important creeks in the Lake Tahoe Basin.

Tahoe Area Plan Regulatory Zone Policies

Policy LU2-9 Single Family Residential in the Incline Village Commercial Regulatory Zone

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.

Comment: While your project adds 900+ sq feet of office use to achieve your ultimate goal of being able to construct your 40 Unit Condominium project, the combined mixed-use cumulative environmental impact of your proposed code change, far outweighs any possible environmental improvements that this proposed mixed use development could contribute.

Tahoe Area Plan Goals

Goal LU3: Promote environmentally beneficial redevelopment in Town Centers.

Comment: While your project adds 900+ sq feet of office use to achieve your ultimate goal of being able to construct your 40 Unit Condominium project, the combined mixed-use cumulative environmental impact of your proposed code change, far outweighs any possible environmentally beneficial redevelopment and in fact sets a precedent for a far reaching cumulative environmental impacts affecting all of Incline Village Special Area 1. Please explain how this code change and project will Promote environmentally beneficial redevelopment in Town Centers.

Goal LU5: Provide housing opportunities for the workforce of Incline Village and Crystal Bay.

Comment: Please explain how this code change and project will provide housing opportunities for the workforce of Incline Village and Crystal Bay.

Policy LU5-1 Harmonization

Housing shall be integrated into its neighborhood and harmonized with its surroundings through consideration of compatibility factors such as density, site planning, multi-modal infrastructure, and architecture.

Comment: The proposed far reaching Code Change and project will only increase density, traffic and other cumulative environmental impacts within Incline Village and the entire Lake Tahoe Basin.

One can only conclude from the recent Tahoe Summit UC Davis TERC report that the Lake Tahoe Basin is out of "Equilibrium" and "Harmony" as required by the Bi-State Compact and is in an environmental free fall. This, since the TRPA and its government "partners", i.e., Washoe County, have failed to adequately consider cumulative impacts since the inception of the bi-state compact (50 years ago). This proposed code change can only result in increased cumulative human capacity, relaxation of planning regulations, increased parking, and transportation, increased human capacity and the promotion of high-density growth.

Cumulative impact is the impact on the environment which results from the tyranny of incremental impact of small decisions when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts result from individually minor but collectively significant actions taking place over a period of time.

Policy LU5-3 Preferred Areas for Affordable and Employee Housing

The Crystal Bay Tourist, Incline Village Commercial, Ponderosa Ranch (Special Area), and Incline Village Residential regulatory zones are preferred areas for affordable, moderate, achievable and employee housing.

Comment: Please explain how this code change and project will give preference to or contribute to developing affordable, moderate, achievable and employee housing.

Action LU-6 Workforce Housing Incentives

Develop land use policies that promote and incentivize workforce and affordable housing within close proximity to employment, main-line transit services, paths, and trails.

Comment: Please explain how this code change and project will promote and incentivize workforce and affordable housing within close proximity to employment, main-line transit services, paths, and trails.

Goal LU6: Strengthen economic activity in Incline Village and Crystal Bay by creating pedestrian-friendly environments in mixed-use and tourist regulatory zones with upgraded aesthetics, architecture, and landscaping.

Comment: Please explain how this code change and project will create pedestrian-friendly environments in mixed-use and tourist regulatory zones. This since the intersection is question according to the traffic study is rated "F". With the TRPA and Washoe County projecting increased trail and walkway use within Special Area 1, Incline Village and the entire Lake Tahoe Basin please explain how the proposed code change will help to ensure the public health and safety at this intersection.

Policy LU6-1 Traditional Downtown

Create a traditional small-town downtown in the Incline Village Commercial regulatory zone that serves residents' commercial needs. This regulatory zone should have a strong pedestrian orientation with multi-modal connections from nearby neighborhoods, reduce the visual prominence of automobiles, be aesthetically pleasing, and foster a sense of identity. Concentrated retail stores, restaurants, and offices should be included to promote the bustle and activity of a downtown.

Comment: Please explain how this code change and project will serves residents " commercial needs". The 900 + sq foot office use information is vague.

With the TRPA and Washoe County projecting increased trail and walkway use within Special Area 1, Incline Village and the entire Lake Tahoe Basin please explain how the proposed code change will help to ensure the public health and safety at this intersection.

Policy LU6-2 New Tahoe Image

All new and remodeled projects should use architectural designs and materials which create a "New Tahoe" image, recreating traditional alpine architecture using modern technology. Examples of this style include the Incline Visitor Center and the IVGID Community Center. Projects are encouraged to provide outdoor plazas. Projects should maintain the essential elements of the community's forested setting through site design and building design. Site and building design should be oriented to the pedestrian / bicycle path network. Pedestrian and bicycle connections between properties should be promoted.

Comment: Please explain further how the proposed code changes and project will recreate traditional alpine architecture using modern technology. The Area Plan uses the Incline Visitor Center and IVGID community Center as architectural examples. Any reasonable person who resides in or visits the Lake Tahoe Basin would have to conclude that the building depicted in the architectural renderings at this particular corner in question are overly bearing, obtrusive and stark and, it is a far reach to compare any aesthetic similarity of this project with either the Visitor Center and IVGID community Center

Goal LU8: Maintain consistency with the Regional Plan and the community's long-term vision.

Comment: Please explain how this proposed far reaching Code Change affecting all of Incline Village Special Area 1 maintains consistency with the Regional Plan and the community's long-term vision.

Policy LU8-4 Changes in Permissible Use

Washoe County should encourage changes to allowable uses in an area if the changes are supportive of an expanded local economy and consistent with environmental thresholds.

New uses should not conflict with the community's long-standing character and identity.

Comment: Please explain how this proposed far reaching Code Change affecting all of Incline Village Special Area 1 will be with the consistent with long standing character and identity. The proposed code change and project will actually erode the long-standing character and identity of the community.

Section 110.220.40 Community Design and Land Use Compatibility.

4. Development Standards. Commercial, tourist accommodation, public service, and multi-residential projects shall meet the following requirements:

b. An active transportation circulation system shall be incorporated into the site plan to assure that all active transportation users can move safely and easily both on the site and between properties and activities within the Regulatory Zone year-round.

Comment: Please explain how this proposed far reaching Code Change will support the concept that active transportation users can move safely and easily both on the site and between properties and activities within the Regulatory Zone year-round. This, since the intersection is question according to the traffic study is rated "F".

Additionally increased cumulative capacity can only lead to a decrease in public health and safety during a wildfire evacuation. Please explain how the project will enhance public safety during a wildfire evacuation.

Regulatory Zone Development Standards - Washoe County

Section 110.220.130 Regulatory Zone Development Standards. The following sections provide details on the allowed uses, density, and special area regulations, and other development standards within the Regulatory Zones.

TRPA Code of Ordinances 21.2.2. Special Uses states:

Uses listed in applicable local plans, redevelopment plans, or specific or master plans as "special" ("S") may be determined to be appropriate uses for the specified area, and projects and activities pursuant to such uses found to be appropriate may be permitted. To allow a special use, TRPA shall conduct a public

hearing according to the procedures in the TRPA Rules of Procedure. Before issuing an approval, TRPA shall make the following findings:

A. The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located;

B. The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners; and

C. The project to which the use pertains will not change the character of the neighborhood, or detrimentally affect or alter the purpose of the applicable local plan, and specific or master plan, as the case may be.

Comment: TRPA recently violated their own regulations by failing to conduct the required "Public Hearing" during their June 22, 2022, Governing Board Meeting. The TRPA Governing Board Meeting Agenda contained the Agenda Item "Public Hearings" as Item VI.

TRPA then practiced prejudicial abuse of discretion by arbitrarily and capriciously placing the 947 Tahoe Blvd item under the "Consent Calendar" which robbed the Public of the required Public Hearing required under 21.2.2 and by approving this item on the Consent Calendar, TRPA failed to specifically make clear and complete the required findings above. And, additionally by failing to vote on the "Required Motions" as recommended by TRPA Staff as follows:

Required Motions:

In order to approve the proposed project, the Board must make the following motions, based on the staff report:

- 1) A motion to approve the required findings, including a finding of no significant effect; and
- 2) A motion to approve the proposed "Nine 47 Tahoe" Mixed-Use project, subject to the conditions in the draft permits (see Attachment B).

TRPA Code of Ordinances 21.2.4. Prohibited Uses states:

Proposed uses not listed in applicable plan area statements, community plans, redevelopment plans, Area Plans, and specific or master plans are **prohibited**. Also, proposed special uses for which the findings in subsection 21.2.2 cannot be made are prohibited uses.

Comment: TRPA erred and overstepped regulatory primacy during their June 22, 2022, Governing Board actions by including the proposed development as submitted, by using the term "multi-family" dwellings rather than using the correct Area Plan language. The correct consistent Area Plan language would be that of "single family" "limited to condominiums", which is consistent with Washoe County development standard language.

The June 22, 2022, TRPA Staff report states:

The project proposes an excavation depth of 30 feet below ground surface (bgs). TRPA approved an excavation depth of 24 feet bgs with Soils Hydrology Application #LCAP2021-0291. Per Special Condition

3.H., below, the applicant shall seek approval for the revised excavation depth of 30 feet bgs. If approval for the revised depth is not granted, the applicant shall revise the project design to meet a maximum excavation depth of 24 feet bgs and a maximum structure height of 56 feet.

Comment: Please explain how the proposed project will guarantee that project excavation will not in any way impact the Third Creek watershed and provide and account for publicly transparent monitoring of possible ground water encounters during and after construction.

This project is in the environmentally sensitive Third Creek Watershed and the project is in proximity of Third Creek. Third Creek has been determined to be among the highest environmentally important creeks in the Lake Tahoe Basin.

And finally, the June 22, 2022, TRPA Governing Board Staff report states: Approximately 44 trees are proposed for removal with this project, 20 of which are greater than 24" diameter. 24" is the threshold in Eastern Forests.

Comment: Please explain further, how the proposed project justifies the removal of 44 trees within the project.

Final Comment:

In conclusion, the environmental impact issues mentioned above, including the proposed far reaching proposed code change within the entire Town Center Incline Village Special Use Area 1 and the proximity of Special Use Area 1 within the Third Creek Watershed, I request that a full **Environmental Impact Statement (EIS)** be prepared and approved before this proposed code change and project is approved.

Sincerely,
Doug Flaherty
Incline Village Resident
TahoeBlue365@gmail.com

From: [Lloyd, Trevor](#)
To: [Weiche, Courtney](#)
Subject: FW: Objection to Tahoe Area Plan Amendment 947 Tahoe Blvd PALCAP FFIF TAHOE 1, LLC - Request Full EIS
Date: Tuesday, August 30, 2022 10:54:07 AM
Attachments: [Area Plan Amendment Application-PALCAP FFIF TAHOE 1, LLC.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

fyi



Trevor Lloyd

Planning Manager, Planning & Building Division | Community Services Department

tlloyd@washoecounty.gov | Direct Line: 775.328.3617

My working hours: Monday-Friday 8:00am to 5:00pm

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



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From: Doug Flaherty <tahoesierracleanair@gmail.com>

Sent: Tuesday, August 30, 2022 10:01 AM

To: Lloyd, Trevor <TLloyd@washoecounty.gov>; Young, Eric <EYoung@washoecounty.gov>; Phillips, Patricia (External Contact) <pataphillips@yahoo.com>; Pierce, Rob <RPierce@washoecounty.gov>; chviliceks@unce.unr.edu; Flick, Michael <RMFlick@washoecounty.gov>; f.donshick@att.net; katenelsonpe@gmail.com; Lazzareschi, Daniel (External Contact) <dlazzareschi@gmail.com>; Washoe County Commissioners <Commissioners@washoecounty.gov>

Subject: Objection to Tahoe Area Plan Amendment 947 Tahoe Blvd PALCAP FFIF TAHOE 1, LLC - Request Full EIS

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August 30, 2022

RE: Objection to proposed Tahoe Area Plan Amendment PALCAP FFIF TAHOE 1, LLC - and [Request for a Full Environmental Impact Statement](#)

While I have provided written and verbal comment as an individual Incline Village, NV resident during the August 22, 2022 PALCAP FFIF TAHOE 1, LLC proposed Area Plan Amendment informational meeting, this correspondence is on behalf of Tahoe Sierra Clean Air Coalition, a Nevada 501 (c)(3) non-profit corporation (**DBA TahoeCleanAir.org**).

Our organizational purpose extends **beyond** protecting clean air and includes, among other purposes, all things incidental to preserving and protecting natural resources as well as the health and safety of the public from adverse environmental impacts and the threat and potential of adverse environmental impacts, including cumulative adverse impacts, within the **Lake Tahoe Basin**.

Please be advised that Tahoe Sierra Clean Air Coalition objects to this significant and far reaching proposed Tahoe Area Plan Amendment (Application attached) and as discussed during the August 22, 2022 developer public meeting.

The proposed amendment is in contradiction to numerous Area Plan Policies. The proposed amendment will significantly modify the Tahoe Area Plan, providing a glide-path to allow single family condominiums throughout the **entire** Incline Village, Special Area 1. This then will allow hundreds of new short term rental (STR) properties up and down Tahoe Blvd, thereby endangering the health and safety of residents and visitors during wildfire evacuation and adversely impacting Incline Village neighborhoods.

Additionally, the proposed amendment is highly controversial within the community of Incline Village and I request the Planning Commission deny an approval until a full Environmental Impact Statement can be completed.

Sincerely,

Doug Flaherty, President
Tahoe Sierra Clean Air Coalition (DBA TahoeCleanAir.org)
A Nevada 501(c)(3) Non Profit Corporation
775-345-3465
774 Mays Blvd 10-124
Incline Village, NV 89451
TahoeCleanAir.org

From: [Deborah Moore](#)
To: [Weiche, Courtney](#)
Subject: 947 Tahoe Blvd
Date: Monday, August 22, 2022 2:27:06 PM

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello

I strongly object to rezoning to allow million dollar condos at 947 Tahoe Blvd. We need affordable housing not more expensive condos. Please consider our workers and families. I live about half a mile from this project. 50 year resident of North Tahoe.

Deborah Moore
989 Tahoe Blvd #8
Incline Village, NV 89451

Sent from my iPhone

From: [Dylan Smith](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: Nine 47 Tahoe
Date: Thursday, August 25, 2022 3:51:28 PM

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Hello,

My name is Dylan Smith and I was born and raised in Incline Village. I am writing in regard to the Nine 47 Tahoe project in Incline Village. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment. I support responsible development and therefore wanted to share a couple reasons I support this project. I would prefer 40 condos over 50 apartments in that location. I believe the condo owners will be less transient and many will probably only live here part of the year. Also, people are going to continue to move into our community, and so I strongly believe we need to support projects that responsibly help manage where they live and I think this one does.

Thank you,
Dylan Smith

From: [Jacob Stock](#)
To: [Emily Hanna](#); [Weiche, Courtney](#); [Lloyd, Trevor](#); [Jennifer Self](#)
Subject: RE: 947 Tahoe
Date: Monday, August 29, 2022 10:16:16 AM

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Thank you Emily,

Your message has been received and added to our records.

Best,
Jacob

-----Original Message-----

From: Emily Hanna <emilykhanna2@gmail.com>
Sent: Sunday, August 28, 2022 6:47 PM
To: CWeiche@washoecounty.gov; tloyd@washoecounty.gov; Jennifer Self <jself@trpa.gov>; Jacob Stock <jstock@trpa.gov>
Subject: 947 Tahoe

My name is Emily. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment.

This project would be the first one in over 20 years and provide a wonderful addition to our community. Many naysayers do not want any development, but Incline needs to move on from this stagnation this project is exactly the type of investment we need.


I am disappointed that the negative minority is so vocal. There are many of us who don't want to be attacked but are supportive of growth in a responsible way. Incline needs to continue to grow and evolve. People are not going to stop coming so we need to support projects that help manage where they live. I think this one does.

From: [Lloyd, Trevor](#)
To: [Weiche, Courtney](#)
Subject: FW: Nine 47 Condo Propsal
Date: Tuesday, August 30, 2022 10:55:00 AM
Attachments: [4DCE14EDFA1746DDB4A9821A1CC9B50E.png](#)
[image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

fyi



Trevor Lloyd
Planning Manager, Planning & Building Division | Community Services Department
tlloyd@washoecounty.gov | Direct Line: 775.328.3617
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 CSD Office Hours: Monday-Friday 8:00am to 4:00pm
 1001 East Ninth Street, Reno, NV 89512



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From: Steve Reynolds <Steve@reynoldsfamilywinery.com>
Sent: Tuesday, August 30, 2022 9:21 AM
To: Lloyd, Trevor <TLloyd@washoecounty.gov>
Subject: Nine 47 Condo Propsal

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear County/TRPA,

My name is John Reynolds. I could not make the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment.

Incline is a beautiful place and a place we have invested in for our retirement and family home. As you have seen for the last 3 years (Covid) others have also found its beauty. This growth will not stop and the idea of guiding it the right direction is the reason for this letter. There are many in our area that are negatively protesting this when in 15-20 years there has not been a housing project on the books to start to offer solutions. This seems like an ideal one model for us to follow.

1. I support a well laid out Condo development over 40-60 multi-unit family homes. This nice Condo plan will invite permanent or part time owners that will add to our community vs a more transient population.
2. The location and proximity to the town center is good to support the local shops, business, and restaurants – in fact they have a multi-modal trail in the plan that further shows their forward thinking in keeping people on our trail systems (Possibly less local automobile traffic).
3. There are locals not supporting this using low-income housing as a reason. I feel that is a separate issue and this developer is not responsible for other needs that Incline has ignored. This project will generate local revenue to possibly help start projects like that and there for should be granted approval.
4. I noticed the STR's seem to be laid out to attract good homeowners and likeminded people that community needs as well.

I hope this letter is taken in the right light. I have been a member of many communities over my 62 years. I have seen many fail by listening to a very small minority that frankly want to stay in the past. I know change happens – it is inevitable. As we grow and change, let's look at our new neighbors and those that have chosen to make Tahoe their home and look at the direction the majority want things to grow but with a good plan. This Condo proposal seems to be one of those steps.

Sincerely,

John Stephen Reynolds

--

Steve Reynolds

steve@reynoldfamilywinery.com

Reynolds Family Winery



From: [Jonathan Smith](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: Nine 47 Tahoe
Date: Saturday, August 27, 2022 12:19:42 PM

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

My name is Jonathan Smith, and I have lived full-time in Incline Village since 1993. I would like to voice my support for Nine 47 Tahoe at the corner of Tahoe Blvd and Southwood, which I believe is a very suitable location for a project of this scope. The type of owner this development is being marketed towards would likely make a significant and positive impact on our community in addition to being responsible stewards to the Tahoe Basin. There is no doubt our community needs more appropriate workforce housing, but this issue is not the responsibility of the developer of Nine 47 Tahoe. I sincerely hope our government agencies in cooperation with the local business community can work together to find meaningful solutions for the challenges of affordable housing. It is unfortunate that a vocal minority can wield such influence in deterring a project that is long overdue for this location and can make such a positive impact for our community in so many ways. I am confident the developer of Nine 47 Tahoe has the best interest of our community at the forefront of this project, and I urge you to allow this to move forward without delay.

Sincerely,
Jonathan Smith

From: [Kevin Simens](#)
To: [Weiche, Courtney](#)
Subject: Changes in Incline Village
Date: Friday, August 26, 2022 10:02:48 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

We need workforce housing. We do not need more Condos. Please do not vote for this upcoming change to our Village.

Julia Simens
1000 Lakeshore Blvd.
Incline Village, NV

From: [Jennifer Self](#)
To: [Weiche, Courtney](#); [Jacob Stock](#)
Subject: FW: Nine 47 Tahoe Condominiums
Date: Monday, September 12, 2022 8:07:32 AM

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Jennifer Self

Principal Planner
& Long Range Planning Program Manager
775.589.5261



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<https://laketahoeinfo.org/>

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From: lisa.andriano@gmail.com <lisa.andriano@gmail.com>
Sent: Thursday, September 8, 2022 2:30 PM
To: Jennifer Self <jself@trpa.gov>
Subject: FW: Nine 47 Tahoe Condominiums

I was unable to attend the meeting requesting a Zoning Amendment for this project. I read through the highlights and I support this plan that will help manage the people that continue to move here, in a positive responsible way. 40 condos will be more appealing on the corner of 28 and Southwood and a very nice addition to the neighborhood. This project is positive for Incline in many ways... our new residents will make purchases from all our local establishments, and it will be easy to do so. Restaurants, groceries, coffee, Recreation, spa services, Pilates, are all within an easy and pleasant walk or bike ride. And new sidewalks and an operating traffic light will allow for a safer intersection.

Most affordable housing properties have been slowly deteriorating for decades. The burden of upkeep for low income households is a problem throughout many communities. The developers plan to sell the condos to individuals, and therefore have an assigned APN, which ensures the homes will be maintained in good condition – which requires time and money, as this is a luxury property. Those who complain about needing more affordable housing should take this issue to the government, the funding for housing originates from the federal level. But do the housing authorities have the capacity or the desire to undertake new construction projects??

Please, don't deny a developer who does have the capacity, and desire, and truly cares about our town, to build beautiful homes on an unsightly piece of land. We should support and welcome new home and business construction that will benefit all who live here.

Thank you for your time,
Lisa

From: [L Elley](#)
To: [Weiche, Courtney](#)
Subject: Fwd: Incline Village condos 941 Tahoe Blvd
Date: Monday, August 22, 2022 3:24:41 PM

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Sent from my iPad

Begin forwarded message:

From: L Elley <gr8relle@gmail.com>
Date: August 22, 2022 at 2:36:19 PM PDT

Subject: Incline Village condos 941 Tahoe Blvd

Hello, I cannot make the meeting today but am voicing my concern that Incline Village cannot support more development. Our community is saturated with unprotected overgrowth, traffic wise, environmentally and health wise. Forty more units will only fill the developer's coffers to the detriment of the community. My hope is that you will listen to Incline's residents who have to suffer from the impact. Thank you, Linda Elley

Sent from my iPad



BUILDING COMMUNITY WHERE YOU LIVE.WORK.PLAY.

My name is Linda Offerdahl, the Executive Director of IVCBA, the Community and Business Association. I attended the plan amendment meeting on Monday August 22. I want to voice my support for the project.

it represents new development in Incline Village Crystal Bay, something that has been sorely lacking for some time. This project, along with the building of Natural Grocer on Tahoe Blvd. will contribute to a thriving community. Incline Village needs residents that are likely to support this new business, along with its existing businesses. The Nine47 condominiums support the Tahoe Area Plan's goals of a walkable community, lessening the need to get into the car.

According to the Housing Study conducted by Tahoe Prosperity Center in 2020, there is a shortage of new housing at every income level in Incline Village except the very lowest and the very highest. The biggest need is for multi-family dwellings. Unfortunately, with the prohibitively high price of housing, the average price of these condos is not out of line, IMO. The strong interest in buyers of these condo bears this out. The families moving into Incline are often affluent.

Workforce Housing IS needed in Incline Village. The lead must be taken by YOU, Washoe County and TRPA. We need your lead in earmarking parcels for housing and assuring that housing is included in any other civic projects. We need zoning and incentives that support developers. This developer, Randy Fleisher, not only LIVES fulltime in Incline Village, but also has another property he plans to use for workforce housing.

I understand there is a technical issue standing in the way of this development. It is a subtlety lost on most people who understand that a condo building houses multiple families. Regardless of the ownership, it represents multi-family housing. With the broader definition of the commercial core for mixed use as the Southwood-Northwood corridor, there are numerous other condo developments, notably Third Creek. It is essentially across the street from Nine 47.

I am in favor of allowing this condo project to move forward.

Regards,

Linda Offerdahl

Executive Director

Incline Village Crystal Bay Association
IVCBA.com / 775-771-5856

885 Tahoe Blvd. Incline Village, NV 89451
IVCBA is a 501(c)(6); EIN: 27-0448179

From: [Matthew Hanna](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: Nine 47 Tahoe
Date: Friday, September 2, 2022 8:17:18 AM

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My name is Matthew. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment.

This project would be the first one in over 20 years and provide a wonderful addition to our community. Many naysayers don't want any development, but Incline needs to move on from this stagnation and his project would appear to be exactly the type of investment we need.

- I prefer 40 condos over 50 multi family units. The owners will tend to be less transient and I suspect some will live here only part of the year.
- The developer has included restrictions on STRs in their organizational documents and used it to attract like-minded owners to the project. I think this is pretty admirable and supportive of the community views.
- I don't know why everyone is blaming the developer for affordable housing. This is a problem that the county and incline should fix. It's a real issue, but denying this project will not solve that. It would just result in more houses being bought up and leveled hurting other housing options.
- I've listened to the meetings and am always disappointed that the negative minority is so vocal. There are many of us who don't want to be attacked but are supportive of growth in a responsible way. Incline needs to continue to grow and evolve. People are not going to stop coming so we need to support projects that help manage where they live. I think this one does.

All the best,
Matthew

From: [Lloyd, Trevor](#)
To: [Weiche, Courtney](#)
Subject: FW: 947 Tahoe Blvd. Zoning Amendment Resident Opinion
Date: Monday, August 29, 2022 8:59:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

FYI



Trevor Lloyd
Planning Manager, Planning & Building Division | Community Services Department

tllloyd@washoecounty.gov | Direct Line: 775.328.3617

My working hours: Monday-Friday 8:00am to 5:00pm

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 CSD Office Hours: Monday-Friday 8:00am to 4:00pm
 1001 East Ninth Street, Reno, NV 89512



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From: Kathryn Nelson <katenelsonpe@gmail.com>
Sent: Monday, August 29, 2022 8:44 AM
To: Kerfoot, Lacey <LKerfoot@washoecounty.gov>; Lloyd, Trevor <TLloyd@washoecounty.gov>
Subject: Fwd: 947 Tahoe Blvd. Zoning Amendment Resident Opinion

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Sent from my iPhone

Begin forwarded message:

From: Nicole Roberts <scubanicole@yahoo.com>
Date: August 28, 2022 at 4:04:12 PM PDT
Subject: 947 Tahoe Blvd. Zoning Amendment Resident Opinion

Dear Washoe County Planning Commission Commissioners, Tahoe Area Plan author, and senior planner for Tahoe Area Plan,

I am writing to strongly oppose the zoning change being proposed for 947 Tahoe

Blvd for various reasons.

The zoning change is in direct conflict with the desperate need for workforce housing. The Tahoe Basin is in a housing crisis, and many of the essential workers cannot afford to live in the basin.

Changing the zoning for a luxury condo community would only have negative impacts, such as increasing traffic along 2 dangerous intersections (Southwood & Village) and (Southwood & 28).

While the owner of the property has every right to build on his property, he needs to stay within the current zoning rules. The zoning rules were created to protect the community, and changing them sets a terrible precedent and would disregard many years of research spent to create them.

It feels irresponsible to even consider changing the zoning to allow luxury condos for the wealthy, while the essential workers such as teachers, ski patrol, and others cannot afford to live in town.

The reasoning that this would "reduce traffic" is illogical and simply makes no sense, it would only increase traffic.

The developer claims that these would not turn into STRs, but over time, HOAs change rules, and it is highly likely that this would turn into a condo complex full of STRs, which is another issue within the community.

Please consider the well being of the Incline Village and Lake Tahoe Basin community, the many negative impacts of this proposed project, and do not approve the zoning changes.

Kind Regards,
Nicole Roberts

From: [Philip GilanFarr](#)
To: [Weiche, Courtney](#)
Cc: [Lloyd, Trevor](#); [Young, Eric](#); [Wendy Jepson](#); [Bridget Cornell](#)
Subject: 941/946 Tahoe Blvd - Plan Amendment
Date: Monday, September 12, 2022 7:00:56 PM
Attachments: [image002.png](#)

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Courtney,

As you are aware I am adamantly opposed to allowing single family in special area 1 of the IV Commercial Regulatory Zone. This will in fact will have a tremendous negative impact to the community and its future. This is intended to be a town center for commercial business, retail and restaurants. During the first community plan development 20 plus years ago and then recently with the Tahoe Area Plan Special Area 1 was an effort to create a much needed town center. Adding a single family use will further decay this vision. This is a key parcel that ties the end of the town center to the core and the commercial along Southwood.

I can see the only way to have single family in Special Area 1 would be as part of a mixed use and even then the ground floor facing the street should be restricted to commercial.

Reviewing the Tahoe Area Plan the "Downtown" was intended to be the retail district with pedestrian oriented uses and not a residential neighborhood. This particular parcel is the East entry to the town center. With the update to the Tahoe Area Plan the Town Center – Special Area 1 was reduced and no longer includes the westerly portion. The primary parcels have direct access and frontage to Tahoe Blvd providing the opportunity to redevelop the Town Center with sidewalks, street lighting, and frontage improvements that will help to establish a "downtown" core.

A few excerpts from the Plan:

Goal LU2: Create land use patterns that are consistent with the community's vision, reduce the need for travel, and increase access to transit.

Policy LU2-1 Focus Development towards Town Centers

Direct development away from Stream Environment Zones and other sensitive lands and towards Town Centers. Manage Town Center overlay districts to provide the community with focal points for commercial and civic activities and to facilitate redevelopment.

Policy LU2-2 Retail and Restaurant Uses

Concentrate retail and restaurant uses within Special Area #1 of the Incline Village Commercial regulatory zone and throughout the Crystal Bay Tourist regulatory zone.

Policy LU2-3 Office and Commercial Service Uses

Concentrate office and commercial service uses in the Incline Village Commercial regulatory zone.

Please keep me informed of this application process going forward including any future meeting

notices and agendas.

Much appreciated

Phil GilanFarr



**GilanFarr
Architecture
Interiors
Construction**

Post Office Box 6987
785 Southwood Blvd. Suite 3
Incline Village, NV 89451
(775) 831-8001 office
(775) 742-3358 mobile

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From: [Pamela Tsigdinos](#)
To: [Weiche, Courtney](#)
Subject: Against proposed development code amendment
Date: Monday, August 22, 2022 4:56:55 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Courtney

I am writing to ask you NOT to permit a **Development Code Amendment to Include Single-Family Dwellings as a Permissible Use in Special Area 1 of the Tahoe Area Plan's Incline Village Commercial Regulatory Zone** for the proposed 947 Tahoe Boulevard project.

Residents and visitors already live with public safety threats posed by constrained roadways, extreme weather and wildfire risks. Adding more housing units, people and vehicles will only exacerbate an already precarious situation.

The proposed project is near an already busy and congested part of Incline Village. Just this past weekend there was a life threatening multi-vehicle accident at Country Club and Tahoe Boulevard/Hwy 28. This intersection lies within a quarter mile of this proposed new development. You can find accident reporting in this news coverage:

https://www.2news.com/townnews/transport/five-injured-in-multi-vehicle-crash-involving-semi-in-incline-village/article_1fc15cee-201f-11ed-a767-8fd13513e159.html

This project would make an already congested intersection far more treacherous with more people and vehicles competing to enter and exit the roadway.

Second, none of the proposed 947 Tahoe Boulevard condos will be "affordable." They are currently listed for pre-sale at \$2 million-plus each. Even though the developer contends the condos can't and won't be used as short-term rentals (STRs), they could be soon enough given Washoe County's ill-informed decision to not put any caps or limits on STRs here. All it would take is for a majority of owners to form their own Board and eliminate any restriction on STRs. This proposed project would add up to more congestion, high-throughout traffic and vehicle parking issues.

Please do not approve this requested development code/area plan change. It does NOT serve the community. Thank you, Pamela

Pamela M. Tsigdinos
Full-time resident of Incline Village, NV

Dear County/TRPA,
RE# Nine47 Tahoe

My name is Liron Petrushka. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment.

This project would be the first (housing project) in over 20 years and provide a wonderful addition to our community. Many naysayers -do not want any change or reinvestment, but Incline needs to move on from this stagnation and this project represents the types of investment we need.

- I prefer 40 condos over 50 multi family units. The owners will be less transient and some will live here part-time.
- Greater density within town centers encourages walkability and biking. It will also support our local restaurants and other businesses.
- The 40-unit project incorporates a multi-modal trail along its frontage that will further pedestrian and bike mobility.
- The developer has included restrictions on STRs in its organization documents and used it to attract like minded owners to the project. I think this is pretty admirable and supportive of the community views.
- The project is what Incline needs and it is better than having another gas station or convenience store.
- I listened in to the meeting and am always disappointed that the negative minority are so vocal. There are many of us who do not want to be attacked but are supportive of growth in a responsible way. Incline needs to continue to redevelop and evolve. People are not going to stop coming so we need to support projects that helps manage where they live. I believe this project does.

Thanks

Liron Petrushka

1041 Apollo Court, Incline Village

From: rondatycer@aol.com
To: [Weiche, Courtney](#)
Subject: Input for meeting re: 947 Tahoe Boulevard
Date: Monday, August 22, 2022 4:47:42 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Courtney,

Please add this statement to the public input for today's meeting regarding a change in the Washoe Tahoe Area Plan. Thank you.

INPUT FOR MEETING 8-22-22

First, I'd like to suggest that the developer, TRPA and Washoe County have known since the developer's initial application that the 947 condominium project would require a code change to the Washoe Tahoe Area Plan.

I repeat some facts:

- In September of 2021 the Project Plans were submitted to Washoe County.
- In or shortly after December 2021 Washoe County approved the traffic study and the geo-technical assessment.
- In January 2022 the Incline Community was informed of the project via a *Tahoe Tribune Article* letting us know there would be a neighborhood meeting but never mentioning a date. TRPA let us know that they were only obligated to notify parcel owners within 750 feet of the project most of whom were commercial parcels. This meeting was reportedly a one-way presentation online with no opportunity for community input.
- In June 2022 TRPA put the project approval of 947 on their "consent calendar" based on the claim it was not "controversial." They approved the project without any public discussion.
- Now in August 2022, the developer, TRPA and Washoe County have announced that the 947 Project requires a Washoe Tahoe Area Plan code change. Although they have tried to minimize the impact, we know this change could serve as a dangerous precedent. There is no enforcement and therefore no guarantee that the 26 owners who have already put in their deposit on one of the \$2 million plus 947 condos will not vote to allow short-term rentals. The likelihood that any of these condos will serve local employees or be considered affordable rentals is zero.

The code change should be denied. The 947 Tahoe Boulevard project should be reconsidered and the developer should be required to provide a percentage of condos that are truly affordable, moderate, and achievable to Incline Village employees.

Ronda Tycer
Incline Village Resident

Dear County/TRPA,

My name is Suzie Reynolds. I was unable to attend the zoom call relating to the plan amendment on Monday, August 22nd but wanted to voice my support for the project and the plan amendment.

This project would be the first (housing project?) in over 20 years and provide a wonderful addition to our community. Many naysayers -do not want any change or reinvestment, but Incline needs to move on from this stagnation and this project represents the types of investment we need.

- I prefer 40 condos over 50 multi family units. The owners will be less transient and some will live here part-time.
- Greater density within town centers encourages walkability and biking. It will also support our local restaurants and other businesses.
- The 40-unit project incorporates a multi-modal trail along its frontage that will further pedestrian and bike mobility.
- The developer has included restrictions on STRs in its organization documents and used it to attract like minded owners to the project. I think this is pretty admirable and supportive of the community views.
- I know there were some concerns on why the plan amendment was brought late. Who cares....condos, apartments...single family....the project is what Incline needs and it is better than having another gas station or convenience store.
- I do not know why everyone is blaming the developer for affordable housing. This is a problem that the County and Incline need to address. It is a real issue, but denying this project will not solve that. It would just result in more houses being bought up and leveled hurting other housing options.
- I listened in to the meeting and am always disappointed that the negative minority are so vocal. There are many of us who do not want to be attacked but are supportive of growth in a responsible way. Incline needs to continue to redevelop and evolve. People are not going to stop coming so we need to support projects that helps manage where they live. I think this one does.

From: [STACEY HANNA](#)
To: [Weiche, Courtney](#); [Lloyd, Trevor](#); jself@trpa.gov; jstock@trpa.gov
Subject: Nine 47 Tahoe
Date: Friday, August 26, 2022 7:01:48 AM

Washoe County and TRPA,

I have been a resident of Incline Village since 1979. We currently own 3 properties here and my husband was a fireman for the first 25 years of our lives together. Homes in Incline Village have always been expensive and we worked hard to purchase our properties. We raised our family here and hope they will return to this spectacular place we call home.

I was on the meeting Monday August 22nd for Nine 47 Tahoe and I can tell you the majority of residents of Incline Village are very supportive of this project. This lot has been empty for years, there are concrete blocks, misplaced pavement, weeds and an old sign sitting on the lot. It is unused and a mess.

Nine 47 Tahoe will be beautifully built, changing the landscape and creating a more walkable town corridor. There is a big need for newly constructed condos and homes in our area. Currently, buyers with money are purchasing work force housing and putting \$500,000+ into remodeling. Once these condos and homes are back on the market they will be too expensive, for purchase or rent, for our work force. They will not be able to afford the resale value of these remodeled units. This is happening all over Southwood Blvd, Northwood Blvd and Tomahawk Trail. Nine 47 Tahoe changes this by creating condos that buyers want. Centrally located, walkable and bikeable, Nine 47 Tahoe is a place for every generation.

I am in favor of approving this project. If you have any questions for me, please do not hesitate to reach out.

Stacey Hanna

775-690-7078

From: [Steph Koehler](#)
To: [Weiche, Courtney](#)
Subject: Re zoning of 947 Tahoe Blvd.
Date: Monday, August 22, 2022 2:47:14 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

This is a 10 year resident of Incline Village expressing a huge concern and against 947 Tahoe Blvd allowed to be rezoned and condo being built there. SO MANY reasons why it should NOT. Incline Village does not need more Condo's – it NEEDS more housing for the working force who should be able to live where they work. Finding employees is incredibly difficult right now and this community needs housing for business to have employees to be able to service the people who love here and visit. DO NOT ALLOW these condos to be built.

Thank you for listening

Stephanie Koehler
507 Catherine Dr

From: [Sara Schmitz](#)
To: [Weiche, Courtney](#)
Cc: [Hill, Alexis](#); [Simon, Judith \(External Contact\)](#)
Subject: 947 Tahoe Blvd.
Date: Monday, August 22, 2022 10:33:38 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Ms. Weiche,

As a resident of Incline Village, I am writing to inquire about the process for the project planned at 947 Tahoe Blvd.

First and foremost, please clarify how the developer was allowed to spend time and money on this project only to after, I believe over a year, they are informed a zoning amendment is required?

Secondly, this proposed amendment has vast implications around the basin. I am now assuming the project in Crystal Bay (formerly known as Boulder Bay and now is referred to as the Resort at Tahoe) will require the same amendment. Should this Incline Village Commercial Regulatory zoning amendment be approved, it sets the precedence that affordable and multi-resident housing will be virtually eliminated at a time when TRPA is working to put forth housing plans to deal with the shortage of workforce and affordable housing.

The Tahoe Area Plan was approved about a year ago and was intended to address issues related to housing. This proposed amendment only a short time after passage, seems to reverse the course set forth by the plan.

I am sorry the developer has spent much time, effort, and money, but given the plan and zoning, it appears an alternative design is needed.

Sara Schmitz

Sara Schmitz
925-858-4383

Sent from [Mail](#) for Windows

From: [Sharon Schrage](#)
To: [Weiche, Courtney](#)
Subject: Zoning for 941 in Incline Village. Zoom Meeting
Date: Monday, August 22, 2022 4:29:35 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good afternoon,

I am unable to attend the Zoom meeting this afternoon regarding the 941 condo development in Incline.

I cannot stress enough my concern over the lack of workforce housing in Incline. Please be cognizant that many many current 'regular' homeowners as well as our very necessary workforce population could not afford the crazy prices in real estate right now.

I beg you to please look at the long-term when discussing this proposal. More multi-million condos on a site where workforce housing would be a natural fit is more than distressing.

Sharon Schrage

Weiche, Courtney

From: Planning Counter
Sent: Tuesday, November 1, 2022 9:28 AM
To: Lloyd, Trevor; Weiche, Courtney
Subject: FW: 947 Tahoe Blvd Incline

Another comment

Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department rpelham@washoecounty.gov | Direct Line: 775.328.3622 My working hours are generally Monday-Friday 7:00am to 3:30pm Visit us first online: www.washoecounty.gov/csd Planning Division: 775.328.6100 | Planning@washoecounty.gov CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512

Have some kudos to share about a Community Services Department employee or experience?
Submit a Nomination

-----Original Message-----

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Tuesday, November 1, 2022 9:09 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: 947 Tahoe Blvd Incline

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,

Washoe311 Service Center
Communications Division | Office of the County Manager washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512

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-----Original Message-----

From: Mary Danahey <marydanahey@gmail.com>
Sent: Tuesday, November 1, 2022 8:18 AM
To: Washoe311 <Washoe311@washoecounty.gov>

Posted 11/01/2022

Public Comment - Item 8D - WDCA22-0002

Subject: 947 Tahoe Blvd Incline

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Please do not allow this parcel to be developed into luxury condos.

We need more workforce housing for our teachers, essential workers and the general working population, not more unaffordable units for part-time use.

Mary Danahey
1083 Mill Creek
Incline Village, NV. 89451

Weiche, Courtney

From: Planning Counter
Sent: Tuesday, November 1, 2022 8:37 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: For Washoe County Planning Commission Comment on Development Code Amendment Case Number WDCA22-0002

Another comment on your item tonight.



Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department

rpelham@washoecounty.gov | Direct Line: 775.328.3622

My working hours are generally Monday-Friday 7:00am to 3:30pm

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Tuesday, November 1, 2022 6:33 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: For Washoe County Planning Commission Comment on Development Code Amendment Case Number WDCA22-0002

Greetings,

Below, please find the service request received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center

Communications Division | Office of the County Manager

washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491

1001 E. Ninth St., Bldg A, Reno, NV 89512



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From: Mary Fenelon <mcfenelon@gmail.com>

Sent: Monday, October 31, 2022 5:41 PM

To: Washoe311 <Washoe311@washoecounty.gov>

Subject: For Washoe County Planning Commission Comment on Development Code Amendment Case Number WDCA22-0002

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Comment on Development Code Amendment Case Number WDCA22-0002

I am against the amendment that would allow single family housing in the commercial district. The Washoe County Tahoe Area Plan is the result of a long process of study and compromise. The restriction on housing was not an oversight; it was a critical part of the plan to develop a vibrant commercial core for Incline Village and as a by-product, make affordable housing more attractive to developers. Both are sorely needed here in Incline Village.

Please do not approve the amendment.

Regards,

Mary Fenelon

577 Knotty Pine

Incline Village, NV 89451

Weiche, Courtney

From: Planning Counter
Sent: Tuesday, November 1, 2022 11:32 AM
To: Weiche, Courtney; Lloyd, Trevor
Subject: FW: Please vote NO on high density condo style housing development in the Crystal Bay/Incline village areas

Another comment.

Roger Pelham, MPA
Senior Planner, Planning & Building Division | Community Services Department rpelham@washoecounty.gov | Direct Line: 775.328.3622 My working hours are generally Monday-Friday 7:00am to 3:30pm Visit us first online: www.washoecounty.gov/csd Planning Division: 775.328.6100 | Planning@washoecounty.gov CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512

Have some kudos to share about a Community Services Department employee or experience?
Submit a Nomination

-----Original Message-----

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Tuesday, November 1, 2022 11:30 AM
To: Planning Counter <Planning@washoecounty.gov>
Subject: FW: Please vote NO on high density condo style housing development in the Crystal Bay/Incline village areas

Greetings,

Below, please find the comment received by Washoe311. Let us know if we can provide additional information.

Sincerely,

Washoe311 Service Center
Communications Division | Office of the County Manager washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491
1001 E. Ninth St., Bldg A, Reno, NV 89512

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-----Original Message-----

From: m riedstra <mmr.mercury@gmail.com>
Sent: Sunday, October 30, 2022 10:04 AM
To: Washoe311 <Washoe311@washoecounty.gov>

Posted 11/01/2022

Public Comment - Item 8D - WDCA22-0002

Subject: Please vote NO on high density condo style housing development in the Crystal Bay/Incline village areas

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Please vote NO on high density condo/apartment style housing development in the Crystal Bay/Incline village areas. Our village does not have the infrastructure, workforce, or amenities to support an increase in condo/apartment style dense housing development. As a resident of Incline Village I am opposed this kind of development.

M&M Riedstra

From: rondatycer@aol.com
To: [Weiche, Courtney](#)
Cc: KateNelsonPE@gmail.com; f.donshick@att.net; chviliceks@unce.unr.edu; [Pierce, Rob](#); [Phillips, Patricia \(External Contact\)](#); [Kerfoot, Lacey](#); [Washoe311](#)
Subject: Input for Item 8D: Against Tahoe Area Plan Code Change for 947 Condos
Date: Tuesday, November 1, 2022 5:07:00 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Planner Courtney Weiche,

You and other planners believe you are doing a good thing by proposing a Tahoe Area Plan Development Code change to allow the owner of 947/941 Tahoe Boulevard to build million-dollar condos in Incline Village's town center, and—by setting a precedent—allowing other property developers (e.g., Resort and Residences at Tahoe) to do likewise.

Your code change will not improve the Incline Village community.

The change will allow more million dollar condos to be built throughout Incline Village and Crystal Bay. More million-dollar condos = less available affordable housing = non-local employees and struggling businesses.

A few business owners orchestrated a coordinated effort to support the change contending that the developer "isn't responsible for providing affordable housing." Of course not. **You and other government officials are currently responsible for creating legislation that accomplishes the goal of creating affordable housing in Incline Village and Crystal Bay. This code change does not.**

This change to the Tahoe Area Plan will not create affordable housing and will not benefit the majority of voting Incline Village residents.

- TRPA is required by CA legislation to create "town centers" with "increased density" and "public transportation" to make CA cities more "walkable" and less dependent on the "gasoline automobile." This mandate permeates every decision TRPA makes even if NV communities and governments do not agree with the premise or the implementation of these CA dictates.

- TRPA is mandated to create town centers, so the Tahoe Area Plan was changed in 2021 to include them. However, one-size town centers don't fit all. Town centers assume that the majority of people who work in the town *live in the town* and will—if available—take public transportation to get to their workplaces. In Incline Village that premise is false. Ask the biggest employers where their employees live, and whether they would take public transportation to work. You can start with General Manager Indra Winquest.

- The skyrocketing housing prices in Incline Village are directly related to the increased number of short-term rentals in the village. **Washoe County's STR Ordinance has damaged Incline Village** more than any other ordinance to date, allowing for increasing numbers of STRs throughout all residential neighborhoods. **It is the primary reason Incline no longer has affordable housing.** More than 50% of all IVCB condos are now used as STRs. As research shows, STRs inflate housing prices.

- We are fully supportive of redevelopment in Incline Village. We cheer and support all development that actually serves the community. We are not a "small vocal minority of nimbys" as our opponents try to peg us. We are a huge proportion of the voting villagers who recognize the long-term and unintended consequences of Washoe County's true purpose in proposing this code change.

- This Tahoe Plan Amendment is NOT to help Incline Village. It is to help Washoe County collect money. How many new million-dollar condos will now be built? How many other developers will ask Washoe County to change

an ordinance for their benefit after this precedent?

TRPA's mission is to get money from CA Legislators by kowtowing to their dictates. Washoe County's mission is to make as much money as possible from Incline Village no matter the impacts. Our intention is to preserve our village and give voice to our permanent full time residents.

I protest this approval on the basis of:

- **non-standing of the applicant-- a Texas corporation**
- **effects on the sensitive Third Creek environmental zone**
- **lack of public input on prior code changes made to the Tahoe Area Plan**
- **contradictions between the planned change and the Tahoe Area Plan goals and mandates**
- **the negative repercussions to affordable housing in the Washoe Tahoe Area**
- **the imaginary contribution to "walkable communities"**
- **the adverse impacts on public health, safety, and traffic described by many other residents**

We know you will do exactly what you intend to do no matter our public input. As always.

Ronda Tycer