



# Washoe County Planning Commission

## October 3, 2017



### Washoe County Development Code

## Development Code Amendment Case Number WDCA17-0005





# Case Description

For possible action, hearing, and discussion to initiate an amendment to Chapter 110 of the Washoe County Code (Development Code) within Article 808 (Administrative Permits), Section 110.808.40(b) to increase the **number of days** from acceptance of a complete application for an Administrative Permit to the public hearing on the application from fifty (50) to **sixty-five (65)**.

If the proposed amendment is initiated, public hearing and further possible action to deny or recommend approval of the proposed amendment and, if approval is recommended, to authorize the Chair to sign a resolution to that effect.



# Background

**Washoe County Code requires Administrative Permits to be heard within 50 days of application.**

**[WCC110.808.40 (b)]**



# Background

**Nevada Revised Statutes  
allows 65 days.**

**NRS 278.315(2)**



# Background

Other Washoe County Planning approvals allow 65 days, such as:

- Variances WCC110.804.15(C)
- Special Use Permits WCC110.810.20(C)



# Background

**The difference in the allowable processing time between Administrative Permits and other types of discretionary approvals necessitates different application date and creates confusion for both applicants and interested members of the public.**



# Background

**Approval of the current amendment request will provide consistency between Washoe County Code and Nevada Revised Statutes.**



# Proposed Amendment

**Section 110.808.40 Review by the Board of Adjustment.** The Board of Adjustment, or the Planning Commission on concurrent applications requiring their review, shall review administrative permits in accordance with the provisions of this section.

- (b) Time Period for Hearing. Public hearings before the Board of Adjustment shall be held at the next available meeting for which the requirements of noticing can be satisfied. Such time frame shall consider the time necessary to circulate the applications to the reviewing agencies, prepare the notices, obtain the mailing labels, and deliver the notices to the required individuals, but shall not exceed **sixty-five (65)** ~~fifty (50)~~ days.





# Public Notice

In accordance with WCC 110.818.20, this public hearing has been noticed in the Reno-Gazette-Journal and notice has been provided to each member and chairperson of all Citizen Advisory Boards in Washoe County.



# Development Code Amendment Findings

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan.

Staff comment: There are no policies and action programs that are pertinent to the times allowed for processing of Administrative Permits, therefore the change cannot be in conflict.



# Development Code Amendment Findings

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: Included among the stated purposes of the Development Code is the WCC110.918.10 (g), "Promote the economic and social advantages gained from an appropriately regulated use of land." The proposed amendment will promote economic and social advantages of appropriate land use regulation by means of creating consistency in review and approval of various types of discretionary actions undertaken by Washoe County.



# Development Code Amendment Findings

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones.

Staff comment: There are no particular external changes that necessitate the proposed amendment. Rather, the amendment is intended bring WCC into conformance with NRS. The proposed amendment will also facilitate the ability to solicit outside agency comments and recommendations in a reasonable period of time.



# Development Code Amendment Findings

4. **No Adverse Affects.** The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

**Staff comment:** Consistent standards for review and approval of various types of discretionary actions undertaken by Washoe County will not create any adverse effects on the implementation of the Development Code; rather it is intended to facilitate implementation of the Development Code.



# Recommendation

It is recommended that the Planning Commission initiate, and subsequently recommend approval of, WDCA17-0005 to amend the Development Code within Article 808, Administrative Permits, to increase the number of days from acceptance of a complete application for an Administrative Permit to the public hearing on the application from fifty (50) to sixty-five (65).



# Possible Initiation Motion

I move that, after giving reasoned consideration to the information contained in the staff report, the Washoe County Planning Commission initiate the amendment of Washoe County Code Chapter 110, within Article 808, Administrative Permits, as described in the staff report for WDCA17-0005.



# Possible Amendment 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 Development Code Amendment Case Number WDCA17-0005, to amend Washoe County Chapter 110 (Development Code) at Article 808 Section 808.40(b) to increase the number of days from acceptance of a complete application for an Administrative Permit to the public hearing on the application from fifty (50) to sixty-five (65). 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 all of the following four findings in accordance with Washoe County Code Section 110.818.15(e).





# Possible Amendment Findings

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
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 Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.



# Questions?