

Advisory Planning Commission

March 8, 2023

AGENDA ITEM V.A.

Possible recommendation on proposed amendments to Washoe County's Tahoe Area Plan to allow single family condominium uses in Special Area 1 of the Incline Village Commercial Regulatory Zone

**Tahoe Regional Planning Agency
Advisory Planning Commission**



Tahoe Area Plan Amendment

Amends Appendix A – Development Code Standards

Article 220, IV-C Regulatory Zone, SA-1 &

Incline Village Commercial Regulatory Zone Special Policies

March 8, 2023

Tahoe Area Plan Amendment Request



Amend Appendix A - Development Code Standards, 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 *[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]* as a special policy

Background



- **January 2021** - BCC adopted Article 220 Tahoe Area Plan and Article 220.1 Tahoe Area Design Standards
- **May 2021** - TRPA Governing Board adopted the Washoe County Tahoe Area Plan and amendments as necessary to the TRPA Code of Ordinances
- **July 2022** - Applicant submitted a development code amendment application (WDCA22-0002) to add single family dwellings, limited to condominiums, as an allowable use in the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone subject to Land Use Policy LU2-9, requiring “single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units”.
- **November 2022** – Planning Commission reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA22-0002 to the Board.
- **December 13, 2022.** BCC introduced and conducted a first reading for Bill 1888, an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area.
- **January 17, 2023.** BCC held a public hearing and conducted a second reading for Bill 1888 and adopted an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area.

- The DCA applicant held a Community Meeting on August 22, 2022
 - A total of 3,264 individual email recipients received the meeting invitation.
 - Thirty-four people were in attendance.
- 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”.



Area Plan Text Amendment



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

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

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

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

Thank you

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Washoe County Tahoe Area Plan Amendment

Unanimously Approved by Washoe County Planning Commission

- November 1, 2022

Unanimously Approved by Washoe County Board of Commissioners

- January 17, 2023

Nine 47 Project

- 40-unit for rent multiple-family dwelling (MFD) and commercial office space project at 941 and 947 Tahoe Blvd
 - Incline Village Commercial Regulatory Zone, Special Area 1
 - Town Center where dense urban redevelopment is encouraged
- Properties previously developed with restaurant and gas station that generated:
 - 1,200 - 1,700 daily trips (vs. 200 trips for the approved project), and
 - 2,830 daily VMT (vs. 887 VMT for the approved project)
- TRPA Governing Board unanimously approved the Nine 47 Project in June 2022
 - Made a Finding of No Significant Effect
 - No further discretionary approvals are required to break ground on the Project
 - Construction scheduled to commence May 1, 2023
 - Redevelopment will improve environment and economy



Need for Proposed Area Plan Amendment

- Single-family dwelling (SFD) is not a permissible use in Special Area 1 due to a legacy prohibition carried over from the 1996 Incline Village Community Plan.
- The Amendment is necessary to permit subdivision of approved MFDs into SFD condominiums in Special Area 1.
- Washoe County recommended amending Special Area 1, rather than just the Nine 47 Properties, to avoid spot zoning.

Area Plan Amendment Justification

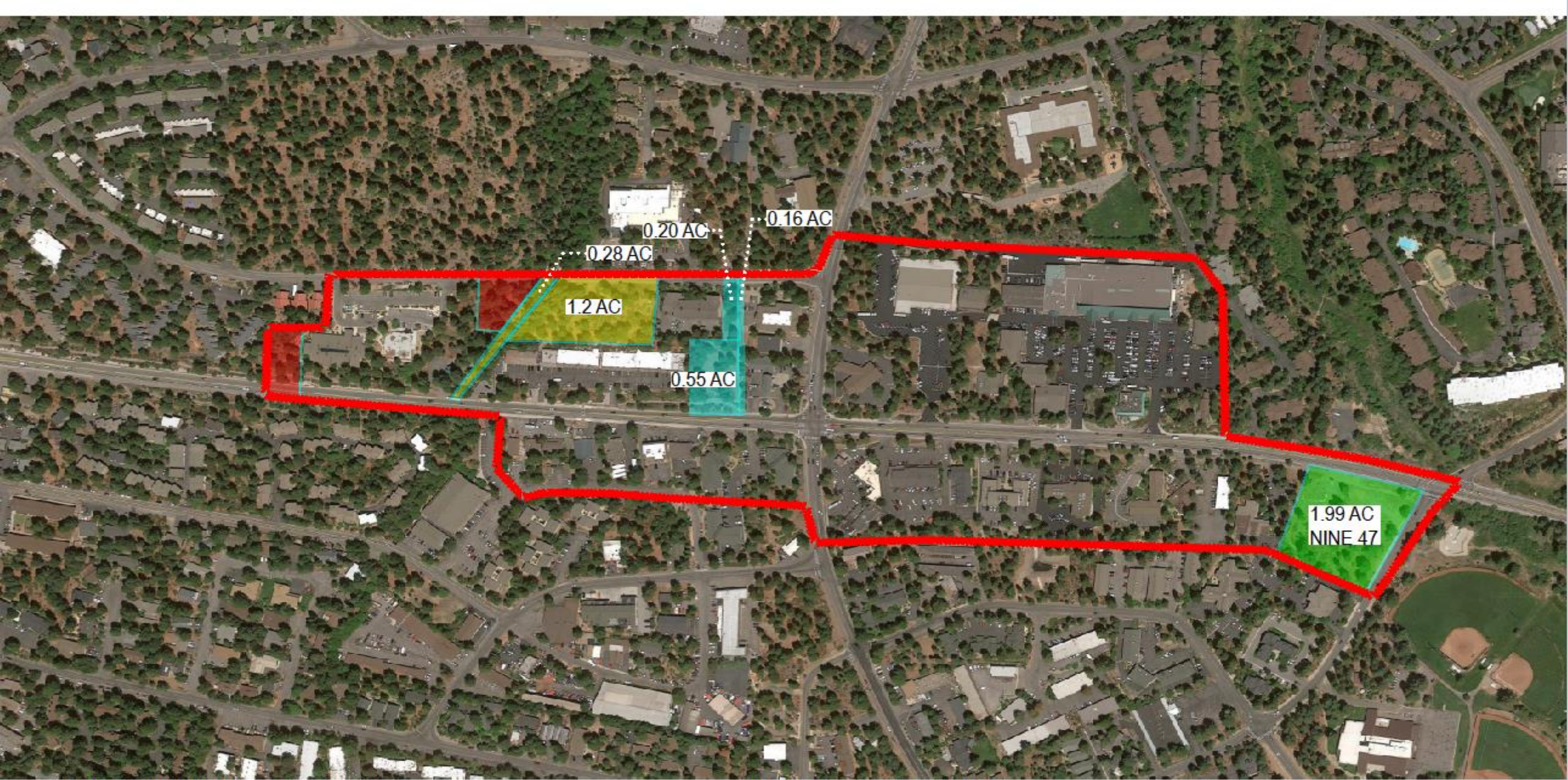
- No substantial redevelopment or reinvestment in Special Area 1 has occurred in 20+ years
- No MFD development has occurred in Incline Village in 20+ years
- Under supply of residential product across all price points
- The legacy SFD prohibition carried over from the Community Plan to the Area Plan essentially maintains this status quo
- Prohibition was never intended to prohibit condominiums - only traditional lot and block subdivisions (confirmed by former TRPA Planner)
- Only difference between MFD and SFD is ***form of ownership***

Area Plan Amendment Justification (cont'd)

- Area Plan Policy LU7-1 directs the County to identify barriers to redevelopment within Town Centers and states that amendments should be pursued to remove barriers or otherwise facilitate redevelopment in these areas.
 - This Amendment eliminates a significant barrier 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.

Benefits of Area Plan Amendment

- Improve the Environment
 - Promote walkability/biking and reduce dependence on the automobile
 - Reduce trip generation, VMT and parking demand
- Fulfill Area Plan vision via concentrated density in the Town Center
- Increase housing opportunities by adding an additional residential use
- Deliver economic infusion into the Community
 - Annual Increase in Ad Valorem Property Tax with SFD Condos = \$1.8 million



SUMMARY: SA-1 COMPRISES 42 PROPERTIES

- VACANT PROPERTIES - 9 TOTAL
- 2 - PUBLICLY OWNED BY WASHOE COUNTY AND USFS
 - 2 - PRIVATELY OWNED - 1.48 ACRES TOTAL, 0.28 INCLUDES SEZ ZONE
 - 3 - PRIVATELY OWNED BY DEVELOPER - 0.91 AC TOTAL
 - 2 - NINE 47 PROJECT - 1.99 AC PROJECT

Community Support

- Wide-ranging support for the Project and Amendment from all pockets of the Incline Village community
 - Numerous small business owners, leaders in the community, property owners, nonprofits, religious, realtors, HOAs
 - All from local residents living and working in Incline Village
 - Extensive proactive outreach including neighborhood meeting, community workshop, website, FAQs and Fact Sheet to dozens of one-to-one meetings with individual community members from all demographics
- More than 70 letters of support already submitted
- Supporters understand that redevelopment is critical to the health of the Lake
 - Suffering economy = slower investments in environmental improvements

Motions

Agenda Item No. V.A.

1. A motion to recommend approval of the Required Findings, as described in Attachment D, including a finding of no significant effect, for adoption of the Area Plan amendment as described in the staff report
2. A motion to recommend adoption of Ordinance 2023-___, to amend the Washoe County Tahoe Area Plan as shown in Attachment C