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May 5, 2021

To: TRPA Advisory Planning Commission

From: Eric Young, Senior Planner, Washoe County Planning and Development Division

Subject: Washoe County Tahoe Area Plan

SUMMARY:

Washoe County asks the TRPA Regional Plan Implementation Committee (RPIC) to consider recommended approval of the Washoe County Tahoe Area Plan to the TRPA Governing Board. The proposed area plan serves to consolidate and bring current 27 local plans (23 Plan Area Statements and four Community Plans) under one local area plan for the Tahoe portion of Washoe County, Nevada.

The proposed plan also serves to encourage environmentally beneficial redevelopment through Regional Plan incentives such as increased height, coverage, and density for town centers located within an area plan. The Washoe County Tahoe Area Plan has three town centers – Crystal Bay Tourist, Incline Village Commercial, and Incline Village Tourist – all with aging, legacy development.

For the most part, the area plan carries forward existing permissible land uses and densities from the Plan Area Statements and Community Plans, with a few exceptions as detailed within the “Overview of the Area Plan” section below.

The Washoe County Board of County Commissioners unanimously adopted the area plan by approving a master plan amendment, regulatory zone amendment, and development code amendment on January 26, 2021.

OVERVIEW OF THE PROPOSED PLAN:

Washoe County had two primary goals that guided decision making in the development of the area plan. The first was to develop an area plan that is consistent with and supportive of the Regional Plan. Significant collaboration with both TRPA staff and the staff at Ascent Environmental was necessary to achieve this goal. Washoe County’s area plan articulates updated goals and policies and establishes new development code language and new implementing strategies. The Initial Environmental Checklist (IEC) found that the proposed plan does not result in significant environmental effects and does not require further mitigation to be consistent with the Regional Plan’s environmental standards. TRPA staff’s review ensured that our area plan contains the right mix of polices, codes, and commitments in accordance to TRPA’s Code of Ordinance Chapter 13: *Area Plans* to support and facilitate not only conformance but implementation of the Regional Plan.



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To: Regional Plan Implementation Committee
 Subject: Washoe County Tahoe Area Plan
 Date: April 2, 2021
 Page: 2

The second critical goal of this update was to remove the legacy system of dual land use regulatory zoning that has confounded both property owners and staff. In the past, project proponents were required to comply with both Washoe’s county-wide regulatory zoning and regulatory zoning under the applicable Plan Area Statement or Community Plan. At times, there were conflicts between the Washoe County zoning and local plans zoning. The new area plan consistently establishes one planning regime, based on the existing zoning in the Plan Area Statements and Community Plans. All existing zoning boundaries remain the same, and there are only minor adjustments to permissible uses and special policies, in each case designed to better implement the Regional Plan.

Washoe County is proposing amendments to the existing local plans as part of this area plan that fit into three broad categories. These categories are 1) amendments to Goals and Policies, 2) amendments that relate more specifically to land use such as development standards and permissible uses, and 3) amendments that relate to document usability and customer service. The third category is primarily an exercise in creating a contemporary format that contains the cross references, graphics, and underlying structure necessary to provide access to the information contained in the documents.

The proposed changes to goals and policies and land uses are summarized in the following table:

Area Plan Element	Proposed Change from Existing Plan, Map, or Ordinance	Summary of Change
Goals and Policies	Adds, deletes, and modifies existing goals and policies as documented in the Area Plan	<p>Deletes goals and policies no longer applicable to the plan area, or those that have previously been implemented.</p> <p>Adds or modifies goals and policies to implement the Regional Plan and respond to current conditions.</p> <p>Consolidates goals and policies from multiple CPs and PAS that address the same topic.</p> <p>(see Appendix A, "Table of Proposed Goal and Policy Changes")</p>
Land Use (Zoning Districts)	Existing regional land use and zoning district boundaries remain unchanged. District names are changed.	<p>PAS and CP districts are referred to as neighborhood districts. All district boundaries remain unchanged.</p> <p>(see Area Plan Regulatory Zone Map)</p>
Land Use (Permissible Uses)	Ponderosa Ranch Special Area #1 permissible uses and special policies change.	<ul style="list-style-type: none"> ▶ Existing permissible uses removed: <ul style="list-style-type: none"> ▣ Food and beverage retail sales ▣ Outdoor amusements ▣ Vehicle storage and parking ▶ New residential uses allowed with a special use permit: <ul style="list-style-type: none"> ▣ Nursing and personal care ▣ Residential care ▶ New commercial uses allowed:

To: Regional Plan Implementation Committee
 Subject: Washoe County Tahoe Area Plan
 Date: April 2, 2021
 Page: 3

		<ul style="list-style-type: none"> ➤ Professional offices ➤ Financial services ▶ New commercial uses allowed, subject to special policies: <ul style="list-style-type: none"> ➤ Amusements and recreation services (limited to indoor movie theater, athletic clubs, and sauna/spa/hot tubs) ➤ Business support services (limited to blue printing, commercial art and design, and computer/IT support) ➤ Animal husbandry (limited to animal hospitals and veterinary offices) ➤ (see Development Code Section 110.220.165)
	Fairway Neighborhood allowable uses and special policies change.	Day use would be changed from allowed with a special use permit to allowed. (see Development Code Section 110.220.295)
Land Use (Town Center Height)	Within town centers maximum allowable height would be increased consistent with the Regional Plan, and subject to additional greenhouse gas reduction requirements.	Maximum building height in Town Centers would be increased from 42 feet (subject to TRPA Code Section 37.4) to 56 feet and four stories. Height increases beyond those currently allowed are allowed only if the project meets green building standards. This includes a second and third story stepped back for height for transitional areas within town centers and adjacent to areas outside of town centers. (see Development Code Section 110.220.35)
Land Use (Town Center Density)	Within town centers maximum allowable density would be increased consistent with the Regional Plan. Additional density proposed for nursing and personal care uses.	Multi-family residential density in town centers is increased from a maximum of 15 units/acre to a minimum of 15 units/acre and maximum of 25 units/acre. Increase density in town centers for residential care and nursing and personal care uses from 25 person per acre to 40 persons per acre. Increase density for tourist accommodation uses in town centers from 15 to 40 units per acre depending on the percentage of units that have kitchens to 40 units per acre regardless of the number of units that have kitchens. (see Development Code Section 110.220.35)
Land Use (Town Center Coverage)	Revise maximum transferred coverage limits consistent with the Regional Plan.	The existing maximum transferred coverage limits for commercial facilities within CPs allows for up to 70 percent coverage on high capability lands for vacant parcels and 50 percent of high capability lands on developed parcels. Within town centers, the maximum transferred coverage limit would change to 70 percent of high capability lands farther than 300 feet from the Lake Tahoe (at high water) and 50 percent of high capability lands within 300 feet of Lake Tahoe. Coverage limits for CP areas outside of town centers would not change. (see Development Code Section 110.220.35)
Land Use (Excess Coverage Mitigation)	Revise excess coverage mitigation to require onsite coverage reduction.	The existing TRPA code Section 30.6 provides options for excess coverage mitigation including through payment of in-lieu excess coverage mitigation fees. The area plan would require project areas where existing coverage exceeds 70 percent to reduce coverage onsite. (see Development Code Section 110.220.40)
Land Use (Design Standards)	No change. Existing design standards and guidelines in	Design standards for Area Plan neighborhoods would be carried forward from PASs and CPs exactly as they are currently stated in <i>Washoe County Signage, Parking & Design Standards & Guidelines</i> to the new <i>Tahoe Planning Area Design</i>

To: Regional Plan Implementation Committee
 Subject: Washoe County Tahoe Area Plan
 Date: April 2, 2021
 Page: 4

	adopted PASs and CPs would be carried forward in the Area Plan.	<i>Standards and Guidelines</i> . The new manual would be included in Article 220 (Tahoe Area) of the Washoe County Development Code. No change.
Land Use (Allocation of TAUs, RBUs and CFA)	Consolidates the various pools of commercial floor area (CFA), tourist accommodation unit (TAU), and residential bonus unit (RBU) within the CPs and modifies the requirements for allocation of CFA and TAUs.	CFA, TAU, and RBUs that are currently allocated to specific PASs and CPs. They would be consolidated into a single pool that is available for eligible projects throughout the plan area as shown in Table 2.4-2. Revise the allocation of CFA and TAUs from a first come first served basis to a first come first served basis within town centers. Projects outside of town centers would only be eligible for allocations of CFA or TAUs if the project meets green building standards. (see Development Code Section 110.220.20)
Land Use (Setbacks)	Carries forward existing setback standards with targeted changes for corner and sloping lots	Carry forward most existing setback requirements. Modify setback requirements for structures build on corner lots and parcels with at least a 20 percent slope. This change would allow buildings to be placed on the front property line, subject to limitations and setbacks from roadways and corners. (see Development Code Section 110.220.60)
Greenhouse Gases	Provides new requirements and incentives for green buildings design to reduce greenhouse gas emissions.	All new structures built by Washoe County that contain habitable space and will be open to the public must be designed and built to an industry recognized industry recognized sustainable building construction and greenhouse gas reduction standard. Fees for CFA, TAU, and residential allocations are waived for projects that meet an industry recognized sustainable building construction and greenhouse gas reduction standard. Projects outside town centers are only eligible for new allocations of CFA or TAUs if they meet an industry recognized sustainable building construction and greenhouse gas reduction standard. (see Development Code Sections 110.220.415 and 110.220.20)
Natural Hazards	Standardizes and codifies the applicability of requirements for development at risk of natural hazards.	Currently, Washoe County reviews project applications on an ad hoc basis for risk of natural hazards including areas prone to landslide, flood, seismic hazards, seiche, and wildfire. The Area Plan identifies locations prone to these hazards and codifies review requirements to ensure they are applied consistently. (see Development Code Section 110.220.125)
Urban Bear Strategy	Requires that all permitted development or activities comply with an urban bear strategy.	All permitted development or activities must comply with the Washoe County Urban Bear Strategy. (see Development Code Section 110.220.115)

Taken together, Washoe County feels the changes described in the table above are consistent with our stated goal of creating a plan that is consistent with and supportive of the Regional Plan, as well as responding to the community’s sense of character and identity.

To: Regional Plan Implementation Committee
Subject: Washoe County Tahoe Area Plan
Date: April 2, 2021
Page: 5

PUBLIC HEARINGS:

The Washoe County Tahoe Area Plan was initiated in 2013. Since that time, there have been six public hearings as outlined below. The Washoe County Board of County Commissioners unanimously adopted the area plan at the January 26, 2021 hearing.

- **Washoe Board of County Commissioners**, Second Reading of Development Code, Plan Adoption
January 26, 2021
- **Washoe Board of County Commissioners**, First Reading of Development Code
March 10, 2020
- **Washoe County Planning Commission**, Adoption Recommendation
February 4, 2020
- **TRPA Regional Plan Implementation Committee**, Informational Presentation
October 23, 2019
- **Washoe County Planning Commission**, Master Plan Amendment Initiation
October 21, 2019
- **Washoe County Planning Commission**, Master Plan Amendment Initiation
November 7, 2018

During the October 2019 RPIC presentation, RPIC members wanted to ensure that the area plan and the Tahoe Transportation District's Long-Range Transit Plan are consistent, and that the area plan supports and provides for the mobility hubs identified in that plan. In response to this concern, Washoe County staff added the potential mobility hubs as called for in the transit plan to the appropriate maps in the Transportation Chapter of the area plan. Staff also added references to the potential mobility hubs throughout the transportation chapter where appropriate. More information on the mobility hubs is located in the subsequent "Public Outreach and Comment" section below.

Additionally, RPIC commended Washoe County for the included greenhouse gas reduction standards. Washoe County's newly proposed greenhouse gas reduction standards are the first to be applied in the Nevada side of the basin. These will likely form the basis of any standards the county may adopt when it updates the rest of its area plans outside the basin. The reduction of greenhouse gas is approached in three separate ways. First, a standard is established for all new multi-family development and any habitable space developed by Washoe County that requires developing to a recognized sustainable greenhouse gas and building construction standard such as Living Building Challenge, Net Zero Energy Building, LEED, Energy Star, Green Globes, national Green Building Standard, or other similar standard. Next, it creates incentives for other types of development to adopt this standard by waiving the fees associated with residential allocations, commercial floor area, or tourist accommodation units. And finally, the plan establishes that development to this standard is required to obtain commercial floor

To: Regional Plan Implementation Committee
Subject: Washoe County Tahoe Area Plan
Date: April 2, 2021
Page: 6

area or tourist accommodation units outside a town center boundary. RPIC did not request any changes to the GHG standards at that time.

PUBLIC OUTREACH AND COMMENT:

In addition to the public hearings listed above, Washoe County facilitated four community workshops, six Citizens' Advisory Board Meetings, and two other local organizational meetings as outlined below to inform the community about the planning process and solicit feedback. Public noticing requirements were followed in accordance to Washoe County's regulations.

- **Public Workshops:** February 21, 2013; April 24, 2014; September 28, 2016; December 9, 2019
- **Citizens' Advisory Board Meetings:** October 2016; March 2017; July 2017; November 2018; March 2019; September 2019
- **Local Organizational Meetings:**
 - Incline Village General Improvement District Board of Directors, June 19, 2019
 - Incline Village / Crystal Bay Visitor's Bureau, January 15, 2020

Additionally, TRPA and Washoe staff developed a [public interactive webpage](#) that details proposed changes from existing plans, the area plan process, comparison of zoning regulations, and provides a draft of the plan.

The public review draft was made widely available in October 2019 and was circulated in several ways. The primary method of contact with public and private agencies was through the agency review checklist system that Washoe County regularly uses for the review of all discretionary projects in the county. With the assistance of TRPA staff, we were also able to supplement our list of appropriate agencies to ensure we provided the broadest list possible of potential reviewers. The Agency review checklist that was ultimately utilized for the update is attached. The plan was also made available through the public webpage mentioned above, the County's website, and distributed to the Citizens' Advisory Board.

Regarding agency comments, we received input that resulted in our ability to clarify several graphics and other similar issues related to the presentation of accurate and comprehensive data. The League to Save Lake Tahoe responded with ideas for improved clarity as well as a few requests for changes. In most cases the League was requesting Washoe County to establish standards beyond the current TRPA requirements, or to ask Washoe County to extend newly proposed requirements beyond the threshold we proposed.

A public comment summary is included as Attachment G to this packet. A full list of comments is included as Attachment H.

To: Regional Plan Implementation Committee
Subject: Washoe County Tahoe Area Plan
Date: April 2, 2021
Page: 7

Of particular interest from the community and public was the regulation of short term rentals (STRs) and the proposed mobility hubs. The community sought language in the area plan specific to STRs. However, during this same period Washoe County was in the beginning stages of developing an STR ordinance and did not seek to regulate STRs through the Area Plan. Washoe County has now adopted an ordinance specific to STRs and is currently implementing the application and permitting provisions it contains. The county intends to review how its implementation program is unfolding and consider adjustments to the ordinance by the end of 2021.

During the month of February 2021, the Tahoe Transportation District (TTD) facilitated a series of webinars for the community regarding the potential mobility hubs and how those fit into both local and regional transportation needs. Prior to these meetings there was a great deal of concern about the potential location of a mobility hub at a former school site. Questions and responses from these meetings have been posted to the following website: <https://inclinevillagemobilityhub.org> . TTD has committed to continuing outreach to engage the community, as alternative sites are considered and the facilities and features a mobility hub might include are determined.

Attached Exhibits

- Resolution adopting the Master Plan Amendments
- Resolution adopting the Regulator Zone Amendments
- Ordinance adopting revisions to Article 220 and adopting Article 220.1 of Chapter 110 of the Washoe County Code