

**PLANNING COMMISSION
STAFF REPORT**

Date: March 19, 2025

To: Reno City Planning Commission

Subject: Staff: Case No. TXT24-00002 (Accessory Dwelling Units) – Initial review of Reno Municipal Code Title 18 Annexation and Land Development Chapter 18.03, 18.04, and 18.09 related to accessory dwelling units; together with matters which pertain to or are necessarily connected therewith.

From: Grace Mackedon, Senior Management Analyst

Ward #: 1, 2, 3, 4, 5, and 6

Case No.: TXT24-00002 (Accessory Dwelling Units)

Applicant: City of Reno

APN: N/A

Request: Review of Reno Municipal Code Title 18 Annexation and Land Development Code Chapter 18.03, 18.04, and 18.09 related to accessory dwelling units

Location: City-wide

Proposed Motion: Staff recommends the Planning Commission review the proposed changes and provide feedback.

Summary: In November of 2023 the Reno City Council initiated a text amendment to Title 18 of Reno Municipal Code (RMC) to allow accessory dwelling units (ADUs) in the City of Reno. An ADU is a smaller independent residential dwelling unit located on the same lot as a stand-alone single-family home. ADUs are currently not permitted in most areas of the City. The ordinance was drafted based on City Council direction, reviewed by Neighborhood Advisory Boards (NABs), and by other stakeholders at a series of three virtual public outreach meetings. A draft ordinance with redline amendments can be found as **Exhibit A – ADU Draft Ordinance**.

Background:

November of 2023 - During an affordable housing workshop, Council initiated a text amendment to create regulations, standards and criteria for allowing ADUs.

January of 2024 - Staff conducted a survey on ADUs to get a better understanding of community concerns, including a significant amount of public outreach to encourage community participation in the survey. Public outreach for the survey included the following:

- Presentation at the NABs
- Social media posts
- Local media coverage
- Press releases

Over 2,000 people responded to the survey with the majority of respondents in support of ADUs **(Exhibit B)**.

March of 2024 - Staff went back to Council to present/discuss the results of the survey and received direction to return to Council once more to allow them an opportunity to give specific direction on potential regulations for ADUs.

July of 2024 - Staff provided Council with potential regulations related to ADUs for direction prior to drafting an ordinance. Council moved for staff to draft an ordinance with a prohibition on 0-foot setbacks, additional setbacks for taller buildings, removing the design requirements, and locational concerns.

Since then, Staff drafted an ADU ordinance and conducted public outreach to get feedback on the draft ordinance including the following:

- Presentations to the NABs
- Virtual stakeholder meetings
- Media coverage
- Press releases
- E-mails to people who have expressed interest
- Social media posts

Discussion: The City Council initiated this text amendment to help support affordable housing, aging in place, create more housing diversity, and allow for homeowners to supplement their income with rental income. The proposed draft ADU ordinance includes the following restrictions:

- ADU's are permitted in all the zoning districts that allow for single-family homes
- 1 ADU per lot
- 1 designated parking space per ADU
- No 0-foot building setbacks
- Minimum lot size of 9,000 square feet
- Existing restrictions for accessory structures like setbacks, size, height and maximum lot coverage will still apply to ADUs

During the extensive public outreach, Staff requested feedback on specific elements of the draft ordinance. The public comments have been summarized in the attached spreadsheet (**Exhibit C**). All of the individual public comments can be seen in **Exhibit D**. Questions were raised regarding CC&R's and who has enforcement authority. The City does not regulate CC&R's and, like all development, it is up to the property owner to be aware of any specific restrictions or covenants on their property. If restrictions are placed on a private property that restrict ADU's, RMC would not supersede that restriction. Several of the comments include a reduction in the proposed 9,000 square foot minimum lot size, a need for short term rental regulations, and infrastructure concerns. To address these concerns, edits can be made to the draft prior to adoption based on direction from Planning Commission and Council. The common concerns are further analyzed below.

Analysis:

Minimum Lot Size: Based on City Council direction, and previous draft ADU ordinances, staff proposed a 9,000 square foot lot size minimum. The lot size minimum also helps address the concern Council has regarding neighborhood restrictions and effectively prohibits ADUs in certain neighborhoods that have shown concern. However, during community outreach, a handful of people brought up issues regarding the lot size minimum being too large and how it would prohibit ADUs in many neighborhoods that could benefit from them. **Exhibit E** is a map that highlights lots above and below 9,000 square feet, allowing the Planning Commission to better understand the impact of this requirement and determine if it may be necessary to make reductions and/ or modifications to the requirement. Staff also received feedback that the proposed lot size minimum is too small, but overwhelmingly the feedback was to either remove the minimum lot size or reduce it.

Short Term Rental Restrictions: Based on the survey conducted in January of 2024, Staff anticipated concerns regarding ADUs being used as short term rentals. The direction from Council at the time was to continue with the ADU ordinance and to potentially address short term rentals in the future, separate from ADUs. If staff were to regulate short term rentals with this ordinance, it would only apply to ADUs and would not address short term rentals on the broader citywide regulation.

Infrastructure Concerns: During the public outreach process, concerns were raised regarding existing infrastructure, specifically sewer, and if there is capacity to add ADUs. Should the proposed ADU ordinance be adopted, each ADU and lot would be looked at individually during the building permit process. Additionally, because an ADU would require a certificate of occupancy, separate impact fees would be collected to help mitigate any potential impacts. ADUs are not anticipated to overburden existing infrastructure.

Recommended Conditions of Approval: Staff recommends Planning Commission review the proposed changes and provide feedback.

Findings: Findings:

General Review Criteria: The decision-making body shall review all development applications for compliance with the applicable general review criteria stated below.

- 1) Consistency with the Reno Master Plan: The proposed development shall be consistent with the Reno Master Plan. The decision-making authority:
 - a. Shall weigh competing plan goals, policies, and strategies; and
 - b. May approve and application that provides a public benefit even if the development is contrary to some of the foals, policies, or strategies in the Reno Master Plan.
- 2) Compliance with Title 18: The proposed development shall comply with all applicable standards in this Title, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.
- 3) Mitigates Traffic Impacts: The project mitigates traffic impacts based on applicable standards of the City of Reno and the Regional Transportation Commission.
- 4) Provides Safe Environment: The project provides a safe environment for pedestrians and people on bicycles.
- 5) Rational Phasing Plan. If the application involves phases, each phase of the proposed development contains all of the required streets, utilities, landscaping, open space, and other improvements that are required to serve or otherwise accompany the completed of the project, and shall not depend on subsequent phases for those improvements.

Amendments to Text of Title 18: Text amendments shall be in substantial conformance with the statement of purpose and intent for this Title, as set forth in Chapter 18.01 Article 2, *Purpose*, and the Master Plan:

- The general purpose of this Title is to promote the public health, safety, and welfare by providing appropriate and reasonable controls for the development and use of lands in Reno, while also protecting the rights of property owners. This Title also is intended to:
 - (a) Implement the policies, goals, and strategies adopted by the City of Reno, including those set forth in the Reno Master Plan and other adopted plans;
 - (b) Promote, preserve, and protect environmental quality as a critical element in Reno's quality of life and encourage the wise use of natural resources;
 - (c) Conserve and enhance the architecture, history, pedestrian-orientation, mixed-use, and urban character of Downtown Reno, and promote its role as regional government, civic, entertainment, and tourist center;
 - (d) Promote economic development and the improvement of property, with priority given to adaptive reuse and redevelopment projects in Downtown Reno and urban mixed-use areas;

- (e) Conserve and enhance the character of Reno's established residential neighborhoods through mitigation of adverse factors, promotion of a balanced mix of housing types, and through appropriately scaled and planned infill development;
- (f) Encourage innovative, affordable, and quality residential development so that growing demand for housing may be met by greater variety in type, design, and layout of dwellings, and by conservation and more efficient use of open space ancillary to such dwellings;
- (g) Encourage quality, nonresidential development that preserves and protects the character of the community, including its natural landscape, and that minimizes objectionable noise, glare, odor, traffic, and other impacts of such development, especially when adjacent to residential uses;
- (h) Facilitate adequate provision of transportation, water, wastewater, electricity, gas, communications, schools, parks, trails, stormwater management, and other public requirements; and
- (i) Provide the economic and social advantages gained from a comprehensively planned use of land resources.

Attachments:

Exhibit A – ADU Draft Ordinance

Exhibit B – Survey Response

Exhibit C – Summary of Public Comment

Exhibit D – Public Comment

Exhibit E – Lot Size Map