



ADMINISTRATIVE INTERPRETATION/DECISION

NO. ADM23-00007

DATE OF DECISION September 2, 2022

CODE SECTION Wedge / Dorostkar / Duxbury / Peigh Specific Plan

District (WDDP-SPD)

INTERPRETATION Accessory package alcohol sales are allowed by-right within the commercial component of the Wedge / Dorostkar / Duxbury / Peigh Specific Plan District (WDDP-SPD) when associated with the uses of: 1) *Bar, Lounge, or Tavern*, 2) *Restaurant with Alcohol Service*, and/or 3) *Microbrewery, Distillery, or Winery*. This administrative interpretation is applicable only within the commercial component of the WDDP-SPD, and does not apply to the Neighborhood Commercial (NC) zoning district in general.

BACKGROUND: The WDDP-SPD was originally approved by Washoe County in 1993, and the area containing the commercial component of the development was subsequently annexed into the City of Reno in 2004. As adopted, the WDDP-SPD handbook allows for commercial components in designated areas, but does not contain commercial use restrictions or development standards.

In 2018, Condition of Approval No. 14 for LDC18-00013 (Mountaingate 78) established that “businesses allowed in the ±3.87 acre commercial component of the WDDP-SPD shall be those uses allowed in the Neighborhood Commercial (NC) zone.” In 2022, Condition of Approval No. 14 for LDC18-00013 was amended through LDC22-00072 to establish that “businesses allowed in the ± 3.87 acre commercial component of the

WDDP-SPD shall be those allowed in the Neighborhood Commercial (NC) zone with the addition of bars, lounges and taverns, and restaurants with alcohol service allowed by right.”

The WDDP-SPD is a unique zoning designation that allows for commercial uses. The intent of Condition of Approval No. 14 was to *generally* restrict uses to those allowed in the NC zoning district. Neither LDC18-00013 nor LDC22-00072 was intended to apply all use and development standards for the NC zoning district to the commercial component of the WDDP-SPD. Rather, Condition of Approval No. 14 employs allowed uses within the NC zoning district as a basis to restrict inappropriate uses from locating within the commercial component of the WDDP-SPD. As an example, *Bar, Lounge, or Tavern, and Restaurant with Alcohol Service* require approval of a discretionary permit within the NC zoning district, but these uses are now allowed by-right within the commercial component of the WDDP-SPD through the adoption and subsequent modification of Condition of Approval No. 14 by the Planning Commission. The definition of bar allows for accessory sales of alcohol; and that the interpretation is applicable only to this specific request rather than NC uses as a whole. Microbrewery, Distillery or Winery uses are allowed by-right in the NC zoning district and as an operational business function, provide package alcohol and have been added to this interpretation as types of uses permitted to provide package alcohol.

This interpretation shall supersede all previous interpretations of R.M.C. Title 18, Annexation and Land Development Code, concerning the above referenced code section and shall be in effect unless and until a subsequent interpretation concerning the above referenced code section is made by the Administrator, this decision is reversed by the Reno City Council, or the code section in question is modified.

Pursuant to R.M.C. Section 18.08.502, the Administrator has the authority to interpret the zoning ordinance provisions within the reasonable exercise of discretion. The Mayor, any member of the City Council, or any person or entity aggrieved by an administrative decision may appeal such decision to the City Council by filing a written appeal with City Clerk within ten business days after the filing of notice of the final action, decision, or order. The City Clerk's Office is located on the 2nd floor of Reno City Hall at One East First Street, Reno, Nevada.

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Department Approval