

**CLARK COUNTY PLANNING COMMISSION**  
**ZONING / SUBDIVISIONS / LAND USE**  
**AGENDA ITEM**

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**Petitioner:** Nancy A. Amundsen, Director, Department of Comprehensive Planning

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**Recommendation:** AG-21-900225: Receive a report on the Transform Clark County Title 30 Assessment for the Development Code Rewrite, and direct staff accordingly. (For possible action)

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**FISCAL IMPACT:**

None by this action.

**BACKGROUND:**

In January 2020, Comprehensive Planning staff began working with a consultant (Clarion Associates) to update the County's Comprehensive Master Plan (Master Plan) and Development Code (Title 30). A series of kick-off meetings were held in June 2020 to explain the project and process, and to start soliciting initial comments. Additionally, the first on-line survey was conducted to gather background information for the Master Plan and Development Code rewrite. A project website was created, [www.TransformClarkCounty.com](http://www.TransformClarkCounty.com), to keep interested parties apprised of the status of the project.

In September 2020, the Preliminary Plan Framework was presented to the Board, Planning Commission, TAB/CAC representatives, and various other stakeholders to gather input on the format, issues of concerns, and direction of the Master Plan and Development Code. The Preliminary Plan Framework Survey results were published November 2020.

In November and December 2020, a Development Code Assessment Survey was conducted to solicit feedback on the overall use and application of the Development Code. The survey was conducted online and the results of the survey were presented to the Board, Planning Commission, TAB/CAC representatives, and various other stakeholders in February 2021.

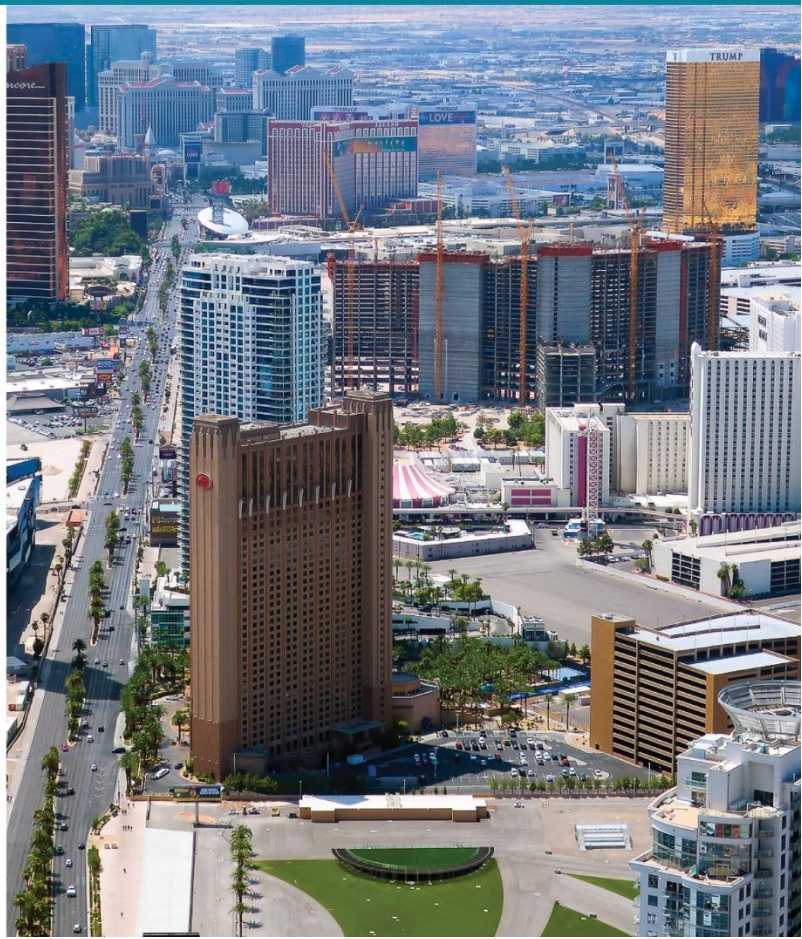
The Title 30 Assessment has been completed by the consultants and is ready for discussion. Staff recommends that the Planning Commission receive the report and direct staff accordingly.





# DEVELOPMENT CODE ASSESSMENT REPORT

May 2021



CLARION







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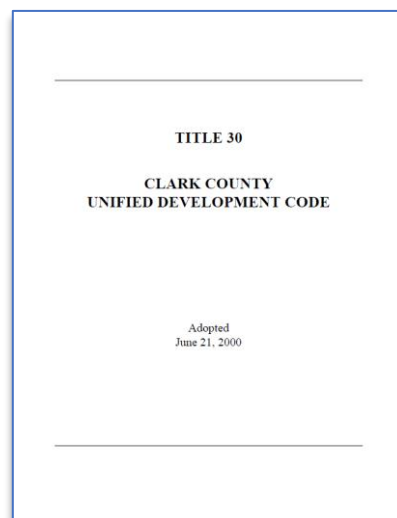
# 1: INTRODUCTION AND BACKGROUND

## Updating Clark County's Title 30 (Unified Development Code)

Title 30 (called “the Code” in this report) contains the official rules for development and redevelopment throughout unincorporated Clark County, Nevada. Adopted by the Board of County Commissioners, the Code establishes zoning districts and identifies land uses allowed within those districts. The Code also sets minimum standards for the quality of new development and establishes procedures under which proposed development applications are considered. As is true for all Nevada local governments, the Code is one of the County’s principal tools for implementing locally adopted plans, especially the Clark County Master Plan.

Along with an update of the Master Plan, the County is embarking on a comprehensive update of Title 30 that is intended achieve several important goals:

- The new regulations should be clearly written, well-organized, and illustrated so that average citizens are able to understand them easily, resulting in a transparent and predictable process;
- The regulations should allow for a diverse array of uses and intensities in appropriate locations throughout the County;
- The regulations should allow for and encourage well-designed development that adds to the County’s sense of place and implements the adopted Master Plan and area plans; and
- The regulations should establish a predictable and transparent review process, which includes more administrative reviews and by-right development, with fewer exceptions and waivers. Enforcement and administrative provisions should be realistic based on available local resources and staff.



## Overview of “Transform Clark County”

The joint updates to the Master Plan and Title 30 collectively are referred to as the “Transform Clark County” project. While the Title 30 update portion of the project is in relatively early stages, the update to the Clark County Master Plan began in early 2020 and is well underway. More information about Transform Clark County, including all publicly available draft documents, can be found at [www.transformclarkcounty.com](http://www.transformclarkcounty.com).



As shown in the project timeline, below, the updated Master Plan and Title 30 are being developed concurrently. The teal sections of the timeline indicate major phases of the Master Plan update

process and orange sections indicate major phases of the Code update process. This Code Assessment is part of the fourth phase of the project (Policy Directions/Code Assessment).



Stakeholders and the public have had opportunities to provide ideas and feedback with each phase of the project, which has all been used to inform the changes proposed in the Master Plan and in this Code Assessment.

The first phase of the project (Project Initiation and Orientation) included a series of stakeholder meetings – held virtually in June and July 2020 – to identify key issues, opportunities, and priorities for the Master Plan and Code updates. Participants included County Commissioners, Planning Commission members, outside stakeholders, municipal and regional partners, Town Advisory Board and Citizen Advisory Council members, and staff from the County’s Comprehensive Planning Department and other County departments.

In November and December 2020, the County posted an online survey to allow the public to share feedback on the current Code and provide ideas for changes and improvements. More than 250 individuals, including business owners, developers, real estate professionals, County staff, and Clark County residents, took time to complete the survey. A [summary of survey results](#) is available on the project website.

Most recently, a second round of stakeholder meetings was held in February 2021 to dive deeper into Code-related topics and issues. This series of virtual meetings again included conversations with a broad range of internal and external stakeholders. Feedback from these meetings was used to help develop this Assessment Report.

## Report Organization

Following this **Project Overview and Summary** (Part 1), this report is organized into four main parts:

Part 2, **Key Areas to Improve Title 30**, identifies major themes that emerged from Clarion’s review of the County’s regulations, stakeholder interviews, and Clarion’s experience with development regulations in communities across Nevada and the nation. The discussion of each issue includes recommendations or suggestions on how Title 30 might be improved or replaced to best address concerns pertinent to that issue.

The major recommendations are organized in the following categories:

- Implement the New Master Plan
- Create a More User-Friendly Zoning Code



- Fine-Tune the Lineup of Zoning Districts
- Modernize the Schedule of Land Uses
- Ensure Efficient and Consistent Development Review Procedures
- Improve and Tailor the Development Quality Standards
- Achieve More Sustainable Development

Part 3, **Annotated Outline**, provides an overview of a proposed structure of the new Title 30, assuming that recommendations from the assessment are implemented. This section of the report gives the reader the framework of the new structure and the logical grouping of like provisions.

Part 4, **Detailed Review of Current Title 30**, includes a section-by-section review of the current Code with recommendations for improvements.

## Summary of Recommendations

The table below provides a summary of recommendations for the key areas introduced in Part 2 of this report. Please note that the various recommendations in each key area are not intended to imply a particular priority or order of events.

Summary of Assessment Report Recommendations	
Theme	Recommendation
<b>Create a More User-Friendly Zoning Code</b>	
Include More Graphics and Illustrations	<ul style="list-style-type: none"> <li>• Expand the use of graphics, tables, and illustrations.</li> </ul>
Improve the Page Layout	<ul style="list-style-type: none"> <li>• Improve page layout through improved organization, format updates, and a logical numbering system.</li> </ul>
Reorganize Title 30 to Make it Easier to Find Key Information	<ul style="list-style-type: none"> <li>• Reorganize code according to Annotated Outline in this report.</li> <li>• Consolidate existing sections into logical groupings. Eliminate redundant and obsolete content.</li> </ul>
<b>Fine-Tune the Lineup of Zoning Districts</b>	
Implement the New Master Plan Land Use Categories	<ul style="list-style-type: none"> <li>• Implement revised lineup of zoning districts that supports land use designations in the new Master Plan.</li> </ul>
Other Zoning District Updates	<ul style="list-style-type: none"> <li>• Carry forward districts that are working well.</li> <li>• Consolidate overlapping districts.</li> <li>• Eliminate obsolete or unused districts.</li> <li>• Adopt more descriptive naming convention for districts.</li> </ul>
Update Overlay Districts	<ul style="list-style-type: none"> <li>• Carry forward overlays that are working well.</li> <li>• Eliminate overlays that have not achieved their objectives.</li> <li>• Replace RNP overlay with updated Neighborhood Preservation overlay.</li> </ul>
Update the Zoning Map	<ul style="list-style-type: none"> <li>• Consider strategy for future zoning map updates.</li> </ul>
<b>Modernize the Schedule of Land Uses</b>	
Categorize and Define All Land Uses	<ul style="list-style-type: none"> <li>• Classify use types within categories and subcategories; reorganize uses under logical category headings.</li> <li>• Define each use to ensure clarity and legal consistency, review existing definitions to update where needed.</li> <li>• Remove obsolete uses.</li> </ul>

Summary of Assessment Report Recommendations	
Theme	Recommendation
	<ul style="list-style-type: none"> <li>Introduce new use types to reflect contemporary uses.</li> </ul>
Ensure All Districts Allow Appropriate Land Uses	<ul style="list-style-type: none"> <li>Review use permissions to align with zoning district intent.</li> </ul>
Diversify Housing Types	<ul style="list-style-type: none"> <li>Expand the types of dwellings permitted in various districts.</li> </ul>
Consolidate and Update Use-Specific Standards	<ul style="list-style-type: none"> <li>Create section with use-specific standards, linked to global use table through cross-references.</li> <li>Review existing standards to eliminate overlap and ensure continued validity of standards.</li> </ul>
<b>Ensure Efficient and Consistent Development Review Procedures</b>	
Clarify Decision-Making Authority	<ul style="list-style-type: none"> <li>Review procedures to determine final decision-makers and expand opportunities to delegate decision-making authority to the Zoning Administrator.</li> </ul>
Revise Application Procedures, Generally	<ul style="list-style-type: none"> <li>Establish common review procedures that apply across application types.</li> <li>Relocate procedures for Major Project, Planned Unit Development (PUD), and Subdivision into consolidated section of all Application Procedures.</li> </ul>
Draft Clear “Standards for Approval”	<ul style="list-style-type: none"> <li>Remove vague and subjective language from standards.</li> <li>Redefine standards to create clear approval criteria for each application type.</li> </ul>
Revise Application Procedures, Specific Procedures	<ul style="list-style-type: none"> <li>Revisit permissions for allowing nonconforming zone changes.</li> <li>Review standards subject to waiver; determine any standards that should be exempt from waiver.</li> <li>Repurpose Minor Deviation procedure for allowing small changes during application process.</li> <li>Create a more defined and clear procedure for allowing minor changes post-approval.</li> <li>Review and revise PUD and Major Project application processes and procedures.</li> <li>Create updated Plan Amendment procedure.</li> </ul>
Review the Public Participation Process	<ul style="list-style-type: none"> <li>Review timing, radius, and means of notice for notification procedures.</li> <li>Create Summary Table of Development Review Procedures to illustrate decision-making body and public hearing requirement for each application type.</li> </ul>
Relocate Fees and Standards for Acceptance to an Administrative Manual	<ul style="list-style-type: none"> <li>Administrative information subject to periodic revision or update (fees, application-specific information) should be relocated outside the code, into an Administrative Manual.</li> </ul>
<b>Improve and Tailor the Development Quality Standards</b>	
Move Away from “One Size Fits All” Approach	<ul style="list-style-type: none"> <li>Tailor some standards (parking, landscaping) to accommodate varying development context in different locations.</li> </ul>
Emphasize Infill, Adaptive Reuse, and Revitalization	<ul style="list-style-type: none"> <li>Review dimensional and development standards along with allowed uses to ensure they accommodate infill, reuse, and revitalization.</li> </ul>

Summary of Assessment Report Recommendations	
Theme	Recommendation
Landscaping and Buffers	<ul style="list-style-type: none"> <li>• Tailor landscaping requirements to development contexts in different locations.</li> <li>• Incorporate options that encourage creativity and context-sensitive landscape design proposals.</li> </ul>
Off-Street Parking and Loading Standards	<ul style="list-style-type: none"> <li>• Tailor parking requirements to development contexts in different locations.</li> <li>• Assess options for enhancing flexibility to parking requirements, such as parking demand study, shared parking, and others.</li> <li>• Explore standards and incentives to address future needs related to electric vehicles and alternatives methods of transportation.</li> </ul>
Establish Access, Circulation, and Connectivity Section	<ul style="list-style-type: none"> <li>• Consolidate and expand standards for site access and internal site circulation.</li> <li>• Expand standards for connections extending between sites and beyond into surrounding areas.</li> </ul>
Enhance Building Design Standards	<ul style="list-style-type: none"> <li>• Rewrite design standards to eliminate vague, subjective language.</li> <li>• Strengthen requirements while introducing flexibility by adding optional approaches and menus wherever possible.</li> </ul>
Subdivision Standards	<ul style="list-style-type: none"> <li>• Consolidate subdivision regulations currently dispersed throughout the code into one section.</li> </ul>
Signs	<ul style="list-style-type: none"> <li>• Rewrite this section of the code.</li> <li>• Update sign types and technologies.</li> </ul>

## 2: KEY AREAS TO IMPROVE TITLE 30

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The following major focus areas for improving the current Title 30 were identified during the stakeholder interviews and the Clarion team's review of the County's regulations and plans. These areas present an organized way to discuss the strengths and weaknesses of the current regulations. They include:

- Implement the New Master Plan
- Create a More User-Friendly Zoning Code
- Fine-Tune the Lineup of Zoning Districts
- Modernize the Use Lists
- Ensure Efficient and Consistent Development Review Procedures
- Improve and Tailor the Development Quality Standards
- Achieve More Sustainable Development

Each of these key areas is discussed below. Additional detailed comments appear later in this report in the section-by-section review in Part 4.

### An Overarching Theme: Implement the New Master Plan

The Transform Clark County project provides a significant opportunity to increase the awareness of the County's Master Plan and to reinforce how the plan establishes a meaningful policy foundation for the land use regulations. In addition to the major themes discussed below, plan implementation will be an overarching idea that influences all parts of the Code rewrite.

For example, the core values, goals, and policies being developed for the draft Master Plan have been used to update the lineup of land use categories proposed in the Plan, and this Assessment report establishes the ties between those categories and the County's zoning districts. Other examples are noted throughout this report.

Keeping the goals and objectives of the draft Master Plan at front of mind when writing regulations will help ensure that the new code is clearly linked to and supported by the community's expressed policy goals and objectives.



### Create a More User-Friendly Zoning Code

A major goal of this project is to improve the user-friendliness of Title 30. Many stakeholders, both internal and external, noted the complexity of navigating the current code, the need for frequent interpretations of vague or unclear language, and the lack of graphics. Over time, Title 30 has grown into a document that is challenging to use, burdened by instances of unclear language, accumulated layers of regulations on a single topic (though not always in a single place in the code), frequent repetition, and occasional contradiction.



These challenges are not unusual. Many communities find that, as zoning rules are modified and updated over many years to address various issues, they become increasingly complicated and more difficult to navigate and understand. The recommendations below are intended to make Title 30 more user-friendly, which should help to improve the efficiency of the review process and the general understanding of zoning issues by the public.

### Include More Graphics and Illustrations

Illustrations, flowcharts, and tables should be used throughout Title 30 to explain standards and to summarize detailed information – these can be shown as examples of what the County wants to see or to illustrate regulations, while specifying that the illustrations themselves are not regulatory. While there are a few illustrations in the current document (as in 30.64, “Site Landscaping and Screening Standards”), there is room for more.

Sample graphics from other codes prepared by Clarion are shown below and on the following page. They are included here to illustrate a small range of possible formats. Each community is unique in how they choose to illustrate a code (freehand versus software, heavy detail versus light detail, etc.). Clarion’s team will develop graphics specific to Clark County by working with staff to establish an approach and consistent style for any new Code graphics.

*“Even though the rewrite should allow for flexibility, clear rules still need to be defined.”*

*“Simplify the code so a normal person can understand it.”*

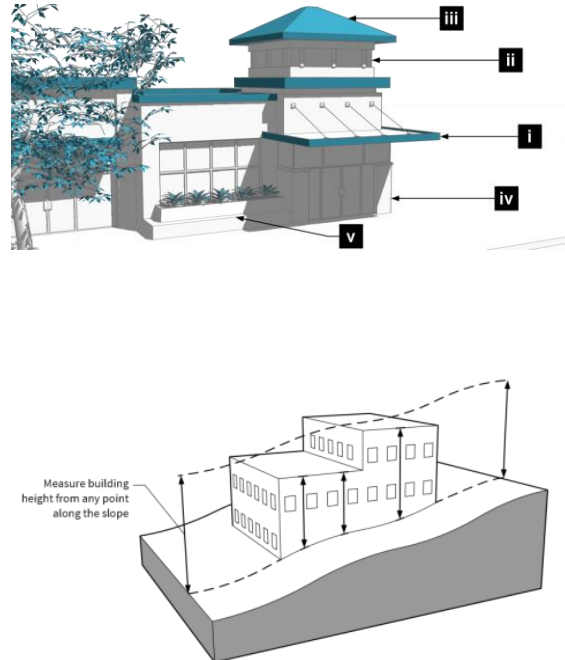
*“The way it is written is so confusing and nearly impossible for the average citizen to be able to find anything and understand it.”*

**2.4. RS-18: Single-Family Residential**

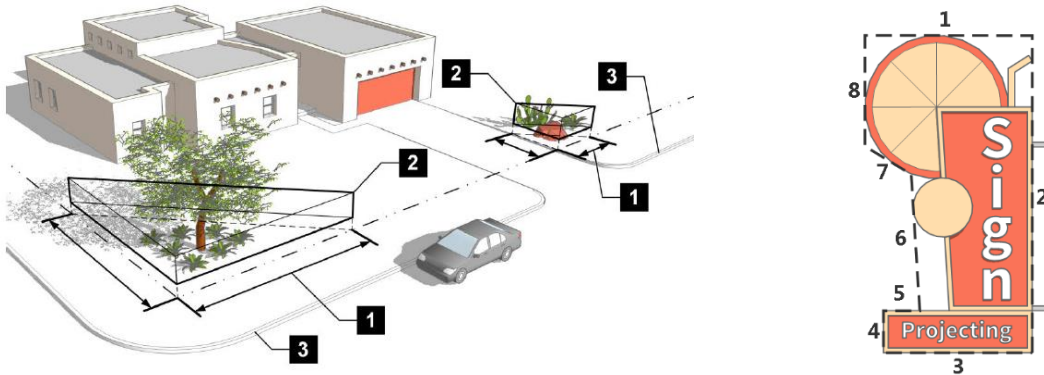
**A. Purpose**  
The RS-18 district is intended to accommodate and preserve lower-density to medium-density single-family residential uses with limited community and educational uses and incidental or accessory uses. This district can also serve as a transition between low- and medium-density residential to higher-density residential zoning districts.

B. RS-18 Lot and Building Standards		C. Other Standards	
<b>Lot Standards</b>		<b>Other Standards</b>	<b>Location in LDC</b>
A	Width (minimum) 100 feet	Measurements and Exceptions	Section 2.24
	Area (minimum) 18,000 sq. ft.	Use-Specific Standards	Section 3.3
	Density (maximum for new subdivisions) [1] 2 du/acre	Off-Street Parking	Section 5.5
<b>Setbacks (minimum)</b>		Landscaping, Buffering, and Screening	Section 5.6
B	Front 25 feet		
C	Side 10 feet		
	Side, abutting street 15 feet		
D	Rear 25 feet		
<b>Height</b>			
	Building height See 2.24.E		
<b>Impervious Coverage (maximum)</b>			
	Building coverage 35 percent		
	Total coverage 60 percent		

**Notes:**  
[1] For lot planning in new subdivisions, see Section 7.3.C



*These images from Clarion codes show a single-page layout for a residential zoning district, references to building design and entryway features, and measurement of building height on a slope.*



Sample graphics above from other Clarion codes help illustrate sight triangles and sign area measurement for unusual signs.

Title 30 does include many tables, which can be helpful for summarizing key information. However, the current tables can be complex, include too much information, and tend to repeat the same information numerous times (e.g., the application procedures tables). Some of this information might be better conveyed using a chart similar to the example shown below.

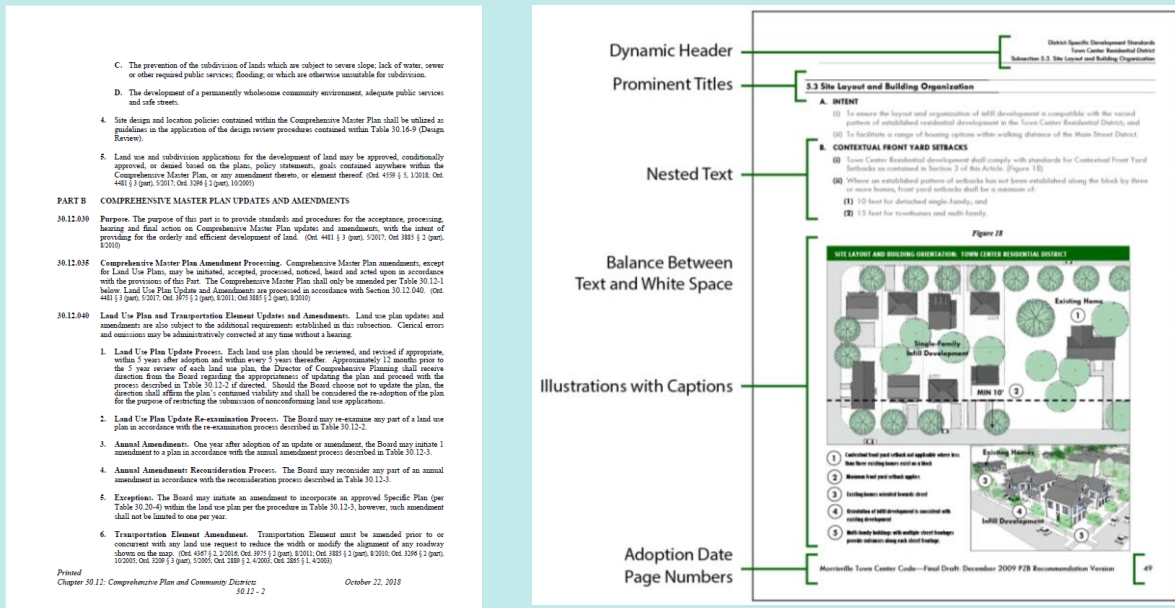


This sample flowchart above from another Clarion code describes the required steps for a single-family residential development review. The procedure is based on a set of common review procedures (in dark orange) with further detail in the lighter orange boxes below. Common review procedures that are not required or applicable are greyed out. Procedural flowcharts should be considered in the new Clark County Title 30. They reduce repetition and help convey the essential elements of a procedure at a glance.

## Improve the Page Layout

The current page layout of in Title 30, including the numbering system, tables and graphics, and fonts, could be improved to help make the document easier to read and understand. Improving the page layout and document styles can enhance the reader's ability to better understand the context within which a provision is located, and generally provide for a more user-friendly code. The following graphic compares the current Title 30 layout to an improved layout from another code.

### PAGE LAYOUT



A typical page from Title 30 is shown at left. Compare this to the annotated sample page layout at the right, with notes to show how headers, text, graphics, and use of page numbers help make the page easier to read.

## Reorganize Title 30 to Make it Easier to Find Key Information

Title 30 has 21 chapters of widely varying length. Some chapters are a few pages, while others are many dozens of pages. Related information also is dispersed; for example, subdivision procedures and requirements are found in site development standards, off-site development standards, and a separate application procedure section.

Based on stakeholder interviews, the organizational structure can make it challenging to find key information for casual users of the document, and the same is true even for long-time code users.

In general, effective land use regulations should be organized to place frequently used information where it can be easily referenced, and to remove repetition by consolidating related information. In addition, an improved organization makes it easier to see the overlaps between related sections, which can make future amendments easier and more consistent.

We recommend reorganizing the code into fewer chapters by consolidating similar topics under logical headings, eliminating redundancies, and streamlining the content. The following table shows correspondence between the existing sections of Title 30 and a suggested reorganization. A more detailed reorganization of Title 30 is proposed in the Annotated Outline later in this report.

<b>Proposed General Reorganization of Title 30</b>	
<i>This working outline shows high-level reorganization of chapters only. Additional detail on which current sections may be carried forward and/or modified is in the Annotated Outline later in this report.</i>	
<b>Proposed</b>	<b>Current</b>
Chapter 1: General Provisions	30.04 Administration and Enforcement 30.76 Nonconformities
Chapter 2: Zoning Districts	30.12 Comprehensive Master Plan & Community Districts 30.36 Zoning Districts and Maps 30.40 Zoning Base Districts 30.48 Zoning Overlay Districts
Chapter 3: Use Regulations	30.44 Use Regulations
Chapter 4: Development Standards	30.56 Site Development Standards 30.52 Off-Site Development Requirements 30.68 Site Environmental Standards 30.64 Site Landscape and Screening Standards 30.66 Landscape Maintenance Districts 30.60 Parking and Loading Regulations
Chapter 5: Subdivision Standards	30.52 Off-Site Development Requirements (portions as appropriate) 30.56 Site Development Standards (Part B: Subdivision Design)
Chapter 6: Development Review Procedures	30.16 Land Use Application Processing 30.20 Major Project Application Processing 30.24 Planned Unit Development (PUD) 30.28 Subdivision Application Processing 30.32 Permits and Licenses
Chapter 7: Signs	30.72 Signs
Chapter 8: Rules of Construction and Definitions	30.08 Definitions

### Summary of Recommendations

- Expand the use of graphics, charts, tables, and illustrations.
- Improve page layout through improved organization, format updates, and a logical numbering system.
- Reorganize code according to Annotated Outline in this report.
- Consolidate existing sections into logical groupings. Eliminate redundant and obsolete content.



## Fine-Tune the Lineup of Zoning Districts

A core element of any zoning ordinance is the lineup of zoning districts into which the community is divided. A comprehensive code update provides an opportunity to reexamine the zoning districts and the land uses allowed within them to ensure that the districts are appropriate for the County's goals.

At the highest level, the districts should be appropriate to meet the needs of Clark County now and in the future and sufficient to implement the Master Plan. At a more specific level, the standards of each district should be reviewed and updated if necessary to reflect new County goals and policies.

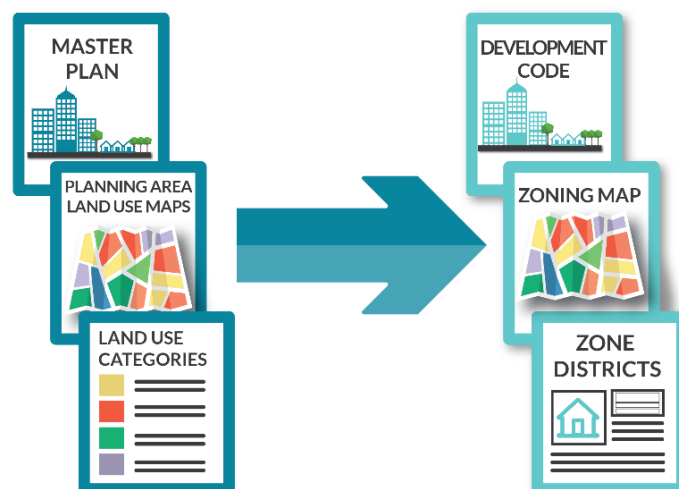
In evaluating the lineup of zoning districts in any code update, we typically consider the following:

- Is the intent of each district clear and does the district name match the intent?
- Is the district currently used, or is it unnecessary or obsolete?
- Are new districts needed (e.g., new mixed-use districts)?
- Are any districts so similar in purpose and standards that they overlap and could be consolidated?
- Are the dimensional standards for each district (setbacks, density, and height) appropriately tailored to the purpose of the district?
- Do the uses allowed in each district match the district's intent?

Based on our review of Title 30 and our meetings with staff and stakeholders, we believe the lineup of zoning districts in Clark County generally is appropriate. However, updates are necessary to implement the Master Plan and to fine-tune the district lineup and standards to help better reflect the types of development seen in the County and to ensure fewer waiver/modification requests. Those issues are addressed below. (The uses allowed within the zoning districts are discussed in the following section.)

### Implement the New Master Plan Land Use Categories

The primary focus of the zoning district update is to implement the updated Master Plan (under development now). Using the Master Plan to guide any changes to Title 30 ensures that the input of Clark County elected officials, community leaders, County staff, special interest groups, residents, and other stakeholders are tied to future development outcomes. The core values, goals, and policies established by the Master Plan were used to update the lineup of land use categories proposed in the plan, and this document links those categories and the proposed list of zoning districts.



Other key themes from the draft Master Plan that are especially related to zoning districts include:

- Expanding housing options and affordability;
- Improving development quality;
- Establishing sustainable development practices;
- Preserving neighborhood character; and
- Encouraging walkable development and improving access to services and amenities.

Based on these themes, as well as stakeholder input received so far, this section proposes an updated lineup of zoning districts that is designed to better align with the updated list of land use categories in the draft Master Plan.

### **Other General Considerations in Updating Zoning Districts**

While the primary focus of district updates is to implement the Master Plan, this project also presents an opportunity to fine-tune the districts to better reflect current development patterns, to minimize future nonconforming zone change and waiver requests, and to allow and encourage a range of innovative future designs. The following are key considerations for updating all the districts:

#### *Keep What Works*

Carry forward existing zoning districts that are working well and producing the outcome intended. For example, Clark County has many unique neighborhoods – some rural, some urban, and some a mix – so many of the existing residential zoning districts are proposed to be carried forward to accommodate this diversity. Within districts being carried forward, consider targeted updates to the allowed uses or district standards (e.g., like density, setbacks, and landscaping) to better achieve desired development results and minimize waiver requests.

#### *Rename to Reframe*

The County has expressed a desire for zoning district names and abbreviations that are more consistent and that more accurately convey each district's intended character. Current district names are inconsistent in both their construction and in their shorthand abbreviations, and do not reflect relative levels of allowed development intensity.

#### *Consider Consolidations of Similar Districts*

Zoning districts that serve an almost identical purpose or achieve the same type of development may overlap and could be candidates for consolidation. One example is the Local Business (C-1) District and the General Commercial (C-2) District. In addition to having identical dimensional standards (lot coverage, height, and setbacks), the C-1 and C-2 districts have a very similar lineup of possible land uses and result in very similar types of development. We propose consolidating these districts while establishing new zoning districts that will serve the need for different types of commercial and mixed-use development.

#### *Eliminate Obsolete Districts*

Eliminate existing zoning districts that are no longer necessary (perhaps, for example, because the original expectations or needs that led to the creation of the district have changed). For example, Clark County currently has some zoning districts that were established to narrowly accommodate specific types of land use – or even specific development projects (e.g., Manufactured Home Residential (R-T) District, Recreational Vehicle Park (RVP) District, and several overlay districts). An alternative and simpler approach may be to allow these specific use types in other districts subject to specific standards.

Other existing zoning districts have been more widely applied but have not yielded the results desired. The Urban Village Mixed-Use (U-V) District and Mixed-Use Overlay District are all examples of districts that have not produced interest from the development community or have not produced expected or preferred outcomes. The General Highway Frontage (H-2) District is representative of a district that was established before Title 30 and was intended to be replaced over time. This process will identify those districts that are underutilized or in need of a more contemporary approach and either eliminate them going forward or replace them with an alternative.

#### *Expand the Zoning Toolbox with New Districts*

Some entirely new districts may be necessary to fill in the gaps in the current district lineup, replace obsolete zoning districts, and provide by-right opportunities that may not be possible with adjustments to existing districts.

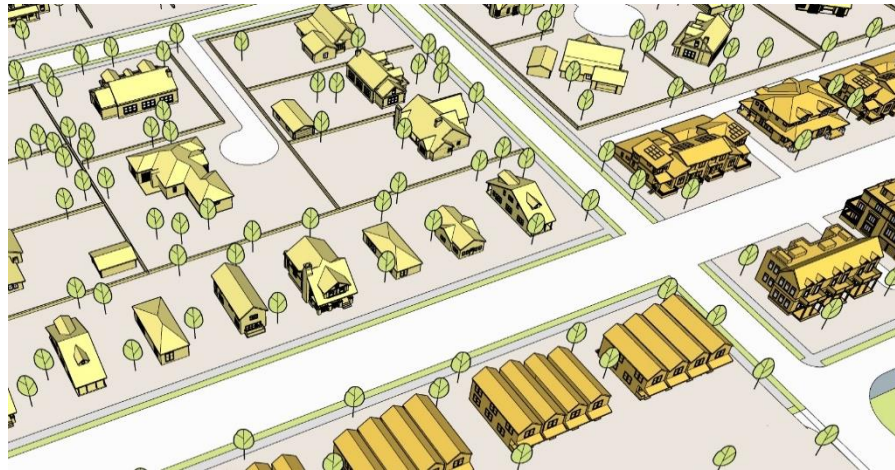
The following sections discuss how these various considerations will play out for the different categories of zoning districts in Title 30. A summary table of all proposed district changes follows these category discussions.

### **District Updates: Residential**

Many stakeholders raised concerns about the growing cost of housing in Clark County. There are numerous barriers to providing more affordable housing, and many of them cannot be addressed by updates to Title 30, such as the cost of land, the cost of building materials, interest rates, lending practices, and societal attitudes toward affordable housing. However, there are several opportunities to address the issue through zoning district updates.

- **Proposed New District Names.** In residential districts we propose keeping the existing mix of zoning district options but renaming them to indicate the desired character. For example, new district names will specify if they are predominantly single- or multi-family and the minimum lot size (single-family districts) or density (multi-family districts).
- **District Consolidations and Eliminations.** A more significant change is a proposed consolidation of the existing Rural Open Land (R-U) District as part of a new Agriculture (AG) District to differentiate true agricultural areas from more residential or public land categories. Additionally, we propose eliminating the Manufactured Home Residential (R-T) District and regulating manufactured homes as a land use instead of the only use within a single zoning district. Stakeholders noted that manufactured homes have changed over the years and expressed concerns about preserving and expanding affordable housing, which is best addressed without a standalone district.
- **Allow More Housing Options.** The types of land uses permitted in each zoning district will ultimately determine the level of housing choice possible under Title 30. The new code can accommodate different housing types (e.g., duplexes, triplexes, fourplexes, townhomes, apartments, co-housing, and others) and set associated setbacks, height limits, minimum lot sizes, and other dimensional standards to allow a range of housing options.
- **Neighborhood Transitions.** Greater housing diversity and more forms of development can raise concerns from nearby residents about impacts to neighborhood character. These concerns can be mitigated by use-specific standards and development standards, including residential adjacency standards that require additional setbacks and setbacks, for example. Also, a more complete line-up of zoning districts can be an important tool to providing transitions between different uses and development types, too. Rural and low-intensity

suburban areas benefit from having areas zoned for compatible residential development between them and more impactful zoning districts.



*Example of where and how to transition from higher to lower-density neighborhoods*

### District Updates: Commercial

Commercial districts are intended to accommodate existing and new commercial development. New product types and development demands also demonstrate the need for more mixed-use development in some commercial areas.

In existing commercial districts, this report recommends:

- **Renaming:** Carrying forward the Limited Resort and Apartment (H-1) District – although under a new name: Commercial Resort (CR) District.
- **District Consolidations:** Existing zoning districts that serve a similar purpose and result in similar development also are recommended for consolidation. The Commercial Residential Transition (CRT) and Office and Professional (C-P) districts would become the Commercial Professional (CP) District and the Local Business (C-1) and the General Commercial (C-2) districts would become the Commercial General (CG) District.
- **Obsolete Districts:** Eliminating districts that have not resulted in desired development types or are rarely used at all – Urban Village (U-V) and General Highway Frontage (H-2) districts. Similarly, the Recreational Vehicle Park (RVP) District is proposed to be eliminated, instead RV parks would be regulated as a land use within other zoning districts.
- **New Districts:** To implement the Master Plan and to achieve more walkable, transit-supportive, mixed-use developments, several new districts are proposed: Commercial Neighborhood (CN), Commercial Core (CC), and Commercial Urban (CU) districts.

Mixed-use development is designed to allow nonresidential and residential uses to develop as part of the same project or site. The combination provides residents the opportunity to live, work, and shop in the same location without requiring a car trip for each activity, thus helping to lower vehicle miles traveled and reducing overall traffic congestion and air pollution. It can be a key tool for reducing sprawl and promoting sustainability, concentrating development in strategic locations where it can be serviced most efficiently, and providing a variety of housing and business opportunities.



Community feedback on the proposed Master Plan generally calls for more of this type of development.

Although none of the proposed districts are ‘mixed-use’ in name, the proposed list of permitted uses in each new zoning district intended to allow a greater mix of uses in many of the commercial districts. Adding mixed-use-friendly zoning districts will further the goals established in the Master Plan and support investments in planning and infrastructure along major corridors – especially Maryland Parkway.

Generally, there are several key issues to consider when establishing new mixed-use districts.

- **Location, Applicability, and Compatibility.** Mixed-use districts could be limited to existing or future major commercial centers, or along major transportation corridors (all places where this type of development is most likely to occur). Alternatively or simultaneously, commercial and mixed-use districts could be allowed anywhere they meet specified locational criteria, which might include population served, service radius, minimum separation from other mixed-use districts, and location with respect to arterial/secondary roadways. These limitations can help ensure that mixed-use districts are allowed in areas of the county where they will be compatible with existing development and neighborhoods.
- **Use Mix.** While all mixed-use districts generally include a mix of commercial, residential, institutional, and/or office uses, the particular combinations of uses will vary by district. For example, a neighborhood serving district may limit uses to different types of residential uses and smaller retail and office uses that serve the surrounding neighborhood. Although the exact mix and amount of each use type can be mandated in Title 30, we recommend incentivizing mixed-use development (but not requiring it), which is both easier to enforce and also creates more opportunity for flexible market response.
- **Density/Intensity.** Traditionally, zoning ordinances set maximum density requirements to ensure that areas do not become overcrowded. In mixed-use areas, however, communities often set minimum density requirements to ensure the necessary level of residents and activity is present to support thriving centers. For residential development, minimum densities could be required for larger centers, to ensure such areas do not become exclusively



*Example of a mixed-use development with integration of commercial and residential uses.*

office and retail developments (this is an approach that has been adopted in many communities where higher densities are especially desired, such as near transit stops). For commercial development, options include setting minimum FAR standards and also setting minimum height standards in order to target intensity at key locations (e.g., along arterial streets).

- **Pedestrian Orientation.** Mixed-use districts should emphasize pedestrian-scale development and the relationship of buildings to the streetscape. These districts should minimize the presence of off-street parking along street frontages. Transitional standards that limit development at the district's edges can help provide an appropriate transition to the surrounding areas.

### District Updates: Industrial

Industrial districts are generally intended to encompass a mix of warehousing, distribution, manufacturing, industrial, and supporting uses – an increasingly diverse and complex assortment of development types. Historically these districts have been incompatible with residential and even commercial or mixed-use districts and uses, but there are opportunities for flexibility in the industrial zoning districts to accommodate light and artisan manufacturing, small-scale production and distribution, and even office, retail, and other uses.

The reality is that manufacturing and industrial process are generally less impactful than in the past and there are emerging industries that have different needs (e.g., breweries and distilleries, commercial enterprises that require warehouse-type structures, and research and development enterprises that are more like an office than a factory). In addition to the traditional industrial-type districts that will be carried forward, this document recommends the creation of a new mixed-industrial district to address the evolving nature of employment and industrial uses.

We also heard from stakeholders and County staff about the unique nature of many industrial areas surrounding airports. The need to ensure compatible development around airports is not unique and can be supported by a dedicated airport industrial district that limits some types of development and encourages others that are necessary to support successful airport operations.

The three existing industrial zoning districts – Designed Manufacturing (M-D), Light Manufacturing (M-1), and Industrial (M-2) districts – are all proposed to be carried forward as Industrial Transition (IT), Industrial Light (IL), and Industrial Heavy (IH), respectively. To supplement these districts, we propose adding two new zoning districts. The Industrial Mixed (IM) District is intended to address the diverse and changing nature of industrial uses by providing flexibility for offices, limited retail, artisan



*Example of a modern industrial use with higher-quality building design.*

manufacturing, and unique commercial uses in targeted areas. A new Industrial Airport (IA) District is proposed to address need for unique standards for airport-serving industry.

### Summary of Recommended Changes to the Zoning Districts

With the guidance from community and stakeholder input, the updated Master Plan, and the need for some structural changes to Title 30, the following table presents a proposed, updated lineup of zoning districts. The table below features the title and abbreviation for each new zoning district, shows the relationship between existing and proposed zoning districts, and provides notes on the proposed change and the rationale for the change.

Existing District		Proposed District	Notes
<b>Residential</b>			
R-A	Residential Agricultural	RS40 Residential Single-Family, Outlying	<b>Carry forward.</b> Intended to implement the Outlying Neighborhood (ON) and Estate Neighborhood (EN) land use categories. Abbreviation indicates 40,000 sf minimum lot size.

Existing District		Proposed District	Notes
R-E	Rural Estates, Residential	RS20 Residential Single-Family, Estate	<b>Carry forward.</b> Intended to implement the EN land use category. Some standards from the existing RNP overlay may be carried forward here. Abbreviation indicates 20,000 sf minimum lot size.
R-D	Suburban Estates Residential	RS10 Residential Single-Family, Low-Suburban	<b>Carry forward.</b> Intended to implement the Low-Suburban Neighborhood (LN) land use category. Abbreviation indicates 10,000 sf minimum lot size.
R-1	Single-Family Residential	RS5.2 Residential Single-Family, Mid-Suburban	<b>Carry forward.</b> Intended to implement the LN and Mid-Suburban Neighborhood (MN) land use category. Abbreviation indicates 5,200 sf minimum lot size.
R-T	Manufactured Home Residential	-- --	<b>Eliminate.</b> Regulate Manufactured Homes as a land use. Stakeholders noted the changing nature of manufactured homes and need to preserve affordable housing. This can be accomplished in other districts.
R-2	Medium Density Residential	RS3.3 Residential Single-Family, High-Suburban	<b>Carry forward.</b> Intended to implement the MN land use category. Abbreviation indicates 3,300 sf minimum lot size.
RUD	Residential Urban Density	RS2 Residential Single-Family, Compact	<b>Carry forward.</b> Intended to implement the Compact Neighborhood (CN) land use category. Abbreviation indicates 2,000 sf minimum lot size.
R-3	Multiple-Family Residential	RM1 Residential Multi-Family, Compact	<b>Carry forward.</b> Intended to implement the CN land use category.



Existing District		Proposed District	Notes
R-4	Multiple-Family Residential (High Density)	RM2 Residential Multi-Family, Urban	<b>Carry forward.</b> Intended to implement the Urban Neighborhood (UN) land use category.
R-5	Apartment Residential	RM3 Residential Multi-Family, High Density	<b>Carry forward.</b> Intended to implement the UN land use category.
<b>Commercial</b>			
R-V-P	Recreational Vehicle Park	-- --	<b>Eliminate.</b> Regulate RV Parks as a land use.
--	--	CN Commercial Neighborhood	<b>New.</b> Intended to achieve the need for more small-scale, walkable neighborhoods and improve access to services and amenities in more walkable neighborhoods. This district would be primarily commercial and office, but allow a wider range of housing types alongside small office, retail, and commercial uses at targeted locations that are compatible with adjacent neighborhoods.
CRT	Commercial Residential Transitional	CP Commercial Professional	<b>Consolidate.</b> Intended to implement the Neighborhood Commercial (NC) land use category with a mix of retail, services, and offices. CRT is not widely used (largely along major roads near RNP areas) and serves a similar purpose as C-P.
C-P	Office and Professional		
C-1	Local Business	CG Commercial General	<b>Consolidate.</b> Intended to implement the Corridor Mixed-Use (CM) land use category with more flexibility for mixed-use. Currently very little difference between character, uses, and standards in C-1 and C-2.
C-2	General Commercial		

Existing District		Proposed District		Notes
U-V	Urban Village (Mixed-Use)	--	--	<b>Eliminate.</b> Replace this underutilized district with new, more flexible commercial districts that can better achieve desired outcomes.
--	--	CC	Commercial Core	<b>New.</b> Proposed to accommodate higher intensity and greater mix of uses at targeted locations where transit service is available and pedestrian-oriented development is important. Intended to implement higher-intensity areas of the CM land use category.
--	--	CU	Commercial Urban	<b>New.</b> Proposed to accommodate high intensity mixed-use and transit-oriented development along major transit corridors (like Maryland Parkway) where walkability is essential. Intended to implement the Entertainment Mixed-Use (EM) land use category away from The Strip.
H-1	Limited Resort and Apartment	CR	Commercial Resort	<b>Carry forward.</b> Intended to implement the EM land use category.
H-2	General Highway Frontage	--	--	<b>Eliminate.</b> Replace this underutilized district that does not achieve desired outcomes.
<b>Industrial</b>				
M-D	Designed Manufacturing	IT	Industrial Transition	<b>Carry forward.</b> Explore use permission changes and new standards to better transition to nonindustrial areas.
M-1	Light Manufacturing	IL	Industrial Light	<b>Carry forward.</b> Identify M-D areas that make sense here.
M-2	Industrial	IH	Industrial Heavy	<b>Carry forward.</b> Carry forward this district to differentiate from other less intensive/impactful industrial uses.

Existing District	Proposed District	Notes
-- --	IM Industrial Mixed	<b>New.</b> Proposed to provide flexibility for offices, limited retail, artisan manufacturing, and unique commercial uses in targeted areas.
-- --	IA Industrial Airport	<b>New.</b> Proposed to address need for unique standards for airport-serving industry.
<b>Special</b>		
-- --	AG Agriculture	<b>New/Consolidate.</b> Proposed to implement the Agriculture (AG) land use category. This district will consolidate true agricultural uses with residential/agricultural areas currently in the residential R-U District.
R-U Rural Open Land		
O-S Open Space	OS Open Space	<b>Carry forward/Consolidate.</b> Proposed to implement the Open Lands (OL) land use category and consolidate land dedicated to open space, including federal public lands.
P-F Public Facility	PF Public Facility	<b>Carry forward.</b> Intended to implement the Public Facilities (PF) land use type.

### Update Overlay Districts

In addition to the base zoning districts, Title 30 includes 14 overlay zoning districts that add an additional layer of standards beyond those required by the base zoning district. While overlay zoning districts are an important tool for addressing specific areas with unique impacts, they can add complexity to administering and using Title 30.

In Clark County, we heard concerns that some overlays are overly complex and are preventing desirable investment or development. Other overlay districts require development standards or use permissions that could simply be applied to one or more base zoning districts.

The updated Code should clarify where overlay standards apply and how conflicts among standards between the overlay and base zoning district are reconciled. We recommend retaining many of the overlay districts, although we recommend some changes to make them more user-friendly and supportive of desired development outcomes. The table below summarizes the proposed changes to the lineup of overlay districts.

Existing Overlay District	Proposed Overlay District		Notes
Airport Environs	AEO	Airport Environs Overlay	<b>Carry forward.</b> Feedback from stakeholders is to maintain standards to protect the viability of airport operations.
Airport Airspace	AAO	Airport Airspace Overlay	<b>Carry forward.</b> Feedback from stakeholders is to maintain standards to protect the viability of airport operations.
Residential Neighborhood Preservation	NPO	Neighborhood Preservation Overlay	<b>Replace.</b> Establish a new overlay district to broadly serve the purpose of protecting the character of the underlying area. This could include some existing RNP areas, places with historic character, and areas with unique environmental constraints. Some standards from the existing RNP overlay may be carried forward in the RS20 District.
Gaming Enterprise District	GED	Gaming Enterprise District	<b>Carry forward.</b> Feedback from stakeholders is to maintain standards and ensure compliance with NRS.
Red Rock Design	RRO	Red Rock Overlay	<b>Carry forward.</b> Review standards to ensure conformance with Master Plan direction. Consider maintaining standards that protect the unique character and natural landscape of the community. Restructure and simplify section for user-friendliness.
Transition Corridor	--	--	<b>Eliminate.</b> Current overlay has not been effective at achieving transitions between residential and non-residential uses. Consider incorporation of effective standards into broader compatibility standards.
Adult Use	AUO	Adult Use Overlay	<b>Carry forward.</b> Feedback from stakeholders is to maintain standards and ensure compliance with NRS.
Cooperative Management Agreement Area Design	--	--	<b>Eliminate.</b> Review existing standards and design themes for potential inclusion into base zoning districts or countywide standards.
Mixed-Use	--	--	<b>Eliminate.</b> Achieve mixed-use through base zoning districts. Review existing standards for potential inclusion into base zoning districts.

Existing Overlay District	Proposed Overlay District	Notes
Asian Design	-- --	<b>Eliminate.</b> Consider applying a Neighborhood Preservation Overlay instead to establish/protect the character of this area. Review existing standards for potential to carry forward.
Moapa Valley	-- --	<b>Eliminate.</b> Achieve desired site and building design through base zoning districts that apply to town centers in Moapa Valley.
South of Sahara Avenue Design	-- --	<b>Eliminate.</b> Current overlay has not been effective at achieving development and redevelopment.
Spring Mountain	-- --	<b>Eliminate.</b> Consider applying a Neighborhood Preservation Overlay to protect the character and environmental assets of the community.
Historic Neighborhood & Historic Designation	HDO Historic Designation Overlay	<b>Carry forward.</b> Maintain this overlay to accommodate any future historic designations for individual properties and neighborhoods.
Midtown Maryland Parkway	MPO Maryland Parkway Overlay	<b>Carry forward.</b> Consider incorporating relevant standards into the base zoning district(s) that apply to the Midtown Maryland Parkway area to simplify or eliminate this overlay.

### In the Future: Updating the Zoning Map

Ultimately, a new lineup of zoning districts in Clark County will require a revised zoning map that reflects any district updates that are included in the updated Title 30. For any districts that are carried forward, renamed, or involve simple consolidations, the new zoning map simply should reflect the updated designations.

Any new districts established would likely not be introduced immediately at the time of adoption of the updated Title 30, but would be available for future rezonings. To apply a new district and any associated standards, a rezoning of an existing property would have to be approved. Local governments often wait until after a code is adopted to consider either legislative rezoning (large areas of the jurisdiction at one time) or rezoning individual properties.

Any potential changes to the Clark County zoning map should be considered in a deliberate fashion to ensure it is achieving the guidance of the Master Plan and to avoid issues with development occurring in piecemeal fashion. There is interest in stepping back and looking at the map holistically and strategically, in terms of which districts should be located where, and providing greater continuity across Clark County. A strategy for implementing new districts should include standards and findings



for when they should be approved and a thorough discussion between elected officials, appointed officials, and County staff about when rezonings should occur.

Where the County wants to attract different types of development through the new zoning districts, incentives can be a powerful tool to help put the updated and new districts into practice through future rezonings. Preferred development that is compatible with plan goals should be encouraged and incentivized where appropriate. In particular, more diverse housing types and mixed-use development should be encouraged in or near established community core areas or in proximity to higher-frequency transit service. In rural areas where agriculture or sensitive landscapes may be replaced with sprawling development, density bonuses might be worth considering to encourage clustering of development on smaller lots to preserve open space and agricultural lands, reduce the expensive sprawl of infrastructure, and to preserve agricultural potential or reduce impacts on the natural environment.

### **Summary of Recommendations**

- Implement revised lineup of zoning districts that supports land use designations in the new Master Plan.
- Carry forward districts that are working well.
- Consolidate overlapping districts.
- Eliminate obsolete or unused districts.
- Adopt more descriptive naming convention for districts.
- Carry forward overlay districts that work well.
- Eliminate overlays that have not achieved their objectives.
- Replace RNP overlay with updated Neighborhood Preservation overlay.
- Consider strategy for future zoning map updates.

## **Modernize the Schedule of Land Uses**

Beyond the lineup of zoning districts, the various land uses allowed within each of the districts are an important element of any development code. The term “land use” refers to the way a parcel or building is utilized. Sample land uses include “single-family residential,” “general retail,” and “bed and breakfast.” One of a development code’s essential functions is to provide a systematic way to identify, classify, and regulate land uses. The level of land use regulation varies by both use type and community preference. Even contemporary form-based codes that attempt to prioritize physical design over use still define and regulate land uses to some extent.

The County’s current use regulations are based in part on the Standard Land Use Coding Manual (SLUCM), developed in 1965. This dated system for organizing and classifying land uses is no longer in use by many communities around the country. There is strong interest from Clark County staff and officials in moving away from the dated SLUCM model, which is inflexible and not well-equipped to accommodate many modern land use types. As one example, townhouses are increasingly in demand in Clark County, but difficult to develop under the current code’s regulations. Such constraints contribute to an increased reliance on waivers, the Planned Unit Development (PUD) process, and exceptions to accomplish what a more modern land use classification system could allow by-right.

Moving forward, the Title 30 rewrite process offers an opportunity for a thorough review and revision of allowed land uses in the County. The way that land uses are identified, organized, and regulated in Title 30 is due for a major refresh. Collectively, the improvements discussed below have the potential to substantially improve the clarity, user-friendliness, and predictability of zoning in Clark County.

### Categorize and Define All Land Uses

The current global use table, organized alphabetically by use, incorporates standards for each use within a single, lengthy table. While code users appreciate the convenience of having all relevant standards in one location, they also noted that the current organization makes the table unnecessarily long, repetitive, and difficult to use. The current table is 87 pages – often with only one or two uses per page. The figure below shows a typical excerpt from the current global use table.

Table 30.44-1 Global Use Table																									
Uses	SLUCM CODE	Residential Districts										Commercial Districts				Manufacturing/Industrial Districts			Miscellaneous Districts						
		R-U	R-A	RE	R-D	R-1	R-T	R-2	RUD	R-3	R-4	R-5	CRT	C-P	C-1	C-2	M-D	M-1	M-2	O-S	H-2	P-F	RVP	U-V	H-1
Acupuncture (Also see "Office (Medical)")	6510																								
Adult Uses	5900 5800																	C							
<b>Conditional Use Subject to an Administrative Design Review Application:</b> 1. Must be located within the Adult Use Overlay District as described in Section 30.48.530 and as shown on Map #13 in Appendix G. 2. Must comply with all requirements listed in Chapter 30.48 Part H (Adult Use Overlay) and Section 30.76.080 (Nonconforming Adult Uses). 3. Adult uses shall only be approved within an existing or approved structure and shall not be visible from the exterior of the structure upon which construction has commenced. 4. Massage or reflexology is not permitted in conjunction with Adult Uses. These conditions shall not be waived or varied. (Ord. 4658 § 10 (part), 1/2019; Ord. 4194 § 3 (part), 4/2014; Ord. 3645 § 1 (part), 6/2008; Ord. 2899 § 4, 5/2003)																									
Agriculture - Animal Care Project	1110 1115	C	C	C	C	C	C																		
<b>Conditional Use:</b> 1. Must be within Community District 5. 2. The animal care project must be sponsored and monitored by a national multi-membership animal husbandry society that provides participants with direction and guidance in the raising of animals and an opportunity to exhibit the animals at the end of the project. 3. Lots 10, 000 square feet or larger – 2 domesticated animals per household (See "Agriculture - Livestock"), including hog/pig, is permitted together with its young under the age of 1 year. 4. Lots less than 10, 000 square feet – 2 domesticated animals per household (See "Agriculture - Livestock"), including hog/pig, is permitted together with its young, but no individual animal or its young shall be kept for a period of more than 6 months. Animals are permitted outside. Registered and operable animal trailers may be stored on site. (Ord. 3766 § 3 (part), 6/2009; Ord. 3432 § 6 (part), 10/2006)																									

### Establish a Logical Hierarchy of Uses

Aside from alphabetical order, there is no clear hierarchy or organization in the current global use table. Uses listed in the table switch between all categories of uses – from a residential *Dormitory* to a commercial *Dry Cleaner*, to an industrial *Dry Cleaning Plant*, and back to a residential *Dwellings*, *Employee Housing*. A user would have to know precisely the name of a particular use under this system and may even need help from staff to find a use in the document.

If uses are not well-defined and clearly organized, staff and applicant time is lost in attempting to locate the use within the document. In addition, the likelihood of uses being classified differently in several places creates the potential for inconsistencies.

Instead of listing all uses alphabetically, a more user-friendly approach is to organize uses by category (e.g., residential, commercial, and industrial) and subcategory (e.g., recreation and entertainment, food and beverage services, professional services, and retail as subcategories of commercial uses). Use-specific standards can refer to a category of uses and, by definition, include all of the uses within that category rather than listing them individually. All uses in a category typically have similar land use impacts, so creating well-defined categories allows the elimination of many specific use types, as well as accommodating potential future uses not in existence today. For example, in a revised

hierarchy, the current “Tanning Salon” use type would be classified in the “Commercial” under the subcategory of “Personal Services,” allowing the duplicative “Suntanning” use type to be removed.

Although cross-references are commonly used in the global use table, this is not done consistently. For example, a code user looking for *Employee Housing* permissions would have to know that the use is listed under *Dwellings, Employee Housing*, because there is no cross-reference from a standalone *Employee Housing* entry in the global use table. A clear system of categories and subcategories with linked cross-references would address this issue.

The figure below shows an example of a development code from another community that is organized with categories, subcategories, and uses.

Table 3-1 Table of Allowed Uses																																		
P = permitted by right M = minor conditional use permit C = conditional use permit required A = accessory use permitted by right Blank = use prohibited																																		
Zone Districts	Residential								Mixed-Use										Employ.				Special				Use-Specific Standards							
	LR2.5	LR1	LR.5	SF3	SF5	SF8	SF11	MF14	MF21	MF30	MD-ED	MD-UD	MD-ID	MD-RD	MD-NW	MD-PD	MU	MS	GC	NC	PO	MU-MC	MU-RES	I	IC	ME		MA	PGOS	PF	UT5	UT10	UT40	
COMMERCIAL USES																																		
Agriculture, Animals, and Farming																																		
Animal Clinic, Shelter, Hospital, Boarding Kennel, or Training Facility	C	C	C								P	P	P	P	P	P	P	P	P	P		P		P	P	P	P			M	M	M	18.03.304(a)(1)	
Farm																												P		P	P	P	18.03.304(a)(2)	
Stable, Commercial	C	C														P	P	P				P					P			M	M	M	18.03.304(a)(3)	
Urban Farm	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	18.03.304(a)(4)
Food and Beverage																																		
Bakery, Retail									M	M	P	P	P	P	P	P	P	P	P	P	M	P	P		P	P	P <sub>2</sub>							
Bar, Lounge, or Tavern											P	P	P	P	P	P	P	P	C			P		P	P	P	P							
Commercial Kitchen											P	P	P	P	P	P	P	P	P	P		P	P	P	P	P				M	M	M		

Since the County may find it necessary to permit certain uses differently depending on whether they are the primary or accessory use, or if they are temporary, another opportunity for improving the organization of the global use table is to categorize accessory and temporary uses in separate sections of the global use table.

There are additional opportunities for further streamlining. As an example, some communities have found it useful to organize retail establishment uses by size to reflect their potential impact and compatibility in certain zoning districts. Uses that are similar in scale and land use impacts could be consolidated, as in the case where a *Grocery Store* and a *Sporting Goods Store* are both large retail establishments that might have similar impacts on traffic and parking, which could make them candidates for consolidation. Another part of the effort to streamline uses could include review and removal of any unnecessary or antiquated use types.

### *Define All Uses*

Both use categories and specific use types should be defined as precisely as possible. If uses are not defined or if definitions are unclear, staff have the burden of interpreting the Code with each application, presenting challenges to efficiency, transparency, and consistency. Some communities have found it helpful to organize the list of definitions for use types and use categories into a separate section from other definitions in the Code. We recommend this approach to help applicants, staff, and decision-makers easily reference terms, and to allow use type definitions to be organized below each use category, mirroring the structure of the use table and use-specific standards. This is useful when handling applications for uses that are not currently listed in the global use table (since the staff can look at the defined characteristics of existing uses to see which are similar to those of the proposed use).

### *Establish a Process for Classifying Unlisted Uses*

A key benefit of a system of use types and larger use categories is the ability to more easily determine how to permit an unlisted use. By defining the use categories, an unlisted use can be more easily classified with similar uses – and often permitted like those uses. We recommend establishing a procedure, with decision-making criteria, to follow when determining whether an unlisted use should be permitted in a particular zoning district.

The new process should entail review of the nature, function, size, duration, impacts, and other characteristics of the use in relation to those of listed permitted uses in the district, as well as in relation to the purpose and intent of the district. To promote an efficient process, this interpretation authority should rest with the Zoning Administrator (or their designee), subject to further discussion with the County’s legal team. New standards would also provide specific criteria to determine when unlisted uses that have been permitted through interpretation should be formally added to the use table via an amendment to the Code.

### **Ensure all Districts Allow Appropriate Land Uses**

Allowed uses should represent the desired mix of land use based on the intent and character of each zoning district. There may be current land uses allowed in Clark County that are inconsistent with the intended character of their respective districts. Other uses make sense in some zoning districts but are not currently allowed – even with a special use permit. As the County has seen repeatedly in recent years, in many cases such discrepancies result in waivers and rezonings to allow a use that already meets the intent of the district.

The creation of a new global use table will allow for a district-by-district evaluation of the land uses allowed within each base zoning district, and for consideration of potential new uses that should be added into the code and permitted in certain districts. The County should, for example, identify districts appropriate (or not) for new uses such as triplexes, fourplexes, urban agriculture, and microbreweries. This analysis might result in a proposal to add new uses to existing districts or to prohibit some uses in certain districts.

Generally, the use table should be updated to better address market demands and to accommodate a broad spectrum of uses—residential, institutional, recreational, commercial, and industrial—with more uses by-right where possible, with use-specific standards included to address impact concerns instead of a blanket prohibition of a use when it makes sense. The update process can similarly focus on expanding opportunities for mixed-use development in targeted areas.

## Diversify Housing Types

The need for a variety of housing options -- in particular, affordable housing -- came up in many conversations with elected officials, staff, and community stakeholders. As part of the development of a new global use table, the County should consider expanding the types of permitted dwellings to provide a greater diversity of living options as well as improving affordability.

The County should consider expanding the types of dwelling units in the use table to include various use types between single-family detached housing and apartment buildings. Additional uses to consider include:



*Example of an ADU in a converted garage*

- Allowing accessory dwelling units (ADUs) or watchman's homes in more zoning districts, including agricultural and commercial districts.
- Two-family dwellings (duplexes)
- Live-work units (where the owner of a business also resides in a separate space within the same building or unit)
- Small-scale multi-family (such as garden apartments or stacked three- or four-plexes)
- Co-housing (detached housing with shared common amenities either on a single lot or in a condominium arrangement)
- Tiny homes or efficiency units. Smaller dwelling units are an increasing trend in communities across the country, with varying approaches to handling this through building and zoning codes. Clarion has conducted substantial research on this topic and worked with many communities to develop tailored strategies for addressing tiny homes in new codes. Accommodating tiny homes and small apartments goes well beyond simply allowing them or prohibiting them. We do not recommend establishing a specific land use for "tiny homes," but rather addressing them throughout the code in use and subdivision regulations. In addition to monitoring any potential changes to state law on this issue, the community should consider:
  - How tiny homes on trailers are different than a recreational vehicle or mobile home?



- Whether tiny homes should be accommodated as a single-family home on a lot, or through a condominiumization process with common facilities shared by several tiny homeowners?
- Whether tiny homes should be required to connect to County infrastructure and utilities?
- Which districts are appropriate for tiny home development?
- How tiny homes would be reviewed by current life-safety/building regulations?

Presenting these additional uses in the Code communicates to the development community and Clark County residents that the County intends to accommodate a range of housing types at a variety of price points to help ensure housing of various types is attainable to all members of the community.

## Consolidate and Update Use-Specific Standards

### *Cross-Reference a New Use-Specific Standards Section*

As part of the reorganization of the global use table, we recommend relocating the use-specific standards to a standalone section in the Code, with cross-references to that section linked from the table. This new section, organized according to the same categories and sub-categories employed in the use table, will contain any standards for the listed use that must be met. This generally applies to uses that are listed as Conditional (“C”) or Special (“S”) in the use table, but could also apply to Permitted (“P”) uses, Temporary (“T”) uses, or Accessory (“A”) uses, whenever the applicant must demonstrate that certain standards are met.

The figure below shows an example of this approach from another development code. The column on the far right includes a cross-reference to the code section that applies to that use. These references can also be hyperlinked in the final Code document to allow users to access these standards with a single click.

Table 5.2-A: Table of Allowed Uses																	
P = permitted    S = specific use permit required    Blank cell = use prohibited    * = use-specific standards apply																	
	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
OFFICE, BUSINESS, AND PROFESSIONAL SERVICES																	
Administrative, Professional, and Government Office				S+	S+	S+	S+	P+	P+	P	P	P	P	P	P	P	5.3.5K
Bank or Financial Institution							S+	P+	P+	P	P	P	P	P			5.3.5L
Musician Studio								P+	P+	P+	P+	P+	P+	P+	P+		5.3.5M
Credit Access Business								S+	P+	P	P	P	P	P			5.3.5N
Printing, Copying, and Publishing Establishment								S	P	P	P	P	P	P	P		
PERSONAL SERVICES																	
Laundry Facility, Industrial												S	S	P	P		
Laundry Facility, Self-Service							S+	P+	P+	P+	P	P	P	P	P		5.3.5O
Personal Service, General								P	P	P	P	P	P	P			
Tattoo and Body Piercing Parlor									P+	P+	P+	P+					5.3.5P

### *Remove Redundant Use-Specific Standards*

There may be instances where the current use-specific standards overlap with each other or and even conflict with other Code sections. We will review the existing use-specific standards to eliminate redundancy and ensure the purpose of the standard is best achieved in relation to that specific land use instead of throughout the zoning district or countywide.

### *Consider New Use-Specific Standards*

We also recommend introducing a broader range of use-specific standards in order to mitigate the impacts of certain uses regardless of the underlying zoning district. The Code currently incorporates many use-specific standards in the global use table – often tied to the operation of the use when permitted conditionally or through a special use permit. These include size limitations, separation requirements, additional buffering standards, limitations to accessory uses, and others.

Another benefit of adopting new use-specific standards is that community concerns can be addressed and it allows the use to be permitted by right, subject to conformance with the standards, rather than requiring discretionary review. By making more uses permitted, but ensuring compatibility with surrounding areas and mitigating impacts through new objective standards, the development review process can be streamlined and made more predictable. Another benefit of this approach is consistency, so that such standards may be uniformly applied rather than negotiated anew for each application.

We recommend evaluating where there are opportunities for new use-specific standards for other common uses that are currently being addressed through conditions in the development approval process. Also, if certain special review uses are almost always being approved, they should be considered for conversion to limited review uses.

### *Consider Standards for Uses that are not Currently Addressed in the Code*

Many land uses that are emerging across the country are not currently addressed in the Code. As part of the updates to the Code and global use table, we recommend including standards that would allow the establishment of these new uses or proper permitting of existing unlisted uses. These might include urban agriculture, co-housing, and communal living arrangements.

#### **Summary of Recommendations**

- Classify use types within categories and subcategories; reorganize uses under logical category headings.
- Define each use to ensure clarity and legal consistency, review existing definitions to update where needed.
- Remove obsolete uses.
- Introduce new use types to reflect contemporary uses.
- Review use permissions to align with zoning district intent.
- Expand the types of dwellings permitted in various districts.
- Create section with use-specific standards, linked to global use table through cross-references.
- Review existing standards to eliminate overlap and ensure continued validity of standards.

## Ensure Efficient and Consistent Development Review Procedures

In discussing the development review procedures in Clark County and Title 30, stakeholders noted several issues for discussion:

- The **reliance on waivers and nonconforming zone changes** creates an unpredictable system. Since zoning districts can be changed, and most standards are open to waiver, residents feel it is hard to reliably anticipate what can be developed on any given parcel in the County. Over time, the standards defining when such processes would be approved have relaxed considerably, to the point where nearly all Title 30 standards (particularly those regarding signs, landscaping, streets and access, and dimensional standards) are subject to waiver upon request.
- The **public participation process** can sometimes seem to lack transparency. Some residents feel proposed development plans – and the public hearings at which they can offer comment on these plans – are subject to frequently amended scheduling, and multiple meetings on the same project, all of which combine to produce confusion about the process and barriers to meaningful participation.
- Development community representatives noted the complexity of **time-consuming, layered processes** required for approval of some projects.

As discussed below, the reliance on waivers and nonconforming zone changes can in part be traced to the limitations of an older code that does not offer zoning districts capable of accommodating modern forms of development, and standards that are misaligned with current development practices. Review and update of the zoning districts and the governing standards within them can help reduce reliance on these procedures, as can more well-defined standards describing the circumstances under which they will be considered, and the standards they must meet to be approved.

This section addresses these issues raised by stakeholders in more detail and proposes changes to streamline, clarify and simplify development review processes.

### Overview of the Current Development Review Process

The table below shows review and recommendation responsibilities versus decision-making authority for each application type in the County.

Review and Decision-Making Authority for Land Use Applications						
R = Review and/or Recommend						
D = Decision-Making Body						
Section	Procedure	Other Entity (Public Works, <sup>2</sup> Fire, other depts., Cities)	Zoning Administrator or Designee	Town Board	Planning Commission	Board of County Commissioners
<b>Ordinance Amendments</b>						
30.12	Comp Plan Amendment	R	R	R	R	D
30.16.190	Annexation Request	R	R	R		D
30.16.050	Text Amendment	R	R	R	R	D
30.16.060	Zone Boundary Amendment	R	R	R	R <sup>4</sup>	D
30.16.206	Development Agreement <sup>5</sup>	R	R	R	R	D
30.24	PUD	R	R	R	R/D	D
<b>Development Permits and Approvals</b>						
30.16.070	Special Use Permit	R	R	R	R/D	D
30.16.120	Design Review	R	R	R	R/D	D
30.16.202	Application for Review	R	R	R	D	D
30.20	Major Project <sup>6</sup>	R	R	R	R	D
<b>Subdivision Application</b>						
30.28	Subdivision	R	R	R	R/D	D
<b>Flexibility and Relief</b>						
30.16.090	Variance	R	R	R	R/D	D
30.16.100	Waiver of Development Standards	R	R	R	R/D	D

<sup>2</sup> Public Works has additional review and decision-making authority for procedures not listed separately in this table, including certain map reviews and public facility easements.

<sup>4</sup> Nonconforming zone changes go to the Planning Commission for recommendation and Board of County Commissioners for final action; zone changes go to Board of County Commissioners.

<sup>5</sup> Development agreements for Major Projects go to Town Board and Planning Commission for recommendation and Board of County Commissioners for final action. For other application types, development agreements are also distributed to other entities for review at the start of the application process.

<sup>6</sup> Includes Concept Plan, Specific Plan, and Public Facilities Needs Assessment.

Review and Decision-Making Authority for Land Use Applications						
R = Review and/or Recommend D = Decision-Making Body						
Section	Procedure	Other Entity (Public Works, <sup>2</sup> Fire, other depts., Cities)	Zoning Administrator or Designee	Town Board	Planning Commission	Board of County Commissioners
30.16.150	Vacation and Abandonment	R	R/D	R	R/D	D
30.16.170	Street Name or Numbering System Change	R	R	R	D	
30.16.180	Waiver of Conditions	R	R	R	R/D	D
30.16.200	Extensions of Time	R	R/D	R	D	D
Other Administrative Decisions						
30.16.200	Administrative Extension of Time		D			
30.16.080	Administrative Temporary Use		D			
30.16.110	Administrative Minor Deviations	D	D			
30.16.130	Administrative Design Review	R	D			
30.16.150	Administrative Vacation of Patent Easement	D				
30.16.160	Administrative Street Naming	R	D			
30.16.205	Zoning Compliance Application		D			

Among all application types (not including subdivision), Title 30 currently has relatively few administrative procedures, with decisions made by the Zoning Administrator or their designee. Of the remaining 15 application types, only Street Name or Numbering System Change definitively shows the Planning Commission as the decision-making authority. In most other instances, the Planning Commission is designated as the decision-making authority under certain circumstances, while in other cases, the decision is made by the Board. Because there is the possibility for most every decision to come before the Board, over time, interviews indicated, this is increasingly what has happened.



## Clarify Decision-Making Authority

Because stakeholders expressed confusion about decision-making authority, and concerns about re-negotiating their applications through successive rounds of meetings, we recommend a review of the application decision-making structure. The review can clarify several aspects of the decision-making process.

- **Revisit when decisions are elevated to higher-level authority.** The first is to review specified circumstances under which a decision is elevated to higher-level authority. As one example, is it still valid that a special use permit decision elevates from the Planning Commission to Board level when considering an increase in the permitted number of household pets?
- **Identify opportunities for more decisions by Zoning Administrator.** Where possible under state law, consider allowing the Zoning Administrator to make more final decisions (subject to appeal) for relatively minor and straightforward projects. For instance, many communities rely on the Zoning Administrator as the final decision-making authority for some design review applications. Increasingly in Nevada and around the country, elected officials opt to delegate greater decision-making authority to the professional planning staff, which allows elected and appointed officials to focus on big-picture planning issues and other community affairs. It also provides for an expedited review process in most cases, since Zoning Administrator reviews do not require a public hearing.
- **Clarify final decision-making authority.** For applications such as Extension of Time and Applications for Review, multiple bodies are listed as decision-makers for these application types, but it is not clearly explained in the regulations that these applications return to the decision-making body that reviewed the original application.

For any change proposed during the drafting process, Clarion will offer both an explanation for how the change will improve clarity and efficiency in the process, as well as an assessment of the extent to which the recommendation may affect the broader land use impact implications inherent in the decision.

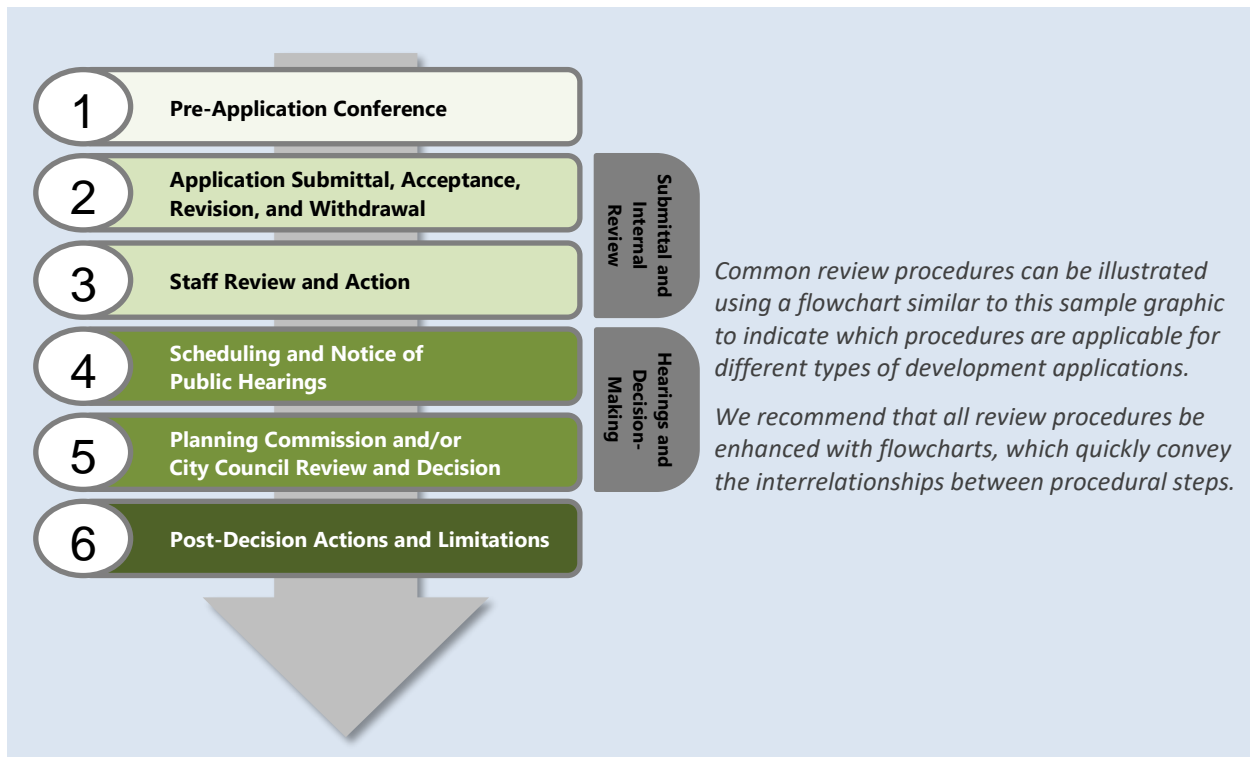
## Revise Application Procedures, Generally

### *Consolidate Application Procedures*

Currently, Title 30 describes the procedures for processing land use applications in numerous sections (e.g., 30.12, Land Use Application Processing; 30.20, Major Project Applications; 30.24, Planned Unit Developments; 30.28, Subdivision Applications). The processes for amending the plan and updating land use plans are described in 30.12. We recommend consolidating all application types in a single chapter.

### *Establish Common Review Procedures*

In the current code, each review procedure in 30.16 has its own table describing the process for undertaking that application procedure. While stakeholders noted it was convenient to have all relevant information in one place, this organization of information was also cited as cumbersome and unnecessarily repetitive. A good first step in simplifying review procedures is to separate the components that are common to each application type, and establish an initial section in the new code that describes the steps common to all land use applications. We recommend establishing common review procedures, as shown in the example below from another community, for all application types for consistency and to minimize repetition.



Ensuing sections specific to each application type can then elaborate any requirements that are relevant only to that kind of application. Further, we recommend that applications for both PUD (30.24) and subdivision (30.28), currently standalone sections in Title 30, be incorporated as sub-sections under the broader land use application section. We do not propose that Major Project Applications (Section 30.20) be similarly incorporated, instead suggesting that this procedure may be able to be eliminated, as further described under the “Revise Application Procedures, Specific Procedures” section of this report.

### Draft Clear “Standards for Approval”

Staff interviews surfaced concerns about standards for approval and findings (generally, the basis for justifying the approval, through demonstration in a staff report that the project or proposal complies with the applicable regulations). Staff noted that, over time, findings have come to be less central among considerations used by decision-makers. Section 30.16.210.12.B indicates that an approval by decision-makers indicates the project meets the standards, thus somewhat negating the need for actual findings based on standards to be considered prior to approval.

This rewrite presents an opportunity to redefine how the Title 30 Standards for Approval are written and applied. New approval criteria for each application type, qualified by standards and measurable thresholds to the extent possible, will replace vague standards, currently described using subjective terms such as “substantial,” “undesirable,” and “adequate,” among others. Better-defined standards for approval should assist decision-makers to assess whether a proposal complies with the standards, adding predictability to decisions made on the basis of these standards.

## Revise Application Procedures, Specific Procedures

### *Reduce Reliance on Waivers and Nonconforming Zone Changes*

The reliance on nonconforming zone changes and layers of waivers in many projects was a cause of concern expressed by many stakeholders. The frequency of these applications contributed to residents' perceptions regarding lack of predictability in conforming with adopted Plans, and applying the County's regulations. Many also acknowledged that Title 30's current limitations related to zoning districts, allowed uses, and development standards were the cause for such central reliance on these procedures. Many of the proposals discussed in this report, including updates to zoning districts, use regulations, and development standards, can contribute to lessening the reliance on these procedures.

### *Nonconforming Zone Changes*

The frequency of nonconforming zone changes came up as a concern. Though some may be related to outdated land use designations in the Comprehensive Plan, it also appears to be the case that nonconforming zone changes are frequently requested because, by convention, they are typically approved. Because there are few limitations on approvals, land buyers and developers are not overly concerned with either the current land use designation or zoning of land purchased for development, since it can be changed to reflect proposed development of the parcel through the nonconforming zone change process. This approach to both development and decision-making is cultural rather than code-related, but if there is an inclination to change this convention, code amendments can help institutionalize the change. Also, more flexible land use categories in the updated Master Plan should help reduce the amount of nonconforming zone changes.

Title 30 already acknowledges the connection – and possible disparity -- between actual evolving land use and the Plan's land use designation in Table 30.16-3.2, which states that “Nonconforming amendments shall not be considered within 2 years of the plan's adoption...” absent written approval from the district's Commissioner. We recommend that a similar provision be carried forward and expanded, and limitations could be applied describing particular instances in which a Commissioner may grant an exception to this regulation during the two-year timeframe.

Many communities adopt provisions stating that zone change requests not in compliance with Plan land use designations, without regard to time limitations, will not be considered or, such requests are only considered with a concurrent Plan Amendment. In turn, Plan Amendments are only considered under defined circumstances – erroneous land use designations, significant misalignment of land use designation with actual land use in an area, zone changes that have demonstrable community benefit. Adopting such parameters to limit the instances when a nonconforming zone change will be considered offers an added level of predictability for both residents and decision-makers. If the County wants to consider further defining when zone changes are permitted, we can discuss the options with staff.

### *Waiver of Development Standards*

There are limited instances in Title 30 of restrictions on the use of waivers, and several where they are specifically mentioned as a means of requesting relief from the regulations of a given section. Effectively, such mentions can function as encouragement to seek relief from a standard, even if there is no particular cause, such as a hardship or topographical anomaly, underlying the request. Regardless of other updates to the Code, if permissive standards for waivers remain unchanged (including standards described elsewhere in the code, such as design review), the practice of

frequently requesting them may remain unchanged as well. We thus propose a multi-part assessment of waivers as part of the rewrite, looking at:

- **Updating standards.** Are there any waivers that are so common, and so commonly approved, that the underlying standard should be updated to reflect this? We heard frequent mention of waivers to throat depth, landscaping, trash enclosures, and rural street standards, to name several examples, where a change to the regulation may be warranted, rather than continued reliance on waivers to amend it.
- **Prohibiting some waivers.** Are there any standards subject to waiver requests where such requests should no longer be permitted? This change to prohibiting waivers to certain standards would be based on observed negative outcomes created as a result of waiving a standard.
- **Using alternate, well-defined procedures.** Are there requests commonly processed as waivers that could be assessed using other, more well-defined procedures? A variance is a good example of this possibility. Currently, a variance is used in the County as a way of appealing the denial of a waiver. However most communities limit the use of variances to relief from standards that pose undue hardship, not of the property owner's creation, such as unusual site conditions (presence of slopes or floodplain are examples). The County can consider redefining this procedure to narrow its use to hardship situations. Alternately, minor deviations (described below) could be more widely used in place of waivers where the request seeks minor relief (up to 10%) from quantifiable standards, such as setbacks or height restrictions. Both of these options could be viewed as merely replacing one procedure with another. However, if standards for hardship or limitations on extent of relief granted for a request were consistently applied, the two procedures could introduce important parameters on relief requests, and generally reduce reliance on less well-defined waiver requests.

#### *Allow Minor Deviations and Modifications*

An important part of the Title 30 rewrite involves finding opportunities to offer flexibility in the Code without significant compromise to the intent of the regulations. To support accomplishing this objective, we propose the following two development review procedures.

##### *Prior to application approval: Minor Deviation*

NRS 278.319 authorizes the granting of deviations “of less than 10 percent from requirements for land use established within a zoning district without conducting a hearing.” Clark County exercises this authority through the Administrative Minor Deviations procedure. In Section 30.16.110, it is described as an “after the fact” remedy for “construction error,” while Section 30.56.020 permits minor deviations from site developments standards (up to 10% from quantifiable standards such as lot area, setbacks, or structure height), and the procedure is referenced in other code sections as well.

Staff indicated that Minor Deviation is not used often; we propose that wider use of Minor Deviation could be a useful tool for the County. Rather than using it to normalize errors after the fact (discussed more below), we suggest it should be used to allow for staff-level decisions during project review.

If used in place of certain waiver requests that require public hearing, Minor Deviation could add efficiency and time-savings to application processing (though letters of consent from neighbors still would be required). It can also provide important flexibility when working with infill sites. Finally,

while the statute specifies a numeric cap, the statutory language does provide flexibility to allow deviations from a broader range of standards, which could also be considered in the rewrite.

#### *After Application Approval*

Because we have heard that minor changes to approved applications can often require re-initiating the entire review process, we recommend the code allow staff to approve minor changes to certain types of approvals. This could be used for “after the fact” corrections related to minor construction errors, limited to the same 10% threshold as minor deviations. This authority could not be used in combination with Minor Deviation, which would effectively allow 20% adjustments. Instead, it would add some flexibility to address circumstances that were not anticipated during the application process, such as a minor reduction in landscaping area due to location of utilities.

The use of any modification tool requires a commitment to remaining objective, and not allowing this procedure to simply assume the role of automatic relaxation of code standards, either before or after project approval. Regular evaluation of the tool would be useful in the future to ensure the tool is being used appropriately.

#### *PUD Process*

Many stakeholders agreed that the PUD process is complicated, which prevents it from being often used. They cited inflexible standards that eliminate the possibility for creativity in the use of PUDs. As opposed to most other development procedures, the current PUD process applies pre-determined regulations for development standards, open space, and design. Depending on the project, the current PUD process can also require multiple applications, including a Special Use permit, nonconforming zone change, design review, and possibly multiple waivers as well. Since the same can be accomplished by combining applications and waivers without being subject to the additional standards, developers see little use in the process.

We propose revising the PUD process. A revised process will comply with recent legislative changes to NRS, and consider further amendments, including making a PUD a single process rather than multiple layered processes, and having developments proposed under the process adhere to standard but strengthened development standards (as described later in this report). A revised PUD process can add another important tool to assess development in Clark County, and offer a viable alternative for reducing reliance on nonconforming zone changes and waiver requests.

#### *Major Project*

With a project threshold of greater than 300 acres to qualify as a Major Project, staff and stakeholders agreed that the diminishing availability of large tracts of vacant land in the County has rendered Major Project applications increasingly rare, and this application will likely become obsolete, if it has not already. There are two possibilities for addressing the Major Project application type: it could be eliminated, instead relying on alternate updated procedures to accommodate development regardless of size (possibly relying on an updated PUD process to accommodate large or unusual projects); or Major Project could be updated, further reducing the 300-acre threshold for the application type, and revising the required elements for such an application. We propose further discussion with staff to determine the best approach to take with Major Project applications going forward.

#### *Plan Update Process*

Staff described the need for a process to make updates to the adopted Master Plan. Though 30.12 describes a process for plan amendment, we understand that the current process does not meet the



need. We will work with staff to understand what changes are needed to make this is a viable process. Once updated, we recommend incorporating it into the section of Development Review Procedures.

### Review the Public Participation Process

Stakeholders mentioned some issues with the public participation process. While some are beyond the parameters of a code rewrite, we include them below, for the County's consideration.

- **Public Meetings:** Stakeholders mentioned the need to attend multiple meetings on the same project as a deterrent to participation. In addition to the time commitment, they cited other deterrents to participation: many cannot attend daytime meetings, the process disadvantages those with limited computer literacy or access, and those whose primary language is not English. They requested that applications be posted online, and that there be an accompanying mechanism for submitting virtual comments as well.  
**Notifications:** Participants described difficulties with obscure and unclear language used in the notifications themselves, and lack of timeliness in receipt of notifications. While review of language used in notification is beyond the scope of this code assessment, it may be a valuable step that staff can undertake to complement the rewrite process. Since staff have indicated that notifications for many procedures exceed NRS minimum requirements for timing and radius, we can discuss whether any further adjustments to the notification process are necessary to address public concerns about timely receipt of notifications.
- **Re-Notifications:** We heard concerns expressed by both staff and stakeholders about the lack of predictability where notice indicates an item will appear on a certain agenda, but owing to last-minute cancellations and rescheduling, the item no longer appears on the agenda for which it was noticed, and re-notification is only provided when close to three months elapse before an item is rescheduled. We propose a review of re-notification requirements, to add greater detail about what changes require re-notification, and the timeframe that triggers the requirement.
- **Public Hearings:** Participants expressed a lack of clarity about public hearings. Residents understand that there are several points in the application process (Town Board, Planning Commission, Board of County Commissioners) for a given project that allow for public input, but they do not necessarily grasp which of these opportunities is "final," i.e., the public hearing. Clarion proposes the addition of a Summary Table of Development Review Procedures (further described in the Annotated Outline, Chapter 6) that could help to address this issue. By specifying the final decision body for each application type, and showing which items require public hearing, this table could help to clarify these issues for the public.

### Relocate Fees and Standards for Acceptance to an Administrative Manual

For each application type in 30.16, Title 30 includes fee information along with detailed lists of Standards for Acceptance. Staff noted that any changes to this information require a code amendment, which complicates the process of updating administrative materials.

We recommend removing all specific fee amounts and re-assessing Standards for Acceptance to separate administrative provisions from actual development-specific standards, that would be relocated to other sections of the code that regulate such standards. Fee information and administrative standards for acceptance would be removed to an administrative manual or similar document, where they can be maintained and updated without requiring formal code amendments.

Other items in such a manual might include application forms, standards for acceptance, fees, schedule and contact information. During the drafting process, Clarion will identify and note specific provisions recommended for relocation to such a manual.

### Summary of Recommendations

- Review procedures to determine final decision-makers and expand opportunities to delegate decision-making authority to the Zoning Administrator.
- Establish common review procedures that apply across application types.
- Relocate procedures for Major Project, Planned Unit Development (PUD), and Subdivision into consolidated section of all Application Procedures.
- Remove vague and subjective language from standards.
- Redefine standards to create clear approval criteria for each application type.
- Revisit permissions for allowing nonconforming zone changes.
- Review standards subject to waiver; determine any standards that should be exempt from waiver.
- Repurpose Minor Deviation procedure for allowing small changes during application process.
- Create a more defined and clear procedure for allowing minor changes post-approval.
- Review and revise PUD and Major Project application processes and procedures.
- Create updated Plan Amendment procedure.
- Review timing, radius, and means of notice for notification procedures.
- Create Summary Table of Development Review Procedures to illustrate decision-making body and public hearing requirement for each application type.
- Administrative information subject to periodic revision or update (fees, application-specific information) should be relocated outside the code, into an Administrative Manual.

## Improve and Tailor the Development Quality Standards

The broad idea of “improving development quality” has come up in both the development of the new Master Plan, as well as in various stakeholder interviews related to Title 30. The idea has arisen in many different contexts in the County, and encompasses many different scales of development, from the particulars of an individual building on a site, to the layout of entire neighborhoods. Sample issues ranged from the prominence of garage doors fronting streets in single-family neighborhoods, to how sustainability concerns might be furthered by looking at building orientation on a lot, maximizing sun and shade to reduce energy use. At the neighborhood level, there were expressions of concern about lack of individuality – “cookie cutter development” – and whether quality of neighborhoods could be improved through design and standards that emphasize creating a distinct sense of place. In other areas, the neighborhood-level concerns revolved around either preserving an existing character in established areas (particularly rural ones) or enabling revitalization in aging areas, in some cases through adaptive reuse and preservation.

The attention paid to development quality is understandable, given the importance of protecting Clark County’s unique sense of place and character in order to maintain a high quality of life and thriving tourism-based economy.

This section of the report looks at the various components of the Code that address concerns about development quality, from the individual site level all the way to the County as a whole.

### Generally, for All Development Standards

#### *Move Away from One-Size-Fits-All Approaches*

Participants emphasized the need for the new code to be tailored to the varying circumstances throughout the County, where the context of small, outlying communities differs vastly from close-in, more urbanized areas in the Valley. Expressed frequently, the message “one size does not fit all” came across clearly, as did the sentiment that this is one of the major problems with the current code: Title 30 fails to accommodate the differences in the communities it regulates. We heard in interviews that parts of the current Title 30 rely on an inflexible, uniform approaches for the entire county. This has often meant applying standards developed for rural areas in places that are rapidly urbanizing. Because the county is large and ranges from backcountry wilderness to growing community centers, it would be useful to tailor some of the standards to reflect the various development patterns in different locations. The two most appropriate categories for this type of tailoring are off-street parking and landscaping and buffering, discussed below. Development standards could be tailored for different areas depending on the context.

*“One size fits all is not possible in a county as large as ours.”*

*- Title 30 survey response*

*“Many rural issues cannot be addressed with rules developed for high density areas of the county.”*

*- Title 30 survey response*

One of the most important improvements in the code rewrite will be the evaluation of varying development patterns in different areas in the county, in which different levels of regulations would apply. Determining the areas will rely heavily on input from local officials and staff, but could be related to the existing context in the County's 11 planning areas, or could be calibrated to more fine-grained delineation based on land use categories. Once established, regulations related to infrastructure provision (such as sidewalks), design, parking, landscaping, and signs might be tailored to support desired development in the various areas.



*Example of rural and urban development contexts where different character area standards could apply.*

If the idea of tailored regulations depending on the context and development patterns in different locations is implemented, most of the ensuing recommendations in the Development Standards section of this report would be affected by this decision. We point out areas that would be impacted by this decision both in this section of the report, and in the Annotated Outline and Detailed Review of Title 30 at the end of the report.

#### ***Emphasize Infill, Adaptive Reuse, and Revitalization***

While some large vacant parcels still exist within the Las Vegas Valley, much of the development over the years to come will occur on smaller parcels, in the form of infill (development of undeveloped land that is surrounded by existing development) or revitalization (where existing development is rehabilitated as in adaptive reuse of existing buildings on a site, expanded, or razed and rebuilt).

While infill and revitalization parcels often offer significant advantages in achieving sustainability and land conservation goals, they can also present specific challenges ranging from environmental cleanup (e.g., a former gas station site) to compatibility with surrounding, built-up neighborhoods. Although site-specific challenges cannot be eliminated altogether, well-drafted regulations need not add an unnecessary layer of complexity to these context-sensitive areas. This is particularly true in facilitating adaptive reuse of existing buildings, where requirements to bring older structures up to current standards can be cost-prohibitive, leading to the loss of such structures altogether.

The new code must be calibrated to encourage and achieve high-quality reinvestment in important buildings and sites. The County should consider opportunities where standards could be more flexible

in such cases. Examples of areas where infill and revitalization should be addressed in the new regulations include:

- **Dimensional requirements.** Prescriptive and inflexible setback, height, minimum lot area, and minimum open space requirements can diminish the possibility for revitalization, or infill on a vacant lot. Older structures may pre-date zoning, or become increasingly non-compliant with zoning regulations as the requirements have evolved. Allowing small adjustments to site requirements, as proposed for Minor Deviations, can help make revitalization projects feasible.
- **Development standards.** Requirements to upgrade to current landscaping and parking standards can prevent both infill and adaptive reuse projects from “penciling out” financially. One way to help facilitate such redevelopment is to reduce minimum parking requirements, where possible, without harm to surrounding neighborhoods. For example, increases in parking required by a change of use could be limited. New uses in existing structures could also be permitted to maintain or upgrade landscaping present on a site, but not required to expand it.
- **Permitted uses.** A broader list of allowable uses can also help encourage adaptive reuse, infill and revitalization.

#### *Relocate Content to Measurements and Exceptions Section*

Much of the content in the initial section of 30.56, Site Development Standards, Part A, is related to describing how measurements are calculated (height, setbacks), and what exceptions to these measurements are permitted (Permitted Intrusions into Setbacks, Height Intrusions). This is important information, but we propose it be separated into a new section specifically titled Measurements and Exceptions. Creation of the section can also entail a review of what exceptions are permitted, where they are permitted, and whether there should be any additions to allowed exceptions.

#### **Landscaping and Buffers**

Feedback on this section indicated that it is generally working well, but there are some issues with classification of uses to determine what standards apply, interpreting vague standards, and enforcement of some standards (for example, requirements that apply to back yards are difficult to enforce). We will begin our review with the objective of addressing these issues.

When considering how tailored location- or context-dependent standards would apply to landscaping and screening, we note that there is already in Tables 30.64-1 and 30.64-2 classification where different standards apply based on context (rural residential differing from compact residential use requirements). Our proposal for varying standards calibrated to apply in differing areas would be an expansion and refinement of these existing categorizations. Clarion often recommends communities implement an alternative compliance procedure for landscaping standards. In Clark County, such a procedure could allow creative landscaping proposals that, while different from proposed regulations, are context-sensitive to a desert environment, and designed to promote sustainability and water conservation goals outlined in the Master Plan.





*Example of drought-tolerant, context-sensitive landscaping*

### **Off-Street Parking and Loading Standards**

The County has in recent years explored revisions to the off-street parking requirements and options for modernizing parking standards to meet potential growth in electronic vehicles and alternative methods of transportation, and our review will build on those efforts. The code update will include an across-the-board review of all minimum off-street parking requirements; the introduction of context-sensitive standards may provide a framework for determining where greater reductions could be appropriate in some areas, such as auto-oriented suburban development versus densely urbanized, transit-served locations. The review of the parking schedule can be combined with expansion of provisions currently described in 30.60.040, Alternative Standards to Reduce Parking Requirements. In the rewrite of this section, we will also conduct a review of parking lot design and location, with some elements maintained here, while other related to access and circulation would be covered in the new ‘Access, Connectivity, and Circulation’ section.

### **Establish Access, Circulation, and Connectivity Standards**

The need to improve connectivity throughout the County surfaced in various contexts during stakeholder interviews. Participants expressed concern about “walled off” neighborhoods, where perimeter walls physically impede connections between neighboring developments in the County. Sidewalk networks can be similarly disconnected, with the occasional “sidewalk to nowhere” frustrating pedestrian circulation between neighborhoods and activity centers.

To support Clark County’s goal of increasing multimodal transportation options and to promote enhanced connectivity, we propose the introduction of a new code section specifically addressing access, circulation, and connectivity. This new section will address not only connections between locations that facilitate external circulation (access and connections between sites), but also issues of



internal circulation (within a site), including standards for how parcels that accommodate multiple buildings will address safe access for both automobiles and pedestrians.

The section would combine existing standards described in 30.52, Off-Site Development Standards, 30.56, Site Development Standards, Part D, Design Standards related to access and the “Pedestrian Realm,” and 30.60, Parking and Loading Regulations, and expand upon those regulations to create a comprehensive approach that covers requirements across the spectrum of circulation within an individual site to its larger connections with adjacent sites and the surrounding neighborhood.

### Enhance Building Design Standards

Building design standards can be powerful tools in addressing the community’s expressed desire to improve development quality. Because the existing standards in 30.56, Site Development Standards, Part D, Design Standards, are somewhat vague and limited in the extent of their applicability, the code update project may consider expanding the standards, updating them in alignment with the surrounding development patterns in an area, or based on a desired location-specific context. There are two main components to this proposed update and expansion.

**Replace vague language:** In Tables 30.56-2 and 30.56-2A, language regarding architectural features is vague, requiring “architectural enhancement” such as shutters, articulations, varied rooflines or building materials. Without more specific guidance on what is required, we expect that interpretation and enforcement of this provision proves difficult. The same is true of exterior materials requirements, where interpretation of “subdued tones,” “sufficient compatible architecture,” or “similar development” are subjective. Among residential standards, the requirement for garages to “minimize visual dominance” is a similar example. Generally, the code should provide greater certainty by avoiding the use of purely subjective language, disconnected from any measurable criteria. Adopting objective design standards offers a win-win opportunity for both the County and the developer, as clear standards define what improvements in design and architectural quality the County is seeking, while saving time and money for both the County and the developer, by removing the need for lengthy negotiation on those items. This aligns with feedback received from the development community, who stated they would prefer being subject to clear, defined standards upfront, rather than the prevailing time-consuming practice of negotiating project details as the project progresses.

**Tailor standards to location and context:** In updating design standards, it will be important to achieve a balance between ensuring objectivity while also allowing for the flexibility needed to meet unusual circumstances and encourage creativity. To strike this balance, we recommend different standards applicable in different locations in the County, while offering menus of alternatives to achieve compliance in all areas. Because design standards represent new regulation in Clark County, we recognize the importance of starting in a limited way, and offering as much flexibility as possible within the new regulations. We can work with County staff to determine voluntary versus mandatory standards and create incentives to encourage the adoption of voluntary standards. We can also work together to determine where varying standards should be applied, based on the desired development patterns in different County locations. One example of how standards would vary based on the area where they are applied is a four-sided architecture

requirement, which could be appropriately applied in denser, built-out areas, but would more likely represent an unnecessary expense in certain rural contexts.

- **Offer alternatives:** Where possible, a menu of alternatives is also an important tool for flexibility in achieving design standards. For example, a multi-family building could be required to implement three of six possible architectural features to comply with a standard. This allows flexibility for owners and developers in how compliance with the standards is achieved, rather than prescribing a one-size-fits-all approach, while still making progress towards the County’s stated goal of improving development quality.

### Subdivision Standards

Currently, standards related to subdivision appear in Section 30.56, Part B, Subdivision Design, and 30.52, Off-Site Development Requirements, including 30.52.052, Street Configuration in Residential Subdivisions and 30.52.080, Improvement Requirements for a Minor Subdivision, with some other relevant content in additional subsections of 30.52. Subdivision application information is located in 30.28, Subdivision Application Processing. We recommend consolidating all subdivision standards in the new code. Any standards that would apply to redevelopment as well as subdivision would be relocated into the proposed new general development standards section. The procedure would be integrated into the Development Review Procedures chapter.

### Signs

Staff indicated the need for a thorough review of the Signs chapter, as current standards sometimes diverge from signs that are being approved and erected, with resort hotels receiving waivers of 2,000% from a standard. This divergence is especially marked in the resort corridor. While general review and update of sign standards to align with the proposed new zoning district lineup can help to minimize reliance on sign waivers, the unique resort context within the County likely means that defined standards will not always accommodate sign proposals.

To accommodate alternative sign proposals and requests, we recommend combining 30.72.040.9, Alternative Sign and Sign Standards, with 30.72.055, Comprehensive Sign Plan, into one procedure that is available in defined districts. While regulations regarding billboards are to remain in the Nonconformities section of the code (30.76.060, Exceptions, provisions b. through g.), we do recommend that information on conversion of billboards to digital signs be included into the Signs chapter. Finally, we will propose updates to address more “modern” types of signs: LED lighting, projections, rotating text.

### Summary of Recommendations

- Move away from one-size-fits-all approach to emphasize tailored standards (parking, landscaping) that accommodate varying development context in different locations.
- Review dimensional and development standards along with allowed uses to ensure they accommodate infill, reuse, and revitalization.
- Tailor landscaping requirements to development contexts in different locations.
- Incorporate options that encourage creativity and context-sensitive landscape design proposals.
- Tailor parking requirements to development contexts in different locations.
- Assess options for enhancing flexibility to parking requirements, such as parking demand study, shared parking, and others.
- Explore standards and incentives to address future needs related to electric vehicles and alternatives methods of transportation.

- Consolidate and expand standards for site access and internal site circulation.
- Expand standards for connections extending between sites and beyond into surrounding areas.
- Rewrite design standards to eliminate vague, subjective language.
- Strengthen requirements while introducing flexibility by adding optional approaches and menus wherever possible.
- Consolidate subdivision regulations currently dispersed throughout the code into one section.
- Rewrite the Signs section of the code.
- Update sign types and technologies.

## **Achieve More Sustainable Development**

### **All-In Clark County**

Alongside the master planning effort of Transform Clark County, the County is undergoing a related sustainability planning process called “All-In Clark County.” That effort recently completed an assessment and plan for reducing greenhouse gas emissions and improving the sustainability and resilience of County government operations, and All-In Clark County will soon be kicking-off a similar process to address sustainability and climate action countywide.

The All-In Clark County Plan will provide detailed goals, policies, and actions for achieving emissions reductions and improved sustainability in the county and is supported by the goals and policies of the draft Master Plan – notably Core Value 3, which focuses on creating a healthy and sustainable natural and built environment. The draft Master Plan and future All-In Clark County Plan will inform decision-making in the county, including updates to the Code.

### **Incentivize Sustainability**

To support and implement the draft Master Plan, the Code update will need to explore opportunities to achieve more sustainable development that maintains air quality, reduces transportation-related emissions, supports the use of clean energy, decreases energy consumption, conserves water, reduces waste, and improves the natural environment. While some communities approach implementation through mandates and stricter regulations, Clark County has expressed a desire to incentivize sustainable development practices.

Creating incentives for the development that the County wants can be an effective way to achieve many of the goals in the draft Master Plan and All-In Clark County Plan without increasing development timelines and the cost of development and housing. Incentives can be more direct, like allowing increased density or expedited application review for more sustainable projects, or incentives take the form of reducing barriers to the type of development that is most sustainable. This could mean allowing more walkable, mixed-use development patterns in more places or reducing the level of parking required if developments provide bicycle parking, transit passes, or green stormwater infrastructure.

### **Flexible Approaches**

Sustainable development practices can also vary by project and location; for example, transit-oriented development may not be practicable in rural areas while habitat conservation measures may not be effective in downtown areas. To address the need for flexibility (based on location, development type, land uses, etc.), Clarion has worked with communities to establish a point-system approach that provides a menu of site and building design practices that will support the goals of the Master Plan and All-In Clark County Plan. Such approaches allow applicants to choose from a list of sustainable measures (each with varying levels of value) until they reach a certain number of points. This flexibility can be accompanied by some standards that are required for all development. This approach has been in practice in Henderson since 2010. A portion of the Henderson menu of sustainable design options is included below.

TABLE 19.7.11-1: MENU OF SITE AND BUILDING DESIGN OPTIONS FOR SUSTAINABILITY				
SITE OR BUILDING DESIGN FEATURE	POINTS	DISTRICTS IN WHICH OPTION IS AVAILABLE		
		NONRES/ MIXED USE	MULTI- FAMILY RESIDTL	OTHER RESIDTL
<b>1. ENERGY</b> Intent: Encourage on-site renewable energy production; promote the design and construction of energy efficient buildings; reduce air, water, and land pollution from energy consumption; and, reduce the heat island effect				
<b>1.1 Renewable Energy Sources</b> Design and incorporate on-site renewable energy generation technologies such as solar, wind, geothermal, or biomass. Two points granted for each 1% of the project's annual electrical energy demand generated up to a maximum of 30 points.	2-30	*	*	*
<b>1.2 District Heating and Cooling</b> Design and incorporate into the project a district heating and/or cooling system for space conditioning and/or water heating of new buildings in the project (at least two buildings total must be connected).	4	*	*	
<b>1.3 Solar Orientation</b> Design and orient the project such that 50% or more of the blocks have one axis within plus or minus 15 degrees of geographical east/west, and the east/west length of those blocks are at least as long, or longer, as the north/south length of the block.  OR  Design and orient the project such that 50% or more of the project total building square footage (excluding existing buildings) such that the longer axis is within 15 degrees of geographical east/west axis.	3	*	*	*
<b>1.4 Shade Structures</b> Where appropriate, provide shade structures over windows/doors to minimize glare and unwanted solar heat gain. Such structures shall provide shading to at least 50% of the south- and west-facing glazing on June 21 at noon with one additional point granted for each additional 25% of the glazing shaded. Structures may include awnings, screens, louvers, architectural features, or similar devices.	2-4	*	*	*

*Sample of Henderson's menu of site and building design options for sustainability.*

## 3: ANNOTATED OUTLINE OF A NEW TITLE 30

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This section provides an overview of what the proposed structure and general content of the new Code for Clark County would look like, if the recommendations from the Assessment in the earlier section of this report are implemented. This outline is intended as a starting point for further dialogue in determining the final form and content of Clark County's new land development Code.

The table at the end of each proposed section indicates which sections from the current Code may be folded into the proposed new chapters and sections, either intact or with modifications. Additional detail on the existing Code content is in the detailed review in the final section of this report.

### Chapter 1: General Provisions

This chapter will consolidate general information materials related to the overall establishment of the Code, including legal authority, purpose, and applicability. It will also include provisions related to severability and enforcement, and incorporate the section on nonconformities, which is currently located in a separate chapter of Title 30.

#### Purpose and Applicability

This section will describe the purpose and intent of the Code, and its applicability to all land development activities and uses in unincorporated Clark County. It carries forward portions of the current Chapter 30.04, with revisions as necessary.

#### Nonconformities

This section will address nonconforming situations including nonconformities related to lots, uses, site development features (e.g., landscaping, parking, drainage, etc.). The section carries forward provisions from 30.76, Nonconformities, with updates as necessary. We will work with the County to evaluate appropriate thresholds for nonconforming situations and whether they should be based on square footage versus percentage expansion.

#### Enforcement

This section will describe enforcement, abatement, violations, penalties, and remedies as they relate to the Code.

#### Severability

This section will generally carry forward the current legal effect and severability provisions, which clarify that any specific standards in the Code that are invalidated by a court will not affect the application or validity of any other standard in the code not included by that court's judgment. Since the US Supreme Court's ruling on *Reed v. Gilbert* related to content-based sign regulations, communities are increasingly including separate severability and savings clauses in their sign regulations to supplement these general severability provisions.

#### Incorporating Current Sections of Title 30

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:



<b>Chapter 1: General Provisions</b>	
<b>Proposed</b>	<b>Existing</b>
Title and Effective Date	30.04.010, Title
Purpose and Applicability	30.04.020, Purpose 30.04.030, Applicability 30.04.060, All Development to be in Compliance with Clark County Code 30.04.070, Interpretation 30.04.075, Commercial and Industrial Subdivisions to Comply with Building Code and Zoning Regulations 30.04.080, Conflicts with Other Regulations or Agreements
Authority	30.04.040, Summary of Authority 30.05.040, Designees
Nonconformities	30.76, Nonconformities
Enforcement	30.04.140, Penalties 30.04.145, Enforcement Procedure 30.04.150, Abatement Proceedings 30.04.160, Grounds for Revocation of Land Use Applications 30.04.170, Cumulative Remedies
Severability	30.04.110, Legal Effect 30.04.120, Severability 30.04.190, Records
Transition from Prior Regulations	30.04.130, Repeal of Existing Titles 30.04.100, Issuance of Permits or Licenses 30.04.090, Unlawful Uses and Structures not Validated

## Chapter 2: Zoning Districts

The zoning districts chapter will establish the base zoning districts and overlay districts and describe how the districts relate to each other and to other standards within the Code. Each district will also contain relevant lot and building standards and any development or design standards that are specific to that district.

### Zoning Districts Established

This section will provide an overview of the zoning districts established in Clark County. Early drafts of the updated Code may include a table comparing how the current lineup of zoning districts translates to the new lineup of zoning districts (similar to the table provided in this Assessment). This section will also describe the differences and relationship between base zoning districts and overlay districts.

### Residential Districts

This section will include zoning district regulations for each residential district in Clark County. Each district will include a clear purpose statement that distinguishes the district from other zoning districts and provides direction for future rezoning decisions. We recommend including zoning district diagrams and lot and building standards with each zoning district so that the basic standards related to that district can be communicated in a “one-stop-shop” approach. In addition to the basic lot and building standards (e.g., height, setbacks, lot standards, landscaping), any regulations that are

specific to a particular district should be located within that district rather than applied broadly in a development standard.

### **Commercial Districts**

See recommendations for Residential Districts, above. Apply to Commercial Districts.

### **Industrial Districts**

See recommendations for Residential Districts, above. Apply to Industrial Districts.

### **Special Districts**

These sections will include zoning district regulations for the respective district types as proposed earlier in the Assessment. These districts will contain the same level of information as provided for residential districts.

### **Overlay Districts**

This section will describe the purpose and applicability of the overlay districts, summarize the procedures for administering overlays, and include the standards specific to that overlay.

### **Lot and Building Standards Summary Tables**

This section will include summary tables of lot and building standards for all base zoning districts in Clark County. A separate summary table will be created for each category of districts (residential, commercial and mixed-use, and other nonresidential). The summary tables will include key lot and building requirements such as:

- Lot size standards
- Setbacks and yard requirements
- Building standards (e.g., height)

The benefit of these summary tables is that the reader can quickly compare the standards across districts, rather than relying on flipping back-and-forth between districts. The challenge during drafting is to ensure consistency with these summary tables and the short summary tables within each zoning district. We recommend including this section at the end of the districts chapter, but the summary tables could also be located at the beginning of the chapter.

### **Measurements and Exceptions**

We recommend inclusion of a section that includes provisions for measurements and exceptions to the lot and building standards. For example, the section will describe the types of structures that can encroach into setbacks or project beyond height requirements (e.g., porches and steeples, respectively), how lot dimensions are measured (including anomaly lots such as flag lots and double-frontage lots), and other lot and building standards such as height and setbacks (including lots at the end of hammerheads or stub streets that do not have a clear standard for measurement). Some of the content of this section will come from PART A, Lot Area, Yards, and Setbacks from Section 30.56, Site Development Standards.

## **Incorporating Current Sections of Title 30**

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:

<b>Chapter 2: Zoning Districts</b>	
<b>Proposed</b>	<b>Existing</b>
Zoning Districts Established	30.36 Zoning Districts and Maps
Base Zoning Districts	30.40 Zoning Base Districts
Overlay Zoning Districts	30.48 Zoning Overlay Districts
Summary Tables	New
Measurements and Exceptions	New, with portions of PART A, Section 30.56, Site Development Standards

## **Chapter 3: Use Regulations**

This chapter will identify the and uses allowed in Clark County’s zoning districts and establish the standards that apply to certain uses with unique characteristics or impacts.

### **Table of Allowed Uses**

This section provides an explanation of the abbreviations used in the Use Table, describes the organization of the Use Table, clarifies the process for compliance for prohibited uses and new or unlisted uses. This section also includes an updated use table.

### **Use-Specific Standards**

This section organizes the standards that are applied to applicable uses in the use table. This section will be organized following the same methodology of the use table (categories, subcategories, and then uses) and organize use-specific standards by applicability or type when necessary.

### **Accessory Uses and Structures**

Although accessory use permissions will be included in a separate category of the use table, this section will establish the standards for accessory uses and structures to minimize adverse impacts on surrounding properties and the community. This includes additional standards for specific accessory uses and structures when applicable.

### **Temporary Uses and Structures**

Although temporary use permissions will be included in a separate category of the use table, this section will establish the standards for temporary uses and structures to minimize adverse impacts on surrounding properties and the community. This includes additional standards for specific temporary uses and structures when applicable.

## **Incorporating Current Sections of Title 30**

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:

<b>Chapter 3: Use Regulations</b>	
<b>Proposed</b>	<b>Existing</b>
Use Regulations	30.44 Uses

## **Chapter 4: Development Standards**

Development standards incorporate site layout, building design, and operational standards. We recommend generally organizing development standards from the “ground up,” with overall site design requirements first, then building design and architectural standards, and finally operational and maintenance standards. This proposed organization consolidates what are separate sections into a single section where possible, grouping together standards that regulate similar aspects of a site or building.

On this basis, the chapter would contain all the on- and off-site requirements for development in Clark County, currently in sections 30.52 (Off-Site Development Requirements) and 30.56 (Site Development Standards), minus the portions of those sections related to subdivisions. It would create a new section related to Building Design and Architectural Standards, expanding on content currently located in 30.56 Parts D, F, and G. Operational standards will cover Parking and Loading, Landscaping and Screening, Lighting, and any other provisions from 30.68, Environmental Standards, where the decision is to carry those provisions forward.

### **Site Development Standards**

This section will describe the standards for requirements on and around a site, including:

- Streets and Trails, Water, Sewerage, and Utilities;
- Access, Connectivity, and Circulation;
- Hillside Development;
- Configuration of Lots and Blocks.

Each of these components is important to how the physical site is laid out for development. Since regulations in these sections cross boundaries with engineering, fire, and public works requirements, it will be important to ensure consistency with these requirements, including cross-references to Public Works standards and other manuals as appropriate.

### **Building Design Standards**

This section will include and expand on the information in 30.56, Part D: Design Standards. Existing standards will be revisited to determine the appropriate level of detail and to remove vague language. Additionally, the new code may explore more defined options for architectural standards, along with options that allow flexibility in for complying with design and architectural standards.

### **Operational Standards**

This section will include standards for ancillary features associated with site development, such as parking, landscaping and screening, and lighting. As discussed elsewhere in this report, Environmental Standards (30.68) that are more specific to nuisance regulations (noise and odor) may be relocated elsewhere in the municipal code; however, any regulations that remain would be part of this section.

## Incorporating Current Sections of Title 30

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:

<b>Chapter 4: Development Standards</b>	
<b>Proposed</b>	<b>Existing</b>
Site Development Standards	30.52.030, Street Requirements 30.52.025, Sight Zones 30.52.035, Trail Requirements 30.52.040, Improvement Requirements 30.52.050, Improvement Standards 30.52.055, Traffic Impact Analysis Requirements 30.52.060, Utility Improvement Requirements 30.52.070, Responsibilities of Developers/Property Owners for the Provision of Utilities 30.52.090, Completion of Public Improvements 30.52.100, Provisions for Water 30.52.110, Provisions for Sanitary Sewerage Facilities 30.56, Part C: Hillside Development
Building Design and Architectural Standards	30.56, Part D: Design Standards 30.56.120, Trash Enclosures 30.56, Part G: Alternative Standards
Operational Standards	30.60, Parking and Loading Regulations 30.64, Site Landscape and Screening Standards 30.56, Part F: Lighting Standards 30.68, Site Environmental Standards

## Chapter 5: Subdivision Standards

This section will gather subdivision standards currently interspersed throughout various sections of Title 30 into one chapter describing standards that apply to landowners seeking to subdivide land for development. The subdivision application procedure will be relocated to the new Development Review Procedures chapter.

## Incorporating Current Sections of Title 30

The Table below indicates some sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part. More extensive review of existing content during the rewrite process may entail incorporation of additional content, not yet listed below.

<b>Chapter 5: Subdivision Standards</b>	
<b>Proposed</b>	<b>Existing</b>
Subdivision Standards	30.52.030, Street Requirements 30.52.052, Street Configuration in Residential Subdivisions 30.52.080, Improvement Requirements for Minor Subdivision 30.52.090, Public Improvements 20.52.110, Provisions for Sanitary Sewerage Facilities 30.56, Part B, Subdivision Design

## Chapter 6: Development Review Procedures

This chapter will describe the review and approval procedures for the various types of land use applications, with revisions to the current standards as described earlier in this assessment. This chapter will address some of the issues we heard related to procedures, including concerns over the public participation process. Please see the discussion above in Ensure Efficient and Consistent Development Review Procedures, in Part 2 of this report, for additional detail on proposed improvements to the procedures.

### Summary Table of Development Review Procedures

This first section will incorporate a table similar to the one in Part 2 of this report that shows decision-making authority for the County's current procedures. This new table will summarize the basic requirements for review and approval of any development application in this code. The table will be organized by type of application (e.g., ordinance and plan amendments), review authorities (e.g., Planning Commission), and will identify other specific requirements such as which types of approvals require public hearings, another means of clarifying this requirement for the public. The snapshot below shows an example of a Summary Table of Review Procedures from another community.

SUMMARY TABLE OF REVIEW PROCEDURES R = Recommendation D = Decision A = Appeal Decider < > = Public Hearing O = Optional M = Mandatory S = Sketch Plan				
Application Review Procedure (Does not include all application types)	Pre-Application Conference	Staff Review	Planning Commission	Town Council
Plan and Ordinance Amendments				
Zoning Amendment	O	R	<R>	<D>
Development Permits and Approvals				
Conditional Use Application	O	R	<R>	<D>
Planned Unit Development	M	R	S, <R>	<D>
Single-Family or Duplex	O	D		
Multifamily Residential/Commercial Application	M	R	S, <D>	
Small Project Application	O	D		
Exterior Finish Application	O	D		
Modification to Approved Development Application	O	R	D	<A>
Modification to Non-conformity	O	D <350 square feet	<D> > 350 square feet	
Outdoor Commercial Display	O	D	O	
Subdivision Approvals				
Annexation	M	R	<R>	<D>
Preliminary Plat	M	R	<D>	
Final Plat	M	D		
Minor Subdivision or Resubdivision	M	D	O	O
Flexibility and Relief Procedures				
Variance from Zoning Regulations	O	R	<D>	

Sample Summary Table of Review Procedures

### Common Development Review Procedures

Common review procedures identify and describe the procedures that apply to most development applications in the County. Any common procedure from the current development code, such as the requirement for a pre-submittal application conference, public noticing and hearing requirements, will be summarized here rather than being repeated for every specific application type. This eliminates repetition, reduces the overall length of the code, and reduces the possibility of conflicting provisions as the code is updated over time. A sample example of a Common Review Procedures chart from another community was illustrated earlier in this report in the user-friendly code discussion.



### **Code and Plan Amendment Procedures**

This section will group together some of the County’s existing procedures related to zone boundary amendments, Code text amendments, plan amendments, and annexations, as well as including the new procedures for making amendments to the Master Plan (derived from Part B, Comprehensive Master Plan Updates and Amendments of section 30.12, Comprehensive Plan and Community Districts). We also recommend that the revised procedure for Planned Unit Development (PUD, currently section 30.24) be incorporated into this category of application procedures. This section will cross-reference the common review procedures where possible, and will include additional standards that apply to specific application types.

### **Development Permits and Approvals**

This section will include review and approval procedures for applications such as design review, special use permits, and Major Project applications (currently 30.20), if the determination is to revise the procedure and carry it forward rather than eliminate it. As described above, this section will cross-reference common review procedures and include application-specific modifications.

### **Subdivision Application**

In Title 30, Subdivision Application Processing is a separate section of the Code, similar to Major Project and Planned Unit Development. As with those procedures, we propose to incorporate Subdivision Application here into the Development Review Procedures. This section will include review and approval procedures for subdivision applications.

### **Flexibility and Relief Procedures**

This section will include review and approval procedures for applications such as variances, waiver of development standards, extensions of time, and vacation and abandonment. As with the other sections in the chapter, this section will cross-reference the common review procedures and include application-specific modifications.

### **Administrative Decisions**

This section will include the procedures subject to staff-level decision-making, including Administrative Temporary Use approvals, Administrative Design Review, Administrative Street Naming, Administrative Minor Deviations, and others. Description of application-specific procedures will accompany description of each application type.

### **Incorporating Current Sections of Title 30**

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:

<b>Chapter 6: Development Review Procedures</b>	
<b>Proposed</b>	<b>Existing</b>
Summary Table of Development Review Procedures	New
Common Review Procedures	New, with portions of 30.16.210, Application Process and 30.16.230, Notice
Ordinance and Plan Amendment Procedures	30.16.050, Text Amendment 30.16.060, Zone Boundary Amendment

<b>Chapter 6: Development Review Procedures</b>	
<b>Proposed</b>	<b>Existing</b>
	30.12.030 through 30.12.045, Comprehensive Master Plan Updates and Amendments 30.16.190, Annexation Requests
Development Permits and Approvals	30.16.070, Special Use Permits 30.16.120, Design Review 30.16.202, Applications for Review
Subdivision Application	30.28, Subdivisions Application Processing
Flexibility and Relief	30.16.090, Variances 30.16.100, Waiver of Development Standards 30.16.140, Vacation and Abandonment 30.16.170, Street Name or Numbering System Change 30.16.180, Waiver of Conditions 30.16.200, Extensions of Time
Administrative Procedures	30.16.080, Administrative Temporary Use 30.16.110, Administrative Minor Deviations 30.16.130, Administrative Design Review 30.16.160, Administrative Street Naming 30.16.205, Zoning Compliance Applications

## Chapter 7: Sign Regulations

This chapter will carry forward existing sign regulations found in section 30.72 of the current code, with updates as referenced previously in this report. We recommend the incorporation of regulations for off-premises signs into this Chapter.

### Incorporating Current Sections of Title 30

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:

<b>Chapter 7: Sign Regulations</b>	
<b>Proposed</b>	<b>Existing</b>
Sign Regulations	30.72, Signs 30.76.060, Exceptions, portions related to signs

## Chapter 8: Rules of Construction and Definitions

The current Definitions section in Title 30, Section 30.08, has a short section regarding word usage and rules of construction for language used in the Code, followed by an alphabetical list of all defined terms. This chapter of the new Code will carry forward both sections, while dividing definitions into categories, to facilitate user access.

### Rules of Construction

This section will describe how specific terms shall be interpreted throughout the Code, including lists and examples, computation of time, public officials mentioned in the code, mandatory vs. discretionary terms, conjunctions, tenses and plurals, and conflicts between text and illustrations.

### **Use Definitions**

This section will include definitions for use categories (e.g., residential use category, industrial use category, public and civic use category, commercial use category, etc.) and will also include a definition for each use included in the new Table of Allowed Uses.

### **Other Terms Defined**

This section will include definitions for all other terms in the code, including acronyms, dimensional and terms of measurement, procedural terms, and development standards and design terms. It will include further sub-categories of definitions related to specific topics, sign as Signs and Lighting.

### **Incorporating Current Sections of Title 30**

Sections from the current Title 30 to be considered for incorporation into this new chapter, either in whole or in part, include:

<b>Chapter 8: Rules of Construction and Definitions</b>	
<b>Proposed</b>	<b>Existing</b>
Rules of Construction and Definitions	30.08, Definitions

## 4: DETAILED REVIEW OF TITLE 30

Comments included in the following table are derived from our independent review of Title 30 and relevant background materials, as well as feedback provided during the project kick-off, stakeholder interviews, and subsequent meetings. This list is not all-inclusive for each section. When a comment has been made on a particular section, it is not always repeated for subsequent code sections. A row that is left blank means that we did not have specific recommendations at this time, though additional edits may become apparent during a comprehensive rewrite. Sections that are carried forward will be reviewed for grammar and clarity.

Detailed Review of Title 30		
Section	Title	Comments
<b>30.04: Administration and Enforcement</b>		
<b>Generally</b>		Carry forward section mostly as new General Provisions chapter. Reorganize as described in annotated outline. Incorporate 30.76, Nonconformities, as a subsection and expand section for enforcement.
.010	Title	Carry forward with edits.
.020	Purpose	Carry forward with edits.
.030	Applicability	Carry forward with edits.
.040	Summary of Authority	Carry forward with edits, combine with .050. Integrate into General Provisions chapter.
.050	Designees	Carry forward with edits., combine with .040.
.060	All Development to be in Compliance with Clark County Code	Carry forward, merge with .030, Applicability.
.070	Interpretation	Carry forward with edits.
.075	Commercial and Industrial Subdivisions to Comply with Building Code and Zoning Regulations	Carry forward, merge with .030, Applicability.
.080	Conflicts with Other Regulations or Agreements	Carry forward with edits.
.090	Unlawful Uses and Structures Not Validated	Combine with Violations, Enforcement, and Penalties.
.100	Issuance of Permits or Licenses	Carry forward with edits.
.110	Legal Effect	Combine .110, .120, and .130.
.120	Severability	
.130	Repeal of Pre-Existing Titles	
.140	Penalties	Combine with Violations, Enforcement, and Penalties.

Detailed Review of Title 30		
Section	Title	Comments
.145	Enforcement Procedure	Combine with Violations, Enforcement, and Penalties.
.150	Abatement Proceedings	
.160	Grounds for Revocation of Land Use Applications	
.170	Cumulative Remedies	
.190	Records	Carry forward with edits.
30.08: Definitions		
<b>Generally</b>		<p>Maintain dedicated definitions chapter, relocate to end of document. Simplify where possible:</p> <ul style="list-style-type: none"> <li>Review all existing definitions, with updates as necessary and elimination of archaic terms</li> <li>Relocate any substantive standards into main body of code</li> <li>Reorganize alphabetical list into subsections with related definitions grouped together (for example, use definitions, sign-related definitions, subdivision definitions, application type definitions, etc.) to enhance user-friendliness</li> <li>Ensure there is a definition for every use in the use table; include linked cross-references and, as above, separate use-related definitions into a defined subsection among Definitions</li> <li>Additional linked cross-references to enhance usability (for example, where the entry for Apiary says See “Agriculture,” the word agriculture would be a clickable link.</li> <li>Maintain legally mandated definitions (community residence, adult use, and others as pointed out by staff)</li> </ul>
30.12: Comprehensive Master Plan and Community Districts		
<b>Generally</b>		Staff recommended deleting this section, with caveat that a plan update process is needed. We can carry forward the process from this section – with amendments – and incorporate it as a new procedure in Development Review Procedures.
Part A: THE PLAN		
.010	Comprehensive Master Plan	Do not carry forward. This section to be eliminated.
.020	Purpose	Do not carry forward. This section to be eliminated.
Part B: COMPREHENSIVE MASTER PLAN UPDATES AND AMENDMENTS		
.030	Purpose	
.035	Comprehensive Plan Amendment Processing	This procedure to be updated to respond to staff input that a new process is needed. We recommend that the process, once defined, be relocated to the Development Review Procedures section.
.040	Land Use Plan and Transportation Elements and Updates	Staff expressed interest in simplifying this section and .035, above, into a single section.

Detailed Review of Title 30		
Section	Title	Comments
.045	Comprehensive Master Plan Amendment Processing and Land Use Plan Update and Amendments	This explanatory section can be eliminated with integration of the procedures into the Development Review section of the new code. Table 30.12-1: As referenced above, we will update this procedure based on staff input.
<b>PART C: COMMUNITY DISTRICTS</b>		
.050	Purpose	Do not carry forward. This section to be eliminated.
.060	Established Community Districts	Do not carry forward. This section to be eliminated. Allowing for differentiation between Valley areas and rural areas to be accomplished via other means. See general discussion of location- and context-sensitive regulations Part 2 of this report on development quality standards.
<b>30.16: Land Use Application Processing</b>		
.010	Purpose	Carry forward with edits.
.020	General Land Use Application Processing	Create summary table of all development review procedures, also illustrating decision-making body, and which procedures are subject to public hearing.
.040	Application Types	Define each application type here. Most application types already have definitions in Section 30.08, but some (waiver, zoning compliance application) will need to be added.
.050	Text Amendment	Carry forward.
.060	Zone Boundary Amendment	Carry forward some variation on provision b.2 in Table 30.16-3, which precludes NCZC for 2 years after plan's adoption. Ensure alignment with NRS with limits to zone boundary amendments (4 times per year) and limiting to those that conform to underlying land use designation as put forth in Master Plan. Consider requiring the processing of a concurrent plan amendment.
.070	Special Use Permit	Staff indicated that this procedure has come to be used as a kind of waiver request, rather than being limited to assessing the suitability of a particular use to operate in certain surroundings. We can work with staff to redefine when this is used, and also review standards for approval for findings.
.080	Administrative Temporary Use	Carry forward.
.090	Variance	Staff have indicated that a variance is typically used as an appeal when a waiver request has been denied. this process is not currently used. We propose that it could be usefully re-employed in cases of hardship, such as a site with constraining topographical conditions, subject to defined evaluation criteria.
.100	Waiver of Development Standards	Carry forward with possible revisions limiting when waivers can be used, and replacing waiver requests with other, more well-defined procedures (variances, minor deviations).
.110	Minor Deviations	Carry forward with amendments to how this process is used, limit to 10% deviation from quantifiable standards. Discuss other standards to which this procedure can apply.



Detailed Review of Title 30		
Section	Title	Comments
.120	Design Review	Carry forward. Updates to development standards may contribute to increased frequency/reliance on this.
.130	Administrative Design Review	Staff indicated no issues with this procedure and interest in expanding use of this procedure where possible. Carry forward with edits as warranted by discussion of expansion.
.140	Vacation and Abandonment	Staff indicated no issues with this procedure. Carry forward.
.150	Reconveyance of Public Property	Eliminate this section.
.160	Administrative Street Naming	Staff indicated no issues with this procedure. Carry forward.
.170	Street Name or Numbering Change	Staff indicated concerns about life/safety issues associated with changes and would like to Board of County Commissioners have final review and decision-making authority on this issue.
.180	Waiver of Conditions	Carry forward, subject to review for updating standards that generate frequent waivers.
.190	Annexation Request	Staff indicated no issues with this procedure. Carry forward.
.200	Extensions of Time	Some extensions are administratively approved (10 days), while others seem to require public hearing. Request staff input to clarify administrative extensions versus public hearing extensions; consider possible expansion of administrative reviews.
.202	Applications for Review	Staff indicated no issues with this procedure. Carry forward. Consider creating an administrative review application to meet BCC interest.
.205	Zoning Compliance Application	Staff indicated no issues with this procedure. Carry forward.
.206	Development Agreement	Remove from application procedures; relocate description to Administrative Manual. Staff indicated the need for a separate performance agreement process.
.210	Application Process	Create common review procedures to avoid repetition. Carry forward provisions from this section with edits. Staff did not indicate any problems with content; only that some provisions only appear here and not in the application-specific tables, which requires flipping back and forth. Keep application-specific requirements with each application type but review to ensure continued validity in submittal requirements – some items no longer considered necessary or useful (for example, RISE report) to be revised or removed.
.220	Hearing Process	This section is deleted from the current code. Inclusion of summary table of development review procedures (see .020 above) should help to address public confusion over public hearings.
.230	Notice	Review of notification requirements as described in Themes section of this report (Review the Public Participation Process). <ul style="list-style-type: none"> <li>Evaluate whether NRS notification minimums are adequate, or should be expanded</li> <li>Where possible, standardize requirements, particularly with regard to notification radius</li> </ul>

Detailed Review of Title 30		
Section	Title	Comments
		<ul style="list-style-type: none"> <li>Consider expanding application types that require posted signs</li> <li>Determine situations when renotification should be required.</li> </ul> <p>Currently, Mixed Use Developments required particular notifications. With creation of zoning districts that allow mixed use, these provisions to be eliminated.</p>
.240	Document Submittal Requirements	Remove materials listed here to an Admin Manual. This will enable materials requirements to be updated without requiring amendment to code, and also allow staff flexibility in waiving requirements for certain documents, or portions of certain documents, such as the RISE report.
<b>30.20: Major Project Application Processing</b>		
<b>Generally</b>		Revisions to this section depend on further discussion with staff as to whether it is preferable to update the existing procedure (including review of 300-acre project threshold and applicable development standards) or eliminate it, relying instead on other updated procedures, such as Subdivision or PUD, to review such projects.
<b>30.24: Planned Unit Development</b>		
<b>Generally</b>		Review with staff input to determine standards and requirements that prevent wider use of PUDs. Revise accordingly to simplify applicable standards and make process more viable for use on development proposals.
.010	Purpose	Use for infill and revitalization should be encouraged.
.020	Applicability	Revisit area threshold and current process for waiving the minimum (NRS 278A requires a minimum of 5 acres, but this can be waived). Does the common ownership provision act as barrier?
.030	Pre-Submittal Conference	Currently not required for PUDs, but required for high impact projects (HIP), resort hotel uses, or as requested. Update section based on further discussion – if kept, consider clearer standards for consideration.
.040	Procedures to Establish	Provision A is complicated, requiring special use, subdivision map, and design review. Consider simplifying.
.050	Plans Approval, Conditions, Conformance, and Amendments	
.060	Development Standards	Review. Generally, updated development standards in the code may be able to replace these.
.070	Open Space Requirements	Consider overhaul of this section to clarify how open space requirements are applied (especially related to density bonus projects) to ensure results are predictable and not an impediment to the use of PUDs when appropriate.
.080	Design Standards and Guidelines	Design standards and guidelines that do not apply when using other development procedures may be a contributing reason to why PUDs are not used.
.090	Special Development Standards	Same observation: requirements that would not apply if other development procedure is used may have discouraged use of PUD.

Detailed Review of Title 30		
Section	Title	Comments
<b>30.28: Subdivision Application Processing</b>		
<b>Generally</b>		Move this into section on development review application processing, rather than maintaining as a separate section.
<b>30.32: Permits and Licenses</b>		
<b>Generally</b>		Some sections of Permits & Licenses, such as Time Restrictions on Work in Streets, can be relocated to other regulatory documents. Further discussion needed on keeping, relocating, or eliminating other portions of this section.
<b>30.36: Zoning Districts and Maps</b>		
<b>Generally</b>		Consolidate chapters 30.36, 30.40, and 30.48 in a single Districts chapter
<b>30.40: Zoning Base Districts</b>		
.010	General Applicability	Expand this section to detail the updated organization of the chapter, relationship to zoning map, and rules for interpretation of boundaries.
.020	Permitted Deviations from Bulk and Intensity Requirements	Move to Development Review Procedures to include alongside other administrative minor deviations
.030 .080 .130 .170 .220 .260	General	Establish minimum lot size as the metric for addressing maximum density (as opposed to dwelling units per acre). Update purpose statements and standards to reflect purpose of new and updated zoning districts.  Discuss whether to keep “gross” as a lot size.
.070	R-D, Suburban Estates Residential District	Standardize the location of measurement for setbacks to be from the property line (along with all other districts). Staff has indicated interest in having more consistent measurements for attached and detached sidewalks.
<b>30.44: Uses</b>		
.050	General	Expand this section to include the purpose and organization.
.010	Uses Allowed in Zoning Districts	Consider eliminating the Conditional Use (“C”) and clarifying that some standards apply to Permitted Uses (“P”). Provide new section with detailed standards for certain uses or that apply to all uses (e.g., unless otherwise noted, all uses must be conducted within a permanent enclosed building).
.030	Global Use Table	Create section for global use table
<b>30.48: Zoning Overlay Districts</b>		
<b>Generally</b>		Consolidate chapters 30.36, 30.40, and 30.48 in a single Districts chapter
<b>30.52: Off-Site Development Requirements</b>		
<b>Generally</b>		Staff indicated that this section mainly covers Public Works standards, and that it is not much used by Planning Department staff. However, the section needs to be retained, and reviewed in cooperation Public Works to update the standards to match rest of Title 30 improvements.

Detailed Review of Title 30		
Section	Title	Comments
		Sections related to subdivisions can be relocated to the proposed Subdivision Standards chapter.
.010	Purpose	Carry forward with edits as necessary.
.020	Applicability	Carry forward with edits as necessary.
.025	Sight Zones	Though relocated from 30.56, this section could be reincorporated into Site Development Standards, if discussions with staff determine that 30.52 should be eliminated and its regulations relocated to other sections.
.030	Street Requirements	If staff accept the proposal for a new Access, Connectivity, and Circulation section, street requirements could be part of that section, with some provisions incorporated into the Subdivision Standards section, as appropriate.
.035	Trail Requirements	If staff accept the proposal for a new Access, Connectivity, and Circulation section, street requirements could be part of that section.
.040	Improvement Requirements	
.050	Improvement Standards	The street and drainage standards described in this section reference Public Works standard drawing and regulatory documents outside Title 30 (Uniform Regulations for the Control of Drainage, Section 32 and 35). Retain reference to the Public Works manuals and consider future updates to make that manual more user-friendly.
.052	Street Configuration in Residential Subdivisions	Relocate these regulations to a section on Subdivision Standards.
.055	Traffic Impact Analysis Requirements	Could be integrated into either Site Development Standards, or Access, Connectivity, and Circulation requirements.
.060	Utility Improvement Requirements	Could be relocated under the new section encompassing standards from 30.56, Site Development Standards.
.070	Responsibilities of Developers/Property Owners for the Provision of Utilities	Could be relocated under the new section encompassing standards from 30.56, Site Development Standards, and Subdivision Standards.
.080	Improvement Requirements for Minor Subdivisions	Relocate these regulations to a section on Subdivision Standards.
.090	Completion of Public Improvements	Relocate regulations as relevant to a section on Subdivision Standards.
.100	Provisions for Water	Consider relocation of this section to development standards for subdivisions or development in general (depending on standard).
.110	Provisions for Sanitary Sewerage Facilities	Consider relocation of this section to development standards for subdivisions or development in general (depending on standard).
.120	Waivers	
30.56: Site Development Standards		
<b>Generally</b>		Relocate Standards in Part A to new section describing Measurements and Exceptions, along with the supporting Figures from this section.

Detailed Review of Title 30		
Section	Title	Comments
.010	Purpose	Carry forward.
.020	Permitted Administrative Minor Deviations from the Standards of this Chapter	Carry forward.
<b>PART A: LOT AREA, YARDS, AND SETBACKS</b>		
.030	Lot Area	Relocate to section on Measurements and Exceptions.
.040	Yards, Setbacks, and Driveways	
.045	Height Intrusions	
.050	Sight Zones	This section has been relocated to 30.52.025. It could be reincorporated into Site Development Standards, if discussions with staff conclude that 30.52 should be eliminated, and its regulations relocated to other sections.
.060	Special Setbacks	Carry forward but relocate to Measurements and Exceptions. Elimination of R-U district will require updating provision b.
.070	Height	Relocate to section on Measurements and Exceptions.
<b>PART B: SUBDIVISION DESIGN</b>		
This is a central component of the proposed new section that combines all subdivision-related regulations in one location.		
.080	Lot Configuration	Carry forward, relocate to Subdivision Standards section.
.085	Energy Efficient Lot Configuration and Building Orientation	Combine this as a subsection of .080, Lot Configuration; relocate to Subdivision Regulations section.
.090	Street Configuration in Residential Subdivisions	Though deleted from this section, this topic is covered in 30.52.052. As with other subdivision-related standards, recommend consolidation into a new Subdivision Standards section.
<b>PART C: HILLSIDE DEVELOPMENT</b>		
.100	Design Standards – Hillside Development	Initial interviews did not surface any particular issues with these standards. Carry forward without significant edits, unless otherwise indicated by further feedback from staff. One question re: provision h. in this section is whether a public hearing could be replaced with staff level approval under Administrative Design Review, if criteria are met.
Table 30.56-1	Maximum Site Disturbance, Natural Area	As above, carry forward without significant edits, unless otherwise indicated by further feedback from staff.
<b>PART D: DESIGN STANDARDS</b>		
General recommendation regarding Design Standards is a careful and thorough review to expand and enhance current standards, calibrated to apply in varying contexts, with the goal of improving development quality.		
Table 30.56-2	Multiple Family Residential and Nonresidential	Access: Relocate to section on Access, Connectivity, and Circulation. Additions: Carry forward.

Detailed Review of Title 30		
Section	Title	Comments
	Development Design Standards	<p>Architectural Features: Expand, with edits to include objective, specific standard requirements. Allow flexibility through menu of options that enable compliance.</p> <p>Cross-Access: Relocate to section on Access, Connectivity, and Circulations.</p> <p>Dimensions: Carry forward.</p> <p>Drive-Thru Service: This is a standard that could be relocated to Use-Specific Standards.</p> <p>Exterior Materials: Expand, with edits to include objective, specific standard requirements, compliance with which may eliminate the requirement for public hearings on “compatibility” and alternative exterior color choices. Allow flexibility through menu of options that enable compliance.</p> <p>Masking: Carry forward.</p> <p>Mechanical Equipment: Since this is a frequent cause for waiver requests, review standards for possible alterations, aligning with frequently approved waivers.</p> <p>Orientation: Provisions 2, 3, and 4 are vague. Update. Provision 1 is related to Addressing Policy and should be updated along with future changes to that policy.</p> <p>Pedestrian Realm: Updated sidewalk requirements to be covered in section on Access, Connectivity, and Circulation.</p> <p>Security and Defensible Space: This is vague and optional. Expand or eliminate. The fencing requirement for swimming pools is covered in 30.64.060, Water Features.</p>
Table 30.56-2A	Single Family Design Standards	<p>Generally: With the elimination of the RT district, and the regulation of manufactured homes as a use, further discussion with staff on the distinction between standards for on-site construction and manufactured housing is needed. Not applying these standards to manufactured homes can help in maintaining their advantage in affordability. Conversely, allowing lesser standards for manufactured homes can contribute to resistance to their integration in residential districts.</p> <p>Additions: “Architectural compatibility” is vague. Carry forward with edits.</p> <p>Architectural Features: Specific regulation of architectural features and enhancements on single family dwellings is not recommended, unless negotiated as part of a PUD or other master planned community proposal.</p> <p>Dimensions: Carry forward.</p> <p>Exterior Materials: Are these standards working? Review with further staff input.</p> <p>Masking: Carry forward.</p> <p>Mechanical Equipment: Carry forward. Expand beyond compact/urban districts?</p>



Detailed Review of Title 30		
Section	Title	Comments
		Orientation: Garage provision is vague. For corner lots, expand and clarify information on determining the front for the lot. Pedestrian Realm: Updated sidewalk requirements to be covered in section on Access, Connectivity, and Circulation. Relocation Permitted: "Architectural character" is vague. Carry forward with edits.
.120	Trash Enclosures	Carry forward with possible edits to the separation and screening requirements that generate frequent waivers. Further staff input requested.
<b>PART E: OCCUPANCY STANDARDS</b> Section deleted; reinstatement not recommended.		
<b>PART F: LIGHTING STANDARDS</b>		
.135	Lighting Standards for Commercial, Industrial and Special Development	Review of this section can be part the larger review of Lighting Standards.
<b>PART G: ALTERNATIVE STANDARDS</b>		
.140	Alternative Site Development Standards	In the current code, this section is very brief. To support providing flexibility, incentives, and varied options withing the new code, request further discussion with staff on Alternative Site Development Standards, to include a menu of options and incentives.
<b>30.60: Parking and Loading Requirements</b>		
<b>Generally</b>		Parking requirements would be impacted by a decision to move forward with context-dependent standards, with less urban areas possibly subject to lesser requirements. Generally, we will begin our review and revisions to parking and loading requirements on the basis of previous efforts staff made to update this section.
.010	Purpose	Carry forward.
.020	General Parking Regulations	Carry forward with edits. Provision a. Specify threshold for enlargement or expansion beyond which increased parking requirements apply. Provisions i. and j. Consolidate all parking lot and drive aisle standards in section .050
.030	Parking Requirements	Carry forward with edits. Provision a. Expand explanation of how unlisted uses will be assessed.
	Table 30.60-1 Schedule of Parking Requirements	Review parking schedule against suggested ITE ratios, as well as observed experiences with parking schedules in comparable communities. Feedback indicates that Resort requirements may be higher than necessary.
	Table 30.60-2 Required Bicycle Parking Spaces	Propose for discussion that, in certain urbanized locations, provision of bicycle spaces may be used for a modest reduction (up to 5%) in required parking.
.035	Shared Parking Schedule	Carry forward.

Detailed Review of Title 30		
Section	Title	Comments
	Table 30.60-3 Shared Parking Schedule	Carry forward with review for possible expansion.
.040	Alternative Standards to Reduce Parking Requirements	Provision D allows for reduction based on a parking study. This is a tool employed by many communities to allow parking reductions, possibly circumscribed by an upper limit, and classified as a staff-level decision. Consider wider use of parking studies prepared by a traffic engineer and subject to staff decision as another means of reducing reliance on waivers. Discuss with staff additional possibilities for allowing parking reductions, if there is interest in such provisions.
.050	Design and Layout of Parking	Carry forward with edits. a.1.E Move this provision to Design section. a.1.G: How does this align with Trash Enclosure requirements in 30.56.120? That section indicates trash and recycling should be located together, but does not mention allowing the enclosure to occupy a required parking space. b. Move to immediately precede Table 30.60-4. c.12: Possibly relocate some provisions regarding off-site connections to Access, Connectivity, and Circulation.
	Table 30.60-4 Automobile Parking Layout	Carry forward.
.060	Mobility Impaired Accessible Spaces	Carry forward.
	Table 30.60-5 Schedule of Accessible Parking	Carry forward.
.070	On-Site Loading Requirements	No discussion of loading requirements causing issues; carry forward without significant edits, unless otherwise instructed by staff.
	Table 30.60-6 Schedule of Loading Space Requirements	Carry forward.
.080	Alternative Loading Standards	Carry forward.
.090	Motor Vehicle Access	Since this is not related to Loading requirements, relocate to earlier section on Design.
30.64: Site Landscape and Screening Standards		
<b>Generally</b>		Landscaping and Screening Standards would be impacted by a decision to move forward using context-dependent regulation, with less urban areas possibly subject to lesser requirements. An important aspect in the review of this section will focus on maintaining flexibility, while eliminating language that is vague and subject to various interpretations.
.010	Purpose	Carry forward.
.020	Fences and Walls	No major issues with these regulations. We will review and edit, but mainly carry forward, unless otherwise directed by staff.

Detailed Review of Title 30		
Section	Title	Comments
		3. Does the neighbor consent provision work well, or should alternate means of approval for reducing redundant walls be considered?
.030	Landscaping	Reorganizing this section to break up long lists of standards into smaller categories with sub-sections, plus edits to content as necessary.
.040	Screening and Buffering Requirements	Carry forward. Main content is in the following tables.
	Table 30.64-1 Single-Family Residential Screening and Landscape Buffer Requirements	Staff have indicated that this Table is useful and frequently referenced. Carry forward the content, but suggest considering alternatives to table entries that are simply references to figures outside the table. Any figures carried forward, or new figures created to illustrate these requirements, will be reviewed with staff to ensure they are accurate and easily understandable.
	Table 30.64-2 Non-Single-Family Residential Screening and Landscape Buffer Requirements	As above, staff have indicated that this Table is useful and frequently referenced. Carry forward the content, but suggest considering alternatives to table entries that are simply references to figures outside the table. Again, figures would be subject to review with staff to ensure they are accurate and understandable. We can also work with staff to determine if screening and buffering requirements are based on the zoning district in which a use is located, or based on the use itself (particularly for approved special uses or nonconforming uses). For non-residential development, we also recommend creating a separate and expanded section to address parking lot landscaping.
.050	Alternative Standards	B. Many communities allow for Alternative Equivalent Compliance with landscaping standards through a defined procedure that can be applied more widely than the current provision related to site conditions allows. Such a procedure is not a waiver, but encourages comprehensive alternative landscaping proposals that feature greater sustainability or conservation measures, or other creative means that still accomplish the objectives of landscape requirements. If staff are interested, we can further discuss the possibility of enabling such a provision in the County.
.060	Water Features	Carry forward with edits as warranted.
<b>30.66: Landscape Maintenance Districts</b>		
<b>Generally</b>		Section is not used. Though Landscape Maintenance Districts are described in NRS, it may not be necessary to carry forward this corresponding provision in Title 30.
<b>30.68: Site Environmental Standards</b>		
<b>Generally</b>		Staff did not describe any major issues with this section, indicating that Code Enforcement are the main users of the section. Standards described here are minimal, with several sub-sections being one sentence cross-references to other regulatory documents (Title 9, for instance). Further discussion with staff to evaluate whether to maintain the section and expand the standards in it, or to eliminate it, relocating relevant

Detailed Review of Title 30		
Section	Title	Comments
		portions to other code sections, such as Site Development Standards or Off-Site Development Requirements.
.010	Purpose	Carry forward with edits as necessary.
.020	Noise	Carry forward with edits as necessary, to include accompanying tables.
.030	Lighting	This section is a sentence that references other sections of the code with lighting standards, both 30.48 Overlay Districts and 30.56 Development Standards. As we assess lighting provisions in those sections for updates, it may be desirable to relocate the provisions into one consolidated section on lighting standards. A consolidated lighting section could be relocated to 30.68, replacing the current single sentence cross-reference in .030. Because staff indicated interest in dark-sky provisions to apply in certain areas of the County, we can add proposed language for such regulations into the Lighting section.
.040	Vibration	Discuss expansion, relocation or elimination.
.050	Odors	One sentence cross-reference. Discuss expansion, relocation, or elimination.
.060	Smoke and Particulate Matter	One sentence cross-reference. Discuss expansion, relocation, or elimination.
.070	Hazardous Materials	Reference to Fire, Building and NRS code regulations. Discuss expansion, relocation, or elimination.
.080	Adjustments to Site Environmental Standards	This section does not specify what process is used to request an adjustment. We presume it is a waiver. We can review with staff what standards are being waived, if they should continue to be, or if parameters should be established to limit the extent of any exception that can be requested to these standards.
<b>30.72: Signs</b>		
.010	Purpose	Carry forward with edits.
.020	Signs Prohibited	This section has been deleted in Title 30, but interspersed through the other sections of the Signs chapter (particularly 30.72.040) are numerous prohibitions. These should, at a minimum, be grouped under a sub-heading, or reconstituted into a section specifically describing prohibited signs (for example, signs that imitate traffic control devices, signs that exceed FAA regulations, signs with misleading or immoral messages, etc.). We can review with staff whether prohibited signs that have been granted waivers should be reclassified as permitted.
.030	Exempt Signs	This is another deleted section where, as above, content could be regrouped under a sub-heading, or reconstituted in a separate section. This section would cover flags, political signs, and other signs that do not require a permit.
.040	Requirements of General Applicability	As suggested above, some provisions of this section will be reclassified, while other will be retained. In addition to sub-sections on prohibited and exempt signs, we recommend relocating information about sign types (flags, pennants), design and maintenance, location, and measurement into their own sections.

Detailed Review of Title 30		
Section	Title	Comments
		040.9 Alternative Signs and Sign Standards: See Comprehensive Sign Plan (30.72.055).
.050	On-Premises Signs	We propose to carry forward the table structure for permitted signs, while reviewing content. Some of the current sign-type classifications (directional, nameplate) could be categorized as content based.
.055	Comprehensive Sign Plan	Expand applicability beyond the current C-P Office and Professional zoning district, and incorporate provisions from 30.72.040.9, Alternative Signs and Sign Standards. There should be one defined means of asking for variations to sign standards, applicable across all zones where such requests are permitted.
.060	Off-Premises Signs	Content regulating off-premises signs (i.e., billboards) to remain in 30.76.060, with the exception that provisions related to converting a billboard to a digital sign will be included in the Signs section.
.070	Temporary Signs	Carry forward with revisions as warranted to content.
<b>30.76: Nonconformities</b>		
<b>Generally</b>		Staff has indicated a thorough review and rewrite of the Nonconformities section is needed. In addition to performing that review and rewrite, we recommend moving this section of the code under the Administration & Enforcement section.
.010	Purpose	Carry forward with edits.
.020	General Standards of Applicability	Carry forward with revisions as warranted to content.
.030	Nonconforming Lots of Record	Carry forward with revisions as warranted to content.
.040	Nonconforming Structures	Carry forward with revisions as warranted to content.
.050	Nonconforming Uses	Carry forward with revisions to content. Incorporate 30.76.070 and 30.76.080 as subsections.
.060	Exceptions	Carry forward with revisions as warranted to content. Content related to Off-Premises Signs will remain in this chapter.
.070	Nonconforming Manufactured Home Parks	This is a use, relocate as subsection of Nonconforming Uses (currently 30.76.050).
.080	Nonconforming Adult Uses	This is a use, relocate as subsection of Nonconforming Uses (currently 30.76.050).
<b>30.80 Fees</b>		
<b>Generally</b>		Remove fee information from code, so changes don't necessitate a code amendment. Relocate to Administrative Manual.