Transform Clark County

Title 30 Adoption Final Responses to Comments

Source	Comment	Response
Ann Casey anniekc@gmail.com 6/14/23	Good morning, attached is a word document with suggested corrections, with explanations, to a couple of sections of the latest UDC draft for consistency and to avoid ambiguity. Please confirm that you received this.	Email and comments received.
Ann Casey anniekc@gmail.com 6/14/23	30.04.07.B.4.i (a) All on-site lighting shall be shielded or <u>otherwise</u> designed to prevent <u>glare and</u> light trespass onto adjacent property. ---- The standard, 30.04.07.B.4.i(a), in latest draft, requires that light be shielded "OR" "designed" to prevent only trespass, not glare. Shielding addresses both glare and light trespass, but “design” addresses light trespass. This needs to be revised to make it consistent with the prohibition against both glare and light trespass in 30.04.07.B.3.i, rather than just light trespass. The brightness standard in 30.04.07.B.4.i.(b) is not applicable to glare. “Glare” is due to a difference between artificial light and ambient light. It is not dependent on the brightness of the artificial light. The darker the ambient light the more glare possible, even from a dim light. Glare is, almost exclusively, due to the “lamp” (light source) being visible. The definition of "shielded" recognizes this, requiring that the lamp not be visible. Even a dim light can cause glare if unshielded if not otherwise designed to be out of the line of sight – as with indoor lighting where a shade is used for table lighting, but not needed for ceiling lighting above the line of sight. The use of "Or" in 30.04.07.3.i and "And" in 30.04.07.4.i.(a) is consistent. "Or" is appropriate in 30.04.07.3.i to protect against 1 or the other; it need not be both simultaneously. "And" is appropriate in 30.04.07.4.i(a) because both are prohibited, not just one or the other.	Comment noted. During the public hearing, staff will read into the record a revision to clarify the existing language to address this comment.
Ann Casey anniekc@gmail.com 6/14/23	30.07.02 Accessory Vehicle and Watercraft Storage The storage of a recreational vehicle, ~~travel~~ trailer, watercraft, and/or off-highway vehicles at a residence or within a residential development. ---- The definition of recreational vehicle has been revised to include travel trailer, so it need not be used here. A definition has been added for trailer, which is also an accessory vehicle and so should be included here. Note in previous draft that this term replaces	Comment noted. During the public hearing, staff will read into the record a revision to address this comment.

Source	Comment	Response
Ann Casey anniekc@gmail.com 6/14/23	30.03.03 Accessory Vehicle and Watercraft Storage Layout and Design - Limited to a maximum of 3 ~~recreational~~ accessory vehicles ---- Either Sami Real or Ann Bachir explained that a maximum limit of 3 was set as a reasonable number to allow, for example, multiple accessory vehicles such as an RV, a boat, and a 4-wheeler. Makes perfect sense. The change addresses this reasoning. It also more clearly addresses the subject of the section - accessory vehicles. Limiting only the number Recreational vehicles would allow for 3 RV's, but also say 10 boats, 5 trailers, 6 4-wheelers, etc.	On January 6, 2016, staff brought forward an ordinance at the direction of the Board of County Commissioners (Board) to specifically prohibit the parking of more than 3 recreational vehicles and travel trailers on residentially zoned property. This ordinance was adopted by the Board on January 18, 2016. The language in today's Title 30 and the Code Rewrite reflects this prior direction by the Board. Changing the language to be more restrictive and apply to a wider variety of vehicles would be in conflict with the prior direction of the Board. In the example provided, if a property owner is storing vehicles that are not under their ownership outside, and in exchange for a fee, this use would be considered outside storage and a commercial use of property which is not allowed in residential zoning districts.
Ann Casey anniekc@gmail.com 7/16/23	30.04.07 OPERATIONAL STANDARDS A. Purpose The purpose of this Section is to protect adjacent uses and the community from excessive noise, light, smoke, particulate matter, odors, and hazardous materials generated by uses conducted on a property. B. Exterior Lighting 2. Applicability All exterior lighting shall meet the requirements of this Section, subject to the following exemptions: v. Security Lighting: Security lighting in nonresidential areas of any wattage controlled by a motion-sensor that remains on no longer than 12 minutes after activation. 3. Prohibited Lighting Types The following types of exterior lighting are prohibited, unless specifically allowed elsewhere in this Title: v. Lighting in residential areas that allows spillage of light into the sky, visible on a roof or above the roof line. ---- - To confirm discussion with Ann the other day - Security Lighting should not be exempted from lighting standards - shielding to avoid .2 Foot-candles light trespass and glare shielding. Adjacent residential property must not be subject to excessive light regardless of the time frame it is on. And security lighting may be on a motion sensor, which can trigger just from wind, in which case the light may be set to be on only 12 minutes, but in fact will stay on as long as it is windy. - I think the operational standards are applicable to all districts. if that is the case, certainly don't want it to apply to say the strip. so restrict it to at the least residential areas. but maybe it's allowed in other areas by some other section. not entirely sure about this. but in case.	Comment noted. During the drafting of the rewrite of Master Plan and Title 30, staff heard from a number of residents throughout unincorporated Clark County that a focused effort on lighting should be conducted to address such matters as dark sky and lighting in RNP Overlay Districts. The Department has added this to their work plan for future code amendments and intends to commence this effort after adoption of the Code Rewrite.

Source	Comment	Response
Ann Casey anniekc@gmail.com 7/16/23	The UDC draft dated 5/25/2023 allows an unlimited number of vehicles to park on residential property. It limits them to 8+ by number, and 5+ by area – subordinate to primary use, for a subtotal of 13+. But, there is no limit on licensed and operable vehicles, or other accessory vehicles and watercraft except RV's (as presently written). - 8+ = 2+ unlicensed or inoperable automobiles as hobby vehicles (30.03.03 B11), 3 RV's (30.03.03 A3), 1 automobile used for commercial purposes (30.03.01 D30), and 2 unlicensed but operable automobiles (30.04.04 G7). - 5+ cars for subordinate area /1000 sq ft. of primary use. (for both hobby and accessory vehicles) - Unlimited everything else (licensed and operable vehicles, accessory vehicles and watercraft besides RVs, trailers) Effectively then, the code allows unlimited vehicle parking/storage so long as it is on the proper surface, which under nonurban street standards is simply gravel. Hobby vehicles must be screened, but there is no such screening requirement for other parking/storage.	Comment noted. Staff has met with Ms. Casey on this matter and is committed continuing to work with Ms. Casey.
Ann Casey anniekc@gmail.com 7/16/23	The draft addresses vehicle parking and storage in 4 different sections (30.03.01 D3, 30.03.03A3, 30.03.03 B11, and 30.04.04 G7). It is confusing and difficult to clearly determine what is allowed or prohibited across sections. The code leaves unspecified how the area of the accessory use is determined (possibly based on individual vehicle footprint or required parking space size?) and what constitutes the primary use (including only indoor living space or total footprint under 1 roof, or any additional outdoor living area). Most significantly it seems to allow for a separate subordinate area limit for each type of accessory use, i.e. subordinate area for hobby vehicles and for RVs separately, rather than in total. I recommend combining all residential vehicle parking and storage (except outside storage in RRO 30.03.04 D4) into a single cohesive section in 30.03.03A as Residential Vehicle Parking and Storage. The combined section should establish reasonable limits for parking and storage of all vehicles in total. Such standards will protect residences from being subjected to an adjacent backyard effectively being turned into an allowed parking lot. The standard should walk the line of protecting reasonable rights of use that do not unduly interfere with the rights of others.	Comment noted. Staff has met with Ms. Casey on this matter and is committed continuing to work with Ms. Casey.

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Ann Casey anniekc@gmail.com 7/16/23	I have attached a redline that incorporates these principles for your consideration. It combines all sections into 1 single clear and cohesive Residential Vehicle and Parking and Storage section and fills in logic gaps. - It recognizes a single category of accessory use for vehicles, incorporating RV's and the like, and hobby vehicles and other unlicensed/inoperable vehicles, but excluding what would be considered primary vehicles. Regulation of accessory use for vehicles is then consistent with that of accessory buildings. It establishes clear and consistent standards for both parking and storage for all types of accessory vehicles and treats them comprehensively as a single category. - It incorporates the draft's numerical limits for accessory vehicles and limit based on area subordinate to primary use. - It establishes a screening requirement from adjacent properties for all vehicle storage, not just hobby vehicles. - And finally, it requires an impervious surface for vehicle work consistent with the requirement for vehicle repairs and maintenance to address environmental concerns. The recommendation provides for a more consistent, coherent, reasonable, and manageable application that protects one's rights to use their own property while also protecting adjacent residences from the nuisance and devaluation of living next door to a parking lot.	Comment noted. Staff has met with Ms. Casey on this matter and is committed continuing to work with Ms. Casey.
Anna Peltier anna@folkforlife.com 7/17/23	Hello, I am the current President of the Nevada Chapter of the American Society of Landscape Architects. Our organization has some concerns regarding the Title 30 updates, particularly area that are not to industry standards and that handicap us as environmentally responsible designers. I would like to set up a meeting to discuss further. I had attended Public Meeting #1 on July 10 but was cut off before I could finish going through the concerns.	Meeting scheduled.
Anne and Jeff Hein heavenscentials@gmail.com 7/17/23	Hello, We are submitting the following comments regarding changes to the Master Plan and Title 30. With regard to rural, RNP and larger lots, we would ask for the following considerations:	Comment noted.
Anne and Jeff Hein heavenscentials@gmail.com 7/17/23	The fill for properties is too high. When fill is used and not necessary, houses, apartments or other buildings sit too high when close to established houses. Please consider limiting fill to no more than 2 feet and not placing it closer than 10 feet near shared property lines. When fill is too high or property lines are too close, it greatly imposes on established houses. When cameras and spot lights are placed on these higher and closer properties, the established homes experience greatly reduced privacy and lights that are annoying and harmful.	Title 30 currently allows up to 3 feet of fill and allows the fill to be placed along the property line with no requirements for stepping the grading back away from the adjacent residential property. Today, a design review application is required to increase the fill above the 3 foot fill height limit. This application is routinely approved with a condition stating "Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site." The Code Rewrite carries forward the same 3 foot allowance, but then requires the fill height to be stepped back at 3 foot internals at distances of 5, 20, and 50 feet from a shared property line. The intent of this new design standard is achieve a more gradual increase in fill heights. If an applicant wishes to have fill heights in excess of these standards, a waiver of development standard would be required which its own set of standards for approval; see 30.06.06F for applicable Standards for Approval.

Source	Comment	Response
Anne and Jeff Hein heavenscentials@gmail.com 7/17/23	There should be no two story homes built next to established single story homes. This is an intrusion of privacy and imposed on properties in rural areas and single story homes.	Single family residentially zoned properties, including properties within a Rural Neighborhood Preservation Overlay, have a height limitation of 35 feet and the number of stories that can be accomplished within this height limitation is not regulated in Title 30 today and is not proposed to be regulated going forward. However, a new regulation (30.04.06G.2) has been added to ensure residential development next to an RNP does not exceed the building height of what is found in the neighboring RNP.
Anne and Jeff Hein heavenscentials@gmail.com 7/17/23	The height step backs and limits are too high next to single family or established properties.	Comment noted.
Anne and Jeff Hein heavenscentials@gmail.com 7/17/23	Green spaces are greatly needed in areas that are being overbuilt. People, children and animals need places to cool off and play. Las Vegas and Clark County are becoming concrete jungles, which also contribute to climate change and overheating in already too hot areas. Trees also provide protection from over heating spaces.	Comment noted.
Anne and Jeff Hein heavenscentials@gmail.com 7/17/23	Good and thoughtful planning means a reduction in over building where water needs to be conserved. Arizona as well as Lake Tahoe are examples of having a moratorium on building where it is not feasible for maintaining a healthy state and considering current residents and limited water.	Comment noted.
Chris Meyer chris@chrismeyerglobal.com 7/11/23	Thanks, team, for keeping us informed of the new zoning designations. As the President of our HOA, I must keep the community informed of plans for our neighborhood. I have always enjoyed the professionalism of the Clark County planning staff—good luck with your next presentation. Maybe you won't get so many questions from the audience. Keep up the excellent work.	Comment noted.
Chris Smith cmsmith30@hotmail.com 6/17/23	Leave Clark County alone! It doesn't need to be transformed by a bunch of government bureaucrats and politicians or anyone else! It is just fine the way it is! Please don't fix what isn't broken! Stop this! Thank you	Comment noted.
Dean Martin Rural Neighborhood Preserve, Tommy Lopresti zoningissue89139@gmail.com 7/11/23	Department of Comprehensive Planning Members, I attended the July 10th public meeting focused on the Title 30 ReWrite and I just wanted to thank you all for the professional and educational manner in which it was held. I just wanted to email some of the concerns I brought up at that meeting in hopes they will get recognized and responded to before the August 2nd vote of the Board of County Commissioners. 1.) add the verbiage 'intended to transition between lower-density and moderate-density residential neighborhoods' to the purpose section of all residential zoning districts 2.) Require a SUP to any development abutting a Rural Neighborhood Protection Overlay district to ensure the application process is more detailed and involved than only a design review I plan on attending the meeting on the 17th as well and try to get more neighbors to take part in this opportunity you have given us to be heard. I know this has been a lengthy and very detailed process for you as a group and I personally can't thank you enough for making this rewrite more user friendly, understandable and easy to navigate for the layman.	See responses below under EPG Law Group and Stakeholder Meetings regarding transitions and requiring a Special Use Permit in limited circumstances when next to an RNP.

Source	Comment	Response
EPG Law Group, Elias George elias@epglawgroup.com 7/17/23	Dear Commissioner Jones, I am writing on behalf of Teller and Cathy Fry from the Mountain's Edge RN, and Tommy LoPresti from the Dean Martin RN, whom our firm represents in relation to ORD-23-900203, concerning the County's repeal and replacement of Title 30. I am aware that you have already met with Teller and other constituents from rural preservation neighborhoods, so I will refrain from reiterating their specific concerns. As a land use and zoning attorney with prior experience as a deputy city attorney for the city of Las Vegas, I am well acquainted with the challenges and complexities involved in amending, let alone rewriting, an entire land use code to accommodate diverse interests. It is for this reason that local governments establish "goals" and "purposes" as guiding principles for amending their land use codes, aiming to achieve harmony and consistency in community development. The Purpose of an NPO (Neighborhood Preservation Overlay), namely, Section 30.02.26(F)(1) of the proposed ordinance explicitly states that the NPO is established to both "preserve" and "conserve" rural neighborhoods in our community. While these words have distinct yet significant meanings, with "preserve" implying the maintenance of the original form or condition and "conserve" emphasizing the active management and sustainable use of resources to prevent waste or depletion, my client's interest lies precisely in preserving and conserving rural neighborhoods as outlined in the County's proposed ordinance, without disrupting nearby development.	Comment noted
EPG Law Group, Elias George elias@epglawgroup.com 7/17/23	Special Use Permit To ensure consistency between the Master Plan, the Code's purpose, and any adjacent or nearby development within 330 feet (such as hotels, mixed-use projects, or medium to low-density residential areas) without disturbing rural neighborhoods, we respectfully request that Clark County consider amending the proposed code. Specifically, we propose that a Special Use Permit (SUP) be required in limited circumstances where medium to high-density or intensity of uses pose a threat to deplete or disrupt nearby rural neighborhoods. Special Use Permits are valuable tools as they shift the initial burden of ensuring compatibility and harmony of newly proposed developments with their surroundings onto the applicants themselves. See 101A C.J.S. Zoning and Land Planning § 274. If a developer meets this initial burden by uniquely designing their project to mitigate its impact, then and only then is it subject to review by the Planning Commission or Board, or both. In other words, an SUP does not impede development but rather facilitates a burden-shifting approach that grants the government greater authority to ensure nearby development is suitable and compatible. And because there is already a bevy of statutory and case law regarding SUPs, the incorporation of an SUP into the new code is straightforward. Rather than, for example, trying to specify certain density, use, or height limitations on specific types of future, unknown development, an SUP is a self-policing mechanism. It ensures that developers do not attempt to circumvent the code's purpose, but instead, aim to achieve its purpose.	This comment requests a Special Use Permit be required in limited circumstances where a medium to high-density or intensity use, within 330 feet of an RNP, poses a threat to deplete or disrupt nearby rural neighborhoods. Chapter 30.03 identifies uses permitted, uses permitted with conditions, and uses requiring a Special Use Permit for each zoning district. These regulations apply uniformly throughout the County. An example of uses permitted is a retail use in a commercial zoning district. An example of uses permitted with conditions a kennel is in a commercial district which limits the use to being indoors only. An example of when a Special Use Permit would be required is when a place of worship is proposed to be located within a residential zoning district. Although the place of worship is not a residential use, a Special Use Permit could be applied for and would be analyzed to determine the impact of the nonresidential use in a residential zoning district. To require a Special Use Permit in limited circumstances for uses where none has been required before and that would otherwise be permitted, or permitted with conditions, in a specific zoning district violates the zoning district uniformity requirement and may open the Code Rewrite to legal challenges.

Source	Comment	Response
EPG Law Group, Elias George elias@epglawgroup.com 7/17/23	Distinguishing Design Reviews from Special Use Permits During the recent public meeting, it was suggested that a special use permit may not be necessary due to the availability of the County's Design Review process. However, it is essential to recognize that these are two entirely distinct tools and processes. A Design Review does not place the same level of evidentiary requirement or care on the applicant and, moreover, without an accompanying SUP, it shifts the initial burden of production to the government. See Julian C. Juergensmeyer, Architectural Control, Land Use Planning and Development Regulation Law § 12:3 (3d ed.) (design reviews are largely based on aesthetics and do not require any specific findings: “Although it is possible that the legitimacy of aesthetic regulation may vary with the kind of aesthetic control at issue, the courts have not made distinctions on these grounds”). An SUP, on the other hand, requires that the “applicant meets specific predetermined conditions.” See id. § 5.25 (Standards). In other words, a Design Review focuses on the aesthetics and visual aspects of a project, an SUP specifically considers the tangible and direct impact it has on the surrounding land.	Comment noted.
EPG Law Group, Elias George elias@epglawgroup.com 7/17/23	Also, without an SUP, rural neighbors would have to contest all future and nearby development, resulting in increased transaction costs for future development. Conversely, an SUP reduces transaction costs by shifting the initial burden of compatibility onto the developer, reducing uncertainty, and enhancing planning efficiency. Additionally, it ensures that the Master Plan and Code act as self-policing mechanisms. During the conceptual phase, developers gain a better understanding of the need for their projects to be compatible and harmonious with the nearby rural neighborhoods.	Section 30.06.03C.2 requires an applicant demonstrate compliance with the applicable Standards of Approval set forth in Title 30. This evidence is a requirement of submittal of any application.
EPG Law Group, Elias George elias@epglawgroup.com 7/17/23	Concluding Thoughts I appreciate your time and attention to this matter. Teller, Cathy, and Tommy and the rural preservation neighborhoods value your commitment to community development, and we believe that the inclusion of an amendment requiring a Special Use Permit in the specified circumstances would uphold the integrity of the Master Plan and the Code's purpose while promoting the preservation and conservation of our cherished rural neighborhoods. Thank you for your consideration and time.	Comment noted.
Nevada Housing Coalition, Amanda Vaskov amanda.vaskov@nvhousingcoalition.org 7/13/23	Good afternoon, My name is Amanda Vaskov. I am the Government Affairs & Policy Manager for the Nevada Housing Coalition. On 7/11, I attended the Title 30 Q&A. Following that meeting, I have some additional questions. Thank you in advance for connecting to discuss this.	Comment noted.
Nevada Housing Coalition, Amanda Vaskov amanda.vaskov@nvhousingcoalition.org 7/13/23	Regarding allowed uses, in the consolidated draft (reference pg. 88) affordable housing was allowed with a special use permit in Commercial Neighborhood (CN) and Commercial Professional (CP) Zones. However, looking at the adoption draft (reference pg. 76), affordable housing is not allowed—even with a special use permit—in CN and CP zones. Why did this change from the consolidated draft to the adoption draft? Has affordable housing historically been allowed in what is now referred to as CN or CP zones?	CN is a new commercial zone that does not allow for residential dwelling units. The CP zone combines the current CRT and C-P zones and these zones currently do not allow for residential dwelling units, therefore the new CP zone does not allow for residential units. Affordable housing units are only allowed where residential dwelling units are allowed.

Source	Comment	Response
Nevada Housing Coalition, Amanda Vaskov amanda.vaskov@nvhousingcoalition.org 7/13/23	As for density, I noticed that density bonuses are available for single family residential zones (reference pg. 83 – adoption draft). For residential multifamily zones, the density is fixed per the pre-approved zoning standards. Does this mean that you are unable to apply for a density bonus in RM zones via special use permit? Historically, have RM zone densities always been restricted to pre-approved zoning standards?	Under the affordable housing use, a Special Use Permit is only required if you are trying to obtain an increase in density. In the RM districts, the increased density will be whatever is shown and approved as part of the Special Use Permit.
Nevada Housing Coalition, Amanda Vaskov amanda.vaskov@nvhousingcoalition.org 7/13/23	Looking at the sustainability requirements, in the consolidated draft (reference pg. 201), affordable housing and supportive housing were exempt from sustainability requirements. However, in the adoption draft, affordable housing and supportive housing are no longer exempt (reference pg. 182). Why was this exemption eliminated?	After having extensive discussions with Kristin Cooper and Keven Sipes at Clark County Social Services, it was determined that residents of an affordable housing project should be provided an equivalent sustainable housing option as non-affordable housing residents, especially when considering the goals of sustainability are aimed at reducing such things like energy and water consumption.
Nevada Housing Coalition, Amanda Vaskov amanda.vaskov@nvhousingcoalition.org 7/13/23	Lastly, regarding parking minimums, on page 146 of the adoption draft, the parking minimum for affordable housing is listed as "per single or multi-family unit dwelling." What is the minimum required parking for affordable housing supposed to be (or is this a drafting error)?	This is not a drafting error. The parking ratio is determined on the housing product; single family detached, single family attached, and multi-family. There is also a new provision that allows (true) affordable housing projects to receive a reduction in the minimum parking requirements.
Nevada Housing Coalition, Amanda Vaskov amanda.vaskov@nvhousingcoalition.org 7/13/23	Thank you for your time. I understand that these questions may take time to answer over email. If it is more convenient for you, I am happy to discuss these questions over the phone. My phone number is in my email signature.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Thank you so much for the dialogue these last few weeks. Has been great talking through this document together. While we covered a lot of the comments/questions we had on the Consolidated Draft, I thought it best to get you everything in writing in one spot to look through. High level: I have organized it into essentially 4 parts. Remaining questions/comments, the "withdrawn" top priority issues (you were right about waivers for height! Yay!], new questions that arose from changes between the Consolidated Draft to the Adoption Draft, and then a few "easy" yes/no questions. Happy to chat through this as best we can in the most convenient manner for you. Have a great weekend. Please let me know if you have any questions/concerns.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Date of two mid-July workshops? - Format? Are they open forum to discuss this or "training" where CC staff walk developers and engineers through the changes made/how to redesign to the new standards?	Meeting dates are July 10 and July 17. During these meetings, a brief presentation of Title 30 will be provided and there will be opportunities for the public to ask questions and provide feedback.

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SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Effective date? Discussed 1/1/24 for new submittals, want to confirm if anything has changed? - Concerned with NVE's new design (over 140% load capacity increase for small, attached townhomes, which will drive up costs) - Remain concerned with SFA and PUD and SUP on-going conversations. Appreciate the flexibility, but subjectivity remains. - Around the Valley, there is a designated district for townhomes. That are approved by right without designating them a "special use." - Around the nation, zoning codes are reducing minimum setbacks, reducing parking minimums, and building flexibility into their code that provides certainty to the developer that they will not have to re-design and/or negotiate standards on a project-by-project basis. This could take up a lot of CC staff time as well.	The effective date for the Code Rewrite is scheduled to be 1/1/2024. Any applications submitted prior to the effective date will be processed under the existing code unless the applicant opts in to be processed under the new code. Any applications submitted after the effective date will be processed under the new code.
SNHBA, Amanda Moss amanda@snhba.com 6/20/23	Thank you, discussed as well at SNHBA's CP&I Committee this morning, for the additional details on the new code. To confirm our understanding, it was mentioned that you could SUBMIT to the NEW code BEFORE the 1/1/24 date but the application will not be PROCESSED until AFTER the effective date. A question came up at our Land Use Committee… since TAB and PC are RECOMMENDING BODIES, would you be able to continue through the process EXCEPT for your public hearing at the final approval body (likely BCC, but sometimes PC, depending on the application type), or is your project delayed/held throughout every step? Second question that isn't really clear in the drafting of the ordinance, is, what if I have SUBMITTED my land use application and it is IN PROCESS but not formally ACCEPTED on 1/1/24, do I need to redesign and resubmit/revise my plans and/or map to the new code?	An application submitted prior to the effective date which opts to be processed under the new code can move forward through the Town Board, but not Zoning Administrator, Planning Commission, or Board until 1/1/24. An application is not officially in process unless it has been submitted, meaning the application materials have been accepted by staff and all application fees have been paid. Any application under review prior to the effective date will need to ensure that they are able to submit prior to the effective date of the new code or modify their project to reflect the Code Rewrite.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	Remaining concerns from Consolidated Draft: SFA - RS5.2, SFA is permitted. But requires a special use for RM18. Why permit on less dense developments and a "special use" on RM18? Why allow condos next to 6,000 sf detached lots by right? <u>From first workshop, it seemed as if CC staff is considering this and will be willing to allow SFA to be "permitted" in the three zoning districts requested (higher densities than what is currently proposed to be "permitted" and more compatible for this product type).</u> ~~- For townhomes, inconsistent P vs S for MF zoning districts. For MF, the lower densities are special uses and middle density is permitted. Request SFA to mirror MF.~~	The purpose of the RM18 district states is to accommodate a wide range of high density, single- and multi-family residential development. As such, staff will read into a record a change allowing a single-family attached development as a permitted use in the RM18 district.
SNHBA, Amanda Moss amanda@snhba.com 7/17/23	New question since the workshop: we "thanked" staff for the permitting SFA in OS zoning district, but staff indicated that was a typo. SFD is "permitted" in OS. We request SFA to be permitted as well. - There are a number of BLM parcels near Kyle Canyon that are currently zoned OS where townhome communities are being built right now. We are concerned if SFA is not permitted in OS.	Single-family attached dwellings are not an appropriate use in a zoning district which allows 1 dwelling unit per 10 acres.
SNHBA, Amanda Moss amanda@snhba.com 6/20/23	Our formal "ask" is: allow SFA as a permitted use in the zoning districts it makes sense to put these products in. They should be a special use for lower densities.	Repeat comment. See response above.

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SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Remaining concerns from Consolidated Draft: Densities/Zoning Districts - Rear setbacks - Varying setbacks to garage and living spaces - Two trees - Side loaded houses/curved driveways exemption	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Remaining concerns from Consolidated Draft: Common Review Procedures - Denied/withdrawn applications - FAA determination - Max densities that comply with Code could be denied? - Changes to approved plans - Plan Amendments - Minor Deviations need homeowner signatures (pgs 255 and 268). Doesn't make sense.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/10/23 (shown in strikeout/underline)	Remaining concerns from Consolidated Draft: Landscaping/trees o Tree fee in lieu (pg 136 and 139). ~~Unconstitutional.~~ Remain ~~opposed and~~ concerned <u>that</u> details haven't been provided~~/no business impact statement process~~. <u>Will this affect residential projects? If intent is to provide additional flexibility for developers and/or only impact commercial/industrial projects, need language amended to reflect. Remain concerned about BIS process.</u>	After adoption of the Code Rewrite, staff will bring forward the tree fund policy and a proposed fee. The fee will be adopted by ordinance pursuant to NRS 278, and at this time, it is estimated the fee per tree will be $915. Any application not installing the required street and parking lot landscaping will be subject to the new fee policy.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Remaining concerns from Consolidated Draft: Still unclear who needs to buffer. Is it the more intense use? Second in? Commercial developer to adjacent residential? (pg 141) Per our discussion, document doesn't seem to reflect CC's intent (which we support)	When developing adjacent to a less intense zoning district per 30.04.02 B, the developing property is required to buffer their more intense/dense project from the less intense/dense use.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Remaining concerns from Consolidated Draft: Common OS - 15' width minimum. Concern with odd-shaped lots. Would like to continue to discuss. - "Required landscaping and buffering areas" do not count towards common OS. After discussions over the phone, understand the County's intent here, but language is still concerning and request tweaks to better reflect CC's intent. Happy to continue to discuss.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	EV space vs regular space and ADA requirements (unclear if the EV-installed or EV-capable ADA space counts towards your overall ADA space minimums, pg 159).	The Code Rewrite requires a charging station next to an accessible parking space. If the parking space is designed to meet the accessible space standards, then the space could count towards the accessible requirement. However the Building Official shall interpret and enforce Mobility-Impaired Accessible Spaces and if there is a conflict with Title 22, Title 22 shall govern. See 30.04.04H.4.vi
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	NPO adjacency: If the parcels are to be separated by required ROW dedication, does that exempt them from the Adjacency standards? (pg 188)	The applicability specifies when development would be subject to the Residential Adjacency standards by specifying when a development is adjacent to a specific zoning district or use. In all other cases, it could include when separated by a street or ROW. See definition of adjacent.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 190 spillover lighting: Does 18 foot height limitation apply to streetlights? Streetlights are typically about 30' in height.	That provision says on-site lighting and does not apply to street lights.

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Withdrawn concerns from Consolidated Draft: Amanda/Sami conversation about height waivers/variances. To follow-up: - I found the section in the Consolidated Draft we discussed (pg 325 did not allow density or height to be waived). That was corrected in the Adopted Draft (now found on pages 63 and 272). So thank you! - However, pg 44 may need a clarification… FAA is highest point normally but this isn't explicitly listed - Please also note, at the end of this document, we have listed out all our "thank you's" in addition to this, but I know I owed you a follow-up.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Electric vehicles. Waiver and Alternatives sections were removed (pg. 159). Oppose. Would like to discuss reasoning for removal.	Projects not meeting the minimum EV charging requirement may request a reduction through a waiver of development standards application.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 164 Site design applicability. "Any requirements not met shall be analyzed as part of the design review process." Why automatically a design review? Design reviews are subjective and can be denied even if meet code. - Used to be an administrative approval. Would like to discuss design review vs waiver and CC's intent on change.	The standards under 30.04.05 will be the basis for approval or denial of a design review application. If an application complies with the standards and can be processed with an administrative design review application, then an administrative design review application can still be used.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 181 removed "with exception of trails" from consolidated OS. Should be reinstated. Trails cannot be consolidated.	Trails was specifically deleted from this section since dedicated trails occur in the right-of-way and shall not be counted toward required Common Open Space.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 187 D. MF or nonresidential access. Some builders would like to be able to provide walkability for residents to walk to a restaurant/shopping center. The way we read this, it could limit their ability to have a walkable community without the use of a waiver.	This provision is intended to prevent vehicular access. Staff will read into the record a change to the language to clarify this section is about vehicular access.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 306 exception for condos removed. What is intent? Can we discuss?	Building regulations supersede Title 30 requirements. References to condominiums were removed from Title 30 several years ago since it is an ownership structure. Additionally, any rules and regulations that pertain to the Building Code and/or related processes are governed by the Building Department.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 38 Footnote from Setbacks table needs to be reinstated to clarify that enclosures/intrusions are in addition to approved reduction in setbacks.	30.02.25 D.3.v. specifically states this.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Public Works questions	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 88 Model Residences. Why restrict to no more than 6 model residences in any subdivision? What if there are more than one product lines? What if there are multiple phases? What is the purpose of the restriction? - In our discussions, understand this is carry over from current code (and I do have builders who have more than 6 models in any community), so why not eliminate/remove this altogether? We have folks that are very concerned.	This provision was a carryover from the existing Title 30 with only minor revisions. Staff is unaware of any concerns related to the limit of model homes since applications to this are extremely rare.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Clarification question: Has there been any changes to the Red Rock Overlay? We can't find the new map, but found the one from 2004 on CC's website. Wanted to confirm after a question came up with SNHBA membership. Thank you!	Any changes to that section were minor in nature. As for a new map, the boundaries of the RRO are not changing from what exists today.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	We found a few typos that are on page 7 of this document.	Comment noted. Any typos will be fixed.

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	As previously discussed, still concerned with special uses and PUDs. Especially with limits to PUD use: - Pg 254 limits the use of a PUD if a SUP, variance, waiver, minor deviation or zone change could achieve a similar result. - ~~Coupled with requirements for residents' signature(s) for minor deviations and smaller waivers/variances, this is problematic.~~ Resolved based on discussion at workshop. Thank you. - Similarly, the nature of a PUD requires a holistic review much earlier in the process for the builder who may be still tweaking their architecturals (for example) and within a PUD, a single change could result in prior approvals being "at risk." - Example: if you have the same setback, same lot size, but change the exterior elevation, that opens up the entire project to a design review. - With a PUD, you cannot get your map and vacations approved early to bring the product in later. - Second example: if while grading, you have to flip a building, you have to go back through the entire process again. If you mirror a building (but none of the maximums/minimums change), could that be reviewed individually? - Additional concerns with PUDs outlined by membership we hope to discuss: - PUDs take a lot of CC staff time.	Response is as follows: - A PUD is designed to allow flexibility in development standards. For example, a PUD would not be appropriate if a waiver of development standards could be applied for to reduce a read yard setback. - A PUD requires a public hearing. Changes to approval of a PUD meeting the threshold to be processed administratively requires consent of neighbors as residents deserve to know of changes after the fact. The requirement for neighbor consent is consistent with the existing minor deviation process. - All construction plans are reviewed for conformance with the approved land use application. if any changes are made between when the land use application is approve and when building permits are submitted for, revised plans are required to be reviewed by a planner to determine the significance of a change. The PUD process was designed to allow the developer flexibility to establish their own development standards within the project for those projects that cannot conform to standards for any of the residential zoning districts. If there are any changes after approval of a PUD, new procedure has been added to allow minor deviations from the approved plan. This is outlined in 30.06.05C - Staff must review all applications for conformance with Title 30. Reviewing a PUD will be no different.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Still unclear for builders if SFA is PUD or use permit or both. Concerns with special uses that it implies it can be taken away and implies it is a more controversial approval.	PUD application would be required if proposed. A Special Use Permit application would only be required if the selected product type requires a Special Use Permit in the district in which it's proposed.
SNHBA, Amanda Moss amanda@snhba.com 6/20/23	Our formal "ask" is: allow SFA as a permitted use in the zoning districts it makes sense to put these products in. They should be a special use for lower densities.	Repeat comment. See response above.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 168 20' driveways. So we talked through this internally and are still confused at the way this is written. Want to clarify: - Public vs private streets? - Are PUDs exempt? - Is it measured from the front of the house, not rear? - Short driveway front loaded townhomes are prohibited?	Responses are as follows: - The provision applies to all driveways. - The developer could propose an alternative standard with a PUD. - It depends on where the driveway is being proposed. - Not unless proposed as part of a PUD. See the definition of driveway for more information
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Two larger concerns based on a density analysis using the attached two PDF documents in my email submitted for final SNHBA comments on Consolidated Draft (not sure if there a more recent place for this info or if it has been updated): - RS80 doesn't appear to conform to any land use designation, so how does it get zoned if NZC are no longer allowed? - Only conforming land use is EN, which is allows up to 1 unit/acre. This conflicts with the minimum allowable lot size of 20k SF considering one acre equals 43,560 SF. RS20 should conform to RN, which allows up to 2 units/acre that can also be listed here as the max density.	Responses are as follows: - RS80 is the existing R-U which is conforming under all the residential land use categories. - Conforming zoning districts under EN are R-U, R-A, P-F (now RS80, RS40, and PF). Conforming zoning districts under RN are R-U, R-A, R-E, P-F (now RS80, RS40, RS20, and PF) For more information on conforming zoning districts, please visit https://files.clarkcountynv.gov/clarknv/ConformingZoningDistricts.pdf?t=1688743480873&t=1688743480873
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	There is a significant gap between 8 and 18 DUA. We would like to re-visit our "ask" for a designated townhome zoning district. Adopted Draft requires a SUP for a townhomes in certain districts rather than approval by right.	The County has moved away from single use zoning districts (R-T, R-V-P, U-V, etc.) and instead is focusing on product type. The PUD process was designed to allow the developer flexibility to establish their own development standards within the project for those projects that cannot conform to standards for any of the residential zoning districts.

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	If townhomes cannot get its own zoning district, can we compromise that SFA be a permitted use under RM-18 (since most townhomes were previously submitted under an R-3 PUD and R-3 is now RM-18). A special use implies its outside of the norm. Based on the comments at the first workshop, it seems as if CC staff is considering this request. So thank you!	See prior comment regarding Single-Family Attached Dwellings in the RM18 district.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	Pg 47 allows the side or rear setbacks may be eliminated for SFA, but only allowed in RS2 districts even though RM18 allows SFA as well. Request RM18 to be added. Brought up at first workshop, but no answer provided.	RM18 is a MF zoning district and includes and exception for single family attached products similar to today. Additionally, the Measurements and Exception standard has exceptions for side or rear setbacks. Any modifications to these standards would require a waiver of development standards or a PUD.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Similarly, concerned with “or” and “may” language. Request “side and rear setbacks are eliminated between SFA dwellings” so it is clear that it is not subjective and/or a waiver/some sort of other process needs to be completed.	This section is intended to allow the reduction of either the side or rear setback but not both.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 37 Measurements and Exceptions: Reduction of rear setback by 10’ for primary structures. - This allowance used to apply to R-U, R-A, R-E, and R-D. It's now limited to only the R-Ev and R-D equivalents, which are RS20 and RS10 respectively. Request to add RS80 and RS40 districts to this paragraph as well.	The allowance to have a reduced setback for lots measuring 1 acre and greater in size was removed since these lots are large enough to accommodate rear yard setbacks.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	RS2 rear setback: Request rear setback be reduced to 10'. 15' minimums would require any SFA product applying for this zoning category to not only come in with an SUP but also waivers for every single setback, including driveway lengths, which is no different than what townhomes need to apply for in today's code. Brought this up at workshop. Staff acknowledged our request, but response triggered additional questions from SNHBA staff. It seems as if a developer would need to come in with a waiver for 7 feet reduced setback to allow the reduction in setback AND the encroachment. Makes it appear to residents that the product type is less compatible with minimum standards than it is, if the true reduction in setback is only 5 feet.	Comment noted. Reductions to setbacks can be accomplished through either a waiver of development standards or PUD.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	From Consolidated Draft to Adoption Draft, has there been any changes to the below two examples? - RS5.2 Current code allows a 10-foot front to living setback vs this proposes to have a 20' front setback to garage with encroachments. Would require waivers and request a delineation between front setback to PL vs front setback to garage. - Similarly, Table 30.40-2 in current code allows a front setback reduction by planting two trees adjacent to the street front or decorative features such as bay windows, pop-outs, etc. - Would a house forward design need to move through the process under the new code with waivers to de-emphasize the garage/enhance the street scene? Or a staggered front setback (ex: varying setbacks to garage and living spaces), would that need a waiver? From our review, it appears there are situations in certain zoning districts that automatically allow this reduction, however, we would like to add the two trees and explicitly allow pavers to help get us there.	The exception is listed in 30.02.25 D.3.iv.(a) and the Front Setback alternatives are listed in Section 30.02.25D3.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	New example in discussions with membership on Adopted Draft (Alternative Site Development Standards): - iii. Exempt curved driveway to a turned house that is parallel to street (side loaded lot) that currently requires a design review. Address would come off of side of the house and front door would point to side PL.	For lots not on a corner, alternative setbacks may be established through a design review or the applicant may proposed a PUD to establish custom setbacks.

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	Pg 239 “Applications denied or withdrawn with prejudice shall not submit the same, or more dense or intense project, within 12 months of denial or withdrawal.” Concerns with this section. What if more density is allowable under land use? Request remove “or more density or intense project.” Revise overall sentence that the same submittal shall not be made in the same 12 months, if density is not a relevant reason project was denied and/or withdrawn. SNHBA mentioned this concern at the workshop, but no dialogue occurred. Looking for staff’s thoughts on this section and our request.	Similar to today, if an application is denied or withdrawn with prejudice, the same project or a project that is more dense or intense than the application which was denied or withdrawn with prejudice cannot be submitted for 1 year. This applies regardless if the Master Plan or zoning district theoretically allows a more dense or intense project. No changes to this provision of code are proposed to be made.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 240 “Evidence of FAA Determination”: Sometimes FAA approvals are delayed at no fault of the applicant/developer. Therefore, we request clarification to allow entitlements to receive CC approval subject to a condition that FAA approval will be required. This allows the developer to go at risk even if FAA delays approval while still meeting the intent of the original language.	The County will not approve any application that has the potential of being a hazard to airspace. A determination from the FAA is required prior to any project approval, when applicable.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 243 “The maximum density and intensity stated within a zoning district designation does not obligate the decision-making body to approve a development at the density or intensity proposed by an applicant, including up to the maximum. It shall be the obligation of the applicant to show, through sound land use planning practices and exceptional site and building design, that approval of a project at a proposed density or intensity is warranted. - "Oppose language as written. If it is allowable explicitly by code, we should not have any additional burden of proving it is acceptable. That is the entire point of a master plan and minimum code standards.	Comment noted
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 245 "Changes to Approved Plans" Seems more restrictive than current code. Currently, we can lose a residential lot between TM and FM without needing to update the TM (as one example of currently allowed flexibility). Not sure where that lives in current code. Request this language be updated to any "significant" change. If a stub street (150' or less) has to change direction due to utility or drainage, that shouldn't require a new application either.	See comment 33 above regarding changes to plans after project approval. Staff must review all revisions to determine compliance with Title 30, prior approvals, and conditions of approval.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	Pg 248 (Plan Amendments): “The denial of an amendment shall constitute a finding that the amendment is inconsistent with the standards and purposes enumerated in the Plan, this Title, and/or the Nevada Revised Statutes.” - Denial may not necessarily deem project is incompatible or inconsistent. One example: A project may be denied due to neighboring uses that could change over time. Paragraph f, if remains, is presumptive and sets a precedence that request was inherently inconsistent with the plan. We request to remove this entirely. SNHBA mentioned this concern at the workshop, but no dialogue occurred. Looking for staff’s thoughts on this section and our request.	Comment noted. If the Planning Commission or Board approves or denies an application, that decision deems a finding by the decision body that the application is or is not consistent with the Master Plan and/or Title 30.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Also page 248, this is a clarification question: on ZC standards for approval, item #2, it is not clear that ZC can be processed concurrently with master plan/land use plan update. Is that listed somewhere else in code?	There is nothing that prevents an applicant from processing a Master Plan Amendment or Zone Change.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 133 Drawing trees to scale is unnecessarily cumbersome. What is the intent of this requirement? How will it be enforced?	The intent is to see an accurate representation of what the landscaping will look like at maturity on the site. Additionally, showing a more accurate reflection of what the coverage would be will aid the applicant and staff when reviewing proposals to provide an alternative to landscaping to determine if the proposed coverage is more or less than required. Lastly, staff reviews plans to ensure that all dimensions are provided to ensure compliance with Title 30 requirements.

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	It is unclear if the questions we had related to landscaping and tree standards in the Consolidated Draft have been addressed (copied+pasted below). There were a lot of changes in these sections, so wanted to verify. Thank you! <u>There was a lot of discussion from the landscape architect's association at the first workshop.</u>	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Table 30.04-1: minimum plant specifications, requiring 40-foot-tall minimum tree canopy at maturity for large deciduous trees with a 3-inch caliper	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Challenges with landscaping strip and sidewalk provisions. Impacted by setbacks and tree growth. 40' tall trees cannot grow in a 5' landscape strip.	Standards for detached sidewalks remain the same.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Detached sidewalk – Requirement 15', where it is divided by: •Back of curb, then 5' landscape, then 5' sidewalk, then 5' landscape, then PL/Block wall. •The first 5' behind curb is usually loaded with every utility possible. We are not able to plant trees in this area. (There was an exception in current Title 30 that exempted from planting trees where utilities are installed)…I do not see that exemption in this new code.	See the exemption in 30.04.01 E.1.iii it is still there and trees can be planted elsewhere on site.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	This defeats the purpose of having trees staggering on both sides of the sidewalk. We request instead 2' between curb and sidewalk for shrubs, allowing 8' behind sidewalk to stagger trees.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	We request instead 2' between curb and sidewalk for shrubs, allowing 8' behind sidewalk to stagger trees. Comment noted.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	These large trees proposed (40' tall) will not grow in a 5' landscape strip.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/10/23 (shown in strikeout/underline)	Tree fee in lieu (pg. 136 and 139). ~~Unconstitutional.~~ Remain ~~opposed and~~ concerned details haven't been provided~~/no business impact statement process~~. <u>Will this affect residential projects? If intent is to provide additional flexibility for developers and/or only impact commercial/industrial projects, need language amended to reflect.</u>	Repeat comment. See response above.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Many members have concerns with Joshua Trees, and how difficult it has been to preserve them. What would this look like?	If the tree meets the definition of a significant tree and cannot be preserved onsite in compliance with required provisions, see 30.04.01D6iii for options to mitigate the impact.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Members requested the landscaping diagrams that are in current Title 30 to be added if possible. Staff is working on a guide to continue to have the provisions from Title 30 that are currently in code including pertinent graphics and illustrations.	After adoption staff will post a guide online which includes the pertinent landscaping figures.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Still unclear who needs to buffer. Is it the more intense use? Second in? Commercial developer to adjacent residential? (pg. 141) Per our discussion, document doesn't seem to reflect CC's intent (which we support)	Repeat comment. See response above.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Request clarification that buffering should be required by the property with the more intense use. That way it gives the vacant property owner the option to rezone or buffer.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	If you're buffering against a less intense use or an industrial use, want to confirm that your common OS (a park, for example) against the wall would count towards overall OS calculation?	Required landscape and buffer areas shall not be counted toward Common Open Space 30.04.05 I.4

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 179 Common OS calculation (minimum 15' dimension). SNHBA's original request in Consolidated Draft was for this to read "average of not less than 15'." After discussions with Sami, understand that this could negatively affect staff time. Hoping to work together on addressing this to meet the true intent of this section. - Maybe there is an irregular shape lots exemption? - Or the ability to seek a waiver for this for extenuating circumstances, as approved by the Director?	Response is as follows: - Measurement standards will be uniformly applied to parcels regardless of shape. - With the exception of amenity zones, spaces with any dimension of less than 15 feet shall not count towards satisfying the Common Open Space requirement. If the open space provided is less than required, an application to reduce the required open space may be requested.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 180 If project adjoins a public park, can the required open space be reduced? - This is currently an allowed exception in PUDs when a park is within a certain distance	A waiver of development standards may be requested in this situation.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Thank you for the changes on page 188 re: fill. Members were "less opposed," but still have some concerns that there will be a lot of waivers. Would like to discuss on what the intent of these changes are and see if we can work with you on an alternative.	Comment noted
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Can we talk through the hardscape and paving items? Wanted to know what intent was from removing paving as an explicit allowable item to apply for a variance and waiver for.	Paving and dust control are required by the Department of Environment and Sustainability, Air Quality division.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	And if the 60% hardscape was set in stone. Many homeowners go to the HOA after builder closes, asking to widen driveway to width of the garage, which would exceed the 60%. Could this be increased to 75%? Or require additional trees/shrubs if more hardscape present?	Title 30 currently requires 60% and this was carried forward without change. This provision is rarely requested to be waived.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Walls in the RNP/NPO section. Specifically, if backing up to a major arterial. Would like to discuss.	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 141 what if I want to put a redundant wall that is HIGHER than requirements?	A redundant wall is just a wall next to another wall. If desired, a waiver of development standards is the mechanism.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	When IS a redundant wall required?	A redundant wall would be required if a buffer wall is required and the adjacent property owner does not consent to the use of their wall to serve as the buffer wall
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Which PL is redundant wall located on?	Both, one is on each PL.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 142 ii C Along a common lot line are permitted to the max height	Comment noted.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	~~Pg 155 do pavers count?~~ Resolved/clarified based on PPT presentation from CC staff at first workshop.	Similar to today, pavers count as paving.

Source	Comment	Response
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 210 Minimum 2 through-access drives for subdivisions greater than 5 acres. Why are 2 access points required? If I have 30 lots on 5.5 acres, one entry should be sufficient. Number of through-access points should be determined and approved by the traffic mitigation/study.	Stakeholders were concerned with the inability to effectively created connected communities and desiring to move away from neighborhoods with only one access point.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Pg 299 Why not allow extensions of time?	VAPES are given 2 years to record. If the recording does not occur within the timeframe, a new VAPE application, which requires new signatures from property owners, is required.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23	Typos: - Pg 2 #4 and #5 are duplicates. - Pg 43 add a period after “Chapter 5999” - Pg 216 “Directional”. Not sure if this actually is a typo, but Consolidated Draft said “2 ft setbacks; illumination: yes” but this now say illumination 2 feet? - We are neutral either way, just wanted to flag for you [also, I’m sure there’s a pun in there somewhere.] - Pg 222 Also not sure if this is a typo, but “Flag” is missing. - Pg 235 Footnote [3] used to be footnote [1]. So should all the places that say [3] be [1] in the table since they were re-ordered? - Pg 284 “Subdivision/Public Works” (the W is missing in “Works”) header	Typos will be corrected.
SNHBA, Amanda Moss amanda@snhba.com 6/15/23 7/17/23 (shown in strikeout/underline)	Lastly, I would be remised if we didn’t thank you for all the positive changes you have made from the Consolidated Draft to the Adoption Draft. We wanted to acknowledge how hard you and your team have worked to get this mammoth over the finish line! Thank you for these changes: - RM25 now RM32 - Reduced side setbacks to match hillside - RM18 OS reduced. SFA OS 120/sf unit (old R3). - RM32 decreased 200 sf to 100 sf which matches current code - RM50 200 sf open space was reduced to 100 sf which matches current code - Setbacks measured from “nearest finished exterior surface” now reads PL - SFA side or rear setback may be eliminated. - “Architecture compatible is now complementary” - Cul de sacs prohibition under RNP replaced [residential local street definition] - Red Rock Overlay. You can waive lighting. Before you couldn’t - Sales office and community events. - Summary table of allowable uses. SFA now permitted by right in OS. Staff indicated “SFA now permitted by right in OS” was a typo. - When detached sidewalks are adjacent to a bus turnout or right turn deceleration lane, the require landscape is not required - Clarification that trash areas exempt for SF dwellings - “Common Review Procedures” as it relates to holds/withdrawals and conditions of approvals. Had significant concerns with these sections [in Cons. Draft] and thank you for incorporating many of our requests. - Pg 188 fill - Pg 272 Height waiver/variance	Comment noted with the following exceptions: - Standards in the Red Rock Overlay cannot be waived. - Single-Family Attached is not permitted in the Open Space zoning district. The P in the summary table should been added to Single Family Detached instead.

Source	Comment	Response
Stakeholder Meeting 7/10/23 and 7/17/23	1. How does this code protect the RNPs? 2. Is there language in Title 30 to protect the RNPs	In the initial drafting of the Master Plan, many stakeholders expressed their concerns and made requests to protect existing RNPs. As such, the Code Rewrite carries forward the RNP overlay with more robust language designed to identify the character of the RNP areas and provide regulations to ensure development within an RNP is compatible. Additionally, a new Residential Adjacency section was added to ensure compatible transitions between land use areas of differing intensities.
Stakeholder Meeting 7/10/23	What's a nonconformity?	A use, building or structure established legally where provisions of the code have changed over time making it nonconforming. Since they were established legally they may remain, however, once they are discontinued there are specific steps to reinstate, and some may need to come into compliance with code before resumption.
Stakeholder Meeting 7/10/23 and 7/17/23	1. For Mt. Charleston, will there be a map and how will we know what zone we're in? 2. Will there be a zoning district conversion chart? And what about Open Door?	1. Zoning district classifications are available on Open Web or by calling Comprehensive Planning. Generally speaking, most of the residential properties in Mount Charleston are zoned R-U (now RS80) and a few properties are zoned R-1 (now RS5.2) and R-E (now RS20). 2. Yes, There will be a zoning conversion chart posted before August 2 illustrating the renaming of the zoning districts. Prior to officially changing names of the zoning districts, the Board will need to approve the name changes. Staff intends on taking this matter before the Board after adoption of the new code. Once the Board approves the naming conversion methodology, staff will ensure OpenDoor shows the new zoning district names.
Stakeholder Meeting 7/10/23	Will R-E continue to be a "holding" zone for BLM released land for sale as it is now?	Any properties zoned R-E today will be changed to RS20 once the naming conversion methodology is approved the Board and only after the Code Rewrite is effective. No changes will occur to the "holding" zoning districts outside the renaming of the zoning district.
Stakeholder Meeting 7/10/23	There was questions regarding mixed use development whether it still "exists or will there just be one zoning district"?	The Code Rewrite eliminates the Mixed-Use Overlay which pre-determined areas of the County in which mixed-use development was suitable with approval of a U-V zoning district (proposed to be CC). Mixed-use developments are also currently permitted in the C-1 and C-2 (now CG), and H-1 (now CR). Going forward, any proposed mixed-use development will require a Special Use Permit when in a commercial zoning district.
Stakeholder Meeting 7/10/23	Regarding the 2nd bullet point in the presentation about RNPs, some RNPs aren't master planned and so would not be protected. Can we initiate on our own?	Yes, you may request and NPO or you may work with your County Commissioner and request they initiate an NPO district. Additionally, after the effective date of the Code Rewrite, staff plans on evaluating other areas of the County to determine if additional neighborhoods are suitable for inclusion into the RNP overlay.

Source	Comment	Response
Stakeholder Meeting 7/10/23 and 7/17/23	1. So 32 units to the acre could go next to an rnp with only a 10k lot between the RNP and proposed development? 2. Residential Adjacency - g. site building. NPO transition in residential adjacency to overlay (i) shall transition 10K lots (ii) can we put something in there to require the developers to do this?	1. It is possible that a multi-family development could be located next to an RNP area. If an area is currently planned for 32 units to the acre, then that may be possible. But there are buffering and residential adjacency standards that are required. If the Master Plan does not allow for 32 units to the acre, a Master Plan Amendment may be requested along with a Zone Change application. The Master Plan includes findings that are required to be made for Master Plan Amendments, one of which states that the amendment is compatible with the surrounding area and will not have a negative effect on adjacent properties. It is the applicant's responsibility to demonstrate compliance with these findings. This is evidenced through the applicant's justification letter which is a submittal requirement. Current analysis of two RNP areas represented at the 7/10/23 stakeholder meeting (Mountain's Edge and Dean Martin) shows a proposal of 32 dwelling units would require a Master Plan Amendment and Zone Change application. A Special Use Permit would also be required if the proposal was for a mixed-use development. Lastly, a design review would be required to review the design details of the project and if the project did not comply with code requirements, a waiver of development standards would also be required. 2. The Residential Adjacency is a new section which was created to promote compatible transitions between land use areas of differing intensities. As it relates to RNPs, all development within 200 feet of the RNP NPO is subject to compliance with these standards. Any requests to deviate from these standards requires a waiver of development standards which has its own set of findings that must be made. It is the applicant's responsibility to demonstrate compliance with these findings. This is evidenced through the applicant's justification letter which is a submittal requirement.
Stakeholder Meeting 7/17/23	Will the Spring Mountain Overlay remain intact?	Yes, this is in NRS (state law) and we did not modify anything, staff did, however, make one correction to match that.
Stakeholder Meeting 7/10/23 and 7/17/23	1. Why is there no affordable housing in CN? 2. Why is there no density under affordable housing? 3. How long is the rent requirement for affordable housing?	1. CN is Commercial Neighborhood and does not allow for the development of residential dwelling units. Affordable housing is only allowed in those zoning districts where residential dwellings units are allowed. 2. Affordable housing is allowed in an zoning district where a residential dwelling unit is allowed. Affordable housing projects can be developed in accordance with the provisions of the Mater Plan and zoning district standards. See 30.03.03A.5 for permissible density increases. 3. 30 years.
Stakeholder Meeting 7/10/23 and 7/17/23	There is "transition" language listed in only some of the purpose section of the residential zoning districts, but not all. It should be in all.	Title 30 includes transitions for the lower density zoning district to describe how those transitions should occur, however the omission of any transition statement in other zoning districts shall not be misconstrued to not have an inherent intensity associated with it. We have district sequence in 30.02.01C which states the residential, commercial and industrial districts are listed in order of intensity.
Stakeholder Meeting 7/10/23	Where is condominium in Title 30 now?	A condominium is an ownership type, not a type of design. Condominium is not in Title 30 today because it is a type of ownership.
Stakeholder Meeting 7/10/23	Is there any was to limit the number of residential vehicles at a home? (Additional comments regarding "Accessory")	See comments and responses above regarding parking of vehicles on residentially zoned properties.
Stakeholder Meeting 7/10/23 and 7/17/23	A special use permit should be required for any application abutting an RNP	See comments and responses for EPG Law Group for response to this request.
Stakeholder Meeting 7/10/23	The landscaping section has many red flags.	Comment noted.

Source	Comment	Response
Stakeholder Meeting 7/10/23	The plant list isn't intended to be all inclusive.	The plant list is not intended to be a comprehensive list of plantings allowed, rather it is a tool for staff to use when reviewing projects to ensure plants selected for landscaping comply with the goals and intent of the Regional Plant List. To make this clear, staff will read into a record a change stating that alternatives may be proposed if evidence is provided by a qualified professional stating the selected plant(s) is consistent with the rating methodology used in the Regional Plant List.
Stakeholder Meeting 7/10/23 and 7/17/23	6' landscape strip can't fit large trees.	Comment noted.
Stakeholder Meeting 7/17/23	Would the County consider allowing permeable paving next to parking stalls to allow trees in landscape islands more room to grow?	Staff will take this into consideration for future revisions and will need to work with other County departments and agencies to ensure compliance with their standards and requirements (eg: stormwater management, water quality, accessibility, and more).
Stakeholder Meeting 7/10/23	Trees cant live in the dimensions provided for an intense landscape buffer.	Comment noted.
Stakeholder Meeting 7/10/23	Measuring the caliper of a tree at 4.5 feet is incorrect. Industry standard is 6 inches from ground.	Staff will read into the record a correction which specifies the tree at planting will be measured 6" from ground, the common measurement for trees at time of planting, vs measuring the height at 4.5 feet which is the common measurement for mature trees.
Stakeholder Meeting 7/10/23	Collectors and arterials should not be maximized as the best way to design and get around the valley.	The Public Works Department classifies the streets which are then included in the Master Plan and Transportation Element. The use and classification of these streets are not included in the Title 30 rewrite.
Stakeholder Meeting 7/10/23 and 7/17/23	1. Residential Adjacency should only be one immediate graduated density line. 2. There should be a greater separation than 200 feet RNPs. 200 is not enough. Suggested increases ranged from 330 feet to 1,500 feet. 3. The areas surrounding RNPs should be required to do a Special Use Permit. 4. Areas surrounding RNPs, what about a Conditional Use Permit for those areas? 5. What about a Conditional Use Permit for multi family? 6. Any development next to an RNP should require a Special Use Permit.	1-2: The Master Plan currently identifies areas of the county that are appropriate for a variety of land uses. These Master Plan Land Use Categories determine what zoning districts conform to the Master Plan. Areas surrounding RNPs, are planned for a variety of commercial uses low intensity industrial uses and low to medium residential densities that provide graduated density. Any proposals for density or intensities beyond what is planned would require a Master Plan Amendment. The new Residential Adjacency section and conditions in the use table are to ensure that uses remain compatible with the surrounding area. Noncompliance with the regulations would require a Special Use Permit or a waiver to analyze its potential impacts. All applications described above would require notices to surrounding property owners and public meetings and hearings. 3-6: See comments and responses for EPG Law Group for response to this request.
Stakeholder Meeting 7/10/23	Does Title 30 use FAR (Floor Area Ratio) in their regulations?	The County does not utilize FAR, nor are there any plans to include it in the future.
Stakeholder Meeting 7/17/23	1. Residential Adjacency still mentions Mixed Use Development. Why is it mentioned if mixed use doesn't exist anymore? 2. Is there a minimum square footage of commercial required for a mixed-use.	1. The Mixed-Use Overlay has been eliminated but mixed-use developments may still be proposed, however the mechanism to do so now differs from the current Title 30. There will always be a commercial component complementing some type of residential component. Going forward, a mixed-use development would be allowed in a commercial zoning district with a Special Use Permit. 2. There is no industry standard for the size or ratio of commercial uses within a mixed-use development.

Source	Comment	Response
Stakeholder Meeting 7/17/23	1. Will an application be required to keep the RNP designation on property? 2. Some NPOs are already established with gates and walls (not in new code), etc., will those need to reapply? 3. Is the RNP density still in state law?	1-2. All areas currently designated an RNP (Rural Neighborhood Preservation) are proposed to be carried forward without change. 3. No. The definition of Rural Preservation Neighborhood (RPN) exists in NRS 278 but the rules and regulations pertaining to RPNs is no longer in State Law. The definition of an RPN was added to the Master Plan and is defined as a subdivided or developed area: a. Which consists of 10 or more residential dwelling units; b. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes; c. Which has no more than two residential dwelling units per acre; and d. Which allows residents to raise or keep animals noncommercially.
Stakeholder Meeting 7/17/23	1. Areas should be kept RNP. Congregate care facilities are not appropriate in an RNP. 2. Congregate care facilities can house a variety of patients/residents. The definition should be changed to differentiate between the elderly and those with disabilities.	1. Congregate care facilities require a Special Use Permit in an R-E (now RS20) zoning district. This is being carried forward in the Code Rewrite. Additionally, as described elsewhere in these comments, the RNP Overlay now has language to give the RNP an identity and new residential adjacency standards would apply to the overall design. 2. NRS and Federal law equally protect the elderly and those with disabilities therefore the County cannot create regulations that would discriminate against any one of these groups.
Stakeholder Meeting 7/17/23	1. Regarding special uses in/near an RNP. Those impacts should be noted in the staff report utilizing "findings" in code. 2. Special use permits should run with an operator and not the land. 3. Do use permits have dates? How can you make them reapply? 4. How are property owners are notified? What about if the property is vacant? How are comments counted?	1. Special Use Permits require findings to be made. These findings are discussed in the staff report. 2. Special Use Permits run with the land. Business licenses run with the operator. 3. Special Use Permits are conditioned to commence within 2 years. Commence can mean construction has commenced or that a business license has been issued if no construction is proposed. If there is a lapse in business licensing for 1 year or more, a new Special Use Permit would be required or if construction commences but the project is not carried forward to completion, then a new Special Use Permit would be required. 4. Mailed notices will be required to be sent out to surrounding property owners at a radius of 1,500 feet. All property owners are notified, even vacant properties. State law requires a minimum of 30 different property owners to be noticed, however the County requires a minimum of 100 property owners. Any emails/letters sent or cards returned are gathered and added to the project. A summary of the correspondence is provided to the decision making bodies prior to their consideration of the application.
Stakeholder Meeting 7/17/23	Are these rules and regulations suggestions? Can the code require applicants comply with standards? We don't want to have to fight to protect our neighborhoods.	Unless a provision in Title 30 cannot be waived or varied, an applicant can propose to deviate from the standards through the appropriate land use application process. Staff and the Town Board review each proposal for conformance with the goals and policies of the Master Plan and provisions in Title 30, and makes a recommendation to the final decision making body. Final decision on an application is at the discretion of the Planning Commission or Board of County Commissioners.

Source	Comment	Response
Stakeholder Meeting 7/17/23	Red Rock Overlay 1. The density increase was only for Major Projects in original which would be RS20. 2. Clustering of homes could be detrimental to the RRO. 3. Trading of development credits wasn't in the original adopted language. 4. Can we revise the plants types?	The RRO language was carried forward with only minor edits. 1. Existing Title 30 allows for major projects to be exempted from the RRO overlay standards and also includes an exception to the density and intensity provisions for properties within Township 22 South, Range 59 East: Sections 13, 14, 15, 16, 21, 22, 23, and 24 that were privately owned as of March 21, 2016. These provisions were carried forward to the Code Rewrite. 2. Hillside Development applies to RRO currently. Hillside Development allows for the clustering of units away from hillsides so long as all other density and development standards of the applicable zoning district and the RRO standards are met. These provisions were carried forward with minor changes to clarify the applicability of the Hillside development regulations. 3. Staff researched this matter and found the language regarding the trading of development credits was in the original ordinance that created the RRO. Staff carried over the current exception from current code with only one minor change of adding the dates to the density and intensity restriction. 4. Staff made changes to the plant types to remove any high water usage specimens but kept the endemic as is, other than those removals.
Stakeholder Meeting 7/17/23	There are 7 SF zoning districts and 3 MF. Is that enough to meet the intent of the Master Plan.	The new Title 30 has added two additional commercial zoning districts, CC and CU, in addition to the existing CG that would allow multi-family uses with a Special Use Permit when mixed used. We also added a new live work use.
Stakeholder Meeting 7/17/23	Walkability should be prioritized. There should be multiple uses near neighborhoods.	A new Commercial Neighborhood zoning district was added to encourage small lot, neighborhood serving commercial uses, within and next to residential developments. In addition, a new section covering Pedestrian Connectivity.
Stakeholder Meeting 7/17/23	Wall Street Landlords/Homes for Rent should be stopped.	Title 30 does not regulate ownership structure, but product type.
Stakeholder Meeting 7/17/23	How can someone change zoning from what may have complied and now does not (airport land) fringe properties on major thoroughfare.	The Department of Aviation may release property for sale and if sold. If the new property owner wishes to develop the property for any use other than what it is currently zoned, a Master Plan Amendment and/or Zone Change would be required.
Stakeholder Meeting 7/17/23	What about waivers to the Title?	Title 30 still notates in the sections where waivers are prohibited.
Stakeholder Meeting 7/17/23	Uses where storage is greater than accessory in commercial zoning districts is becoming more and more common. Code should be amended to consider these uses as commercial uses to allow them to be dispersed throughout the County rather than just limiting these uses to industrial areas.	Storage areas greater in area than its counterpart retail operation is not accessory and thus becomes the primary use of the property and would then be classified as a warehouse. Staff understands these uses and others which are very similar are becoming more common due to the change in shopping habits of customers. Staff has added this to their post adoption workplan. A text amendment could also be submitted for review and approval.
Stakeholder Meeting 7/17/23	p. 79 Restaurants and Retail in CP. CP is Office Professional. That's not the type of use that's appropriate here.	Restaurants in CP zone are intended to be in support of the offices; not stand alone public serving restaurants.
Stakeholder Meeting 7/17/23	Parking. Change to maximums was noted, however, reductions did not seem to have been applied.	Parking reductions in some parking ratios were included in the rewrite.
Stakeholder Meeting 7/17/23	EV bike charging should be added to code.	Comment noted. Staff will take this into consideration for future revisions to Title 30.
Stakeholder Meeting 7/17/23	Shade structures for bicycle parking should be required.	Comment noted. Staff will take this into consideration for future revisions to Title 30.
Stakeholder Meeting 7/17/23	A 5' minimum sidewalk is not adequate. They should be 8-12' .	Comment noted.

Source	Comment	Response
Stakeholder Meeting 7/17/23	1. Grading: Proposals to increase fill should be counted toward the overall height of the building. 2. Can more be done for grading? 3. 30.04.06 F 1-3 Distances should be 20' instead of 5', 80' instead of 20' and 200' instead of 50 from shared property line.	1. Comment received. 2. Currently Title 30 allows grading to be increased a maximum of 36" if needed for drainage. Any proposal to increase the fill above 36" requires a design review application. Going forward, any proposal to deviate from the standards in the Residential Adjacency regulations would require a waiver of development standards. 3. Comment received.
Stakeholder Meeting 7/17/23	Retreat as a use has no definition	Retreat is now a defined use.
Stakeholder Meeting 7/17/23	How do schools plan for their facilities to address capacity?	The school district plans their population estimates in part based on the Master Plan and Zoning. They then use a multiplier based on housing type to forecast the number of students in a given area.
Stakeholder Meeting 7/17/23	A sign should be posted on a parcel for every application.	State law requires posting of signs for specific applications. Code mirrors State Law with regards to the installation of signage.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Clark County Planning Commission, Tesla provides the below comments for consideration on Clark County's Title 30 Rewrite. Tesla's mission is to accelerate the transition to sustainable energy and transportation, and addressing this growing demand is an important step in accomplishing this mission. Clark County is a top jurisdiction across the country for electric vehicles (EV) and EV charging. Accordingly, Tesla has extensive Supercharger (Level 3 Charging) and Wall Connector (Level 2) installations planned within Clark County. We appreciate Clark County staff for their continued work reviewing EV charging station (EVCS) permit applications.	Comment noted.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	An exemption from planning review or an EV specific expedited permitting path should be considered for EVCS . The demand currently forecasted in Clark County cannot be met if the current permitting timelines hold.	Adding EV charging stations to an existing parking area is now specifically called out under Administrative Design Review which is an administrative application that does not require applicable Town Board, Planning Commission, or Board meetings. This administrative process allows for the review of site design changes such as parking lot design, landscaping, required parking ratios, and more. Any changes that result in noncompliance with code requirements will require a wavier of development standards application which requires applicable Town Board, and Planning Commission or Board meetings.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Permitted Use: - We appreciate that EVCS are allowed as accessory use in all districts. This is most common for EVCS either accessory to a residential building (in a single family home's garage) or existing commercial use (like a Target parking lot). - However, sometimes EVCS will be a parcel's primary use, like in larger EV charging depots or larger EV stations in commercial districts, and there should be a permitting pathway for those stations outside of any extensive variance request/process. - Title 30 states that EV charging stations must be outside. Some stations are outside and others are often within parking structures, such as shopping malls garages, casino garages, multifamily parking garages, or single family home garages. There should not be a restriction on locating it only outside.	Responses are as follows: - Comment noted. - At this time, staff would consider a stand alone EV charging depot as a parking lot which is an allowable use in commercial and industrial districts. If/when the County sees its first EV charging depot proposal, staff will review the proposal against code requirements. If necessary, Section 30.03.01F, Classification of New and Unlisted Uses, could be used. - Code does not require EV charging stations be outside and staff fully recognizes EV charging stations could be within a parking structure. Section 30.04.04H.4.v(e) specifically states placement of the required EV-Capable and EV-Installed charging spaces shall be determined and identified on plans submitted with the development application.

Source	Comment	Response
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Parking count: - We appreciate that the Title 30 update clarifies that EV charging stations do not count against maximum parking requirements. - A parking count requirement exemption or standard allowable variance % from required stalls counts should be considered for EV projects, as has been done in other states and localities. - Parking stalls that are lost due to associated electrical equipment which support EVCS operation should also not count against maximum parking requirements.	Responses are as follows: - Comment noted. - The Code Rewrite requires EV charging and exemptions to required parking are not up for consideration for providing EV charging in compliance with code. Sustainability Section 30.04.05J.5 provides for an alternative compliance option for projects incorporating sustainability measures not identified in code. If determined to meeting the alternative compliance, a reduction in parking may be granted. Additionally, projects retrofitting their parking lots to comply with landscaping requirements are also eligible for a parking reduction. - Comment noted.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Signage: - The update requires EV charging station signage to be reserved for only EV charging. - We recommend more flexibility in not require EV charging stalls be exclusive to EV charging only, as some landlords will only allow an EVCS if those spaces can be used at times for general parking. For example “30-Minute General Parking” signs are frequently requested by the large commercial property owners in Clark County.	Responses are as follows: - Comment noted. - EV charging signage is consistent with the direction approved by the Board.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	EV Capable/EV-Installed: - We are supportive of the proposed EV capable and EV installed requirements as a great first step in encouraging EV readiness in new construction. - We recommend specifically calling out Level 3 charging stations (~30 minutes) as being allowed to count towards compliance as they may match typical parking dwell times in certain commercial buildings, such as grocery stores, better than Level 2 charging (several hours). - A compliance/stall multiplier should also be considered for Level 3 stalls due to this faster charging speed, such as 5X or 10X.	Responses are as follows: - Comment noted. - As previously discussed, the County is not going to track the type of charging stations (Level 2 vs Level 3). Type and level of charging will remain at the discretion of the property owner/tenant. - Comment noted.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Accessibility: - The number of accessible parking spaces should be tied to the number of EV charging spaces provided, not the total number of parking spaces in the parking facility.	EV charging accessibility requirement is consistent with the direction approved by the Board. However, please be advised staff will read into a record a change to the accessibility requirement noting that ADA compliant EV-installed charging stations are required at the rate of one space for every 50 required EV-Installed parking spaces.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Landscaping: - A landscaping requirement exemption or standard allowable variance % from required landscaping square footage should be considered for EVCS. - EVCS frequently require equipment be installed in landscape areas and there is often no alternative, other than taking up parking stalls which also affects planning approvals/requirements. - These smaller projects that are additions to sites should not be required to perform major upgrades to larger commercial property unrelated to the charging stations (such as sidewalk extensions, landscape additions, etc.) to encourage charging station installations and overall EV adoption. Currently, station frequently encounter cost prohibitive requirements that require project cancellations.	Required landscaping in a parking lot, or along a street, is to reduce heat island effect. An exemption to landscaping required in these areas will not be considered in exchange for providing EV charging stations. Any site modifications shall comply with Title 30. See response above regarding administrative design review and wavier of development standards.
Tesla, Brian Sliger bsliger@tesla.com 7/17/23	Thank you for the opportunity to provide comments. Please let us know if there is need for further clarification on the items mentioned.	Comment noted.

Source	Comment	Response
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	In connection with Clark's County request for public comment to repeal, replace, and adopt Title 30, The Wolff Company has developed over 600+ units in the county in the last seven (7) years. We appreciate the opportunity to analyze these changes in hopes to discuss in more detail, as necessary, the proposed Title 30 development Code modifications. Initially, we'd like to have you elaborate further to allow us to better understand the following text amendments intent.	Comment noted.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Proposed Text: 30.04.05.F Design Standards for Multi-Family Residential Development. 2. Building Design Standards: iii. Pedestrian Entrances and Porches Entrances shall comply with the following requirements: (a) At least 1 main building entrance shall face the adjacent public street. (b) Buildings with multiple street frontages shall provide at least 1 building entrance along each street frontage. (c) Entrances shall be connected to a public sidewalk by a walkway not routed through a parking lot. See §30.04.05D.2.ii, On-Site Pedestrian Connections.	Comment noted.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: MF Design Standards 30.04.05: This design standard appears to be required for all Multi-Family ("MF") projects and doesn't differentiate between different MF building product types (Townhouse, garden, mid-rise, etc.) so we assume this is required for all product types and districts/zoning, is that correct?	A townhome product meeting the definition of Single-Family Attached Dwelling would be required to meet the Standards for Single-Family Attached and Detached Residential Development. A townhome product meeting the definition of Multi-Family Dwelling would be required to meet the Design Standards for Multi-Family Residential Development.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: Public Street: Does this mean Public Right-of-Way, not an interior site drive aisle (generally private drives)?	Yes, that is correct.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: At least 1 main building entrance shall face the adjacent public street. Please clarify what buildings this applies to: Does this mean at least one building, facing a public street, must have pedestrian access into the main building? If so, does the term, "main building" mean the same as the defined term, "Primary Building" (30.07.02 Defined Terms)? Or, does this apply to all buildings with public street frontage? What about buildings interior to the site with no street frontage, typical on a garden walk-up project?	When a building is located along a public street, at least 1 main building entrance to that building shall face the public street. If there are more than 1 building along a public street, then each building shall have an entrance facing the public street. The reference to the entrance being a "main building entrance" means it is a main/common/shared point of access to the building. To meet the intent of this section when all building entrances lead to individual dwelling units, those entries shall face the public street. Buildings internal to the site with no street frontage need not comply with this section however the project design will need to demonstrate that walkways somehow connect to a public sidewalk.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: Would this include or exclude at least one (1) primary or secondary residential unit entry?	See response above.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: Is there a defined term or distance requirement justifying the distance the building can be from the Public Right-of-Way to be classified as adjacent to a public street (ex. building setbacks, landscape setbacks, landscape buffers, fire lane requirements, vehicular stacking requirements)	This requirement is talking about public streets surrounding the project.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Proposed Text: 30.04.05.F. Design Standards for Multi-Family Residential Development 4. Access Multi-family development sites greater than 5 acres shall include a minimum of 2 through-access drives.	Comment noted.

Source	Comment	Response
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: Are the 2 through-access drives in reference to vehicular driveway entry/exiting or is it in connection with the number of interior drive aisles?	They are entry and exit onto an adjacent public street or streets..
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Question: If this is in reference to vehicular driveway entry/exit, is this requiring complete access movements (ingress and egress) at both community entry points? Would a fire access only suffice as the second access drive or resident exit only (with Knox Box entry for Fire) be applicable?	Both entry and exit need to be fully functional at both points.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	If related to drive aisles, please clarify the requirement with a figure .	Comment noted.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Proposed Text: 30.04.04 Parking - H. Design and Maintenance of Parking Areas 4. Parking Space Dimensions and Design iv. Tandem Parking (a) Where Allowed Tandem parking is permissible in association with: (1) Single-family dwellings; or (2) Multi-family uses when 1 space is in a garage or carport and 1 space is in the driveway in front of the garage or carport, with both spaces assigned to the same unit; or (3) Valet parking with a full-time attendant.	Comment noted.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Will tandem stalls be applied to minimum required parking counts? 30.04.04 H.4.a	Yes
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Proposed Text: 30.04.04.H.4.v. Parking – Design and Maintenance of Parking Areas – Parking Space Dimensions and Design - Electric Vehicle (EV) Charging Reference to Table 30.04-5 EV Charging Requirements by Land Use	Comment noted.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	EV Parking. 30.04.04 H 4 v For the Multi-Family Dwelling use, is the 25% inclusive of the 3% EV-capable installed with the initial project construction?	With initial project construction, 25% of the required parking shall be EV Capable and 3% of the required parking shall be EV Installed.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	Proposed Text: 30.04.05.F. Design Standards for Multi-Family Residential Development 2. Building Standards, ii. Roof Lines, Multi-family buildings with roof lines longer than 50 feet shall include at least 1 vertical elevation change of at least 2 feet.	Comment noted.
The Wolff Company, Katie Reiner kreiner@awolff.com 6/21/23	30.04.05 F Roof Lines. Does this apply to all roof line elements on all elevations?	Yes

Zoning District
District Renaming Methodology[1]

Residential Zoning Districts

Existing Zoning		Proposed Zoning	
	District Name		**District Name**
R-U	Rural Open Land	**RS80**	Residential Single-Family 80
R-A	Residential Agricultural	**RS40**	Residential Single-Family 40
R-E	Rural Estates Residential	**RS20**	Residential Single-Family 20
R-D	Suburban Estates Residential	**RS10**	Residential Single-Family 10
R-1	Single Family Residential	**RS5.2**	Residential Single-Family 5.2
R-T	Manufactured Home Residential		
R-2	Medium Density Residential	**RS3.3**	Residential Single-Family 3.3
RUD	Residential Urban Density	**RS2**	Residential Single-Family 2
R-3	Multiple-Family Residential	**RM18**	Residential Multi-Family 18
R-4	Multiple-Family Residential (High Density)	**RM32**	Residential Multi-Family 32
R-5	Apartment Residential	**RM50**	Residential Multi-Family 50

Nonresidential Zoning Districts

Existing Zoning		Proposed Zoning	
	District Name		**District Name**
		CN	Commercial Neighborhood
CRT	Commercial Residential Transitional	**CP**	Commercial Professional
CP	Office and Professional		
C-1	Local Business	**CG**	Commercial General
C-2	General Commercial		
		CC	Commercial Core
		CU	Commercial Urban
M-D	Designed Manufacturing	**IP**	Industrial Park
M-1	Light Manufacturing	**IL**	Industrial Light
M-2	Industrial	**IH**	Industrial Heavy
		AG	Agriculture
O-S	Open Space	**OS**	Open Space
H-2	General Highway Frontage	**TBD**	To be determined on individual basis
P-F	Public Facility	**PF**	Public Facility
R-V-P	Recreational Vehicle Park	**CG** **RS80**	Commercial General (Urban area) Residential Single-Family 80 (Nonurban area)
U-V	Urban Village	**CC**	Commercial Core
H-1	Limited Resort and Apartment	**CR**	Commercial Resort

1. This document is for informational purposes only. Any changes to names of the zoning districts requires Board approval and adoption of an ordinance to officially change the zoning map.