



DEVELOPMENT and ENGINEERING ADVISORY BOARD (DEAB)

Memorandum

TO: Clark County Council
FROM: DEAB
DATE: May 13, 2022
RE: DEAB Comments on the Housing Action Plan

The Development and Engineering Advisory Board (DEAB) has reviewed documents, recommendations, and proposals regarding the Housing Action Plan. In particular, our comments are in reference to the “Housing Action Plan – Draft Recommendations” memo (HAP) dated November 30, 2021. The DEAB board has the following comments and recommendations to the Clark County Council.

The purpose of the Clark County Housing Options Study and Action Plan was to understand local housing challenges and identify opportunities to encourage creation of additional housing types that are affordable to a variety of households within the unincorporated Urban Growth Areas.

Most of the strategies proposed are a step in the right direction and expand middle housing opportunities and will benefit the community at large.

However, a few of the recommendations in the County Memo (HAP) could be improved to be more effective. Others may have unintended consequences, that are contrary to the goals of the effort and may decrease affordability. A couple conflict with what the market demands. Some additional suggestions are being made that further address the challenges we are facing to meet the housing needs of Clark County. It is also worth noting that some of these

recommendations may have significant impacts on the character of existing neighborhoods. We recommend DEAB be involved in the code writing process to help identify unintended consequences and help find way to mitigate the impacts to existing neighborhoods and the community.

The bullet points in **bold** are the DEAB suggestions we recommend incorporating in the Clark County Housing Action Plan. Some are also marked as **[HIGH PRIORITY]** and we recommend adopting these as soon as possible.

Near-Term Strategy Concerns:

HO-1: “Reduce minimum lot sizes for existing permitted housing types in low and medium-density zones to more efficiently use existing land, and make supporting revisions to maximum densities that align with new lot sizes:”

- **Permit townhomes with a reduction to 1,750-1,800 sq ft. lot min. instead of 2,000 min.**
- **Increase maximum lot coverage to 70% across the board, except where it is already higher in the zoning code. Lot coverage limitations unnecessarily limit the options for site design & development especially when constructing middle housing options. As lots get smaller, the lot coverage needs to increase accordingly to fit a marketable home.**
- **Reduce min. lot width to 20 feet in Medium-density Zones, except for attached housing, which should go down to 14 feet.**
- **In addition to adjusting existing zones, we need more R-12 and R-18 land. These can be suitable zones for innovative and entry level housing.**

HO-2: “Develop a compact subdivision option distinct from both cottage housing and PUD path as a way to develop smaller, single-family detached dwellings at lower price points.”

- **The 5 Acre minimum size may limit the effectiveness and benefit of the strategy. It may also be more applicable to smaller infill type projects in established areas where transit and other services are more prevalent.**
- **HAP draft text:** “Match scale of dwellings to smaller sized lots, with maximum lot coverage of 40% and 25-foot height limit.” – **This would severely limit what product can be built in this new small lot subdivision**

zone. DEAB recommends an allowable lot coverage of up to 70% and a height limit of 35 ft. so more living space can be added vertically. The language above is in direct contradiction to strategies mentioned in HO-1: “Revise lot coverage allowances as needed to accommodate structures on smaller lots.” As lots get smaller, the lot coverage and height may need to increase accordingly to fit a marketable home.

- While not specifically stated in the county HAP memo, some design standards were discussed in the process. DEAB strongly recommends avoiding onerous and costly design standards when crafting small lot subdivision or affordable housing policies. In particular, DEAB doesn’t recommend restricting the width of garages and driveways or requiring no more than 50% of front façade be garage. It would not reflect market demand. The same applies to requiring alleys. The real estate industry aims to provide attractive & vibrant communities. These types of design standards are personal preference and should be decided by market demand not code. Consumers demand garage space for automobiles, hobbies, storage, etc. Alleys increase site construction cost, increase impervious surface and stormwater runoff, and often eliminate a back yard which consumers demand.

HO-3: “Increase minimum density in high-density zones from 47-60% to 60-80% of the maximum density, to support multifamily residential and smaller housing units.”

- DEAB does not support this recommendation! It limits housing options instead of expands them. It would also reduce the ability to build narrow homes and townhomes in these zones and pretty much force apartments. These are important housing options that provide for affordable home ownership options as opposed to rental options. Adopting this would have severe unintended consequences.

HO-6: “Revise minimum parking requirements for narrow lots, specifically townhouses. Eliminate the separate narrow lot standard for 2.5 spaces per unit and apply the same single-family detached standard of 2 off-street spaces, which can be met through tandem parking (one in garage and one in driveway). Adjust driveway spacing and access requirements for townhouses and require paired

driveways (side-by-side on separate lots), to balance preservation of on-street parking, a walkable sidewalk realm, and development feasibility.”

- **DEAB supports the reduction of parking requirements. But other recommendations conflict with the need by limiting garage sizes and driveway widths.**
- **DEAB has addressed driveway spacing concerns in other efforts. We recommend having DEAB involved with any revision to driveway spacing requirements to avoid duplication of efforts and unintended consequences.**

HO-8: “Make limited revisions to Highway 99 Plan to promote feasibility of desired residential development:”

- “Apply new development standards for middle housing types proposed herein in lieu of specific Highway 99 standards, akin to how cottage development is currently treated.”- **DEAB is concerned about applying some of the additional design standards being discussed including limiting garage widths, requiring no more than 50% of front façade to be garage, and alley requirements. See the comment on HO-2 above. We do however recommend eliminating the current design standards in the HWY 99 overlay to promote the feasibility of residential development.**

HO-9: “Revise cottage housing standards, to increase development feasibility focused on creating clusters of small-scale units while providing a coherent site design with a balance of amenities.”

- “Provide a variety of parking configurations including shared parking areas and individual garages.” **[HIGH PRIORITY] There needs to be an explicit exemption for garage space from the allowable unit area thresholds. We don’t recommend a numerical threshold. But, if necessary, it should be at least 400-500 SF. This issue has been brought up by DEAB and is in the work plan to amend the code. The 1,600 sq ft. gross floor area max. outlined in the cottage code was never meant to include unconditioned space like a garage. Sitting DEAB members at the time can verify and provide additional background info.**

- **Allowable building height should be increased to 35 ft. it may be necessary to increase unit height to provide as much living space as possible in a smaller footprint.**

HO-10: “Revise open space and recreation area requirements for larger multifamily projects (13+ units), to reduce competition for site area on the highest density projects while focusing on the quality and accessibility of the open spaces to incentivize higher density development. Exempt any units over the minimum density or over 30 units/acre from triggering additional open space area.”

- **[HIGH PRIORITY] DEAB supports revising open space and recreation area requirements. DEAB has identified several issues regarding the recent interpretation and application of landscaping standards. These interpretations are in direct conflict with the goal of providing housing options and instead decrease affordability. We recommend having DEAB involved with any revision to open space and recreation area requirements to avoid duplication of efforts and unintended consequences.**

HO-11: “Build on strong ADU provisions”

- **DEAB supports the recommendations regarding ADU’s. We also suggest exploring options to allow detached ADU’s in the Rural area. This however may need to happen through advocacy at the state level where these restrictions apply.**

The following items are not comments or suggestions. But, we wanted to call attention to a few positive middle housing policies from Clark County HAP which DEAB strongly support:

- **HO-1:** “Set minimum lot sizes for duplexes to match those for single-family detached in low and medium density districts, and revise maximum densities to permit a duplex on those lots.”
- **HO-4:** “Permit duplexes throughout the low-density zones, on both corner and mid-block lots with the same minimum lot size as single-family

detached dwellings and effectively double the maximum density. Continue to permit through a building permit review without requiring separate land use review, aside from any land division to create lots.”

- **HO-4:** “Introduce triplex and quadplex uses (attached and detached configurations) in low and medium-density zones, and permit on minimum lot sizes/densities analogous to townhouses. **[HIGH PRIORITY] Permit through Type I site plan review** on existing lots and no additional review when proposed with a land division.”
- **HO-11:** “Clarify conflicting procedural requirements to confirm that ADUs are permitted through Type I site plan review.” **[HIGH PRIORITY]**
- **PP-1:** “For regulated affordable housing projects, allow concurrent review of preliminary land use and final engineering applications. Also allow submittal of building permit application any time after preliminary review approval.” **[HIGH PRIORITY]**
- **PP-1:** “For triplex and quadplex projects that require road or sidewalk improvements, allow concurrent review of land use (Type I site plan review) and final engineering applications.” **[HIGH PRIORITY]**