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**Planning Commission Recommendations to the
Clark County Board of Commissioners**

FROM: Dick Deleissegues, Chair
Steve Morasch, Vice-Chair
Clark County Planning Commission

DATE: November 23, 2010

SUBJECT: CPZ2010-00028: AMENDMENTS TO THE 20-YEAR
COMPREHENSIVE PLAN DOCUMENT, COMPREHENSIVE PLAN
MAP AND ZONING MAP, UDC TITLE 40 CHAPTERS 40.230.010,
40.100.070, 40.210.050, 40.200.020, 40.260.050, 40.310.010 AND
APPENDIX C

RECOMMENDATION: APPROVAL of proposed amendments to UDC Title 40 and Comprehensive Plan Map and Zoning Map. In addition, the Planning Commission recommends modifying Technical Advisory Committee proposal to include the rezone of Parcel numbers: 159835-000, 159833-000, 159767-000, 159769-000 from Limited Commercial Zoning to General Commercial Zoning.

BACKGROUND:

Clark County has been streamlining its Unified Development Code Title 40 for commercial uses. As part of the streamlining efforts, the County appointed a Technical Advisory Committee comprised of commercial real estate brokers, property owners, developers, and commercial experts. The Technical Advisory Committee was charged with reviewing the current code and providing recommendations.

In 2008 Phase I, ordinance 2008-12-15, of the streamlining efforts was adopted and included such actions as renaming Highway Commercial (CH) to General Commercial (GC) zoning designation and removing all references to references to "strip commercial". The Technical Advisory Committee is recommending the following streamlining recommendations under Phase 2 of this project:

1. Exhibit 1 provides targeted amendments to CCC 40.230.010 Commercial Districts. These amendments include:
 - a. Moving Rural Commercial Districts CR-1 and CR-2 to new CCC 40.210.050
 - b. Eliminating the Limited Commercial District
 - c. Reducing the number of conditional uses

- d. Increasing the number of permitted uses
- e. Repealing Appendix C Commercial Design Guidelines
- 2. Exhibit 2 adds a new section, CCC 40.210.050, for Rural Commercial Districts CR-1 and CR-2.
- 3. Exhibit 3 amends CCC 40.100.070 Definitions to provide two new definitions, Animal Day Use Facility and Kennel Commercial.
- 4. Exhibit 4 amends CCC 40.320.010 Landscaping and Screening on Private Property to allow for drive-through facilities.
- 5. Exhibit 5 amends Clark County 20-Year Comprehensive Growth Management Plan, 2004-2024 to removes references to “Limited Commercial” in Chapter 1 Land Use.
- 6. Exhibit 6 amends Clark County 20-Year Comprehensive Plan Map and Zoning Map to remove “Limited Commercial”. This action amends the Comprehensive Plan and Zoning designations for approximately 265 acres of Limited Commercial designated parcels to either General Commercial (GC), Community Commercial (C-3), Urban Medium Density Residential (R-18) and (R-30), Urban Low Density Residential (R1-6).
- 7. Exhibit 7 amends CCC 40.200.020 Zoning Classifications, Table 40.200.020-1. Zoning Districts, 40.260.250 (D)(3) Wireless Communications Facilities, CCC 40.310.010 (F)(1) Requirements for Signs – General and by Zoning Districts, CCC 40.310.010(F)(3)(c) Additional Standards for Signs Restricted by Land Use District, and CCC Table 40.310.010-5. Additional Sign Standards for Industrial Districts to remove references to Limited Commercial.

The Technical Advisory Committee’s recommendation to remove the Limited Commercial zoning designation provides several benefits to the county that; (1) increase code compatibility with the City of Vancouver; (2) reduce confusion of allowable uses; (3) improve clarity of allowed uses in different zones; and (4) create consolidated urban commercial zones.

Lastly, staff inadvertently failed to inform the Planning Commission of the October 19, 2010 board’s decision regarding the rezone of nine parcels from Limited Commercial to R1-20 under CPZ2010-00022. Below is a list of the nine parcels shown in Area 5 Map that are no longer part of this commercial code update.

198071-000	198115-005	198115-015	198115-000	198121-010
198121-015	198121-000	198115-010	198121-005	

SUMMARY OF COMMENTS RECEIVED:

Citizen George Vartanian is concerned about animal related business’ inside Urban Growth Boundaries as indicated in Table40.230.010-1 Uses. Mr. Vartanian believes these “uses are a real nuisance to the surrounding areas and have been known to be noisy”.

DELIBERATIONS:

The Planning Commission received testimony from NW Public Power Association, the owner of four parcels numbered 159835-000, 159833-000, 159767-000, 159769-000, located on the Area 4 Map. This property owner requested that its property be rezoned from Limited Commercial

Zoning to General Commercial Zoning instead of the proposed Technical Advisory Committee recommendation of Community Commercial. Planning Commission discussed the request and found that the General Commercial designation is appropriate for the area due to its proximity to Interstate 205 and the General Commercial designation on the south side of Fourth Plain Blvd.

The Planning Commission further discussed the three parcels adjacent to the NW Public Power Association land and whether or not this would create a spot zone. The Planning Commission directed staff to re-notice the owners of the adjacent properties (PATCO Investments – 159773-000 and Thomas & Lore Demme Jock Trustees – 159818-000, 159772-000), none of whom were present at the hearing to give them adequate notice to agree or disagree with rezoning their property from Community Commercial Zoning to General Commercial Zoning. At the conclusion of the Planning Commission deliberation the following recommendation was forwarded to the Board.

RECOMMENDATION

The Planning Commission voted **3-1** to recommend approval of the Technical Advisory Committee's proposal with one exception: that the NW Public Power Association parcels 159835-000, 159833-000, 159767-000, 159769-000 should be rezoned from Limited Commercial Zoning to General Commercial Zoning, rather than Community Commercial. The Planning Commission recommends that the Board of Clark County Commissioners **APPROVE** the following actions:

1. Amend CCC 40.230.010 Commercial Districts to reduce the number of urban commercial and modify Table 40.230.010-1;
2. New CCC 40.210.050 Rural Commercial Districts;
3. Amend CCC40.100.070 Definitions;
4. Amend CCC 40.320.010 Landscaping;
5. Amend Clark County 20-Year Comprehensive Plan, Chapter 1 Land Use
6. Repeal Title 40 Appendix C Commercial Design Guidelines;
7. Amend Clark County 20-Year Comprehensive Plan Map and Zoning Map;
8. Modify the Comprehensive Plan and Zoning designations as proposed for parcel numbers in Exhibit 6;
9. Amend CCC 40.200.020 Zoning Classifications;
10. Amend CCC Table 40.200.020-1. Zoning Districts;
11. Amend CCC 40.260.250 (D)(3) Wireless Communications Facilities;
12. Amend CCC 40.310.010 (F)(1) Requirements for Signs – General and by Zoning Districts;
13. Amend CCC 40.310.010(F)(3)(c) Additional Standards for Signs Restricted by Land Use District; and
14. Amend CCC Table 40.310.010-5. Additional Sign Standards for Industrial Districts.

The Planning Commission further recommends the Board of Clark County Commissioners **CONSIDER** rezoning the follow parcels PATCO Investments – 159773-000 and Thomas & Lore Demme Jock Trustees – 159818-000, 159772-000 from Limited Commercial Zoning to General Commercial Zoning.