

**To:** Mario Bermudez

**CC:** Clark County Commission

**RE:** Sierra Club Recommendations for Transform Clark County Code Assessment

**July 9, 2021**

Dear Transform Clark County Team;

The Sierra Club Toiyabe Chapter and our 40,000 thousand members and supporters in Nevada appreciate all the work the county and Clarion have done to ensure the Title 30 rewrite is accessible and inclusive to the general public. Thank you for the opportunity to participate throughout this process.

Overall we support many of the recommendations made in the code assessment, particularly when it comes to: parking minimums, pedestrian oriented development, mixed-use infill development, affordable housing, and accessibility of the code process. However, Clark County is uniquely positioned on the frontlines of the global climate emergency, and the development code rewrite should reflect this reality.<sup>1,2,3</sup> Some examples of areas where climate language can be strengthened are as follows:

**Title 30 Code Assessment Recommendations:**

- Under *Ensure Efficient and Consistent Development Review Procedures > Draft Clear “Standards for Approval”*, there is an opportunity here to catalyze sustainable development practices by requiring adherence to ambitious green building codes, as discussed below, that will significantly reduce greenhouse gas emissions from Clark County’s buildings.
- In *Improve and Tailor the Development Quality Standards > Emphasize Infill, Adaptive Reuse, and Revitalization*, we recommend incentives for infill development in the valley by allowing 4+ dwellings per residential lot and eliminating parking minimums.
- Under *Modernize the Schedule of Land Uses > Diversify Housing Types*: The recommendation states “Expand the types of dwellings permitted in various districts.” This should be amended to incentivize affordable housing in the private market. Portland, OR, has examples of how this can applied in their

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<sup>1</sup>American Lung Association State of the Air Report 2021

<sup>2</sup>America Warming: The Fastest Warming Cities and States in the U.S.

<sup>3</sup>U.S. West prepares for possible 1st water shortage declaration

[Residential Infill Project ordinance](#), and have applied incentives based on floor area ratio (FAR) allotments: The first incentive is an additional 0.1 FAR is allowed when at least one of the units on site is affordable at up to 80% medium family income (MFI). The second incentive is a deeper affordability bonus that allows a sixplex at 1.2 FAR when at least 50 percent of the units are affordable at 60% MFI.

- In *Improve and Tailor the Development Quality Standards > Enhance Building Design Standards*, there is an opportunity to turn high-level language into tangible, sustainable building design requirements. Buildings are a significant source of greenhouse gas emissions and water resource demand in Nevada,<sup>4</sup> and requiring ambitious building standards going forward will help Clark County combat climate change even as the climate continues to shift. Not only are sustainable building codes better for the environment, new construction with efficient, all-electric buildings is also cheaper than developments that include gas-burning appliances.<sup>5</sup> Clark County should update its building code as part of “enhancing building design standards” by adopting sustainability measures such as [LEED](#) or the most recent [2021 International Energy Conservation Code](#) (IECC) standards for all new buildings.<sup>6</sup> The Governor’s Office of Energy, for example, reports that updating Clark County’s currently-adopted 2018 IECC to the 2021 version would increase energy savings by 10%.<sup>7</sup> In addition to adopting the 2021 IECC, we recommend the addition of explicit mandates for EV-ready,<sup>8</sup> electrified reach,<sup>9</sup> solar-ready,<sup>10</sup> and water conservation<sup>11</sup> codes for all new developments. Clark County should consider adopting a Green Building Code, such as the International Green Construction Code ([IgCC](#)) or the National Green Building Standard ([ICC 700-2020](#)).<sup>12</sup>
- In the *Achieve more Sustainable Development* section there is a direct call in of the All-In Clark County process. While we support and are highly anticipating the All in Clark County program, the Title 30 rewrite must implement code requirements for aggressive sustainability standards to be able to catalyze the

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<sup>4</sup> <https://climateaction.nv.gov/policies/exec-summary/>

<sup>5</sup> [https://rmi.org/wp-content/uploads/2018/06/RMI\\_Economics\\_of\\_Electrifying\\_Buildings\\_2018.pdf](https://rmi.org/wp-content/uploads/2018/06/RMI_Economics_of_Electrifying_Buildings_2018.pdf)

<sup>6</sup> NRS § 701.220 requires the Governor’s Office of Energy to issue regulations requiring local governments to adopt, as minimum standards, the IECC and update to the most recent code every 3 years.

<sup>7</sup> <https://climateaction.nv.gov/policies/energy-codes/>

<sup>8</sup> <https://www.swenergy.org/cracking-the-code-on-ev-ready-building-codes>

<sup>9</sup> <https://localenergycodes.com/>

<sup>10</sup> <https://codes.iccsafe.org/content/iecc2018/appendix-ca-solar-ready-zone-commercial>

<sup>11</sup> <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Stormwater-permittee-guidance-resources/Low-Impact-Development-guidance>

<sup>12</sup> <https://climateaction.nv.gov/policies/energy-codes/>

local changes needed for the region's climate stability. The Title 30 re-write must include specific energy efficiency, water efficiency, and infill development codes that All in Clark County will not be able to provide or implement in the established way Title 30 is applied. Both processes will benefit from Transform Clark County elevating sustainability measures in the new code language.

- In the *Achieve more Sustainable Development* section, the report calls for incentivisation of sustainable development, but with flexibility in application of sustainable codes and requirements. Given the state of our changing climate and its impacts in Southern Nevada, opt-outs for sustainable development cannot be allowed in Title 30, and all sustainability measures should instead be high priority mandates for all development going forward.

The unprecedented nature of climate change impacts necessitates re-writing Title 30 in a drastically different way than has ever been done in the past, with a clear prioritization of climate mitigation through sustainable development requirements. Clark County has an opportunity to lead the state forward when it comes to climate action, and we urge the county to make bold climate advancements for the region when drafting the new development code.

Thank you for considering these recommendations, and for all the work you have done to create these plans.

Sincerely,



Jasmine Vazin, Clean Transportation Organizer,  
Toiyabe Chapter



Manny Becerra, Chair, Toiyabe Chapter Executive Committee