

[Bracketed] and/or ~~strickethrough~~ material is that portion being deleted or amended  
Underlined material is that portion being added

BILL NO. \_\_\_\_\_

SUMMARY - An Ordinance to amend the Unified Development Code to update and revise various Title 30 requirements relating medical marijuana establishments. (T30-0074-14)

ORDINANCE NO. \_\_\_\_\_  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.08, 30.16, 30.44, 30.72 AND APPENDIX F, SECTIONS 30.08.030, 30.16.210, 30.16.240 AND 30.72.050, TABLES 30.16-4, 30.16-17 AND 30.44-1 TO ESTABLISH LAND USE REQUIREMENTS RELATED TO MEDICAL MARIJUANA ESTABLISHMENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. General Purpose.

WHEREAS, NRS Chapter 453A provides for the registration of Medical Marijuana Establishments which are authorized to cultivate, produce, test or dispense marijuana for sale to persons authorized to engage in the medical use of marijuana;

WHEREAS, NRS 453A allows a state agency to determine the location of Medical Marijuana Establishments in the event a local governmental jurisdiction does not;

WHEREAS, pursuant to NRS Chapters 278 and 453A, Clark County is authorized to enact zoning regulations relating to Medical Marijuana Establishments;

WHEREAS, a local zoning board is in the best position to decide which locations are most appropriate for Medical Marijuana Establishments considering the board's familiarity with zoning and the areas it represents.

NOW, THEREFORE, the Clark County Board of Commissioners do hereby amend Title 30 to permit Medical Marijuana Establishments in certain zoning districts subject to certain conditions within unincorporated Clark County.

SECTION 2. General Title 30, Chapter 30.08, Section 30.08.030 of the Clark County Code is hereby amended to read as follows:

**Adequate Supply**

"Adequate Supply" means the immediate availability of a sufficient quantity and quality of medical marijuana at a reasonable price of any specific strain of marijuana.

**Community Facility**

"Community Facility" shall have the meaning ascribed to it in NRS Chapter 453A.322(7), which includes a facility that provides daycare to children, public park, playground, public swimming pool, a center or facility where the primary purpose is to provide recreational opportunities or services to children or adolescents, and a place of worship.

**Medical Marijuana**

**Establishment** “Medical Marijuana Establishment” means one of the following:

- 1.** “Cultivation Facility” shall have the meaning ascribed to it in NRS Chapter 453A.056.
- 2.** “Dispensary” shall have the meaning ascribed to a “medical marijuana dispensary” as defined in NRS Chapter 453A.115.
- 3.** “Independent Testing Laboratory” shall have the meaning ascribed to it in NRS Chapter 453A.107.
- 4.** “Production Facility” shall have the meaning ascribed to a “facility for the production of edible marijuana products and marijuana-infused products” as defined in NRS Chapter 453A.105.

**Reasonable**

**Price**

“Reasonable price” means the price a purchaser, willing but not obliged to buy, would pay to a seller, willing but not obliged to sell, taking into consideration the average price on the open market for a specific strain of marijuana at the time of purchase.

SECTION 3. Title 30, Chapter 30.16, Sections 30.16.210 and 30.16.240 and Tables 30.16-4 and 30.16-17, of the Clark County Code are hereby amended to read as follows:

<b>Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE</b> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"><li><b>1.</b> Applications to expand the Gaming Enterprise District shall not be accepted unless in compliance with Chapter 30.48, Part E.</li><li><b>2.</b> Applications for a special use, or for increased density, intensity, or height within any overlay district are also subject to the additional requirements and restrictions established in Chapter 30.48. (see respective Part).</li><li><b>3.</b> Applications for the following (A-F) shall not be accepted prior to a pre-submittal conference which shall include plans as required pursuant to the Chapter (if applicable) noted and/or as determined by the Zoning Administrator:<ol style="list-style-type: none"><li><b>A.</b> uses involving hazardous chemicals, explosives, materials or wastes in amounts regulated by NRS and NAC (determination of pertinent requirements for the proposed use)</li><li><b>B.</b> planned unit development (PUD) (see Chapter 30.24)</li><li><b>C.</b> mixed use development (see Chapter 30.48 Part J)</li><li><b>D.</b> high impact project</li><li><b>E.</b> neighborhood casinos</li><li><b>F.</b> resort hotel</li></ol></li><li><b>4.</b> FAA and other additional requirements and standards are established in 30.16.210.</li><li><b>5.</b> Applications to establish package wastewater treatment plants shall demonstrate compliance with Clark County Code, Chapter 24.28, prior to submittal and acceptance.</li><li><b>6.</b> Applications to establish supportive housing shall not be accepted without written verification from a competent professional that the project complies with all applicable HUD requirements for supportive housing.</li><li><b>7.</b> High impact projects: submit initial RISE (regional infrastructure and service evaluation) reports with the pre-submittal filing package. Applicant cannot submit the special use permit until receipt of a letter from the Director of Comprehensive Planning accepting the final RISE reports as sufficient for consideration by the Board of County Commissioners.</li><li><b>8.</b> <u>Applications for Medical Marijuana Establishments shall not be accepted without written verification from the Business License Department that the Medical Marijuana Establishment business owner has submitted the required forms and documents to the Business License Department to conduct a review for the proposed use.</u></li><li><b>9.</b> <u>Applications for Dispensaries shall not be accepted if the maximum number of Dispensaries permitted by NRS Chapter 453A have been approved by the Board and remain active.</u></li><li><b>10.</b> Each medical marijuana establishment requires a separate application per 30.16.210 (4)(A).</li></ol>

**Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE**

**SEE ALSO 30.16.210 for general process information and standards**

<p><b>c. Base Fee</b></p>	<p>\$325 - except as required below, plus sign fee if applicable                  \$450 - project of regional significance                  \$850 – high impact projects                  \$850 - alcohol as a principal use when not located within a Gaming Enterprise District                  \$850 - mixed use developments in any permitted district  <u>\$5,000 - medical marijuana establishment</u>                  \$1,050 - hazardous materials                  \$10,000 - expansion of Gaming Enterprise District                  Add \$500 - pre-submittal conference fee if applicable</p>
<p><b>d. Application Process</b></p>	<ol style="list-style-type: none"> <li>1. Pre-submittal conferences required for uses involving hazardous chemicals, explosives, materials or wastes, in amounts regulated by NRS and NAC; planned unit development; mixed use development; high impact projects; and neighborhood casinos.</li> <li>2. For an expansion of the Gaming Enterprise District, a court reporter shall record the hearing in accordance with NRS Chapters 463 and 656.</li> <li>3. To establish a neighborhood casino, at least 1 neighborhood meeting with property owners within a 2,500 foot radius (or the nearest 30 separately owned parcels) of a project shall be required prior to the Town Board meeting. The applicant shall perform the following:                         <ol style="list-style-type: none"> <li>i. Send a notice to all property owners, manufactured home tenant and the Town Board with the date, time, and location of the neighborhood meeting at least 10 days prior to that meeting;</li> <li>ii. Conduct a neighborhood meeting; and</li> <li>iii. Document the notification of property owners and status of neighborhood concerns to the Zoning Administrator.</li> <li>iv. All neighborhood meetings shall be scheduled in the evening hours and located in the same area as the proposal.</li> </ol> </li> <li>4. For high impact projects and resort hotel the applicant shall separately submit a traffic impact analysis to the Department of Public Works prior to the pre-submittal conference. After RISE report and other related document distribution to related agencies, a pre-submittal conference will be scheduled within 30 days of filing, to discuss the project as well as any potential infrastructure and services required to mitigate impacts of the project. Upon RISE report finalization, the Director of Comprehensive Planning will issue an acceptance letter and the applicant may submit a special use permit application, and follow the procedure below.</li> <li>5. All applications require a Public Hearing per Section 30.16.210.</li> <li>6. <u>All applications for Medical Marijuana Establishments shall be considered at a single public hearing held by the Board. Upon direction of the Board, the Zoning Administrator shall schedule the public hearing date to consider Medical Marijuana Establishment applications, and a set a filing period of not less than 14 days.</u></li> </ol>
<p><b>e. Notice Requirements</b></p>	<ol style="list-style-type: none"> <li>1. Project of Regional Significance: Posted notice, entity notice, city notice, 750 foot radius notice. High Impact Project: Posted notice, entity notice, city notice, 1,500 foot radius notice.</li> <li>2. Gaming Enterprise District Expansion: Posted notice, entity notice, city notice, 2,500 foot radius notice, and signs.                         <ol style="list-style-type: none"> <li>A. To establish a neighborhood casino, the applicant shall advertise the project in a newspaper of general circulation within the County, minimum 1/8 of page, substantially concurrent with the time public hearing notices are sent. Content of advertising is left to applicant, but must be approved by staff.</li> </ol> </li> <li>3. Explosives, Hazardous Materials or Waste in amounts regulated by NRS and NAC: Posted notice, entity notice, city notice, newspaper notice, 1,000 foot radius notice (including multiple family tenants), and signs. Notice must also be sent to the entities listed in Section 278.147 of NRS. The same notice must be provided for hearings before both the Commission and Board.</li> <li>4. Mixed Use Development in any permitted districts or Alcohol as a principal use outside a gaming enterprise district: Posted notice, entity notice, city notice, 1,500 foot radius notice, and signs.</li> <li>5. <i>All Others</i>: Posted notice, entity notice, city notice, and 500 foot radius notice.</li> <li>6. Notice for applications to redevelop a manufactured home park to a different use shall include signs per 30.16.230(8)(E)(iv). (See Section 30.16.230 Notice)</li> </ol>
<p><b>f. Recommending Entities</b></p>	<p>Government Entities and Town Board, plus Cities for a project of regional significance, and Commission for mixed use developments nonconforming to Section 30.48.770 whose recommendation shall be forwarded to the Board                  For Explosives, Hazardous Materials or Waste: entities listed under Section 278.147 of NRS</p>

**Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE**

**SEE ALSO 30.16.210 for general process information and standards**

**g. Approval Authority** Commission; except the recommendation of the Commission shall be forwarded to the Board for the following applications to:

1. expand the Gaming Enterprise District
2. establish a facility for Explosives, Hazardous Materials or Waste in amounts regulated by NRS and NAC and as required pursuant to NRS 278.147
3. establish a heliport
4. modify evaluative criteria for mixed use development in the C-1, C-2, U-V, and H-1 districts pursuant to Section 30.48.730
5. redeveloping manufactured home parks to a different use

Board for the following:

1. submitted in conjunction with, or in lieu of, another application that requires Board approval
2. project of regional significance
3. mixed use development pursuant to Section 30.48.730(2)
4. high impact project
5. waivers for check cashing conditions
6. increase in number of allowed dogs or cats (see 30.44-1 Household Pets)
7. projects within the SOSA Design Overlay District (see Chapter 30.48 Part M)
8. exotic animals
9. truck staging area
10. medical marijuana establishments as regulated by NRS Chapter 453A.

**i. Standards for Approval**

1. Special uses shall not be permitted by right, but shall be considered on a case by case basis for the proposed lot(s) or parcel(s). Applications are subject to the discretion of the Commission and/or Board in consideration of the Plan in accordance with Chapter 30.12.
2. No application shall be approved unless the applicant establishes that the use is appropriate at the proposed location by showing the following:
  - A. The proposed use shall be in harmony with the purpose, goals, objectives and standards of the Plan and of this Title;
  - B. The proposed use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; and
  - C. The proposed use will be adequately served by public improvements, facilities, and services and will not impose an undue burden.
3. **In addition to the above, the following shall apply to the uses specified below:**
  - A. Applications for high impact projects and projects approved through a nonconforming zone boundary amendment shall demonstrate with clear and convincing evidence that any proposed modification to required design and development standards, including reductions to landscaping, screening and buffering requirements, will not adversely impact neighboring properties.
  - [4] B. Expansions to the gaming enterprise district shall demonstrate that:
    - [A] i. The roads, water, sanitation, utilities and related services to the location are adequate;
    - [B] ii. The proposed establishment will not unduly impact public services, consumption of natural resources and the quality of life enjoyed by residents of the surrounding neighborhoods;
    - [C] iii. The proposed establishment will enhance, expand and stabilize employment and the local economy;
    - [D] iv. The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive;
    - [E] v. The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area; and
    - [F] vi. All traffic impacts can be adequately mitigated.
  - [5.] **NOTE:** A majority vote of 3/4 of the Board's members present at the meeting shall be required to approve an expansion of the Gaming Enterprise District.

**Continued on next page**

**Table 30.16-4 SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE**  
**SEE ALSO 30.16.210 for general process information and standards**

	<p><b>Continued from previous page:</b></p> <p><b>C.</b> <u>Regarding Medical Marijuana Establishments: the following additional factors shall apply in determining which, if any, proposed location for a Medical Marijuana Establishment is appropriate and best suited to serve the needs of the residents of Clark County:</u></p> <ul style="list-style-type: none"> <li><b>i.</b> <u>Whether crime in the area poses an undue threat to the security of the proposed Medical Marijuana Establishment, its products, employees or prospective patrons;</u></li> <li><b>ii.</b> <u>Whether the proposed Medical Marijuana Establishment will have an adequate security and transportation plan in place that addresses patron and employee safety, product and building security and the secure transport of medical marijuana from seed to sale.</u></li> <li><b>iii.</b> <u>Whether the design of the proposed Medical Marijuana Establishment maintains a professional appearance;</u></li> <li><b>iv.</b> <u>Recognizing the limitation imposed by NRS Chapter 453A on the number of Dispensaries allowed within unincorporated Clark County, the Board shall consider the following, but is under no obligation to approve the maximum number of Dispensaries permitted by NRS Chapter 453A:</u> <ul style="list-style-type: none"> <li><b>a.</b> <u>Whether the proposed Dispensaries are properly dispersed throughout the more populous areas of Clark County so that those authorized to use Medical Marijuana will have convenient access to a sufficient distribution of marijuana for medical use, while also considering whether the locations that are approved, if any, do not adversely impact any one area by being located too closely to another Medical Marijuana Establishment.</u></li> <li><b>b.</b> <u>Whether the proposed location is proximately located to medical offices, pharmacies, neighborhood services or similar facilities, including by way of public transportation, such that patrons of a Dispensary may conveniently access other facilities serving their medical needs.</u></li> </ul> </li> <li><b>v.</b> <u>The applicant shall specify a Medical Marijuana Establishment business owner to satisfy the preliminary business license review and who is suitable to operate a Medical Marijuana Establishment.</u></li> <li><b>vi.</b> <u>Any special use permit approved by the Board shall be specific to the Medical Marijuana Establishment business owner. A new special use permit shall be required when there is a change in the Medical Marijuana Establishment business owner.</u></li> <li><b>vii.</b> <u>Any Medical Marijuana Establishment that obtains a Medical Marijuana Establishment Certificate from the State without obtaining a special use permit from Clark County shall not be considered a legal use and a business license shall not be issued unless all required land use approvals for the Medical Marijuana Establishment have been obtained.</u></li> </ul> <p><b>[6]4.</b> <u>FAA and other additional requirements and standards are established in 30.16.210.</u></p>
<p><b>k. Application Expiration</b></p>	<p><u>2 years to commence except when approved in conjunction with a zone boundary amendment, or when the application is for a Medical Marijuana Establishment.</u>  <u>The expiration date for Medical Marijuana Establishments shall be determined at the time of approval, and all extension of time applications shall be heard at a single public hearing.</u></p>

**Table 30.16-17 EXTENSIONS OF TIME - AUTHORITY AND CONSIDERATION TABLE**  
**SEE ALSO 30.16.210 for general process information and standards**

<p><b>a. Initiating Authority</b></p>	<p>Property owner, leaseholder, or same required initiating authority as original application</p>
<p><b>b. Standards for Acceptance</b></p>	<ul style="list-style-type: none"> <li><b>1.</b> One Administrative extension of time for commencement or completion may be accepted when a separate and active Land Use Application or tentative map (must have an expiration date) for the initial development of the same property and project has been approved prior to the expiration date. The original application may be extended to match the expiration date of the active application or map but in no case shall the administrative extension of time be approved for longer than a one (1) year period.</li> <li><b>2.</b> Administrative extension of time as permitted by this Title for applications approved administratively.</li> <li><b>3.</b> Extension of time by hearing: For all other circumstances, a hearing extension of time may be requested. A request to extend an application shall be submitted before 5:00 p.m. of the day the application is due to expire, or the last working day prior to expiration.</li> </ul>

**Table 30.16-17 EXTENSIONS OF TIME - AUTHORITY AND CONSIDERATION TABLE**

**SEE ALSO 30.16.210 for general process information and standards**

<p><b>c. Base Fee</b></p>	<p>\$150 base                  \$300 if original application is a Zone Boundary Amendment, Development Agreement, or Public Facilities Needs Assessment                  \$200 if original application is a [†] Tentative [†] Map  <u>\$2,500 if original application is a Special Use Permit for a Medical Marijuana Establishment</u>                  If public hearing, notice fees for original application shall be added.                  (See Chapter 30.80, Fees)</p>
<p><b>d. Approximate Processing Time</b></p>	<p>Administrative Extension: 10 working days</p>
<p><b>e. Application Process</b></p>	<p>Administrative review or hearing per 30.16.210  <u>Extensions of time for Medical Marijuana Establishment: all applications shall be heard at a single public hearing by the Board. The public hearing date will be determined by the Zoning Administrator upon receipt of all timely applications for extension of time.</u></p>
<p><b>f. Notice Requirements</b></p>	<p>1. No notice required for administrative extensions.                  2. For a hearing extension: Posted notice, entity notice, and city notice.                  3. In addition, if the original approval required a public hearing for any extension, <u>or if the original approval is for a Medical Marijuana Establishment</u>, or the Zoning Administrator determines that the general prosperity, health, safety, and welfare of the community will be served, notice shall be sent in accordance with the original application.                  4. Any extension of time for a neighborhood casino shall be a public hearing with notice required as follows: posted notice, entity notice, city notice, and 2,500 foot radius notice. (See Section 30.16.230 for details)</p>

**30.16.210 Application Process.** When specified within this Title that such an application is required or authorized, the approval authority shall consider applications in accordance with the following procedure in addition to the requirements listed in sections 30.16.040 through 30.16.200 above for specific application types:

1. **Applications.** Any application, amendment, or map requiring approval shall be filed with the Zoning Administrator and shall be presented to the approval authority for review and approval within the approximate time specified under the application type. Administrative applications shall be processed and acted upon without a formal hearing. Hearing applications shall be scheduled to a meeting before the approval authority; however, public hearing notices need not be sent to adjacent and nearby properties provided other required notice is given. Public hearing applications shall be scheduled to a meeting before the approval authority and shall be notified per the appropriate application requirement, including notice to adjacent and nearby properties.

.....

4. **Standards for Acceptance.**
  - A. All parcels of land included within a single petition or application must be contiguous; however, each Medical Marijuana Establishment requires a separate application. Except for specific applications to waive standards, all plans shall show development that complies with the standards of this Title. If such an application is accepted and later found to not be in conformance with this Title, the application shall be considered to be withdrawn and the fees shall be refunded to the applicant or owner. In addition, standards for acceptance of specific applications are as listed with each application type.

**30.16.240 Document Submittal Requirements.**

- a. All documents accompanying applications shall be legible and suitable for microfilm and imaging reproduction. All documents submitted are available to the public for inspection and copying. All plans must be accurate, drawn to a standard scale not smaller than 1 inch equals 60 feet, or 1/8 inch equals 1 foot, dimensioned, and folded so they can be placed into a legal size file.

1. **Application.** A signed application, notarized when required by the Zoning Administrator, detailing the nature and justification for the request. For signature of a corporation, or of someone other than the property owner, corporate declaration of authority or power of attorney must accompany the application. A leaseholder should consult with the property owner prior to the submission of an application.

- .....
16. **Ownership/Applicant Disclosure.** A disclosure form provided by Clark County that requires applicants to list the names of individuals holding more than 5% ownership or financial interest in the business entity, or in the case of a Medical Marijuana Establishment, all individuals, appearing before

the Board of County Commissioners, except as provided below, shall be submitted with an application as required. "Business entities" include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations. Publicly traded corporations shall list all Corporate Officers and Board of Directors in lieu of disclosing the names of individuals with ownership or financial interest. The disclosure requirement, as applied to land-use transactions, extends to the applicant, a Medical Marijuana Establishment business owner and the landowner.

SECTION 4. Title 30, Chapter 30.44, Table 30.44-1 of the Clark County Code are hereby amended to read as follows:

Table 30.44-1 Global Use Table																									
Uses	SLUCM CODE	Residential Districts											Commercial Districts				Manufacturing/Industrial Districts			Miscellaneous Districts					
		R-U	R-A	RE	R-D	R-1	R-T	R-2	RUD	R-3	R-4	R-5	CRT	C-P	C-1	C-2	M-D	M-1	M-2	O-S	H-2	P-F	RVP	U-V	H-1
<b>Medical Marijuana Establishment</b>																									
<b><i>Cultivation Facility</i></b>																<u>S</u>	<u>S</u>	<u>S</u>							
		<p><b>Special Use in C-2</b> when located outside the Las Vegas Valley BLM Land Disposal Boundary. (This condition cannot be waived or varied)</p> <p><b>Special Use in M-D and M-1 Subject to: (these conditions cannot be waived or varied except as specified below)</b></p> <ol style="list-style-type: none"> <li>1. Must maintain the following minimum separations (Separations shall be measured from the closest part of the exterior of the building or when located in a multi-tenant building, the closest part of the exterior of the tenant space of the establishment, to the nearest property line of the respective use):               <ol style="list-style-type: none"> <li>A. 1,000 feet from a school.</li> <li>B. 300 feet from a community facility.</li> <li>C. 660 feet from a residential use unless waived with the approval of a waiver of development standards;</li> </ol> </li> <li>2. Shall not be located within the Las Vegas Boulevard Gaming Corridor.</li> <li>3. Outdoor cultivation is not permitted.</li> <li>4. Retail sales is not permitted.</li> <li>5. Signs shall meet the following regulations: (These conditions may be waived with the approval of a waiver of development standards)               <ol style="list-style-type: none"> <li>A. Advertising is limited to wall signs only.</li> <li>B. Maximum area of a wall sign shall be 30 square feet.</li> <li>C. A maximum of 25% of the wall sign may include a logo.</li> <li>D. Wall signs shall be constructed only of pan channel letters (no cabinet or can signs).</li> <li>E. Letters for wall signs shall only be illuminated internally (front or backlit lighting). There shall be no exposed lighting source.</li> <li>F. No animation or electronic message units or display are permitted.</li> <li>G. The color and design, including lettering of signs shall complement the architecture of all buildings within the complex.</li> <li>H. Sign regulations per the applicable zoning districts apply in addition to the above regulations. The most restrictive regulations apply.</li> </ol> </li> </ol> <p><b>NOTE:</b> The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the separation requirements.</p>																							

**Table 30.44-1 Global Use Table**

Uses	SLUCM CODE	Residential Districts											Commercial Districts				Manufacturing/Industrial Districts			Miscellaneous Districts				
		R-U	R-A	RE	R-D	R-1	R-T	R-2	RUD	R-3	R-4	R-5	CRT	C-P	C-1	C-2	M-D	M-1	M-2	O-S	H-2	P-F	RVP	U-V
<u>Dispensary</u>	6510												<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>							
<p><b>Special Use in C-P, C-1, C-2, M-D and M-1 Subject to: (these conditions cannot be waived or varied except as specified below)</b></p> <ol style="list-style-type: none"> <li>1. <u>Must maintain the following minimum separations (Separations shall be measured from the closest part of the exterior of the building or when located in a multi-tenant building, the closest part of the exterior of the tenant space of the establishment, to the nearest property line of the respective use):</u> <ol style="list-style-type: none"> <li>A. <u>1,000 feet from a school.</u></li> <li>B. <u>300 feet from a community facility.</u></li> </ol> </li> <li>2. <u>Shall not be located within the Las Vegas Boulevard Gaming Corridor.</u></li> <li>3. <u>Must be conducted within an enclosed building.</u></li> <li>4. <u>Signs shall meet the following regulations: (These conditions may be waived with the approval of a waiver of development standards)</u> <ol style="list-style-type: none"> <li>A. <u>Advertising shall be limited to wall signs, monument signs and freestanding signs.</u></li> <li>B. <u>When advertising on a freestanding sign, the Medical Marijuana Establishment shall not be the only business being advertised, and the style of the tenant panel shall be consistent with the overall sign.</u></li> <li>C. <u>Maximum area for a wall sign or tenant panel of a freestanding sign shall be a 30 square feet.</u></li> <li>D. <u>A maximum of 25% of the wall sign or tenant panel of a freestanding sign may include a logo.</u></li> <li>E. <u>Wall signs shall be constructed only of pan channel letters (no cabinet or can signs).</u></li> <li>F. <u>Letters for wall signs shall only be illuminated internally (front or backlit lighting). There shall be no exposed lighting source.</u></li> <li>G. <u>Monument signs may be illuminated provided signs are directly lit (up-lit or down-lit only).</u></li> <li>H. <u>No animation or electronic message units or display are permitted.</u></li> <li>I. <u>The color and design, including lettering of signs shall complement the architecture of all buildings within the complex.</u></li> <li>J. <u>Sign regulations per the applicable zoning districts apply in addition to the above regulations. The most restrictive regulations apply.</u></li> </ol> </li> <li>5. <u>Medical Marijuana shall be obtained from a Cultivation Facility or Production Facility within Clark County if an adequate supply is available.</u></li> <li>6. <u>The hours of operation are limited to daytime hours.</u></li> <li>7. <u>Drive through windows are not permitted.</u></li> </ol> <p><b>NOTE:</b> <u>The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the separation requirements.</u></p>																								

**Table 30.44-1 Global Use Table**

Uses	SLUCM CODE	Residential Districts											Commercial Districts				Manufacturing/Industrial Districts			Miscellaneous Districts						
		R-U	R-A	RE	R-D	R-1	R-T	R-2	RUD	R-3	R-4	R-5	CRT	C-P	C-1	C-2	M-D	M-1	M-2	O-S	H-2	P-F	RVP	U-V	H-1	
<u>Independent Testing Laboratory</u>													<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>									
		<p><b>Special Use in C-P, C-1, C-2, M-D and M-1 Subject to: (these conditions cannot be waived or varied except as specified below)</b></p> <ol style="list-style-type: none"> <li>1. <u>Must maintain the following minimum separations (Separations shall be measured from the closest part of the exterior of the building or when located in a multi-tenant building, the closest part of the exterior of the tenant space of the establishment, to the nearest property line of the respective use):</u> <ol style="list-style-type: none"> <li>A. <u>1,000 feet from a school.</u></li> <li>B. <u>300 feet from a community facility.</u></li> </ol> </li> <li>2. <u>Shall not be located within the Las Vegas Boulevard Gaming Corridor.</u></li> <li>3. <u>Must be located within an enclosed building.</u></li> <li>4. <u>Wholesale and retail sales are not permitted.</u></li> <li>5. <u>Signs shall meet the following regulations: (These conditions may be waived with the approval of a waiver of development standards)</u> <ol style="list-style-type: none"> <li>A. <u>Advertising is limited to wall signs only.</u></li> <li>B. <u>Maximum area of a wall sign shall be 30 square feet.</u></li> <li>C. <u>A maximum of 25% of the wall sign may include a logo.</u></li> <li>D. <u>Wall signs shall be constructed only of pan channel letters (no cabinet or can signs).</u></li> <li>E. <u>Letters for wall signs shall only be illuminated internally (front or backlit lighting). There shall be no exposed lighting source.</u></li> <li>F. <u>No animation or electronic message units or display are permitted.</u></li> <li>G. <u>The color and design, including lettering of signs shall complement the architecture of all buildings within the complex.</u></li> <li>H. <u>Sign regulations per the applicable zoning districts apply in addition to the above regulations. The most restrictive regulations apply.</u></li> </ol> </li> </ol> <p><u>NOTE: The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the separation requirements.</u></p>																								

**Table 30.44-1 Global Use Table**

Uses	SLUCM CODE	Residential Districts											Commercial Districts				Manufacturing/Industrial Districts			Miscellaneous Districts						
		R-U	R-A	RE	R-D	R-1	R-T	R-2	RUD	R-3	R-4	R-5	CRT	C-P	C-1	C-2	M-D	M-1	M-2	O-S	H-2	P-F	RVP	U-V	H-1	
<u>Production Facility</u>															<u>S</u>	<u>S</u>	<u>S</u>									
		<p><b>Special Use in C-2</b> when located outside the Las Vegas Valley BLM Land Disposal Boundary. (This condition cannot be waived or varied)  <b>Special Use in M-D and M-1 Subject to: (these conditions cannot be waived or varied except as specified below)</b></p> <ol style="list-style-type: none"> <li>Must maintain the following minimum separations (Separations shall be measured from the closest part of the exterior of the building or when located in a multi-tenant building, the closest part of the exterior of the tenant space of the establishment, to the nearest property line of the respective use):               <ol style="list-style-type: none"> <li>1,000 feet from a school.</li> <li>300 feet from a community facility.</li> <li>660 feet from a residential use unless waived with the approval of a waiver of development standards;</li> </ol> </li> <li>Shall not be located within the Las Vegas Boulevard Gaming Corridor.</li> <li>Must be located within an enclosed building.</li> <li>Retail sales is not permitted.</li> <li>Signs shall meet the following regulations: (These conditions may be waived with the approval of a waiver of development standards)               <ol style="list-style-type: none"> <li>Advertising is limited to wall signs only.</li> <li>Maximum area of a wall sign shall be 30 square feet.</li> <li>A maximum of 25% of the wall sign may include a logo.</li> <li>Wall signs shall be constructed only of pan channel letters (no cabinet or can signs).</li> <li>Letters for wall signs shall only be illuminated internally (front or backlit lighting). There shall be no exposed lighting source.</li> <li>No animation or electronic message units or display are permitted.</li> <li>The color and design, including lettering of signs shall complement the architecture of all buildings within the complex.</li> <li>Sign regulations per the applicable zoning districts apply in addition to the above regulations. The most restrictive regulations apply.</li> </ol> </li> </ol> <p>NOTE: The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the separation requirements.</p>																								

SECTION 5. Title 30, Chapter 30.72, Section 30.72.050 of the Clark County Code is hereby amended to read as follows:

**30.72.050 On-Premise Signs.** The regulations listed in Table 30.72-1 below apply to on-premise signs and include additional Residential Protection Standards established for on-premise freestanding signs. All the property within a commercial complex, including shopping centers and business parks, which contains more than 1 user and shares common parking or vehicular access shall also be considered on the same property (See Figure 30.72-1). Property located within the Transition Corridor, Red Rock Design Overlay, CMA Area Design Overlay, Asian Design Overlay, and the Moapa Valley Overlay Districts are subject to additional requirements and restrictions per Chapter 30.48 (see respective PARTS). In addition, for development within the SOSA Design Overlay District, see Chapter 30.48 PART M for further sign guidelines. See Table 30.44-1 for additional sign regulations for medical marijuana establishments.

SECTION 6. Title 30, Appendix F of the Clark County Code is hereby amended to read as follows:

<b>APPENDIX F: C-P, C-1, C-2</b>	
<u>Medical Marijuana Establishment</u>	
<u>Dispensary</u>	<u>S</u>
<u>Independent Testing Laboratory</u>	<u>S</u>

<b>APPENDIX F: C-2</b>	
<u>Medical Marijuana Establishment</u>	
<u>Cultivation Facility</u>	<u>S</u>
<u>Production Facility</u>	<u>S</u>

<b>APPENDIX F: M-D, M-1</b>	
<u>Medical Marijuana Establishment</u>	
<u>Cultivation Facility</u>	<u>S</u>
<u>Dispensary</u>	<u>S</u>
<u>Independent Testing Laboratory</u>	<u>S</u>
<u>Production Facility</u>	<u>S</u>

SECTION 7. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 8. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 9. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks; on 04/02/14.

PROPOSED on the \_\_\_\_\_ day of \_\_\_\_\_, 2014

INTRODUCED By : \_\_\_\_\_

PASSED on the \_\_\_\_\_ day of \_\_\_\_\_, 2014

VOTE:

AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAINING:  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:  
\_\_\_\_\_  
\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By \_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
DIANA ALBA, County Clerk

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day  
of \_\_\_\_\_, 2014.