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30.12 Comprehensive Plan and Community Districts

PART A THE PLAN

30.12.010 The Comprehensive Plan. The Clark County Comprehensive Plan (Plan), adopted by the Board on December 15, 1983, as amended, consist of various plan elements as defined in NRS 278.160, such as but not limited to area land use plans and maps; transportation, population, and conservation plans; the 1974 General Plan map for areas excluded from consideration in more recently adopted land use plans; and all subsequent amendments thereto. (Ord. 3518 § 3, 5/2007; Ord. 3296 § 2 (part), 10/2005; Ord. 2674 § 1, 2001)

30.12.020 Purpose. The Clark County Comprehensive Plan shall serve as a pattern and guide for the orderly physical growth and development of Clark County. Unless otherwise provided, all development approved through this Title shall be in conformance with the Comprehensive Plan as follows.

1. Unless otherwise noted in this Title, all approved zoning districts and development should reflect the applicable land use classification and intensity of use specified:
 - A. In the community district element.
 - B. In the various land use maps adopted in conjunction with the land use plans. However, the 1974 General Plan map shall indicate the permitted range of density and intensity of use for properties excluded from, or not so designated in, an adopted land use plan.
 - C. In the general description of the various land use categories depicted upon the adopted maps.
2. A proposed land use category allows a range of zoning districts, therefore the approval of a land use plan map, or an amendment thereto, shall not be construed to obligate the Commission or the Board to approve the maximum density or intensity of use permitted within an approved land use category. Requests for land use applications are subject to the discretion of the Commission or Board, within the general guidance contained within the Comprehensive Plan coupled with consideration of:
 - A. The general prosperity, health, safety, and welfare of the public.
 - B. The character of the area.
 - C. The area's peculiar suitability for particular uses.
 - D. The availability of water and other required resources.
 - E. The availability of, and facilities for, services.
 - F. Preservation of the value of buildings and property.
 - G. Encouraging the most appropriate land use.
3. Public facility design, location and improvement policies contained within the Comprehensive Plan shall be utilized as guidelines in the application of subdivision, public improvement, and design review procedures contained within this Title, including:
 - A. The provision of lots of sufficient size, adequate improvements and facilities, and appropriate design for the intended use.
 - B. The construction and installation of streets, highways with uniformity of street width and access to lands, public utilities and other public facilities to minimize traffic congestion and safety hazards.

- C. The prevention of the subdivision of lands which are subject to severe slope; lack of water, sewer or other required public services; flooding; or which are otherwise unsuitable for subdivision.
 - D. The development of a permanently wholesome community environment, adequate public services and safe streets.
4. Site design and location policies contained within the Comprehensive Plan shall be utilized as guidelines in the application of the design review procedures contained within Table 30.16-9 (Design Review).
 5. Land use and subdivision applications for the development of land may be approved, conditionally approved, or denied based on the plans, policy statements, goals contained anywhere within the Comprehensive Plan, or any amendment thereto, or element thereof. (Ord. 3296 § 2 (part), 10/2005)

PART B COMPREHENSIVE PLAN UPDATES AND AMENDMENTS

30.12.030 Purpose. The purpose of this part is to provide standards and procedures for the acceptance, processing, hearing and final action on Comprehensive Plan updates and amendments, with the intent of providing for the orderly and efficient development of land. (Ord 3885 § 2 (part), 8/2010)

30.12.035 Comprehensive Plan Amendment Processing. Comprehensive Plan amendments, except for Land Use Plans, may be initiated, accepted, processed, noticed, heard and acted upon in accordance with the provisions of this Part. The Comprehensive Plan shall only be amended per Table 30.12-1 below. Land Use Plan Update and Amendments are processed in accordance with Section 30.12.040. (Ord. 3975 § 2 (part), 8/2011; Ord 3885 § 2 (part), 8/2010)

30.12.040 Land Use Plan and Transportation Element Updates and Amendments. Land use plan updates and amendments are also subject to the additional requirements established in this subsection. Clerical errors and omissions may be administratively corrected at any time without a hearing.

1. **Land Use Plan Update Process.** Each land use plan should be reviewed, and revised if appropriate, within 5 years after adoption and within every 5 years thereafter. Approximately 12 months prior to the 5 year review of each land use plan, the Director of Comprehensive Planning shall receive direction from the Board regarding the appropriateness of updating the plan and proceed with the process described in Table 30.12-2 if directed. Should the Board choose not to update the plan, the direction shall affirm the plan's continued viability and shall be considered the re-adoption of the plan for the purpose of restricting the submission of nonconforming land use applications.
2. **Land Use Plan Update Re-examination Process.** The Board may re-examine any part of a land use plan in accordance with the re-examination process described in Table 30.12-2.
3. **Annual Amendments.** One year after adoption of an update or amendment, the Board may initiate 1 amendment to a plan in accordance with the annual amendment process described in Table 30.12-3.
4. **Annual Amendments Reconsideration Process.** The Board may reconsider any part of an annual amendment in accordance with the reconsideration process described in Table 30.12-3.
5. **Exceptions.** The Board may initiate an amendment to incorporate an approved Specific Plan (per Table 30.20-4) within the land use plan per the procedure in Table 30.12-3, however, such amendment shall not be limited to one per year.
6. **Transportation Element Amendment.** Transportation Element must be amended prior to or concurrent with any land use request to reduce the width or modify the alignment of any roadway shown on the map. (Ord. 4367 § 2, 2/2016; Ord. 3975 § 2 (part), 8/2011; Ord. 3885 § 2 (part), 8/2010; Ord. 3296 § 2 (part), 10/2005; Ord. 3209 § 3 (part), 5/2005; Ord. 2889 § 2, 4/2003; Ord. 2865 § 1, 4/2003)

30.12.045 Comprehensive Plan Amendment Processing and Land Use Plan Update and Amendments. Comprehensive Plan amendments and Land Use Plan update and amendments may be initiated, accepted, processed, noticed, heard and acted upon in accordance with the provisions of this Part. The Comprehensive Plan shall only be amended per Table 30.12-1, Land use Plan Updates and Amendments per tables 30.12-2 and 30.12-3 below. See Chapter 30.16, Section 30.16.210 describes the general standards for processing and consideration of all applications. Section 30.16.230 details the notice requirements when a public hearing is required, and Section 30.16.240 lists document submittal requirements for each of the application types. (Ord. 3975 § 2 (part), 8/2011)

Table 30.12-1 COMPREHENSIVE PLAN AMENDMENT - AUTHORITY AND CONSIDERATION TABLE	
a. Initiating Authority	Board
b. Document Submittal Requirements	<p>For Transportation Element and Aboveground Utility Plan of the Public Facilities and Services Element Amendments:</p> <ol style="list-style-type: none"> 1. Application Form 2. Compelling Justification Letter 3. Approval received in writing from the Commissioner in whose district the alignment is located; or, if such Commissioner is constrained by ethical conflicts of interest, the request for acceptance shall be placed on an agenda for the Board to consider. 4. Project Description
c. Adoption Process	<p>In accordance with Section 30.12.035:</p> <ol style="list-style-type: none"> 1. Upon receipt of a request by a member of the Board to amend an element, the Director of Comprehensive Planning (Director) shall prepare an agenda item to receive direction at a subsequent meeting of the Board. 2. If the Board determines that the amendment is worthy of further consideration, the public hearing process shall be initiated and the proposed amendment referred to the Commission. 3. The Commission shall consider the amendment at a public hearing per Section 30.16.210 within 40 days of the TAB/CAC meeting or neighborhood meeting (if not within a TAB/CAC boundary) and shall act upon the amendment within 90 days of the Board referral. The affirmative vote of not less than 2/3 of the total membership of the Commission shall be required to adopt any amendment. The Commission shall forward a certified copy of the adopted amendment to the Board. 4. Following action by the Commission, or the 90 day period, whichever comes first, the Board shall conduct a public hearing to consider the amendment and the facts presented. The Board may approve, approve with changes, or deny the amendment adopted by the Commission. <ol style="list-style-type: none"> A. If the Board approves the amendment certified by the Commission, the amendment shall be considered adopted, and no further action is required. B. Pursuant to NRS 278.220, if the Board denies or approves the amendment with changes from the Commission's certified copy, the amendment shall be returned to the Commission within 40 days. <ol style="list-style-type: none"> i. The Commission shall then respond in a report addressing the Board's action which shall be filed with the Board within 40 days. The adoption date of the amendment shall be the date the Commission report is received by the Board. ii. If no report is sent within 40 days, the amendment shall be deemed approved and the adoption date shall be the date the Board approved the plan. C. The Board may only consider an amendment that has been considered by the Commission
d. Notice Requirements	<ol style="list-style-type: none"> 1. Transportation Element and Aboveground Utility Plan of the Public Facilities and Services Element Amendment: posted notice, entity notice, newspaper notice and notice shall be sent to all property owners within a 750 foot radius 2. All Other Comprehensive Plan elements: posted notice, entity notice, and newspaper notice. (See Section 30.16.230 for detailed notice requirements.)
e. Recommending Entities	<ol style="list-style-type: none"> 1. For all Comprehensive Plan elements: Town Board(s), government entities, or Commission. 2. For Transportation Element Amendments Public Works and RTC recommendation prior to TAB/CAC meeting or neighborhood meeting.
f. Approval Authority	Commission, pursuant to NRS 278.210, except the action of the Commission shall be forwarded to the Board for final action pursuant to NRS 278.220.
g. Standards for Approval	Upon a determination that the general prosperity, health, safety, and/or welfare will be served, the Commission and Board may adopt amendments and additional elements to the Plan.

Table 30.12-1 COMPREHENSIVE PLAN AMENDMENT - AUTHORITY AND CONSIDERATION TABLE	
h. Application Expiration	None
i. Denial	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.

(Ord. 4266 § 1, 12/2014; Ord. 4063 § 2 (part), 11/2012; Ord 3924 § 2, 1/2011; Ord 3885 § 2 (part), 8/2010; Ord. 3635 § 2, 6/2008; Ord 3586 § 2, 2/2008; Ord. 3549 § 2, 9/2007; Ord. 3296 § 2 (part), 10/2005; Ord. 3209 § 3 (part), 3/2005; Ord. 2756 § 2, 6/2002)

Table 30.12-2 LAND USE PLAN UPDATE - AUTHORITY AND CONSIDERATION TABLE	
a. Initiating Authority	Board
b. Adoption Process	In accordance with Section 30.12.040: <ol style="list-style-type: none"> 1. If the Land Use Plan Update is not within a TAB/CAC boundary, a neighborhood meeting (open house) is required to explain proposed changes to the Plan. If within a TAB/CAC boundary, a meeting is required to explain proposed changes to the Plan. 2. When the Board determines that the update is worthy of further consideration, the public hearing process shall be initiated and the proposed update referred to the Commission. 3. The Commission shall initially consider the update at a public hearing per Section 30.16.210 within 40 days of the TAB/CAC meeting or neighborhood meeting (if not within a TAB/CAC boundary) and then shall act upon the update within 90 days of the Board referral. The affirmative vote of not less than 2/3 of the total membership of the Commission shall be required to adopt any update. The Commission shall forward a certified copy of the adopted update to the Board. 4. Following action by the Commission, or the expiration of the 90 day period, whichever comes first, the Board shall conduct a public hearing to consider the update. The Board may approve, approve with changes, or deny the update adopted by the Commission. <ol style="list-style-type: none"> A. If the Board approves the update certified by the Commission, the update shall be considered adopted, and no further action is required. B. Pursuant to NRS 278.220, if the Board denies or approves the update with changes from the Commission's certified copy, the update shall be returned to the Commission within 40 days. <ol style="list-style-type: none"> i. The Commission shall then respond in a report addressing the Board's action which shall be filed with the Board within 40 days. The adoption date of the update shall be the date the Commission report is received by the Board. ii. If no report is sent within 40 days, the plan shall be deemed approved and the adoption date shall be the date the Board approved the plan. C. The Board may only consider updates that have been considered by the Commission unless the proposed update changes a land use designation in a manner that completes a land use pattern.
c. Notice Requirements	Posted notice, entity notice, newspaper notice and notice shall be sent to property owners within a 750-foot radius. (See Section 30.16.230 for detailed notice requirements.)
d. Recommending Entities	Applicable Town Board(s), government entities, and Commission; plus Cities.
e. Approval Authority	Commission, pursuant to NRS 278.210, except the action of the Commission shall be forwarded to the Board for final action pursuant to NRS 278.220.
f. Standards for Approval	Upon a determination that the general prosperity, health, safety, and/or welfare will be served, the Commission and Board may adopt updates to the Plan, or may adopt a new plan.
g. Application Expiration	None
h. Denial	The denial of an update shall constitute a finding that the update is inconsistent with the standards and purposes enumerated in the Plan, this Title, and/or the Nevada Revised Statutes.
i. Re-examination Process	<ol style="list-style-type: none"> 1. The Board may re-examine any part of a land use plan if it determines that there are facts which were not fully considered at the time of the original approval, the existence of which would likely result in a different decision. 2. Upon request by a property owner or interested party any Board member may request a re-examination of any part of a land use plan within 90 days of its adoption, and all such requests shall be considered together at a re-examination public hearing to be scheduled and noticed for 45 days after the close of the 90 day request period. 3. Any re-examination shall be considered pursuant to subsections (c) through (f) above.

(Ord. 4063 § 2 (part), 11/2012; Ord 3885 § 2 (part), 8/2010)

Table 30.12-3 LAND USE PLAN ANNUAL AMENDMENT - AUTHORITY AND CONSIDERATION TABLE	
a. Initiating Authority	Board
b. Standards of Acceptance	<ol style="list-style-type: none"> 1. Annual amendments shall be considered for each planning area not more than once per year following adoption. 2. Applications for amendment may be accepted for 30 days following the update anniversary. These time limits do not apply to amendments to adopt an approved Specific Plan for a Major Project.
c. Document Submittal Requirements	<ol style="list-style-type: none"> 1. Application Form 2. Compelling Justification Letter 3. Approval received in writing from the Commissioner in whose district the property is located; or, if such Commissioner is constrained by ethical conflicts of interest, the request for acceptance shall be placed on an agenda for the Board to consider. <p>#2 and #3 above do not apply to amendments to adopt an approved Specific Plan for a Major Project.</p>
d. Adoption Process	<p>In accordance with Section 30.12.040:</p> <ol style="list-style-type: none"> 1. Upon receipt of a request by a member of the Board to accept an application for an annual amendment, the Director of Comprehensive Planning (Director) shall prepare an agenda item to receive direction at a subsequent meeting of the Board. 2. The Commission shall consider the annual amendment at a public hearing within 40 calendar days of the TAB/CAC meeting or neighborhood meeting (if not within a TAB/CAC boundary) and shall act upon the amendment within 90 days of the Board referral. The affirmative vote of not less than 2/3 of the total membership of the Commission shall be required to adopt any annual amendment. The Commission shall forward a certified copy of the adopted annual amendment to the Board. 3. Following action by the Commission, or the expiration of the 90 day period, whichever comes first, the Board shall conduct a public hearing to consider the amendment and the facts presented. The Board may approve, approve with changes, or deny the amendment adopted by the Commission. <ol style="list-style-type: none"> A. If the Board approves the amendment certified by the Commission, it shall be considered adopted, and no further action is required. B. Pursuant to NRS 278.220, if the Board denies or approves the amendment with changes from the Commission's certified copy, the amendment shall be returned to the Commission within 40 days. <ol style="list-style-type: none"> i. The Commission shall then respond in a report addressing the Board's action which shall be filed with the Board within 40 days. The adoption date of the Annual Amendment shall be the date the Commission report is received by the Board. ii. If no report is sent within 40 days, the Annual Amendment shall be deemed approved and the adoption date shall be the date the Board approved the plan. C. The Board may only consider amendments that have been considered by the Commission and TAB/CAC unless the proposed amendment changes a land use designation in a manner that completes a land use pattern. 4. If an amendment is denied, the adoption date of the existing land use plan shall remain unchanged.
e. Notice Requirements	<p>Posted notice, entity notice, city notice, newspaper notice and notice shall be sent to property owners within a 750 foot radius. The 750 foot notification requirement does not apply to amendments to adopt an approved Specific Plan for a Major project (Notification for Specific Plan satisfies NRS notification requirements of NRS 278.210). (See Section 30.16.230 for detailed notice requirements.)</p>
f. Recommending Entities	Applicable Town Board(s), government entities, and Commission; plus Cities within city notice area for projects of regional significance.
g. Approval Authority	Commission, pursuant to NRS 278.210, except the action of the Commission shall be forwarded to the Board for final action pursuant to NRS 278.220
h. Standards for Approval	Upon a determination that the general prosperity, health, safety, and/or welfare will be served, the Commission may adopt an annual amendment to the land use plans.
i. Application Expiration	None
j. Denial	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.

Table 30.12-3 LAND USE PLAN ANNUAL AMENDMENT - AUTHORITY AND CONSIDERATION TABLE	
k. Reconsideration Process	<ol style="list-style-type: none"> 1. A request for reconsideration must be physically received by the Zoning Administrator by 5:00 p.m. of the fifth day, or 5 days after the adoption date. Once a request for reconsideration has been filed, it cannot be withdrawn. 2. All such requests shall be considered together at a reconsideration public hearing of an amendment within 45 days after the close of the 5 day request period unless continued for good cause. 3. Only the proposed changes which were itemized on the staff report and were on the agenda may be re-considered at the public meeting. 4. Any plan amendment considered at a reconsideration hearing shall include a review by any applicable Town Board(s) and public hearings before the Commission and the Board; additional notification from the boundaries of all affected parcels shall be required [see subsection (e) above].

(Ord. 4063 § 2 (part), 11/2012; Ord. 3975 § 2 (part), 8/2011; Ord 3885 § 2 (part), 8/2010)

PART C COMMUNITY DISTRICTS

30.12.050 Purpose The purpose of establishing different community districts within unincorporated Clark County is to enable the establishment of alternative development standards particularly suited for the geographic areas described below. Each community district is designated on the latest map adopted by the Board, or within any adopted land use plan, and may have special development standards which shall apply within that district only. Such special development standards shall be designed to reflect and accommodate the particular social, geographic and other characteristics of the district.

30.12.060 Established Community Districts.

- a. Community District 1 shall include the property shown as a regional economic base and employment center.
- b. Community District 2 shall include the property shown as the urban growth area.
- c. Community District 3 shall include the property shown as the future development/rural open space.
- d. Community District 4 shall include the property shown as growth centers or satellite communities.
- e. Community District 5 shall include those portions of unincorporated Clark County towns and communities as shown within the South County, Northeast Clark County and Northwest Clark County Land Use Plans including but not limited to: Indian Springs, Mt. Charleston, Searchlight, Bunkerville, Glendale, Moapa, Moapa Valley, Goodsprings, Nelson, Palm Gardens, Cal-Nev-Ari, Blue Diamond, Mountain Springs, and Sandy Valley as shown in Appendix G, map 3A. Within community district 5, uses and standards specified as permitted within community district 5 as shown in Table 30.44-1 (Global Use Table), shall be permitted even if the slope exceeds twelve percent (12%).
- f. Community District 6 shall include the property shown as an open space and conservation district, or land which has a slope in excess of 12%. (Ord 3885 § 2 (part), 8/2010; Ord. 2573 § 3, 2001; Ord. 2510 § 2, 2000)