

CLARK COUNTY BOARD OF COMMISSIONERS
ZONING / SUBDIVISIONS / LAND USE
AGENDA ITEM

Petitioner: Sami Real, Director, Department of Comprehensive Planning

Recommendation: ORD-24-900591: Introduce an ordinance to amend Title 30 to clarify the process for appeals and providing for other matters properly related thereto; and set a public hearing. (For possible action)

FISCAL IMPACT:

None by this action.

BACKGROUND:

The proposed amendment is a clarification to the appeal process within Title 30 to allow an aggrieved person pursuant to Nevada Revised Statutes requirements the ability to appeal a decision of the Planning Commission to the Board.

Staff recommends the Board set a public hearing for October 16, 2024.

Cleared For Agenda
10/02/24

~~Strikethrough~~ 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 clarify the process for appeals and make corrections and clarifications as appropriate. (T30-24-900591)

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.06, SECTIONS 30.06.03 TO CLARIFY THE PROCESS FOR APPEALS AND MAKE CORRECTIONS AND CLARIFICATIONS AS APPROPRIATE; 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. Title 30, Section 30.06.03 of the Clark County Code is amended to read as follows:

30.06.03 COMMON REVIEW PROCEDURES

F. General Post-Decision Actions

4. Appeals

Decisions by the Commission, Zoning Administrator, Director of Public Works, and determinations by the Director made in the administration of this Title, may be appealed to the Board.

i. Filing an Appeal

(a) Any appeal must be submitted no later than 5 p.m. on the fifth working day following action on an application or receipt of a determination.

~~(c) → An appeal may be filed by:~~

~~(1) → An applicant.~~

~~(2) → Any person aggrieved by the decision. In accordance with NRS 278.3195, a person shall be deemed to be aggrieved if the person appeared, either in person, through an authorized representative or in writing, before a person or entity, on the matter which is the subject of the decision.~~

~~(3) → A County Commissioner, County Manager, Director of a County Department, or their designee.~~

~~(c)(d) → A Planning Commissioner who voted on an application may not file an appeal.~~

~~(d)(e) → Once an appeal has been filed, it cannot be withdrawn.~~

~~(e)(f) Appeals must be placed on an agenda the next available meeting after the request has been received.~~

SECTION 2. 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 3. 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 4. 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 and shall be effective on and from the fifteenth day after passage. A land use application approved prior to the effective date of this ordinance may be developed per the plans approved with the application.

PROPOSED on the _____ day of _____, 2024

INTRODUCED By : _____

PASSED on the _____ day of _____, 2024

VOTE:

AYES: _____

NAYS: _____

ABSTAINING:

ABSENT:

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By _____
TICK SEGERBLOM Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after the _____ day of _____, 2024.