

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

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**Petitioner:** Nancy A. Amundsen, Director, Department of Comprehensive Planning

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**Recommendation:** ORD-21-900689: Introduce an ordinance to update various regulations in the Clark County Unified Development Code (Title 30), and direct staff accordingly. (For possible action)

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**FISCAL IMPACT:**

None by this action.

**BACKGROUND:**

To keep the Unified Development Code (Title 30) consistent and current with the dynamics of community land use needs and practices, staff has identified various land use requirements, standards, and procedures in Title 30 that need to be updated, corrected, or otherwise modified to improve efficiency and performance, and/or maintain conformance. The ordinance revisions include, but are not limited to, the following:

- Modify the definitions of Brew Pub, Community Residence, Disability, and Hospital per the 2021 Legislative session (30.08)
- Clarify part of the definitions of Ammunition, Fence, and Outside Dining (30.16)
- Modify Chapter 30.12 to incorporate changes resulting from the adoption of the Master Plan rewrite (30.12)
- Update the procedure concerning RISE reports and HIP projects (30.16 and 30.48)
- Update Vacation and Abandonment procedures to expand the use of administratively vacating easements per the 2021 Legislative session (30.16)
- Correct a reference in Major Subdivision Tentative Map (30.28-1)
- Clarify certain procedural requirements for the Major Subdivision Final Map Technical Review (30.28)
- Specify acreage maximum for Minor Subdivision Parcel Maps (30.28)
- Clarify Improvement Plan requirements for the Minor Subdivision Parcel Map Technical Review (30.28)
- Revise Reversionary Map requirements (30.28)
- Revise Boundary Line Adjustment requirements (30.28)
- Revise Separate Document requirements (30.28)
- Increase allowable increased finished grade to 36 inches to match retaining wall height (30.32)
- Correct separation condition in Cannabis Retail Store (30.44)
- Modify Community Residence per the 2021 Legislative session (30.44)
- Correct Individual Well distance reference (30.52)
- Allow alternative tree placement for sight zone issues (30.64)
- Add fee reductions in accordance with the Resolution no. 3-16-21-4 to reduce development fees to incentivize the development of affordable housing (30.80)
- Modify Subdivision Map Fee Schedule (30.80)

Staff recommends the Board set a public hearing for December 8, 2021.

**Cleared For Agenda**  
11/17/21

[Bracketed] and/or ~~strickthrough~~ 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 various land use requirements and procedures and make corrections and clarifications as appropriate. (T30-21-900689)

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

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.08, 30.12, 30.16, 30.28, 30.32, 30.44, 30.48, 30.52, 30.64, AND 30.80, SECTIONS 30.08.030, 30.12.010, 30.12.020, 30.12.030, 30.12.035, 30.12.040, 30.12.045, 30.28.130, 30.32.040, 30.48.260, 30.52.100, 30.64.050, AND 30.80.020; TABLES 30.12-1, 30.12-2, 30.12-3, 30.16-4, 30.16-11, 30.28-1, 30.28-2, 30.28-4, 30.28-5, 30.28-7, 30.28-8, 30.28-10, 30.44-1, AND 30.80-3, FIGURES 30.64-17 AND 30.64-18 TO UPDATE VARIOUS LAND USE REQUIREMENTS AND PROCEDURES 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, Chapter 30.08, Section 30.08.030 of the Clark County Code is amended to read as follows:

**Ammunition** “Ammunition” means, in reference to this Title, ammunition or cartridge cases, primers, bullets, or propellant powder (which includes gun powder) designed for use in any firearm. The term shall not include (a) any shotgun shot or pellet not designed for use as the single, complete projectile load for one shotgun hull or casing, nor (b) any unloaded, non-metallic shotgun hull or casing not having a primer as defined by United States Code; or (c) non-combustible components of ammunition.

**Brew Pub** “Brew Pub” means an establishment which manufactures malt beverages, including beer, ale, porter, stout, or other similar fermented beverages brewed or produced from malt, and sells those malt beverages at retail for either on- or off-premises consumption or to a distributor to be resold ~~[-providing production shall not exceed 15,000 barrels per year]~~. See NRS 597.230. See also “Alcohol Related Uses”

**Community Residence** “Community Residence” (also commonly referred to as a "group home") means a residential family-like living arrangement for 5 to 10 unrelated individuals with disabilities in need of the mutual support furnished by other residents of the community residence as well as the support services, if any, provided by the operator of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which furnishes habilitative or rehabilitative services related to the disabilities of the residents. Inter-relationships between residents are an essential component of a community residence. A community residence shall be considered a residential use of property for purposes of all zoning and building codes. The term does not include “facilities for the treatment of alcohol or other substance use disorders ~~[and drug abuse]~~”, “modified medical detoxification facilities”, “transitional living facilities for released offenders”, “facility for treatment with narcotics”, or “community triage center” as each of those terms are defined within chapter 449 of the Nevada Revised Statues. The term also does not include a “boarding house”, “lodging house”, “fraternity”, “sorority”, “dormitory”, or any other group living arrangement for unrelated individuals without a disability ~~[who are not disabled]~~. The term includes two categories as follows:

1. “**Family Community Residence**” including but not limited to “residential facilities for groups” of more than 4 residents as defined by NRS 449.017. Relatives of the residents may reside in the facility (cannot exceed 10 individuals).

2. “**Transitional Community Residence**” including but not limited to “halfway house for recovering alcohol or other substance use disorders ~~[and drug abusers]~~” for more than 4 residents as defined by NRS 449.008.

**Disability** “Disability” means a physical or mental impairment that substantially limits 1 or more of an individual’s major life activities, ~~impairs an individual’s ability to live independently~~, having a record of such an impairment, or being regarded as having such an impairment. People with disabilities do not include those [addicts] who continue to use alcohol or ~~[illegal]~~ other substances [drugs], whichever applies.

**Fence** “Fence” means any artificial barrier greater than 36 inches in height (constructed of any material or combination of materials) erected within a required setback for the purpose of enclosing or screening certain areas of land. A fence is supported by its own structural frame system and not attached, secured or supported by other means. Fences not constructed within required setbacks shall be considered accessory structures and shall meet the restrictions for such structures within the respective districts. The restrictions applicable to walls apply to fences; however, a fence shall not be substituted for a wall when required by the provisions of this Title.

1. “Agricultural fence” means a wire fence, for example electrical or barbed wire, constructed to enclose agricultural uses and/or animal stock permitted in the R-U, R-A, and R-E districts within community districts five and six. The minimum height is 5 feet with not less than 5 horizontal barriers, with posts set not more than 20 feet apart. The lower barrier must not be more than 12 inches from the ground and the space between any 2 barriers must not exceed 12 inches. Every post must be set to withstand a horizontal strain of 250 pounds at a point 4 feet from the ground, and each barrier must be capable of withstanding a horizontal strain of 250 pounds at any point mid-way between posts. Such posts are required along and adjacent to any side, front, or rear property line bordering the entire facility. An agricultural fence is not regulated by the provisions of this title.
2. “Decorative fence” means a fence ~~[constructed of decorative wrought iron or similar material]~~ which may be in combination with decorative walls and/or columns with not less than 50% of the vertical surface of the fence open, but not constructed of galvanized steel.

**Hospital** “Hospital” means any building, or portion thereof, used for the accommodation and medical and/or psychological care of persons who are sick, injured or infirm that provides 24 hour care. ~~[This includes sanitariums, institutions for the cure of chronic drug addicts and mental patients, and alcoholic sanitariums.]~~ (See Chapter 6.12 Hospitals, and NRS 449). (Ord. 4010 § 1 (part), 4/2012; Ord. 3757 § 1 (part), 4/2009)

**Out[door]side Dining, Drinking and Cooking** “Out[door]side Dining, Drinking and Cooking” means the seating, eating/drinking and/or preparation of food only for patrons outside the area enclosed within a dining establishment.

SECTION 2. Title 30, Chapter 30.12, Sections 30.12.010, 30.12.020, 30.12.030, 30.12.035, 30.12.040, 30.12.045, Tables 30.12-1, 30.12-2 and 30.12-3 of the Clark County Code are amended to read as follows:

## **30.12 [Comprehensive] Master Plan and Community Districts**

### **PART A THE PLAN**

**30.12.010 The [Comprehensive] Master Plan.** The Clark County [Comprehensive] Master Plan (Plan), adopted by the Board on ~~[December 15, 1983, as amended]~~ November 17, 2021, consists of various elements as defined in NRS 278.160, ~~[including but not limited to Conservation, Historic Preservation, Housing, Land Use (including area land use plans and maps), Public Facilities and Services, Recreation and Open Space, Safety, and Transportation; the 1974 General Plan map for areas excluded from consideration in more recently adopted land use plans;]~~ and all subsequent amendments thereto.

**30.12.020 Purpose.** The Clark County [Comprehensive] Master 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] Master 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 Master Plan [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~~] planning area 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~~] Master 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 buildings and property.
    - G. Encouraging the most appropriate land use.
  3. Public facility design, location and improvement policies contained within the [~~Comprehensive~~] Master 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~~] Master 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~~] Master Plan, or any amendment thereto[; ~~or element thereof~~].

## **PART B [~~COMPREHENSIVE~~] MASTER 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~~] Master Plan updates and amendments, with the intent of providing for the orderly and efficient development of land.
- 30.12.035 [~~Comprehensive~~] Master Plan Amendment Processing.** Comprehensive Master 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~~] Master Plan shall only be amended per Table 30.12-1 below. [~~Land Use~~] Planning Area Update and Amendments are processed in accordance with Section 30.12.040.
- 30.12.040 [~~Land Use~~] Planning Area and Transportation [~~Element~~] Map Updates and Amendments.** [~~Land-use plan~~] Planning Area and Transportation Map 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] Planning Area Update Process.** Each [land use] planning area should be reviewed, and revised, if appropriate, according to the schedule established by the Board. Each year, [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 planning area [and proceed with the process described in Table 30.12-2 if directed]. Should the Board choose not to update the planning area, the direction shall affirm the planning area's policies and maps [plan's] continued viability and shall be considered the re-adoption of the [plan] map for the purpose of restricting the submission of nonconforming land use applications.
2. **[Land Use] Planning Area Update Re-examination Process.** The Board may re-examine any part of a [land use] planning area in accordance with the re-examination process described in Table 30.12-2.
3. **[Annual] Planning Area Amendments.** [One year after adoption of an update or amendment, t] The Board may initiate [t] an amendment to a plan in accordance with the annual amendment process described in Table 30.12-3.
4. **[Annual] Planning Area 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] planning area per the procedure in Table 30.12-3[, however, such amendment shall not be limited to one per year].
6. **Transportation [Element] Map Amendment.** A Transportation [Element] Map 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(s).

**30.12.045 [Comprehensive] Master Plan Amendment Processing and [Land Use] Planning Area Update and Amendments.** [Comprehensive] Master Plan amendments and [Land Use] Planning Area update and amendments may be initiated, accepted, processed, noticed, heard and acted upon in accordance with the provisions of this Part. The [Comprehensive] Master Plan shall only be amended per Table 30.12-1, [Land use] Planning Area Updates and Amendments per [t] 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.

<b>Table 30.12-1 [COMPREHENSIVE] MASTER PLAN AMENDMENT - AUTHORITY AND CONSIDERATION TABLE</b>	
<b>b. Document Submittal Requirements</b>	<ol style="list-style-type: none"> <li>1. Application Form</li> <li>2. Compelling Justification Letter</li> <li>3. Approval received in writing from the Commissioner in whose district the [alignment] request 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.</li> <li>4. Project Description</li> </ol>
<b>d. Adoption Process</b>	<p>In accordance with Section 30.12.035:</p> <ol style="list-style-type: none"> <li>1. Upon receipt of a request by a member of the Board to amend the Master Plan [an element], the Director of Comprehensive Planning (Director) shall prepare an agenda item to receive direction at a subsequent meeting of the Board.</li> <li>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.</li> <li>3. The Commission shall consider the amendment at a public hearing per Section 30.16.210. 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.</li> <li>4. Following action by the Commission, the Board shall conduct a public hearing to consider the amendment and the facts presented. <ol style="list-style-type: none"> <li>A. If the Board adopts the amendment certified by the Commission, the amendment shall be considered effective, and no further action is required.</li> <li>B. Pursuant to NRS 278.220, if the Board denies or adopts the amendment with changes from the Commission's certified copy, a report of the Board's action shall be submitted to the Commission within 40 days. <ol style="list-style-type: none"> <li>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 effective date of the amendment shall be the date the Commission report is received by the Board.</li> <li>ii. If no report is sent within 40 days, the amendment shall be deemed adopted and the effective date shall be the date the Board adopted the plan.</li> </ol> </li> <li>C. The Board may only consider an amendment that has been considered by the Commission.</li> </ol> </li> </ol>
<b>e. Notice Requirements</b>	<ol style="list-style-type: none"> <li>1. [Transportation Element and Aboveground Utility Plan of the Public Facilities and Services Element Amendment (site specific requests)] For site specific requests: posted notice, entity notice, newspaper notice and notice shall be sent to all property owners within a 750 foot radius</li> </ol>

	2. All Other <del>[Comprehensive]</del> Master Plan <del>[elements]</del> <u>amendments</u> (including text changes pursuant to NRS 278.210): posted notice, entity notice, and newspaper notice. (See Section 30.16.230 for detailed notice requirements.)
<b>f. Recommending Entities</b>	<ol style="list-style-type: none"> <li>1. For site specific <del>[Comprehensive Master Plan amendment]</del> requests: Town Board(s), government entities, or Commission.</li> <li>2. For Transportation <del>[Element]</del> <u>Map</u> Amendments: Public Works and RTC recommendation prior to TAB/CAC meeting or neighborhood meeting.</li> <li>3. For all other amendments: government entities or Commission.</li> </ol>

**Table 30.12-2**

**[LAND-USE] PLANNING AREA UPDATE - AUTHORITY AND CONSIDERATION TABLE**

<b>b. Adoption Process</b>	<p>In accordance with Section 30.12.040:</p> <ol style="list-style-type: none"> <li>1. If the <u>[Land-Use] Planning Area</u> 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 <u>Planning Area</u>.</li> <li>2. The Commission shall consider the update at a public hearing per Section 30.16.210. 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.</li> <li>3. Following action by the Commission, 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"> <li>A. If the Board adopts the update certified by the Commission, the update shall be considered effective, and no further action is required.</li> <li>B. Pursuant to NRS 278.220, if the Board denies or adopts the update with changes from the Commission's certified copy, a report of the Board's action shall be submitted to the Commission within 40 days. <ol style="list-style-type: none"> <li>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 effective date of the update shall be the date the Commission report is received by the Board.</li> <li>ii. If no report is sent within 40 days, the plan shall be deemed effective and the effective date shall be the date the Board adopted the plan.</li> </ol> </li> <li>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.</li> </ol> </li> </ol>
<b>j. Re-examination Process</b>	<ol style="list-style-type: none"> <li>1. The Board may re-examine any part of a <u>[land-use] planning area</u> 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.</li> <li>2. Upon request by a property owner or interested party, any Board member may request a re-examination of any part of a <u>[land-use] planning area</u> within 30 days of its adoption, and all such requests shall be considered together at a re-examination public hearing to be scheduled and noticed within 45 days after the close of the 30 day request period.</li> <li>3. Any re-examination shall be considered pursuant to subsections (d) through (f) above.</li> </ol>

**Table 30.12-3**

**[LAND-USE] PLANNING AREA [ANNUAL] AMENDMENT - AUTHORITY AND CONSIDERATION TABLE**

<b>a. Initiating Authority</b>	Board
<b>b. [Standards of Acceptance]</b>	<del>[1. Annual amendments shall be considered for each planning area not more than once per year following adoption.]</del> <del>2. Applications for amendment may be accepted for 30 days following the update anniversary.</del> <del>These time limits do not apply to amendments to adopt an approved Specific Plan for a Major Project.]</del>
<b>[e.] Base Fee</b>	\$500 plus Notice Fees. See Table 30.80-1.
<b>[d]c. Document Submittal Requirements</b>	<ol style="list-style-type: none"> <li>1. Application Form</li> <li>2. Compelling Justification Letter</li> <li>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.</li> </ol> <p>#2 and #3 above do not apply to amendments to adopt an approved Specific Plan for a Major Project.</p>
<b>[e]d. Adoption Process</b>	<p>In accordance with Section 30.12.040:</p> <ol style="list-style-type: none"> <li>1. Upon receipt of a request by a member of the Board to accept an application for an <u>[annual]</u> amendment, the Director of Comprehensive Planning (Director) shall prepare an agenda item to receive direction at a subsequent meeting of the Board.</li> <li>2. The Commission shall consider the <u>[annual]</u> amendment at a public hearing. The affirmative vote of not less than 2/3 of the total membership of the Commission shall be required to adopt any <u>[annual]</u> amendment. The Commission shall forward a certified copy of the adopted annual amendment to the Board.</li> <li>3. Following action by the Commission, 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"> <li>A. If the Board adopts the amendment certified by the Commission, it shall be considered effective, and no further action is required.</li> <li>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"> <li>i. The Commission shall then respond in a report addressing the Board's action which shall be filed with</li> </ol> </li> </ol> </li> </ol>

Table 30.12-3

**LAND-USE/ PLANNING AREA [ANNUAL] AMENDMENT - AUTHORITY AND CONSIDERATION TABLE**

	<p>the Board within 40 days. The effective date of the [Annual] Amendment shall be the date the Commission report is received by the Board.</p> <p>ii. If no report is sent within 40 days, the [Annual] Amendment shall be deemed adopted and the effective date shall be the date the Board adopted the plan amendment.</p> <p>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.</p> <p>4. If an amendment is approved, the adoption date of the existing <u>land-use</u> planning area shall remain unchanged.</p>
<b>[f]g. Notice Requirements</b>	<p>1. For site specific requests: posted notice, entity notice, city notice, newspaper notice and notice shall be sent to property owners within a 1500 foot radius. The 1500 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).</p> <p>2. For all other requests: Posted notice, entity notice, city notice, and newspaper notice. (See Section 30.16.230 for detailed notice requirements.)</p>
<b>[g]f. Recommending Entities</b>	Town Board(s), government entities, and Commission; plus Cities within city notice area for projects of regional significance.
<b>[h]g. Approval Authority</b>	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
<b>[i]h. Standards for Approval</b>	Upon a determination that the general prosperity, health, safety, and/or welfare will be served, the Commission may adopt an annual amendment to the <u>land-use plans</u> planning areas.
<b>[j]i. Application Expiration</b>	None
<b>[k]j. Denial</b>	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.
<b>[l]k. Reconsideration Process</b>	<p>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.</p> <p>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.</p> <p>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.</p> <p>4. Any <u>planning area</u> 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.</p>

SECTION 3. Title 30, Chapter 30.16, Tables 30.16-4, and 30.16-11 of the Clark County Code are amended to read as follows:

Table 30.16-4 <i>SPECIAL USE PERMIT - AUTHORITY AND CONSIDERATION TABLE</i> <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>Applications to expand the Gaming Enterprise District shall not be accepted unless in compliance with Chapter 30.48, Part E.</li> <li>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>Applications for the following (A-D) 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>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>high impact project</li> <li>neighborhood casinos</li> <li>resort hotel</li> </ol> </li> <li>FAA and other additional requirements and standards are established in 30.16.210.</li> <li>Applications to establish package wastewater treatment plants shall demonstrate compliance with Clark County Code, Chapter 24.28, prior to submittal and acceptance.</li> <li>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>High impact projects: submit initial RISE (regional infrastructure and service evaluation) reports with the pre-submittal filing package. <del>[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.]</del></li> <li>Each Cannabis Establishment requires a separate application per 30.16.210 (4)(A).</li> <li>Applications subject to the Cooperative Management Area Deed Modification Policy shall not be accepted without confirmation from the Department of Aviation.</li> </ol>
<b>d. Application Process</b>	<ol style="list-style-type: none"> <li>Pre-submittal conferences required for uses involving hazardous chemicals, explosives, materials or wastes, in amounts regulated by NRS and NAC; high impact projects; and neighborhood casinos.</li> <li>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>To establish a neighborhood casino, at least 1 neighborhood meeting with property owners within a 2,500 foot radius (See Section 30.16.230 (b)(5)(A) of a project shall be required prior to application submittal. The applicant shall perform the following: <ol style="list-style-type: none"> <li>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>Conduct a neighborhood meeting. The meeting shall be scheduled in the evening hours and located in the same area as the proposal; and</li> <li>Document the notification of property owners and status of neighborhood concerns to the Zoning Administrator.</li> </ol> </li> <li><del>[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.]</del></li> <li>All applications require a Public Hearing per Section 30.16.210.</li> </ol>

Table 30.16-11 <i>VACATION AND ABANDONMENT - AUTHORITY AND CONSIDERATION TABLE</i> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>a. Initiating Authority</b>	Board, Director of Public Works, Zoning Administrator, or property owner of any property abutting the alignment
<b>b. Standards for Acceptance</b>	At a minimum, applications shall be processed for entire street segments, from intersection to intersection unless a determination is made by the Director of Public Works or Zoning Administrator that the vacation and abandonment of a partial segment is appropriate. Collector or arterial street or alignment requiring a Transportation Element Amendment shall be processed prior to or concurrent with a Comprehensive Master Plan Amendment per Table 30.12-1.
<b>c. Base Fee</b>	\$200 to vacate patent easements <del>[only]</del> or specific easements if permitted by Clark County Public Works, without a public hearing \$500 to vacate right-of-way, or easements with a public hearing plus \$200 delivery confirmation mail fee, plus \$175 Notice Fee
<b>d. Approximate Processing Time</b>	To vacate patent easements <del>[only]</del> or specific easements if permitted by Clark County Public Works, without a public hearing: 10 working days after the last day of the week of the filing period during which the application is submitted
<b>e. Application Process</b>	Public hearing or administrative review per Section 30.16.210
<b>f. Notice Requirements</b>	<ol style="list-style-type: none"> <li>To vacate patent easements <del>only</del> or specific easements if permitted by Clark County Public Works, without a public hearing: none</li> <li>To vacate easements with a public hearing, or right-of-way: posted notice, entity notice, city notice, newspaper notice, and 500 foot notice (delivery confirmation mail required for abutting properties only) (See Section 30.16.230 Notices)</li> </ol>



Table 30.16-11 <i>VACATION AND ABANDONMENT - AUTHORITY AND CONSIDERATION TABLE</i> <i>SEE ALSO 30.16.210 for general process information and standards</i>	
<b>g. Recommending Entities</b>	<ol style="list-style-type: none"> <li>1. To vacate patent easements or <u>specific easements if permitted by Clark County Public Works [only]</u>, without a public hearing: Government Entities, public utilities, and Town Board (shall be used if received but are not required); letters of consent from property owners adjacent to the easement and/or any extension of the easement to the nearest dedicated right-of-way shall also serve as recommendations</li> <li>2. To vacate easements with a <u>public hearing, or right-of-way</u>: Government Entities, public utilities, and Town Board</li> </ol>
<b>h. Approval Authority</b>	<ol style="list-style-type: none"> <li>1. Administrative - To vacate patent easements or <u>specific easements if permitted by Clark County Public Works [only]</u>, without a public hearing: Director of Public Works</li> <li>2. Commission - To vacate easements with a public hearing, or rights-of-way: Commission, except full-width rights-of-way for collector and arterial streets included on the Transportation Element map shall be forwarded to the Board with the Commission's recommendation</li> <li>3. Board – Application submitted in conjunction with, or in lieu of, another application that requires Board approval or at the discretion of the <u>Zoning Administrator</u></li> </ol>
<b>i. Appeal Authority</b>	Board
<b>j. Standards for Approval and Recordation</b>	<ol style="list-style-type: none"> <li>1. The Director of Public Works, Commission, or Board, shall determine that there is no present nor future public need for the area proposed to be vacated, and that the public will not be materially injured by the proposed vacation. The approval of a vacation and abandonment shall constitute such a determination</li> <li>2. The order of vacation shall not be recorded in the Office of the County Recorder until consenting recommendations have been received from <u>any public utility</u> and all conditions of approval have been satisfied, except as provided in "I" below</li> </ol>
<b>k. Application Expiration</b>	The order of vacation must be recorded in the Office of the County Recorder within 2 years from the date of approval. Any extension of time shall require the re-approval of affected government and public utility entities. The vacation application cannot be <u>administratively extended</u> .
<b>l. Recordation</b>	The County <u>may</u> record the order of vacation if utility companies have not responded within 90 days from the approval date

SECTION 4. Title 30, Chapter 30.28, Section 30.28.130, Tables 30.28-1, 30.28-2, 30.28-4, 30.28-5, 30.28-7, 30.28-8, and 30.28-10 of the Clark County Code are amended to read as follows:

Table 30.28-1 <i>See Also 30.16.210 for general process information and standards</i> <b>MAJOR SUBDIVISION TENTATIVE MAP- AUTHORITY AND CONSIDERATION TABLE</b>	
<b>m. Extension of Time</b>	Provided that the requirements specified in Table 30.28-1 <del>[(4)](j)</del> have been satisfied, a tentative map may be extended in accordance with the procedure shown in Table 30.16-17 except that administrative extensions of time are not permitted.

Table 30.28-2 <b>MAJOR SUBDIVISION FINAL MAP TECHNICAL REVIEW- AUTHORITY AND CONSIDERATION TABLE</b>	
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. The tentative map must be approved.</li> <li>2. The technical impact analysis must be conditionally accepted by the Director of Public Works in accordance with Section 30.32.060 Technical Impact Analysis.</li> <li>3. <u>Improvement plans must be accepted by the Director of Public Works in accordance with 30.32.080 Improvement Plans. Name listed on the Improvement plans must match the name on the final map.</u></li> <li>4. Once the final map technical review has been accepted, further dedications and easements may not be recorded separately. All dedications and easements shall be included and finalized with the recording of the final map.</li> <li><del>[4]</del>5. All components of a mixed use development may be included on one major subdivision map, provided all proper land use approvals for such a mixed use development have been obtained by the local governing body.</li> </ol>
<b>c. Fee</b>	\$600 + \$6 per lot <del>[(includes planning and survey submittal)]</del>
<b>k. Time Limit</b>	The same time period as the <u>initially approved tentative map</u> , or 1 year <u>if the associated tentative map has been previously extended past the initial 4 years due to recorded phases [-, whichever is less]</u> . An extension of time of up to 1 year may be granted if an application is submitted and the required fee is paid. However, such an extension may require the re-evaluation of map requirements, which may result in revised or additional requirements or recalculated bonds and fees to ensure they are sufficient for the construction of required improvements. <u>An amended map without an associated tentative map may apply for an extension of time of up to 1 year</u>

Table 30.28-4

**MINOR SUBDIVISION PARCEL MAP REVIEW- AUTHORITY AND CONSIDERATION TABLE**

<b>k. Exception</b>	<ol style="list-style-type: none"> <li>1. An administrative exception to filing a parcel map review may be submitted if all resulting parcels are a minimum of 5 gross acres or if all issues which would have been identified in the parcel map review have been addressed. Such request for administrative exception must be in writing and must be accompanied by the following: <ol style="list-style-type: none"> <li>A. One copy of documentation explaining that the following requirements have been identified and satisfied through previous subdivision or land use application approvals;</li> <li>B. Approval of the proposed land use;</li> <li>C. Demonstration of legal access to the parcel;</li> <li>D. Evidence that the property is outside the 100-year flood plain;</li> <li>E. Approved drainage impact analysis or evidence that the drainage requirements have otherwise been identified and/or satisfied, and;</li> <li>F. Evidence that any required off-site improvement requirements have been identified and/or satisfied.</li> </ol> </li> <li>2. \$150.</li> <li>3. The Director of Public Works shall issue a written approval or denial of the request within 10 working days of receipt of a complete request.</li> <li>4. Time limit for an exception is one year (12 months).</li> </ol>
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Table 30.28-5

**MINOR SUBDIVISION PARCEL MAP TECHNICAL REVIEW- AUTHORITY AND CONSIDERATION TABLE**

<b>a. Initiating Authority</b>	Property owner
<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. The parcel map review must be completed if required, and any technical impact analysis must be conditionally accepted by the Director of Public Works in accordance with Section 30.32.060 Technical Impact Analysis.</li> <li>2. <u>Improvement plans must be accepted by the Director of Public Works in accordance with 30.32.080 Improvement Plans.</u></li> <li>3. Applications subject to the Cooperative Management Area Deed Modification Policy shall not be accepted without confirmation from the Department of Aviation.</li> <li>[3] 4. Once the parcel map technical review has been accepted, further dedications and easements may not be recorded separately.</li> <li>[4] 5. All dedications and easements shall be included and finalized with the recording of the parcel map.</li> <li>[5] 6. A single lot parcel map will be accepted to legalize the boundary (as determined by the County Surveyor).</li> <li>[6] 7. An approved Vacation and Abandonment application to vacate any easements and/or right-of-way to develop/subdivide the legal lot(s).</li> </ol>
<b>c. Fee</b>	\$200[(includes planning and survey submittal)]

Table 30.28-7

**REVERSIONARY MAPS- AUTHORITY AND CONSIDERATION TABLE**

<b>b. Standards for Acceptance</b>	<ol style="list-style-type: none"> <li>1. All land included within a single map must be contiguous. [<del>However one</del>] 1 reversionary map of [may revert] more than 1 map [of platted lands] and/or more than one map type is permitted.</li> <li>2. If applicable, right-of-way must be vacated prior to submission of the map.</li> </ol>
<b>c. Fee</b>	Major Subdivision: \$500 [(includes planning and survey submittal)] Minor Subdivision: \$350[(includes planning and survey submittal)] Extension of Time: \$200
<b>i. Map Expiration</b>	<del>[The map expires if not recorded within 1 year of notice of requirements letter.]</del> One year from date of the notice of requirements letter. Extensions of time for up to one year each may be granted if an application is submitted and the required fee is paid. However, such extensions may require the re-evaluation of map requirements, which may result in revised or additional requirements.
<b>j. Withdrawal</b>	A map withdrawn by the property owner shall cease its consideration.

Table 30.28-8

**BOUNDARY LINE ADJUSTMENTS- AUTHORITY AND CONSIDERATION TABLE**

<b>a. Initiating Authority</b>	Property owner
<b>b. Standards for Acceptance</b>	A Boundary Line Adjustment may only be submitted to correct the following (as determined by County Surveyor): <ol style="list-style-type: none"> <li>1. A construction error in the field.</li> <li>2. Mapping issues.</li> <li>3. To make a nonconforming lot or lots more conforming.</li> </ol>
<b>c. Fee</b>	Boundary Line Adjustment: \$300 [(includes planning and survey submittal)] Extension of Time: \$200

Table 30.28-8 BOUNDARY LINE ADJUSTMENTS- AUTHORITY AND CONSIDERATION TABLE	
i. Map Expiration	[The map expires if not recorded within 1 year of notice of requirements letter.] One year from date of the notice of requirements letter. Extensions of time for up to one year each may be granted if an application is submitted and the required fee is paid. However, such extensions may require the re-evaluation of map requirements, which may result in revised or additional requirements.

Table 30.28-10 SEPARATE DOCUMENTS – AUTHORITY AND CONSIDERATION TABLE	
b. Standards for Acceptance	1. Submittals shall only be accepted when the applicant demonstrates that the proposed separate document conforms to the provisions of this title. 2. <u>Land use must be approved, if applicable.</u> 3. <u>Technical impact analysis must be conditionally accepted, if applicable.</u> 4. <u>Improvement plan submittal, if applicable.</u> [2]5. Once the final map technical review has been accepted, further dedications and easements may not be recorded separately. All dedications and easements shall be included and finalized with the recording of the final map.
c. Base Fee	\$75 per submittal with \$50 incomplete package fee <u>Extension of Time: \$50</u>

### 30.28.130 Document Submittal Requirements.

a. All subdivision or other maps shall be accompanied by the documents and information described below. All documents shall be legible and suitable for microfilm reproduction. All maps must be prepared by a competent professional to compile the data necessary to comply with this Title. All plans and maps must be accurate, drawn to a suitable and legible scale, with a legend clarifying all markings and lines delineated on the maps, and folded so they can be placed into a legal file. For an application to be acceptable for processing, all required documents must be filed.

1. **Application.** A signed application, notarized when required by the Zoning Administrator or Director of Public Works, detailing the nature and justification for the request.

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4. **Mylar.** The original of any proposed completed map with original signatures, made with tracing cloth, Mylar, or any other similar material acceptable to the County Recorder, clearly and legibly drawn in permanent ink. The affidavits, certificates, and acknowledgments shall be legibly stamped or printed upon the map and signed with permanent ink. The lettering shall be placed to be read from the bottom or right-hand side of the sheet, and the north point shall be directed away from the reader. Reversionary maps shall be identical to the map being reverted except that if the map to be reverted is drawn at a scale too large to be legible a smaller scale sufficient to make all required information legible shall be used. Each original shall comply with the following:
  - A. **Sheet Size.** Each sheet of the originals shall be 24" by 32" with a 1" margin at the top, bottom and right edges, and a 2" margin at the left edge along 24" dimension, and be numbered consecutively with the relationship of each sheet to the total in the set.
  - B. **Drawing Map.** The map shall be prepared by a licensed Nevada professional land surveyor, or under his direct supervision.
  - C. **Scale and Legend.** The subdivision map shall show a scale not to exceed 100' to 1". A legend shall be shown clarifying all markings and lines delineated upon the map, the basis of bearings used in the survey, and a north arrow. This excludes survey analysis.

SECTION 5. Title 30, Chapter 30.32, Section 30.32.040 of the Clark County Code is amended to read as follows:

#### 30.32.040 Grading Permits.

a. Except for the perpetuation of established agricultural cultivation within Community District 5 as designated by Section 30.12.060 of this Title, or site stabilization for disturbed soils, land shall not be disturbed, which includes clearing vegetation, rough grading, stockpiling, or altering the natural ground surface or its elevation, until a grading permit has been issued by Clark County in accordance with all of the requirements listed in this subsection (below):  
(NOTE: A temporary stormwater permit for construction activities should be obtained through the Nevada Division of

Environmental Protection and stockpiling permits must be obtained from the Building Official. Projects within hillside development must submit a design review as a public hearing prior to any grading.)

1. A land use application has been approved pursuant to Chapter 30.16 of this Title (Land Use Application Processing) if required for the proposed use or a parcel map determination letter has been issued by Clark County Public Works, if required.

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## **9. Cross Sections.**

### **a. Cross sections shall:**

1. Be submitted with any subdivision map or any non-single family development.
2. Extend a minimum of 100 feet beyond the limits of the development site. Measurements shall be made from the centerline of adjacent streets or from the property line where no street exists. The Zoning Administrator may require cross sections that extend more than 100 feet.
3. Show proposed and existing grades, building locations, and building height information for the development site.
4. Show the existing finished grade of structures on abutting developed properties or existing grade on undeveloped abutting properties.

b. Any request to increase the finished grade over [~~18~~] 36 inches shall be considered by the Board through a Design Review as a public hearing.

Table 30.44-1 Global Use Table	
Uses	<div>SLUCM CODE</div> <div> <div>Residential Districts</div> <div>Commercial Districts</div> <div>Manufacturing/Industrial Districts</div> <div>Miscellaneous Districts</div> </div>
	<div>R-U</div> <div>R-A</div> <div>RE</div> <div>R-D</div> <div>R-1</div> <div>R-T</div> <div>R-2</div> <div>RUD</div> <div>R-3</div> <div>R-4</div> <div>R-5</div> <div>CRT</div> <div>C-P</div> <div>C-1</div> <div>C-2</div> <div>M-D</div> <div>M-1</div> <div>M-2</div> <div>O-S</div> <div>H-2</div> <div>P-F</div> <div>RVP</div> <div>U-V</div> <div>H-1</div>
<div>Cannabis Establishment, Medical or Retail</div> <div>Cannabis Retail</div> <div>Store</div>	<div>5900</div> <div> <p>Special Use Subject to: (these conditions cannot be waived or varied except as specified below)</p> <ol style="list-style-type: none"> <li>Must maintain the following minimum separations (Separations shall be measured from the front door [closest part of the exterior] of the proposed establishment [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> </ol> </li> <li>Shall not be located within the Las Vegas Boulevard Gaming Corridor or within 1,500 feet of a nonrestricted gaming property as measured from the front door of the proposed establishment to the nearest property line.</li> <li>Must be conducted within an enclosed building.</li> <li>Cannabis shall be obtained from a Cultivation Facility or Production Facility within Clark County if an adequate supply is available.</li> </ol> <p><b>NOTES:</b></p> <ul style="list-style-type: none"> <li>The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the separation requirements.</li> </ul> <p>When co-locating with an operating Dispensary which has received a Clark County Business License and State Certificate, separations shall be per the separations in place at the time of the approval of the existing Special Use Permit.</p> </div>

Table 30.44-1 Global Use Table	
Uses	SLUCM CODE
Community Residences, including Family Community Residence and Transitional Community Residence <i>(Also commonly referred to as a "Group Home")</i>	1110 1115
<div> <div> <div> <div>R-U</div> <div>R-A</div> <div>RE</div> <div>R-D</div> <div>R-1</div> <div>R-T</div> <div>R-2</div> <div>RUD</div> <div>R-3</div> <div>R-4</div> <div>R-5</div> <div>CRT</div> <div>C-P</div> <div>C-1</div> <div>C-2</div> <div>M-D</div> <div>M-1</div> <div>M-2</div> <div>O-S</div> <div>H-2</div> <div>P-F</div> <div>RVP</div> <div>U-V</div> <div>H-1</div> </div> <div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> <div>C</div> </div> </div> </div> <div> <p><b>Residential Districts</b></p> </div> <div> <p><b>Commercial Districts</b></p> </div> <div> <p><b>Manufacturing/Industrial Districts</b></p> </div> <div> <p><b>Miscellaneous Districts</b></p> </div>	
<p><b>Conditional Use Subject to a Zoning Compliance Application:</b> (conditions 3 through 7 cannot be waived or varied)</p> <ol style="list-style-type: none"> <li>Must maintain a minimum separation of 660 feet (measured door-to-door along the nearest pedestrian or vehicular route, whichever is shorter), from any other existing Community Residence. When there is a street, freeway, or drainage channel at least 100 feet wide between the proposed Community Residence and an existing Community Residence, the minimum separation requirement is reduced to 100 feet from property line to property line. When the population of a proposed Community Residence is of such a nature that its location must be kept confidential for it to function successfully, such as a Community Residence for victims of domestic abuse, no separation shall be required.</li> <li>A special use permit is required to locate within 660 feet of an existing Community Residence except when the proposed Community Residence qualifies for an exception specified in subsection 1.</li> <li>If an application is submitted to locate a Community Residence within 660 feet of an existing Community Residence, the Approval Authority shall approve the application unless it determines that one or more of the following conditions would occur: <ol style="list-style-type: none"> <li>The building to be occupied as a Community Residence would be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood;</li> <li>The proposed Community Residence, together with existing Community Residences, would alter the residential character of the neighborhood by creating an institutional atmosphere due to the concentration of Community Residences on a block or adjoining blocks; or</li> <li>The location is unsuitable as a result of non-compliance with conditions 4 through 8 below.</li> </ol> </li> <li>The Community Residence shall comply with all public health and safety requirements including Building and Fire Code requirements for the dwelling type in question.</li> <li>If law or regulations require the proposed Community Residence to be licensed or certified, then the applicant must obtain that required license or certification before occupying the Community Residence.</li> <li>Transitional Community Residences that house people recovering from substance abuse disorders [drug and/or alcohol addiction], must require such residents to be actively and continuously enrolled in a support program including, but not limited to Alcoholics Anonymous or an equivalent program or an offsite rehabilitation program such as one supervised by a licensed medical professional or recognized treatment, and must prohibit the use of alcohol and [illegal] other substances [drugs] by such occupants who reside in the residence. Upon request, with reasonable notice, the Community Residence operator shall produce evidence satisfactory to the Code Enforcement Manager or Zoning Administrator that the occupants are in compliance with this condition.</li> <li>When located in a C-1 or C-2 zoning district, a Community Residence may be established only as part of a mixed use development.</li> <li>The Community Residence shall not be made available to one or more individuals whose tenancy would constitute a direct threat to the health and safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.</li> </ol> <p><b>Note:</b> If a special use permit application is submitted, the Approval Authority shall not deny a special use permit on any basis that discriminates against people with disabilities. If it deems it appropriate, the Approval Authority may continue the hearing to another date in order for Staff to consult with, or to obtain an opinion from, a person or entity with expertise in fair housing law regarding whether an approval or denial of the application is justified under State and Federal law. Except for a Community Residence, no more than 4 unrelated individuals may reside together in a dwelling unit</p>	

SECTION 7. Title 30, Chapter 30.48, Section 30.48.260 of the Clark County Code is amended to read as follows:

**30.48.260 Conditions for Enlargement or Establishment.** The gaming enterprise district may be enlarged or established in accordance with the following requirements:

**1. Limitations on Enlargement or Establishment.** Applications to enlarge the GED by expanding an existing development or establishing a new development shall be accepted by the Zoning Administrator with evidence certified by a professional land surveyor licensed in the State of Nevada demonstrating conformity with the separation requirements listed below only under the following circumstances, which shall not be waived or varied:

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**4. Documents required for the land use application pre-submittal conference shall include, but not be limited to, the following:**

- A.** Site Plans (may be conceptual for pre-submittal only)
- B.** Project Description
- C.** Elevations
- D.** Floor Plans
- E.** [Proof of traffic impact analysis submittal]
- [F. ——— 4 initial] RISE reports**

**5. Support Material.** The applicant shall also concurrently prepare and submit written documentation demonstrating that:

- A.** The roads, water, sanitation, utilities and related services to the location are adequate;
- B.** 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.** The proposed establishment will enhance, expand and stabilize employment and the local economy;
- D.** 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.** The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area;
- F.** All traffic impacts can be adequately mitigated. [~~This requirement must be satisfied by the submission of a traffic impact analysis meeting the requirements set forth in the Clark County improvement standards adopted per Chapter 30.52 to the Clark County Director of Public Works 30 days prior to submitting an application for a special use permit. Evidence of traffic impact analysis is required with pre-submittal conference filing.~~]

SECTION 8. Title 30, Chapter 30.52, Section 30.52.100 of the Clark County Code is amended to read as follows:

**30.52.100 Provisions for Water.**

- a. Public Water Service.** Except as permitted by Section 30.52.040(7)(C), when any portion of a development is within 1,250 feet of a public waterline with adequate capacity and pressure to serve the development, water service shall be provided by a public system.
- b. Individual Wells.** Where development is located in excess of 1,250 feet of a public waterline, or if a waterline within 1,2[0]50 feet does not have adequate capacity and pressure to serve the development, individual wells may be used to provide the required water if the developer can provide evidence of the following approvals. Where individual wells are approved as the adequate water supply, the developer shall denote such intention upon the final plat and every sales contract for each lot purchaser.

SECTION 9. Title 30, Chapter 30.64, Section 30.64.050, Figures 30.64-17 and 30.64-18 of the Clark County Code are amended to read as follows:

**FIGURE 30.64-17 TEXT**

- A. Dedication from back of curb to back of sidewalk as right-of-way easement for roadway and utility purposes, per 30.52.030(k); or
- B. Dedication of the sidewalk (fee simple or easement) with right-of-way easements as needed between back of curb and front of sidewalk to access, install, repair and maintain the sidewalk and public utility (including traffic) facilities.
- C. Return to curb at property lines to meet existing attached sidewalk, if applicable.
- D. Straight sidewalk shall be offset a minimum 5 feet from back of curb. Along Las Vegas Boulevard South, the back of sidewalk shall not be located greater than 25 feet from back of curb.
- E. Turf is not permitted; only shrubs, groundcover, and trees with non-invasive root systems with root shields installed per Figure 30.64-2, are permitted. All trees planted in landscape areas adjacent to detached sidewalks or within 5 feet of any pavement or wall (building or perimeter) shall install, operate, and maintain a deep root irrigation system in conformance with 30.64-030(I)(4)(B) and Figure 30.64-3.
- F. Two rows of trees planted generally 20 feet apart shall be required (one row on each side of sidewalk planted generally 40 feet apart). Tree rows on both sides of a detached sidewalk shall offset each other to provide balanced spacing intervals, and all trees shall be approximately centered within the landscape strip on each side of the sidewalk. If tree placement interferes with the Sight Visibility Zone, any impacted trees located closest to the street may be relocated to the other row, spaced generally 20 feet apart. EXCEPTION: Where existing underground utilities are installed between back of curb and front of sidewalk, street trees shall not be required.
- G. Shrubs and groundcover shall be planted to cover more than 50% of the landscaped area and may be grouped if distributed along the entire strip.
- H. Swales are required per Figure 30.64-3.
- I. 10 foot lateral separation is required between streetlight and any tree.

**FIGURE 30.64-18 TEXT**

- A. Dedication from back of curb to back of sidewalk not more than 3 feet from required setback (includes the sidewalk and maximum meander width) as right-of-way easement for roadway and utility purposes, per 30.52.030(k).
- B. Dedication to back of sidewalk shall be based upon that point where the back of sidewalk meanders closest to the required setback.
- C. Return to curb at property lines to meet existing attached sidewalk, if applicable.
- D. Sidewalk shall not meander closer than 3 feet from back of curb or required setback. Along Las Vegas Boulevard South, the back of sidewalk shall not be located greater than 25 feet from back of curb.
- E. Turf is not permitted; only shrubs, groundcover, and trees with non-invasive root systems with root shields installed per Figure 30.64-2, are permitted. All trees planted in landscape areas adjacent to detached sidewalks or within 5 feet of any pavement or wall (building or perimeter) shall install, operate, and maintain a deep root irrigation system in conformance with 30.64-030(I)(4)(B) and Figure 30.64-3.
- F. Two rows of trees planted generally 20 feet apart shall be required (one row on each side of sidewalk planted generally 40 feet apart). Tree rows on both sides of a detached sidewalk shall offset each other to provide balanced spacing intervals, and all trees shall be approximately centered within the landscape strip on each side of the sidewalk. If tree placement interferes with the Sight Visibility Zone, any impacted trees located closest to the street may be relocated to the other row, spaced generally 20 feet apart.
- G. Shrubs and groundcover shall be planted to cover more than 50% of the landscaped area and may be grouped if distributed along the entire strip.
- H. Swales are required per Figure 30.64-3.
- I. 10 foot lateral separation is required between streetlight and any tree.

SECTION 10. Title 30, Chapter 30.80, Section 30.80.020 and Table 30.80-3 of the Clark County Code are amended to read as follows:

**30.80.020 General Requirements.**

- a. The fees required herein shall be due and payable at the time of filing of any application or prior to the performance of the specified service.

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**d. Fee Exceptions.**

1. Application fees as required under Table 30.80-1, and specified administrative fees required under Table 30.80-4, shall not be required when the applicant is a government agency, or a developer of an affordable housing project (for fees related to such projects) as certified by the Clark County Social Service Department, Division of Community



Resources [of Finance]; proposing new construction or alteration within a Historic Neighborhood pursuant to Section 30.48.1080; or corrections to an address requested by the property owner if the address assigned to the property does not fall within the proper range of the Clark County Addressing Grid established for their property location.

2. Fees listed in 30.80-3 and 30.80-5 related to an affordable housing project shall be reduced according to the following scale. Projects providing housing for those meeting 61 -80% of the Adjusted Mean Income (Very Low Income or Low Income) shall receive a 50% reduction in fees. Projects providing housing for those meeting 60% and below the AMI (Very Low Income and Extremely Low Income) shall receive a 75% reduction in fees.

Table 30.80-3 Fee Schedule – Subdivision Maps		
Map Type	Required Fees	
	Original Map	Extension of Time
Tentative Map	\$750	\$300
<b>Major Subdivision Maps</b>		
Technical Review (including amended map)	\$600 + \$6 per lot	\$200
Final Map Mylar	\$100	<u>\$200</u>
Extension of Time	\$200	
Reversionary Map	\$500	<u>\$200</u>
<b>Minor Subdivision Maps</b>		
Review (including amended map or review)	\$150	\$100
Exception to Review	\$150	\$100
Technical Review	\$200	\$100
[Final] Parcel Map Mylar	\$100	<u>\$200</u>
Extension of Time	\$200	
Reversionary Map	\$350	<u>\$200</u>
Reversion of a Certificate of Land Division	\$350 + \$2 per lot for survey submittal	
Boundary Line Adjustment	\$300	<u>\$200</u>
Separate Documents	\$75 with \$50 incomplete package fee	<u>\$50</u>
Refund Policy: Per 30.80.020(b)		

SECTION 11. 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 12. 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 13. 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 \_\_\_\_\_, 2021

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

PASSED on the day of \_\_\_\_\_, 2021

VOTE:

AYES: \_\_\_\_\_  
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 \_\_\_\_\_  
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NAYS: \_\_\_\_\_  
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ABSTAINING:  
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\_\_\_\_\_  
\_\_\_\_\_

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

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By \_\_\_\_\_  
MARILYN K. KIRKPATRICK Chair

ATTEST:

\_\_\_\_\_  
LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2021.