

40.560.020 Changes to Zoning Districts and Code Amendments

A. Procedure, General. The county may amend zoning districts and the Clark County Unified Development Code (Title [40](#)) as follows:

1. A zone change must occur through the Type III process (rezone) where the proposed zoning is consistent with the current comprehensive plan map designation;
2. A comprehensive plan map and zone change must occur through a Type IV process pursuant to Section [40.560.010](#);
3. A code amendment must occur through a Type IV process that includes Planning Commission review.

(Amended: Ord. 2007-09-13; Ord. 2019-05-07; Ord. 2020-03-01)

B. Application. Type III Map Amendments. Type III map amendments must follow the Type III application procedures described in Section [40.510.030](#).

(Amended: Ord. 2007-09-13; Ord. 2019-05-07; Ord. 2020-03-01)

C. Public Hearings.

1. Type III Map Amendments. Type III map amendments must follow the Type III public hearing procedures described in Section [40.510.030](#).
2. Type IV Text Amendments.
 - a. Before taking final action on a proposed amendment, the Planning Commission shall hold a public hearing thereon. After receipt of the report on the amendment from the Planning Commission, Council shall hold a public hearing on the amendment. The Planning Commission shall hold public hearings in accordance with the provisions of Section [40.510.040](#).
 - b. Resubmittal. In a case where a request for an amendment is denied by Council, the request shall not be eligible for resubmittal for one (1) year from the effective date of denial.

(Amended: Ord. 2007-09-13; Ord. 2019-05-07; Ord. 2020-03-01)

D. Record of Amendments.

The responsible official shall maintain on file a signed copy of each amendment to the text of the comprehensive plan and code and to the comprehensive plan and zoning maps.

(Amended: Ord. 2007-09-13; Ord. 2019-05-07; Ord. 2020-03-01)

E. Release of Concomitant Rezone Agreements.

1. Upon petition by the property owner, a concomitant rezone covenant may be fully or partially released, or modified, by the County Council following a public hearing with notice as prescribed by Section [40.510.040](#)(E) and in accordance with the criteria set forth in this section.

2. In considering requests for release or modification of concomitant rezone covenants, the review authority shall consider the following:
 - a. In the case of full covenant release, whether development of the site would be consistent with current zoning regulations and comprehensive plan recommendations; and
 - b. In the case of either full or partial covenant release or covenant modification, whether adequate public/private services are available to support development of the site; and
 - c. In the case of either full or partial covenant release or covenant modification, whether the requested action would unreasonably impact development undertaken on nearby properties in reliance upon the covenant commitments; and
 - d. In the case of partial covenant release or covenant modifications, whether future development under current zoning will be consistent with existing and planned development.

(Amended: Ord. 2007-09-13; Ord. 2019-05-07; Ord. 2020-03-01)

F. Approval Criteria.

Zone changes may be approved only when all of the following are met:

1. Requested zone change is consistent with the comprehensive plan map designation.
2. The requested zone change is consistent with the plan policies and locational criteria and the purpose statement of the zoning district.
3. The zone change either:
 - a. Responds to a substantial change in conditions applicable to the area within which the subject property lies;
 - b. Better implements applicable comprehensive plan policies than the current map designation; or
 - c. Corrects an obvious mapping error.
4. There are adequate public facilities and services to serve the requested zone change.

(Amended: Ord. 2008-06-02; Ord. 2019-05-07)

Compile Chapter

The Clark County Code is current through Ordinance 2022-10-14, passed October 26, 2022.

Disclaimer: The Clerk of the Board's Office has the official version of the Clark County Code. Users should contact the Clerk of the Board's Office for ordinances passed subsequent to the ordinance cited above.

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