

Chapter 17.70

AMENDMENTS TO TITLE AND PLAN

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17.70.010 Authority.

The provisions of this title and land use district boundaries shown upon the land use map may from time to time be amended, modified, changed, repealed or supplemented by ordinance of the county board of county commissioners. Any amendment will be considered an amendment to the master plan and in addition to the procedure required for amendment of an ordinance, the requirements of NRS Chapter 178 for the amendment of a master plan or portion thereof shall be followed. (Ord. 1-5-87 A § 33(A))

17.70.020 Initiation of proceedings.

Amendments and changes to this title or land use plan, may be initiated by:

- A. The planning commission upon its own motion;
- B. The board of county commissioners upon its own notion;
- C. The owner of any lot or parcel by filing with the planning commission a verified application on a form provided by the planning commission accompanied by the required fee. (Ord. 1-5-87 A § 33(B))

17.70.030 Standards.

This title or the land use plan may be amended if the evidence presented to the planning commission satisfy criteria set forth in the following standards:

- A. The action will be in the public interest;
- B. The action will not be detrimental to properties surrounding or adjacent to the area requested for the zone change;
- C. The proposed change is no in conflict with the adopted general plan for the area;
- D. The proposed zone change will not adversely affect the public health, safety and general welfare;

E. The newly proposed zone will have no effect on the existing developed land use pattern in the immediate area, specifically, with respect to the question of land use compatibility. (Ord. 1-5-87 A § 33(C))

17.70.040 Public hearing.

The planning commission will hold a public hearing as required by NRS Chapter 278 on all proposed changes and amendments, regardless of the manner in which they are initiated. The hearings will be held not more than sixty-five days after the initiation of proceedings. (Ord. 1-5-87 A § 33(D))

17.70.050 Notice of public hearing.

A. Notice of the time and place of the public hearings will be published once in a newspaper of general circulation in the county not less than ten days prior to the date of the hearing. The notice will describe the amendment or change proposed and the lot or parcel proposed for change, and contain other pertinent information in such a manner that the property and change proposed can be readily identified.

B. At least ten days before the date set for public hearing, the director shall give a notice by mail of the time, place and the nature of the hearing to owners of property within a distance of three hundred feet of the exterior boundaries of the subject property, as the owners set forth in the last adopted tax roll of the county. (Ord. 1-5-87 A § 33(E))

17.70.060 Additional considerations.

If the planning commission thinks it necessary or expedient, it may consider other property for change in addition to the property described in the application, may include the additional property in the notices of hearing, and consider the additional property for change at the public hearing. (Ord. 1-5-87 A § 33(F))

17.70.070 Determination.

A. Not more than thirty days after the public hearing, the planning commission shall file a written report with the board of county commissioners recommending approval of the proposed change or amendment, or informing the board of county commissioners that the proposed change or amendment was denied.

B. Failure of the planning commission to so report within such period, constitutes a denial of such change or amendment. The planning commission will send to the applicant notice of the recommendation of the planning commission not more than three days after the date of filing its report with the board of county commissioners. (Ord. 1-5-87 A § 33(G))

17.70.080 Ordinance adopting change-Map.

A. After the public hearing has been held, approval of any change in the land use plan will be accomplished by ordinance.

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B. Each ordinance will incorporate by reference a map clearly delineating the area or areas affected and the land use to which the area is changed. Each map will be certified by the planning commission chairman and attested by the secretary, and a true copy of the map attached to the land use plan. (Ord. 1-5-87 A § 33(H))

17.70.090 Limitation on reapplications.

No application of a property owner for an amendment to the text of this title or to a district boundary will be considered by the planning commission within one year after denial of such request, except the planning commission may permit a new application if in the opinion of the planning commission new evidence or a change of circumstances warrant it. (Ord. 1-5-87 § 33(I))

17.70.100 Appeals.

An action or ruling of the planning commission pursuant to this title may be appealed to the board of county commissioners within five days after the planning commission has rendered its decision. A written appeal shall be filed with the board of county commissioners. If the appeal is not filed within the five day period, the decision of the planning commission shall be final. If the appeal is filed, the board of county commissioners shall receive a report and recommendation thereon from the planning commission and hold a public hearing on the appeal. (Ord. 1-5-87 A § 33(J))