

Zone Change Application Submittal and Review Procedure (16.08.060)

▶ A *Zone Change* is an amendment or revision to the land use designation of the parcel or land due to a change in the area land uses, services and facilities availability and/or consistency with the master plan.

▶ In order to approve a zone change, the applicant shall provide evidence to the Commission and Board concerning the physical use of land and zoning currently existing in the general vicinity, and which have occurred in the previous five (5) year time period, and describe:

- a. *How growth and or other development factors in the community support a change in the land use.*
- b. *How the change in land use represents orderly development, and that adequate services and infrastructure to support the proposed land use are available in the area.*
- c. *How the change in zoning provides for an appropriate use of the land.*
- d. *How the proposed zoning is in substantial conformance with the master plan and other adopted plans and policies.*
- e. *How the proposed zoning and project is sensitive to and compatible with the use and development of the adjacent properties.*

▶ Zone Change application completion and submittal

1. **Pre-application meeting** with Planning Department staff. Applicants are strongly advised to discuss the application and procedure with planning staff prior to completing the application.
2. **Complete** the Zone Change application and compile supporting documentation.
 - ▶ **Ensure** all sections of the application are complete and accurate
 - ▶ Attach pictures, plans, drawings, etc. to aid the Planning Commission in making their decision
 - ▶ Attach a map/plan showing the zoning and land uses of surrounding properties
3. **Draft application review** – once the application is complete (but prior to signing and making copies) a meeting should be set with Planning Department staff to review the application to check for accuracy.
4. **Submit the Zone Change application packet with the \$300 filing fee** – submit the original and ten (10) copies of this application packet with attachments, folded if necessary to fit a 10” x 13” envelope.

▶ Staff review and notification procedures:

1. Within 7 days of the filing of the application the Planning Department will provide written notification of application completeness and the date of the public hearings for both the Planning Commission and the Board of County Commissioners.
2. County staff will review the application and prepare a staff report for the Planning Commission.
3. At least 10 days prior to the public hearing staff will notify all property owners within 300 feet of the subject property (at least 30 unique property owners will be notified) of the proposed application.
4. Three (3) working days prior to the public hearing the agenda is posted and the applicant is provided written notification of the appointed time for the application to be heard. The applicant or a

Reference Document –Remove this page prior to making copies & submitting application

representative must appear before the Planning Commission to present the application and justify why the special use permit should be approved.

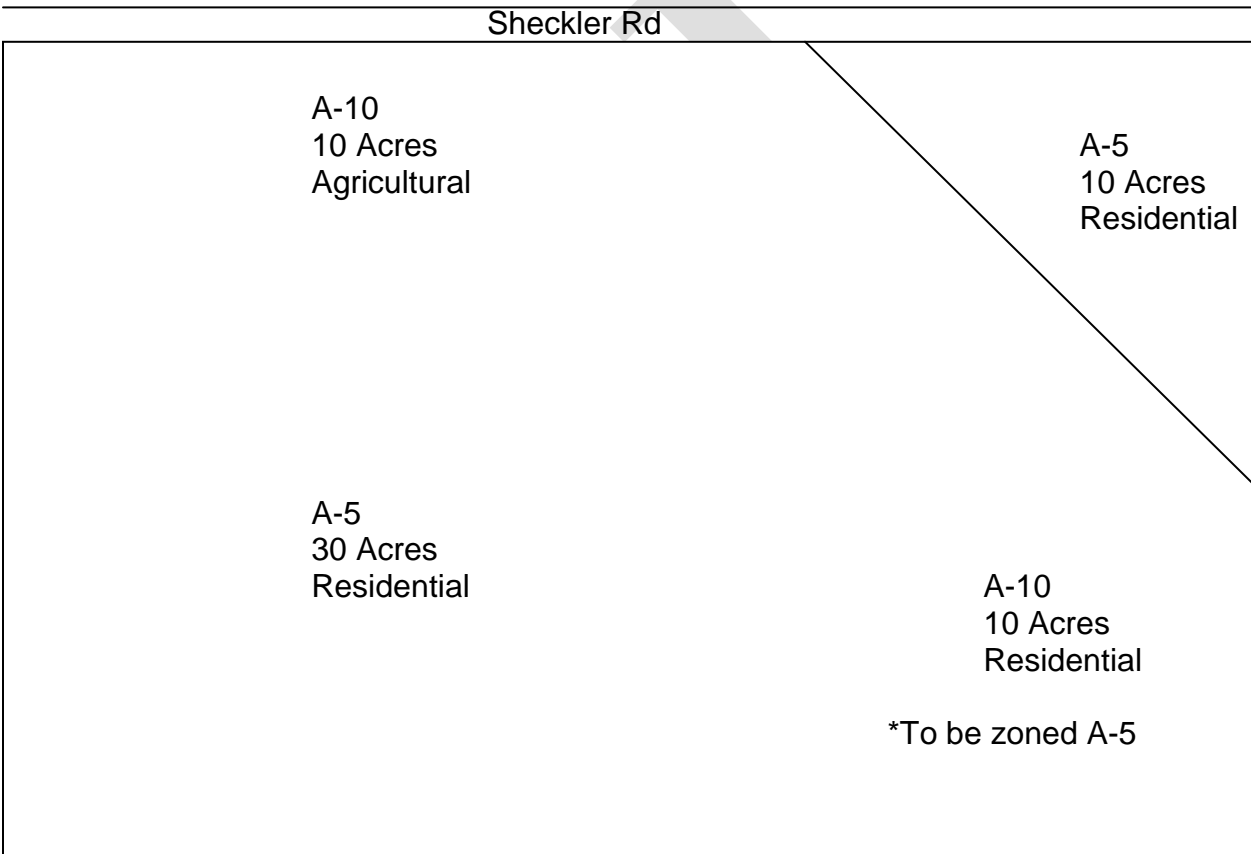
5. After the Planning Commission public hearing, the application will automatically go before the Board of County Commissioners with a recommendation from the Planning Commission.
6. The Board of County Commissioners may approve (with conditions) or deny the application.
7. **The applicant shall be responsible for the Notice of Final Action recording fees.**

Sample Vicinity zoning/land use map:

Applicant's Name: _____

Assessor's Parcel Number: _____

↑
N
1" = 200ft



ZONE CHANGE APPLICATION

DATE RECEIVED _____
PUBLIC HEARING DATE _____
FILING FEE CHECK NO. _____

Name:
Address:
Zip:
Phone:
Contact Person:

Street address of property where zone change is requested _____

Parcel No. _____ Parcel Size _____

AMOUNT OF WATER RIGHT: _____ (Attach water rights verification from TCID)

PRESENT ZONING: _____ DESIRED ZONING: _____

1. Describe the property and the land use of all surrounding parcels. Attach pictures, photos etc. ***(If not enough room is provided please attach a separate sheet of paper)***

2. Describe in detail the reasons for requesting a zone change – describe the changes in the area or community that support the requested change. ***(If not enough room is provided please attach a separate sheet of paper)***

3. Describe how growth and/or other development factors in the community support a change in the land use:

4. Describe how the change in land use represents orderly development and that adequate services and infrastructure to support the proposed land use are available in the area.

5. Describe how the change in zoning provides for an appropriate use of the land.

6. All proposed zoning changes shall be examined in light of the possible future uses that may develop in the surrounding area. Describe how the proposed zoning is in substantial conformance with the master plan and other adopted plans and policies and how the proposed zone change will comply with this requirement.

7. Describe how the proposed zoning and project is sensitive to and compatible with the use and development of the adjacent properties.

8. The highest and best use of all lands shall be determined such that the aggregate water rights of residents of the county shall be maintained at their present level or increased. Describe how the proposed zoning will conform to this consideration and not impact the agricultural characteristics of the county.

**CONSEQUENCES OF REMOVING LAND FROM
AGRICULTURAL ASSESSMENT THROUGH ZONING CHANGE
AT OWNER'S REQUEST**

361A.031 "Converted to a higher use" defined.

1. "Converted to a higher use" means:
 - (a) A physical alteration of the surface of the property enabling it to be used for a higher use;
 - (b) The recording of a final map or parcel map which creates one or more parcels not intended for agricultural use;
 - (c) The existence of a final map or parcel map which creates one or more parcels not intended for agricultural use; or
 - (d) A change in zoning to a higher use made at the request of the owner.
2. As used in this section:
 - (a) "Final map" has the meaning ascribed to it in NRS 278.0145.
 - (b) "Parcel map" has the meaning ascribed to it in NRS 278.017.
(Added to NRS by 1987, 671; A 1987, 680; 1993, 2585)

I have read and understand NRS 361A.031, reproduced above. I further understand that a change in zoning to a higher use at my request will cause that land on which the zoning was changed, presently under agricultural assessment (Green Belt), to be removed from agricultural assessment. At that time, deferred taxes on land so removed from agricultural assessment, or which had been under agricultural assessment within the past seven years, will be due and payable.

I further understand that, providing the land continues to qualify for agricultural assessment, I may apply for agricultural assessment for the next and future tax years, and that another period of seven years of deferred taxes will begin.

Signature of Owner

Date: _____