

Assembly Bill No. 461–Committee on Government Affairs

CHAPTER.....

AN ACT relating to land use planning; authorizing a governing body or planning commission to consider certain criteria in determining whether to approve, conditionally approve or disapprove a second or subsequent parcel map with respect to certain tracts of land; authorizing a governing body to extend the period for recording an approved parcel map; increasing the amount that a governing body may set for the fee for filing a tentative map of division into large parcels; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 278.464 is hereby amended to read as follows:

278.464 1. Except as otherwise provided in subsection 2, if there is a planning commission, it shall:

- (a) In a county whose population is 40,000 or more, within 45 days; or
 - (b) In a county whose population is less than 40,000, within 60 days,
- after accepting as a complete application a parcel map, recommend approval, conditional approval or disapproval of the map in a written report. The planning commission shall submit the parcel map and the written report to the governing body.

2. If the governing body has authorized the planning commission to take final action on a parcel map, the planning commission shall:

- (a) In a county whose population is 40,000 or more, within 45 days; or
 - (b) In a county whose population is less than 40,000, within 60 days,
- after accepting as a complete application the parcel map, approve, conditionally approve or disapprove the map. It shall file its written decision with the governing body. Unless the time is extended by mutual agreement, if the planning commission is authorized to take final action and it fails to take action within the period specified in this subsection, the parcel map shall be deemed approved.

3. If there is no planning commission or if the governing body has not authorized the planning commission to take final action, the governing body or, by authorization of the governing body, the director of planning or other authorized person or agency shall:

- (a) In a county whose population is 40,000 or more, within 45 days; or
 - (b) In a county whose population is less than 40,000, within 60 days,
- after acceptance of the parcel map as a complete application by the governing body pursuant to subsection 1 or pursuant to subsection 2 of NRS 278.461, review and approve, conditionally approve or disapprove the parcel map. Unless the time is extended by mutual agreement, if the governing body, the director of planning or other authorized person or agency fails to take action within the period specified in this subsection, the parcel map shall be deemed approved.

4. Except as otherwise provided in NRS 278.463, if unusual circumstances exist, a governing body or, if authorized by the governing body, the planning commission may waive the requirement for a parcel map. Before waiving the requirement for a parcel map, a determination must be made by the county surveyor, city surveyor or professional land surveyor appointed by the governing body that a survey is not required. Unless the time is extended by mutual agreement, a request for a waiver must be acted upon:

- (a) In a county whose population is 40,000 or more, within 45 days; or
- (b) In a county whose population is less than 40,000, within 60 days, after the date of the request for the waiver, or, in the absence of action, the waiver shall be deemed approved.

5. *A governing body may consider or may, by ordinance, authorize the consideration of the criteria set forth in subsection 3 of NRS 278.349 in determining whether to approve, conditionally approve or disapprove a second or subsequent parcel map for land that has been divided by a parcel map which was recorded within the 5 years immediately preceding the acceptance of the second or subsequent parcel map as a complete application.*

6. An applicant or other person aggrieved by a decision of the governing body's authorized representative or by a final act of the planning commission may appeal to the governing body within a reasonable period to be determined, by ordinance, by the governing body. The governing body shall render its decision:

- (a) In a county whose population is 40,000 or more, within 45 days; or
- (b) In a county whose population is less than 40,000, within 60 days, after the date the appeal is filed.

~~16.1~~ 7. If a parcel map and the associated division of land are approved or deemed approved pursuant to this section, the approval must be noted on the map in the form of a certificate attached thereto and executed by the clerk of the governing body, the governing body's designated representative or the chairman of the planning commission.

Sec. 2. NRS 278.468 is hereby amended to read as follows:

278.468 1. If a parcel map is approved or deemed approved pursuant to NRS 278.464, the preparer of the map shall:

(a) Cause the approved map to be recorded in the office of the county recorder within 1 year after the date the map ~~met all conditions required for approval.~~ *was approved or deemed approved, unless the governing body establishes by ordinance a longer period, not to exceed 2 years, for recording the map.* The map must be accompanied by a written statement signed by the treasurer of the county in which the land to be divided is located indicating that all property taxes on the land for the fiscal year have been paid.

(b) Pay a \$17 fee to the county recorder for filing and indexing

.

2. Upon receipt of a parcel map, the county recorder shall file the map in a suitable place. He shall keep proper indexes of parcel maps by the name of grant, tract, subdivision or United States subdivision.

Sec. 3. NRS 278.4713 is hereby amended to read as follows:

278.4713 1. Unless the filing of a tentative map is waived, a person who proposes to make a division of land pursuant to NRS 278.471 to 278.4725, inclusive, must first:

(a) File a tentative map for the area in which the land is located with the planning commission or its designated representative or with the clerk of the governing body if there is no planning commission; and

(b) Pay a filing fee of no more than ~~[\$250]~~ \$750 set by the governing body.

2. This map must be:

(a) Entitled "Tentative Map of Division into Large Parcels"; and

(b) Prepared and certified by a professional land surveyor.

3. This map must show:

(a) The approximate, calculated or actual acreage of each lot and the total acreage of the land to be divided.

(b) Any roads or easements of access which exist, are proposed in the applicable master plan or are proposed by the person who intends to divide the land.

(c) Any easements for public utilities which exist or which are proposed.

(d) Any existing easements for irrigation or drainage, and any normally continuously flowing watercourses.

(e) An indication of any existing road or easement which the owner does not intend to dedicate.

(f) The name and address of the owner of the land.

Sec. 4. This act becomes effective upon passage and approval.