
ASSEMBLY BILL NO. 461—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF WASHOE COUNTY)

MARCH 10, 1999

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to land use planning in certain counties.
(BDR 22-556)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

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:

- 1 **Section 1.** NRS 278.464 is hereby amended to read as follows:
2 278.464 1. Except as otherwise provided in subsection 2, if there is a
3 planning commission, it shall:
4 (a) In a county whose population is 40,000 or more, within 45 days; or
5 (b) In a county whose population is less than 40,000, within 60 days,
6 after accepting as a complete application a parcel map, recommend
7 approval, conditional approval or disapproval of the map in a written
8 report. The planning commission shall submit the parcel map and the
9 written report to the governing body.
10 2. If the governing body has authorized the planning commission to
11 take final action on a parcel map, the planning commission shall:
12 (a) In a county whose population is 40,000 or more, within 45 days; or

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

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

12 (a) In a county whose population is 40,000 or more, within 45 days; or

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

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

29 (a) In a county whose population is 40,000 or more, within 45 days; or

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

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

40 6. An applicant or other person aggrieved by a decision of the
41 governing body's authorized representative or by a final act of the planning
42 commission may appeal to the governing body within a reasonable period

1 to be determined, by ordinance, by the governing body. The governing
2 body shall render its decision:

3 (a) In a county whose population is 40,000 or more, within 45 days; or

4 (b) In a county whose population is less than 40,000, within 60 days,
5 after the date the appeal is filed.

6 ~~16.1~~ 7. If a parcel map and the associated division of land are approved
7 or deemed approved pursuant to this section, the approval must be noted on
8 the map in the form of a certificate attached thereto and executed by the
9 clerk of the governing body, the governing body's designated
10 representative or the chairman of the planning commission.

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

12 278.468 1. If a parcel map is approved or deemed approved pursuant
13 to NRS 278.464, the preparer of the map shall:

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

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

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

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

27 278.4713 1. Unless the filing of a tentative map is waived, a person
28 who proposes to make a division of land pursuant to NRS 278.471 to
29 278.4725, inclusive, must first:

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

33 (b) Pay a filing fee of no more than ~~250~~ *750* set by the governing
34 body.

35 2. This map must be:

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

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

38 3. This map must show:

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

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

land.

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

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

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

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

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

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