

ASSEMBLY BILL NO. 182—COMMITTEE ON GOVERNMENT AFFAIRS

FEBRUARY 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to process of land use planning in certain counties and revises provisions regarding members of town advisory boards in certain counties. (BDR 22-57)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

~

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

AN ACT relating to land use planning; expanding the subjects that must be addressed in a master plan in certain counties; limiting the number of annual amendments to the land use plan of the master plan or portions thereof in certain circumstances; revising provisions governing applications for changes in the boundaries of zoning districts and special use permits with regard to property located within certain unincorporated towns; requiring members of a town advisory board to receive certain training; authorizing the election of and providing limitations on the terms of members of town advisory boards in certain counties; 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 278.150 is hereby amended to read as follows:  
2     278.150 1. The planning commission shall prepare and adopt a  
3     comprehensive, long-term general plan for the physical development of the  
4     city, county or region which in the commission's judgment bears relation  
5     to the planning thereof.  
6     2. The plan must be known as the master plan, and must be so  
7     prepared that all or portions thereof, except as *otherwise* provided in  
8     ~~subsection 3,~~ *subsections 3 and 4*, may be adopted by the governing  
9     body, as provided in NRS 278.010 to 278.630, inclusive, as a basis for the  
10    development of the city, county or region for such reasonable period of  
11    time next ensuing after the adoption thereof as may practically be covered  
12    thereby.  
13    3. In counties whose population is 100,000 or more ~~+~~ *but less than*  
14    *400,000*, if the governing body of the city or county adopts only a portion  
15    of the master plan, it shall include in that portion a conservation plan, a  
16    housing plan and a population plan as provided in NRS 278.160.



\* A B 1 8 2 R 1 \*

1     4. *In counties whose population is 400,000 or more, the governing*  
2 *body of the city or county shall adopt a master plan for all of the city or*  
3 *county that must address each of the subjects set forth in subsection 1 of*  
4 *NRS 278.160.*

5     Sec. 2. NRS 278.160 is hereby amended to read as follows:

6     278.160 1. ~~Here~~ *Except as otherwise provided in subsection 4 of*  
7 *NRS 278.150 and subsection 3 of NRS 278.170, the* master plan, with the  
8 accompanying charts, drawings, diagrams, schedules and reports, may  
9 include such of the following subject matter or portions thereof as are  
10 appropriate to the city, county or region, and as may be made the basis for  
11 the physical development thereof:

12     (a) Community design. Standards and principles governing the  
13 subdivision of land and suggestive patterns for community design and  
14 development.

15     (b) Conservation plan. For the conservation, development and  
16 utilization of natural resources, including water and its hydraulic force,  
17 underground water, water supply, forests, soils, rivers and other waters,  
18 harbors, fisheries, wildlife, minerals and other natural resources. The plan  
19 must also cover the reclamation of land and waters, flood control,  
20 prevention and control of the pollution of streams and other waters,  
21 regulation of the use of land in stream channels and other areas required for  
22 the accomplishment of the conservation plan, prevention, control and  
23 correction of the erosion of soils through proper clearing, grading and  
24 landscaping, beaches and shores, and protection of watersheds. The plan  
25 must also indicate the maximum tolerable level of air pollution.

26     (c) Economic plan. Showing recommended schedules for the allocation  
27 and expenditure of public money in order to provide for the economical  
28 and timely execution of the various components of the plan.

29     (d) Historical properties preservation plan. An inventory of significant  
30 historical, archaeological and architectural properties as defined by a city,  
31 county or region, and a statement of methods to encourage the preservation  
32 of those properties.

33     (e) Housing plan. The housing plan must include, but is not limited to:

34         (1) An inventory of housing conditions, needs and plans and  
35 procedures for improving housing standards and for providing adequate  
36 housing.

37         (2) An inventory of affordable housing in the community.

38         (3) An analysis of the demographic characteristics of the community.

39         (4) A determination of the present and prospective need for  
40 affordable housing in the community.

41         (5) An analysis of any impediments to the development of affordable  
42 housing and the development of policies to mitigate those impediments.

43         (6) An analysis of the characteristics of the land that is the most  
44 appropriate for the construction of affordable housing.

45         (7) An analysis of the needs and appropriate methods for the  
46 construction of affordable housing or the conversion or rehabilitation of  
47 existing housing to affordable housing.

48         (8) A plan for maintaining and developing affordable housing to meet  
49 the housing needs of the community.



\* A B 1 8 2 R 1 \*

- 1 (f) Land use plan. An inventory and classification of types of natural  
2 land and of existing land cover and uses, and comprehensive plans for the  
3 most desirable utilization of land. The land use plan may include a  
4 provision concerning the acquisition and use of land that is under federal  
5 management within the city, county or region, including, without  
6 limitation, a plan or statement of policy prepared pursuant to NRS  
7 321.7355.
- 8 (g) Population plan. An estimate of the total population which the  
9 natural resources of the city, county or region will support on a continuing  
10 basis without unreasonable impairment.
- 11 (h) Public buildings. Showing locations and arrangement of civic  
12 centers and all other public buildings, including the architecture thereof  
13 and the landscape treatment of the grounds thereof.
- 14 (i) Public services and facilities. Showing general plans for sewage,  
15 drainage and utilities, and rights of way, easements and facilities therefor,  
16 including any utility projects required to be reported pursuant to NRS  
17 278.145.
- 18 (j) Recreation plan. Showing a comprehensive system of recreation  
19 areas, including natural reservations, parks, parkways, *trails*, reserved  
20 riverbank strips, beaches, playgrounds and other recreation areas,  
21 including, when practicable, the locations and proposed development  
22 thereof.
- 23 (k) Rural neighborhoods preservation plan. In any county whose  
24 population is 400,000 or more, showing general plans to preserve the  
25 character and density of rural neighborhoods.
- 26 (l) Safety plan. In any county whose population is 400,000 or more,  
27 identifying potential types of natural and man-made hazards, including  
28 hazards from floods, landslides or fires, or resulting from the manufacture,  
29 storage, transfer or use of bulk quantities of hazardous materials. The plan  
30 may set forth policies for avoiding or minimizing the risks from those  
31 hazards.
- 32 (m) School facilities plan. Showing the general locations of current and  
33 future school facilities based upon information furnished by the appropriate  
34 local school district.
- 35 (n) Seismic safety plan. Consisting of an identification and appraisal of  
36 seismic hazards such as susceptibility to surface ruptures from faulting, to  
37 ground shaking or to ground failures.
- 38 (o) Solid waste disposal plan. Showing general plans for the disposal of  
39 solid waste.
- 40 (p) Streets and highways plan. Showing the general locations and  
41 widths of a comprehensive system of major traffic thoroughfares and other  
42 traffic ways and of streets and the recommended treatment thereof,  
43 building line setbacks, and a system of naming or numbering streets and  
44 numbering houses, with recommendations concerning proposed changes.
- 45 (q) Transit plan. Showing a proposed *multimodal* system of transit  
46 lines, including ~~rapid~~ *mass* transit, streetcar, motorcoach and trolley  
47 coach lines, *paths for bicycles and pedestrians*, and related facilities.
- 48 (r) Transportation plan. Showing a comprehensive transportation  
49 system, including locations of rights of way, terminals, viaducts and grade



\* A B 1 8 2 R 1 \*

1 separations. The plan may also include port, harbor, aviation and related  
2 facilities.

3 2. The commission may prepare and adopt, as part of the master plan,  
4 other and additional plans and reports dealing with such other subjects as  
5 may in its judgment relate to the physical development of the city, county  
6 or region, and nothing contained in NRS 278.010 to 278.630, inclusive,  
7 prohibits the preparation and adoption of any such subject as a part of the  
8 master plan.

9 **Sec. 3.** NRS 278.170 is hereby amended to read as follows:

10 278.170 1. ~~The~~ *Except as otherwise provided in subsections 2 and*  
11 *3, the* commission may prepare and adopt all or any part of the master plan  
12 or any subject thereof ~~except as provided in subsection 2,~~ for all or any  
13 part of the city, county or region. Master regional plans must be  
14 coordinated with similar plans of adjoining regions, and master county and  
15 city plans within each region must be coordinated so as to fit properly into  
16 the master plan for the region.

17 2. In counties whose population is 100,000 or more ~~+~~ *but less than*  
18 *400,000*, if the commission prepares and adopts less than all subjects of the  
19 master plan, as outlined in NRS 278.160, it shall include, in its preparation  
20 and adoption, the conservation, housing and population plans described in  
21 that section.

22 *3. In counties whose population is 400,000 or more, the commission*  
23 *shall prepare and adopt a master plan for all of the city or county that*  
24 *must address each of the subjects set forth in subsection 1 of NRS*  
25 *278.160.*

26 **Sec. 4.** NRS 278.210 is hereby amended to read as follows:

27 278.210 1. Before adopting the master plan or any part of it ~~+~~ *in*  
28 *accordance with NRS 278.170*, or any substantial amendment thereof, the  
29 commission shall hold at least one public hearing thereon, notice of the  
30 time and place of which ~~shall~~ *must* be given at least by one publication in  
31 a newspaper of general circulation in the city or county, or in the case of a  
32 regional planning commission, by one publication in a newspaper in each  
33 county within the regional district, at least 10 days before the day of the  
34 hearing.

35 2. The adoption of the master plan, or of any amendment, extension or  
36 addition thereof, ~~shall~~ *must* be by resolution of the commission carried by  
37 the affirmative votes of not less than two-thirds of the total membership of  
38 the commission. The resolution ~~shall~~ *must* refer expressly to the maps,  
39 descriptive matter and other matter intended by the commission to  
40 constitute the plan or any amendment, addition or extension thereof, and  
41 the action taken ~~shall~~ *must* be recorded on the map and plan and  
42 descriptive matter by the identifying signatures of the secretary and  
43 chairman of the commission.

44 3. No plan or map, hereafter, ~~shall~~ *may* have indicated thereon that it  
45 is a part of the master plan until it ~~shall have~~ *has* been adopted as part of  
46 the master plan by the commission as herein provided for the adoption  
47 thereof, whenever changed conditions or further studies by the commission  
48 require such amendments, extension, or addition.



\* A B 1 8 2 R 1 \*

1 4. *Except as otherwise provided in this subsection, the commission*  
2 *shall not amend the land use plan of the master plan set forth in*  
3 *paragraph (f) of subsection 1 of NRS 278.160, or any portion of such a*  
4 *land use plan, more than four times in a calendar year. The provisions of*  
5 *this subsection do not apply to a change in the land use designated for a*  
6 *particular area if the change does not affect more than 25 percent of the*  
7 *area.*

8 5. An attested copy of any part, amendment, extension of or addition  
9 to the master plan adopted by the planning commission of any city, county  
10 or region ~~shall~~ *in accordance with NRS 278.170 must* be certified to the  
11 governing body of ~~such~~ *the* city, county or region.

12 ~~5-~~ 6. An attested copy of any part, amendment, extension of or  
13 addition to the master plan adopted by any regional planning commission  
14 ~~shall~~ *must* be certified to the county planning commission and to the  
15 board of county commissioners of each county within the regional district.

16 Sec. 5. NRS 278.220 is hereby amended to read as follows:

17 278.220 *Except as otherwise provided in subsection 4 of NRS*  
18 *278.150:*

19 1. Upon receipt of a certified copy of the master plan, or of any part  
20 thereof, as adopted by the planning commission, the governing body may  
21 adopt such parts thereof as may practicably be applied to the development  
22 of the city, county or region for a reasonable period of time next ensuing.

23 2. The parts ~~shall~~ *must* thereupon be endorsed and certified as master  
24 plans thus adopted for the territory covered, and are hereby declared to be  
25 established to conserve and promote the public health, safety and general  
26 welfare.

27 3. Before adopting any plan or part thereof, the governing body shall  
28 hold at least one public hearing thereon, notice of the time and place of  
29 which ~~shall~~ *must* be published at least once in a newspaper of general  
30 circulation in the city or counties at least 10 days before the day of hearing.

31 4. No change in or addition to the master plan or any part thereof, as  
32 adopted by the planning commission, ~~shall~~ *may* be made by the  
33 governing body in adopting the same until the proposed change or addition  
34 ~~shall have~~ *has* been referred to the planning commission for a report  
35 thereon and an attested copy of the report ~~shall have~~ *has* been filed with  
36 the governing body. Failure of the planning commission so to report within  
37 40 days, or such longer period as may be designated by the governing  
38 body, after such reference shall be deemed to be approval of the proposed  
39 change or addition.

40 Sec. 6. NRS 278.230 is hereby amended to read as follows:

41 278.230 1. ~~Whenever~~ *Except as otherwise provided in subsection*  
42 *4 of NRS 278.150, whenever* the governing body of any city or county has  
43 adopted a master plan or part thereof for the city or county, or for any  
44 major section or district thereof, the governing body shall, upon  
45 recommendation of the planning commission, determine upon reasonable  
46 and practical means for putting into effect the master plan or part thereof,  
47 in order that the same will serve as:

48 (a) A pattern and guide for that kind of orderly physical growth and  
49 development of the city or county which will cause the least amount of



\* A B 1 8 2 R 1 \*

1 natural resource impairment and will conform to the adopted population  
2 plan, where required, and ensure an adequate supply of housing, including  
3 affordable housing; and

4 (b) A basis for the efficient expenditure of funds thereof relating to the  
5 subjects of the master plan.

6 2. The governing body may adopt and use such procedure as may be  
7 necessary for this purpose.

8 **Sec. 7.** NRS 278.260 is hereby amended to read as follows:

9 278.260 1. The governing body shall provide for the manner in  
10 which zoning regulations and restrictions and the boundaries of zoning  
11 districts are determined, established, enforced and amended.

12 2. A zoning regulation, restriction or boundary *or an amendment*  
13 *thereto* must not become effective until after *transmittal of a copy of the*  
14 *relevant application to the town board, citizens' advisory council or town*  
15 *advisory board pursuant to subsection 5, if applicable, and after* a public  
16 hearing at which parties in interest and other persons have an opportunity  
17 to be heard. The governing body shall cause notice of the time and place of  
18 the hearing to be:

19 (a) Published in an official newspaper, or a newspaper of general  
20 circulation, in the city, county or region; and

21 (b) Mailed to each tenant of a mobile home park if that park is located  
22 within 300 feet of the property in question,  
23 at least 10 days before the hearing.

24 3. If ~~the~~ *a* proposed amendment involves a change in the boundary of  
25 a zoning district in a county whose population is less than 400,000, the  
26 governing body shall, to the extent this notice does not duplicate the notice  
27 required by subsection 2, cause a notice to be sent at least 10 days before  
28 the hearing to:

29 (a) The applicant;

30 (b) Each owner, as listed on the county assessor's records, of real  
31 property located within 300 feet of the portion of the boundary being  
32 changed;

33 (c) Each ~~owner~~ *of the owners*, as listed on the county assessor's  
34 records, of at least *the* 30 parcels nearest to the portion of the boundary  
35 being changed, to the extent this notice does not duplicate the notice given  
36 pursuant to paragraph (b); and

37 (d) Any advisory board which has been established for the affected area  
38 by the governing body.

39 The notice must be sent by mail or, if requested by a party to whom notice  
40 must be provided pursuant to paragraphs (a) to (d), inclusive, by electronic  
41 means if receipt of such an electronic notice can be verified, and be written  
42 in language which is easy to understand. The notice must set forth the time,  
43 place and purpose of the hearing and a physical description of, or a map  
44 detailing, the proposed change, must indicate the existing zoning  
45 designation, and the proposed zoning designation, of the property in  
46 question, and must contain a brief summary of the intent of the proposed  
47 change. If the proposed amendment involves a change in the boundary of  
48 the zoning district that would reduce the density or intensity with which a  
49 parcel of land may be used, the notice must include a section that an owner



\* A B 1 8 2 R 1 \*

- 1 of property may complete and return to the governing body to indicate his  
2 approval of or opposition to the proposed amendment.
- 3 4. If ~~the~~ *a* proposed amendment involves a change in the boundary of  
4 a zoning district in a county whose population is 400,000 or more, the  
5 governing body shall, to the extent this notice does not duplicate the notice  
6 required by subsection 2, cause a notice to be sent at least 10 days before  
7 the hearing to:
- 8 (a) The applicant;
- 9 (b) Each owner, as listed on the county assessor's records, of real  
10 property located within 500 feet ~~from~~ *of* the portion of the boundary  
11 being changed;
- 12 (c) Each ~~owner~~ *of the owners*, as listed on the county assessor's  
13 records, of at least *the* 30 parcels nearest to the portion of the boundary  
14 being changed, to the extent this notice does not duplicate the notice given  
15 pursuant to paragraph (b); and
- 16 (d) Any advisory board which has been established for the affected area  
17 by the governing body.
- 18 The notice must be sent by mail or, if requested by a party to whom notice  
19 must be provided pursuant to paragraphs (a) to (d), inclusive, by electronic  
20 means if receipt of such an electronic notice can be verified, and be written  
21 in language which is easy to understand. The notice must set forth the time,  
22 place and purpose of the hearing and a physical description of, or a map  
23 detailing, the proposed change, must indicate the existing zoning  
24 designation, and the proposed zoning designation, of the property in  
25 question, and must contain a brief summary of the intent of the proposed  
26 change. If the proposed amendment involves a change in the boundary of  
27 the zoning district that would reduce the density or intensity with which a  
28 parcel of land may be used, the notice must include a section that an owner  
29 of property may complete and return to the governing body to indicate his  
30 approval of or opposition to the proposed amendment.
- 31 5. *If an application is filed with the governing body and the*  
32 *application involves a change in the boundary of a zoning district within*  
33 *an unincorporated town that is located more than 10 miles from an*  
34 *incorporated city, the governing body shall transmit a copy of the*  
35 *application within 3 days after its filing to the town board, citizens'*  
36 *advisory council or town advisory board, whichever is applicable, of the*  
37 *unincorporated town. The town board, citizens' advisory council or town*  
38 *advisory board may make recommendations regarding the application*  
39 *and submit its recommendations at least 15 days before the hearing on*  
40 *the application is held pursuant to subsection 2. The governing body or*  
41 *other authorized person or entity conducting the hearing shall consider*  
42 *any recommendations submitted by the town board, citizens' advisory*  
43 *council or town advisory board regarding the application and, within 10*  
44 *days after making its decision on the application, transmit a copy of its*  
45 *decision to the town board, citizens' advisory council or town advisory*  
46 *board.*
- 47 6. If a notice is required to be sent pursuant to subsection 4:
- 48 (a) The exterior of a notice sent by mail; or



\* A B 1 8 2 R 1 \*

(b) The cover sheet, heading or subject line of a notice sent by electronic means, must bear a statement in at least 10-point bold type or font in substantially the following form:

OFFICIAL NOTICE OF PUBLIC HEARING

~~16.1~~ 7. In addition to sending the notice required pursuant to subsection 4, in a county whose population is 400,000 or more, the governing body shall, not later than 10 days before the hearing, erect or cause to be erected on the property, at least one sign not less than 2 feet high and 2 feet wide. The sign must be made of material reasonably calculated to withstand the elements for 40 days. The governing body must be consistent in its use of colors for the background and lettering of the sign. The sign must include the following information:

- (a) The existing zoning designation of the property in question;
- (b) The proposed zoning designation of the property in question;
- (c) The date, time and place of the public hearing;
- (d) A telephone number which may be used by interested persons to obtain additional information; and
- (e) A statement which indicates whether the proposed zoning designation of the property in question complies with the requirements of the master plan of the city or county in which the property is located.

~~17.1~~ 8. A sign required pursuant to subsection ~~16.1~~ 7 is for informational purposes only, and must be erected regardless of any local ordinance regarding the size, placement or composition of signs to the contrary.

~~18.1~~ 9. A governing body may charge an additional fee for each application to amend an existing zoning regulation, restriction or boundary to cover the actual costs resulting from the mailed notice required by this section and the erection of not more than one of the signs required by subsection ~~16.1~~ 7, if any. The additional fee is not subject to the limitation imposed by NRS 354.5989.

~~19.1~~ 10. The governing body shall remove or cause to be removed any sign required by subsection ~~16.1~~ 7 within 5 days after the final hearing for the application for which the sign was erected. There must be no additional charge to the applicant for such removal.

~~110.1~~ 11. If a proposed amendment involves a change in the boundary of a zoning district in a county whose population is 400,000 or more that would reduce the density or intensity with which a parcel of land may be used and at least 20 percent of the property owners to whom notices were sent pursuant to ~~subsections 3 and~~ subsection 4 indicate in their responses opposition to the proposed amendment, the governing body shall not approve the proposed amendment unless the governing body:

- (a) Considers separately the merits of each aspect of the proposed amendment to which the owners expressed opposition; and
- (b) Makes a written finding that the public interest and necessity will be promoted by approval of the proposed amendment.



\* A B 1 8 2 R 1 \*

1 ~~111~~ 12. The governing body of a county whose population is  
2 400,000 or more shall not approve a zoning regulation, restriction or  
3 boundary, or ~~the~~ *an* amendment thereof, that affects any unincorporated  
4 area of the county that is surrounded completely by the territory of an  
5 incorporated city without sending a notice to the governing body of the  
6 city. The governing body of the city, or its designee, must submit any  
7 recommendations to the governing body of the county within 15 days after  
8 receiving the notice. The governing body of the county shall consider any  
9 such recommendations. If the governing body of the county does not  
10 accept a recommendation, the governing body of the county, or its  
11 authorized agent, shall specify for the record the reasons for its action.

12 **Sec. 8.** NRS 278.315 is hereby amended to read as follows:

13 278.315 1. The governing body may provide by ordinance for the  
14 granting of variances, special use permits, conditional use permits or other  
15 special exceptions by the board of adjustment, the planning commission or  
16 a hearing examiner appointed pursuant to NRS 278.262. The governing  
17 body may impose this duty entirely on the board, commission or examiner,  
18 respectively, or provide for the granting of enumerated categories of  
19 variances, special use permits, conditional use permits or special  
20 exceptions by the board, commission or examiner.

21 2. A hearing to consider an application for the granting of a variance,  
22 special use permit, conditional use permit or special exception must be held  
23 before the board of adjustment, planning commission or hearing examiner  
24 within 65 days after the filing of the application, unless a longer time or a  
25 different process of review is provided in an agreement entered into  
26 pursuant to NRS 278.0201. A notice setting forth the time, place and  
27 purpose of the hearing must be sent by mail at least 10 days before the  
28 hearing to:

- 29 (a) The applicant;  
30 (b) Each owner of real property located within 300 feet of the property  
31 in question;  
32 (c) If a mobile home park is located within 300 feet of the property in  
33 question, each tenant of that mobile home park; and  
34 (d) Any advisory board which has been established for the affected area  
35 by the governing body.

36 The notice must be sent by mail or, if requested by a party to whom notice  
37 must be provided pursuant to paragraphs (a) to (d), inclusive, by electronic  
38 means if receipt of such an electronic notice can be verified, and be written  
39 in language which is easy to understand. The notice must set forth the time,  
40 place and purpose of the hearing and a physical description or map of the  
41 property in question.

42 3. If the application is for the issuance of a special use permit in a  
43 county whose population is 100,000 or more, the governing body shall, to  
44 the extent this notice does not duplicate the notice required by subsection  
45 2, cause a notice to be sent at least 10 days before the hearing to each  
46 ~~owner,~~ *of the owners*, as listed on the county assessor's records, of at  
47 least *the* 30 parcels nearest to the property in question. The notice must be  
48 sent by mail or, if requested by an owner to whom notice must be provided,  
49 by electronic means if receipt of such an electronic notice can be verified,



\* A B 1 8 2 R 1 \*

1 and be written in language which is easy to understand. The notice must set  
2 forth the time, place and purpose of the hearing and a physical description  
3 or map of the property in question.

4 4. *If an application is filed with the governing body for the issuance*  
5 *of a special use permit with regard to property situated within an*  
6 *unincorporated town that is located more than 10 miles from an*  
7 *incorporated city, the governing body shall transmit a copy of the*  
8 *application within 3 days after its filing to the town board, citizens'*  
9 *advisory council or town advisory board, whichever is applicable, of the*  
10 *unincorporated town. The town board, citizens' advisory council or town*  
11 *advisory board may make recommendations regarding the application*  
12 *and submit its recommendations at least 21 days before the hearing on*  
13 *the application is held pursuant to subsection 2. The governing body or*  
14 *other authorized person or entity conducting the hearing shall consider*  
15 *any recommendations submitted by the town board, citizens' advisory*  
16 *council or town advisory board regarding the application and, within 10*  
17 *days after making its decision on the application, transmit a copy of its*  
18 *decision to the town board, citizens' advisory council or town advisory*  
19 *board.*

20 5. An ordinance adopted pursuant to this section must provide an  
21 opportunity for the applicant or a protestant to appeal from a decision of  
22 the board of adjustment, planning commission or hearing examiner to the  
23 governing body.

24 ~~15-1~~ 6. In a county whose population is 400,000 or more, if the  
25 application is for the issuance of a special use permit for an establishment  
26 which serves alcoholic beverages for consumption on or off of the  
27 premises as its primary business in a district which is not a gaming  
28 enterprise district as defined in NRS 463.0158, the governing body shall, in  
29 addition to sending the notice required pursuant to subsection 3, not later  
30 than 10 days before the hearing, erect or cause to be erected on the  
31 property, at least one sign not less than 2 feet high and 2 feet wide. The  
32 sign must be made of material reasonably calculated to withstand the  
33 elements for 40 days. The governing body must be consistent in its use of  
34 colors for the background and lettering of the sign. The sign must include  
35 the following information:

36 (a) The existing permitted use and zoning designation of the property in  
37 question;

38 (b) The proposed permitted use of the property in question;

39 (c) The date, time and place of the public hearing; and

40 (d) A telephone number which may be used by interested persons to  
41 obtain additional information.

42 ~~16-1~~ 7. A sign required pursuant to subsection ~~15-1~~ 6 is for  
43 informational purposes only, and must be erected regardless of any local  
44 ordinance regarding the size, placement or composition of signs to the  
45 contrary.

46 ~~17-1~~ 8. A governing body may charge an additional fee for each  
47 application for a special use permit to cover the actual costs resulting from  
48 the erection of not more than one sign required by subsection ~~15-1~~ 6, if any.



1 The additional fee is not subject to the limitation imposed by NRS  
2 354.5989.

3 ~~18-1~~ 9. The governing body shall remove or cause to be removed any  
4 sign required by subsection ~~15-1~~ 6 within 5 days after the final hearing for  
5 the application for which the sign was erected. There must be no additional  
6 charge to the applicant for such removal.

7 ~~19-1~~ 10. The provisions of this section do not apply to an application  
8 for a conditional use permit filed pursuant to NRS 278.147.

9 **Sec. 9.** Chapter 269 of NRS is hereby amended by adding thereto a  
10 new section to read as follows:

11 *Each member of a town advisory board shall, at least once during the*  
12 *first year of his initial term of office and at least once during every*  
13 *subsequent year that he serves in office, attend training relating to:*

14 *1. State statutes and regulations and local ordinances, resolutions*  
15 *and regulations concerning land use planning, development and any*  
16 *other subject matter that the board of county commissioners deems*  
17 *necessary; and*

18 *2. The provisions of chapter 241 of NRS.*

19 **Sec. 10.** NRS 269.500 is hereby amended to read as follows:  
20 269.500 NRS 269.500 to 269.625, inclusive, *and section 9 of this act*  
21 *may be cited as the Unincorporated Town Government Law.*

22 **Sec. 11.** NRS 269.576 is hereby amended to read as follows:  
23 269.576 1. Except as appointment may be deferred pursuant to NRS  
24 269.563, the board of county commissioners of any county whose  
25 population is 400,000 or more shall, in each ordinance which establishes an  
26 unincorporated town pursuant to NRS 269.500 to 269.625, inclusive,  
27 provide for:

28 (a) Appointment by the board of county commissioners *or the election*  
29 *by the registered voters of the unincorporated town* of three or five  
30 qualified electors who are residents of the unincorporated town to serve as  
31 the town advisory board. *If the ordinance provides for appointment by the*  
32 *board of county commissioners, in making such appointments, the board*  
33 *of county commissioners shall consider:*

34 *(1) The results of any poll conducted by the town advisory board;*  
35 *and*

36 *(2) Any application submitted to the board of county commissioners*  
37 *by persons who desire to be appointed to the town advisory board in*  
38 *response to an announcement made by the town advisory board.*

39 (b) ~~Terms~~ *A term of 4 years* for members of the town advisory board,  
40 which must *be staggered and must* expire on the first Monday in January  
41 of ~~each~~ *an* odd-numbered year. *No person who has served for a term as*  
42 *a member of a town advisory board is eligible for reappointment until 2*  
43 *years after the expiration of his term.*

44 (c) Removal of a member of the town advisory board if the board of  
45 county commissioners finds that his removal is in the best interest of the  
46 residents of the unincorporated town, and for appointment of a member to  
47 serve the unexpired term of the member so removed.

48 2. *The board of county commissioners shall provide notice of any*  
49 *vacancy on a town advisory board to the residents of the unincorporated*



\* A B 1 8 2 R 1 \*

1 *town by mail, newsletter or newspaper at least 90 days before filling the*  
2 *vacancy.*

3 3. The duties of the town advisory board are to:

4 (a) Assist the board of county commissioners in governing the  
5 unincorporated town by acting as liaison between the residents of the town  
6 and the board of county commissioners; and

7 (b) Advise the board of county commissioners on matters of importance  
8 to the unincorporated town and its residents.

9 ~~13-1~~ 4. The board of county commissioners may provide by ordinance  
10 for compensation for the members of the town advisory board.

11 **Sec. 12.** 1. This section and sections 1, 2, 3, 5 to 8, inclusive, 10 and  
12 11 of this act become effective on October 1, 2001.

13 2. Sections 4 and 9 of this act become effective on January 1, 2002.

