

ASSEMBLY BILL NO. 458—ASSEMBLYMAN PARKS (BY REQUEST)

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Authorizes local governments to impose impact fees on new developments to finance fire station projects, park projects and police station projects. (BDR 22-1000)

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

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

AN ACT relating to impact fees; including a fire station project, park project and police station project as capital improvements which a local government may finance by imposing impact fees on new developments; providing a credit against an impact fee for a park project in certain circumstances; revising the definition of “street projects” to include traffic signals; 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.** Chapter 278B of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 4, inclusive, of this act.

3 **Sec. 2.** *“Fire station project” means a facility for a fire station or a*
4 *fire substation. The term does not include:*

5 *1. A facility or portion of a facility that is designed for a use related*
6 *to the administration of a fire department or any other use not directly*
7 *related to fire fighting; or*

8 *2. Any equipment, including, without limitation, vehicles, used for*
9 *fire fighting.*

10 **Sec. 3.** *“Park project” means real property, turf, trees, irrigation,*
11 *playground apparatus, playing fields, areas to be used for organized*
12 *amateur sports, play areas, picnic areas, horseshoe pits, trails, jogging*
13 *and pedestrian paths, tennis courts, areas designated for the use of*
14 *skateboards and other recreational equipment or appurtenances which*
15 *are designed to serve natural persons, families and small groups and*
16 *which are used for a park that is not larger than 50 acres in area. The*
17 *term does not include auditoriums, arenas, bandstand and orchestra*
18 *facilities, bathhouses, clubhouses, community centers that are more than*



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1 3,000 square feet in floor area, golf course facilities, greenhouses,
2 swimming pools, zoo facilities or similar recreational facilities.

3 **Sec. 4.** "Police station project" means a facility for a police station
4 or a police substation. The term does not include:

5 1. A facility or portion of a facility that is designed for a use related
6 to the administration of a police department or any other use not directly
7 related to the provision of police services, including, without limitation,
8 the training of police officers; or

9 2. Any equipment, including, without limitation, vehicles, used to
10 provide police services.

11 **Sec. 5.** NRS 278B.010 is hereby amended to read as follows:

12 278B.010 As used in this chapter, unless the context otherwise
13 requires, the words and terms defined in NRS 278B.020 to 278B.140,
14 inclusive, *and sections 2, 3 and 4 of this act* have the meanings ascribed to
15 them in those sections.

16 **Sec. 6.** NRS 278B.020 is hereby amended to read as follows:

17 278B.020 "Capital improvement" means a:

18 1. Drainage project;

19 2. *Fire station project;*

20 3. *Park project;*

21 4. *Police station project;*

22 5. Sanitary sewer project;

23 ~~13-~~ 6. Storm sewer project;

24 ~~14-~~ 7. Street project; or

25 ~~15-~~ 8. Water project.

26 **Sec. 7.** NRS 278B.130 is hereby amended to read as follows:

27 278B.130 "Street project" means the arterial or collector streets or
28 roads which have been designated on the streets and highways plan in the
29 master plan adopted by the local government pursuant to NRS 278.220,
30 including all appurtenances, *traffic signals* and incidentals necessary for
31 any such facilities.

32 **Sec. 8.** NRS 278B.240 is hereby amended to read as follows:

33 278B.240 1. If an owner is required by a local government, as a
34 condition of the approval of the development, to construct or dedicate, or
35 both, a portion of the off-site facilities for which impact fees *other than for*
36 *a park project* are imposed, the off-site facilities must be credited against
37 those impact fees.

38 2. If a school district is required by a local government to construct or
39 dedicate, or both, a portion of the off-site facilities for which impact fees
40 are imposed, the local government shall, upon the request of the school
41 district, reimburse or enter into an agreement to reimburse the school
42 district for the cost of the off-site facilities constructed or dedicated, or
43 both, minus the cost of the off-site facilities immediately adjacent to or
44 providing connection to the school development which would be required
45 by local ordinance in the absence of an ordinance authorizing impact fees.

46 3. *If an owner is required by a local government to:*

47 (a) *Pay a residential construction tax pursuant to NRS 278.4983;*

48 (b) *Dedicate land pursuant to NRS 278.4979 or otherwise dedicate or*
49 *improve land, or both, for use as a park; or*



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1 (c) *Construct or dedicate a portion of the off-site facilities for which*
2 *impact fees for a park project are imposed,*
3 *the owner is entitled to a credit against the impact fee imposed for the*
4 *park project for the amount of the residential construction tax paid, the*
5 *fair market value of the land dedicated, the cost of any improvements to*
6 *the dedicated land or the cost of the off-site facilities dedicated or*
7 *constructed, as applicable.*

8 **Sec. 9.** The act becomes effective on July 1, 2001.

