

SENATE BILL NO. 279—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF WASHOE COUNTY)

MARCH 7, 2001

Referred to Committee on Government Affairs

SUMMARY—Prohibits cities in certain counties from exercising certain powers of zoning in certain circumstances. (BDR 22-497)

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 land use planning; prohibiting cities in certain counties from exercising certain powers of zoning within a sphere of influence in certain circumstances; 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 278.02788 is hereby amended to read as follows:
2 278.02788 1. If a city has a sphere of influence that is designated in
3 the comprehensive regional plan, the city shall adopt a master plan
4 concerning the territory within the sphere of influence. The master plan and
5 any ordinance required by the master plan must be consistent with the
6 comprehensive regional plan. ~~After~~ *Except as otherwise provided in*
7 *subsection 2, after* adoption and certification of a master plan concerning
8 the territory within the sphere of influence and after adopting the
9 ordinances required by the master plan, if any, the city may exercise any
10 power conferred pursuant to NRS 278.010 to 278.630, inclusive, within its
11 sphere of influence.
12 2. *If a city has not annexed territory within its sphere of influence,*
13 *any zoning ordinance or regulation or amendment thereto adopted by the*
14 *governing body of the city pursuant to NRS 278.250 or 278.260 which*
15 *authorizes:*
16 (a) *The density of land use within that territory to exceed the density*
17 *of land use authorized for that territory pursuant to the master plan for*
18 *the county in which the city is located; or*



1 (b) A use of land within that territory which is not authorized for that
2 territory pursuant to the master plan for the county in which the city is
3 located,
4 is not effective until the city annexes that territory, unless the governing
5 body of the county in which the city is located approves such an increase
6 in density or such a land use by resolution.

7 3. If the comprehensive regional plan designates that all or part of the
8 sphere of influence of a city is a joint planning area, the master plan and
9 any ordinance adopted by the city pursuant to subsection 1 must be
10 consistent with the master plan that is adopted for the joint planning area.

11 ~~{3. Before certification of the master plan for the sphere of influence~~
12 ~~pursuant to NRS 278.028, any}~~

13 4. Any action taken by the county pursuant to NRS 278.010 to
14 278.630, inclusive, within the sphere of influence of a city regarding
15 territory that the city has not annexed must be consistent with the
16 comprehensive regional plan.

17 ~~{4.}~~ 5. A person ~~{, county or city that is represented on the governing~~
18 ~~board and}~~ who is aggrieved by a final determination of the ~~{county or,~~
19 ~~city}~~ after the certification of the master plan for ~~{a}~~ the sphere of influence
20 ~~{, is aggrieved by a final determination}~~ of the city, concerning zoning, a
21 subdivision map, a parcel map or the use of land within the sphere of
22 influence of the city, may appeal the decision to the regional planning
23 commission within 30 days after the determination. A person, county or
24 city that is aggrieved by the determination of the regional planning
25 commission may appeal the decision to the governing board within 30 days
26 after the determination. A person, county or city that is aggrieved by the
27 determination of the governing board may seek judicial review of the
28 decision within 25 days after the determination.

