

Senate Bill No. 530—Committee on Natural Resources

CHAPTER.....

AN ACT relating to regional planning; extending the interval at which the regional planning coalition may review certain plans of a governing body, regional agency, state agency or public utility; requiring certain regional and state agencies to ensure, to the extent practicable, that certain of their plans and land use decisions are consistent with certain other regional and local plans; authorizing the regional planning coalition to make certain grants to a city or county for purposes related to land use planning; authorizing the regional planning coalition to request the preparation of not more than one legislative measure for a regular legislative session; authorizing the regional planning coalition to adopt rules or bylaws pertaining to the attendance of members of its governing board at meetings of the governing board; 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 278.02542 is hereby amended to read as follows:

278.02542 1. The regional planning coalition may:

(a) Coordinate sources of information;
(b) Recommend measures to increase the efficiency of governmental entities and services;

(c) Make recommendations regarding the disposal of federal land;

(d) Establish methods for resolving issues related to annexation, boundaries and other matters that arise between jurisdictions;

(e) At least every ~~12~~ 5 years, review:

(1) Master plans, facilities plans and other similar plans, and amendments thereto, adopted by a governing body, regional agency, state agency or public utility that is located in whole or in part within the region; and

(2) The annual plan for capital improvements that is prepared by each local government in the region pursuant to NRS 278.0226;

(f) Develop and recommend, to the extent practicable, standardized classifications for land use for the region;

(g) Consider and take necessary action with respect to any issue that the regional planning coalition determines will have a significant impact on the region, including, without limitation, projects of regional significance;

(h) Review, consider and make recommendations regarding applications submitted to agencies of the Federal Government and applications for federal assistance for federally-assisted programs or projects; and

(i) Designate allowable future land uses for each part of the county, including, without limitation, the identification of each category of land use in which the construction and operation of a public school is permissible. The identification of a category of land use in which the construction and operation of a public school is permissible must be carried out in consultation with the county school district and include a determination of whether there is sufficient land in the proximity of a residential development to meet projected needs for public schools.

2. The regional planning coalition shall establish a definition for the term “project of regional significance.” In establishing the definition, the regional planning coalition shall consider:

(a) Existing definitions of the term within the Nevada Revised Statutes; and

(b) That a project may have regional significance for several reasons, including, without limitation, the potential impact that the project may have on historic, archaeological, cultural, scenic and natural resources, public facilities and public services within the region.

Sec. 2. NRS 278.02549 is hereby amended to read as follows:

278.02549 **1.** Each governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall, at least every ~~12~~ **5** years, submit to the regional planning coalition for its review all master plans, facilities plans and other similar plans of the governing body, regional agency, state agency or public utility.

2. *Each regional agency and state agency that is located in whole or in part within the region shall, to the extent practicable, ensure that all its master plans, facilities plans and other similar plans and decisions pertaining to the use of land are consistent with:*

(a) *The comprehensive regional policy plan developed and adopted by the regional planning coalition pursuant to NRS 278.02528; and*

(b) *The master plans, facilities plans and other similar plans of a city or county which have been certified by the regional planning coalition pursuant to subsection 4 of NRS 278.02577 as being in substantial conformance with the comprehensive regional policy plan.*

Sec. 3. NRS 278.02577 is hereby amended to read as follows:

278.02577 **1.** At least every ~~12~~ **5** years, the regional planning coalition shall review the master plans, facilities plans and other similar plans that it receives pursuant to NRS 278.02549, and determine whether those plans are in substantial conformance with the comprehensive regional policy plan.

2. If the regional planning coalition determines that a plan reviewed pursuant to subsection 1 is not in substantial conformance with the comprehensive regional policy plan, the regional planning coalition shall return the plan to the submitting entity accompanied by recommendations regarding the manner in which the submitting entity may bring the plan into substantial conformance with the comprehensive regional policy plan.

3. Within 90 days after the date on which a submitting entity receives the plan and recommendations from the regional planning coalition pursuant to subsection 2, the submitting entity shall provide to the regional planning coalition a written response setting forth the:

(a) Manner in which the submitting entity changed the plan to be in substantial conformance with the comprehensive regional policy plan; or

(b) Reasons of the submitting entity for not bringing the plan into substantial conformance.

4. If the regional planning coalition determines that all the plans that a city or county is required to submit pursuant to NRS 278.02549 are in substantial conformance with the comprehensive regional policy plan, the regional planning coalition shall issue to the city or county a certificate or other indicia of that determination. Upon receipt of such a certificate or other indicia, the city or county, until the next time the regional planning coalition reviews the plans of the city or county pursuant to subsection 1, is entitled to establish its own policies and procedures with respect to

regional planning, to the extent that those policies and procedures do not conflict with federal or state law.

5. The regional planning coalition may, within the limits of legislative appropriations and other available money, provide grants to a city or county if the regional planning coalition has issued to the city or county a certificate or other indicia pursuant to subsection 4 of the determination of the regional planning coalition that all the plans that the city or county is required to submit pursuant to NRS 278.02549 are in substantial conformance with the comprehensive regional policy plan. Grants provided to a city or county pursuant to this subsection must be expended by the city or county only to pay the costs of establishing, maintaining and carrying out programs related to land use planning.

Sec. 4. Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The legislative counsel and the legal division of the legislative counsel bureau shall prepare and assist in the preparation of legislative measures at the request of a regional planning coalition if the legislative measures are transmitted to the legislative counsel before September 1 preceding the commencement of the next regular session of the legislature. A regional planning coalition may transmit to the legislative counsel pursuant to this section not more than one legislative measure for a regular legislative session.

2. Every requested legislative measure must set forth the substance of the provisions which are desired or which may be needed with the reasons therefor.

3. As used in this section, "regional planning coalition" has the meaning ascribed to it in NRS 278.0172.

Sec. 5. NRS 218.240 is hereby amended to read as follows:

218.240 1. The legislative counsel and the legal division of the legislative counsel bureau shall prepare and assist in the preparation and amendment of legislative measures when requested or upon suggestion as provided in NRS 218.240 to 218.255, inclusive ~~††~~, *and section 4 of this act*. Except as otherwise provided in those provisions, the legislative counsel and the legal division of the legislative counsel bureau shall not prepare or assist in the preparation and amendment of legislative measures directly submitted or requested by a natural person, corporation, firm, association or other entity, including an organization that represents governmental agencies, unless the requester, or if the requester is a natural person the office or other position held by the person, is created by the constitution or laws of this state.

2. The legislative counsel shall give consideration to and service concerning any measure before the legislature which is requested by the governor, the senate or assembly, or any committee of the legislature having the measure before it for consideration.

3. The legislative counsel may deliver to the superintendent of the state printing division of the department of administration and request that he print or preset the type for printing a legislative measure before its introduction upon the consent of the person or persons requesting the measure. If the measure has been requested by a legislator, the superintendent shall promptly comply with this request.

Sec. 6. Section 8 of chapter 489, Statutes of Nevada 1999, at page 2530, is hereby amended to read as follows:

Sec. 8. 1. The coalition must be governed by a board consisting of 10 members.

2. The members of the board must be appointed as follows:

(a) Two members appointed by the Board of County Commissioners of Clark County from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(b) Two members appointed by the City Council of the City of Las Vegas from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(c) Two members appointed by the City Council of the City of North Las Vegas from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(d) Two members appointed by the City Council of the City of Henderson from its membership, one of whom is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002;

(e) One member appointed by the City Council of Boulder City from its membership who is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002; and

(f) One member appointed by the Board of Trustees of the Clark County School District from its membership who is a member of the debt management commission established pursuant to subsection 1 of NRS 350.002.

3. The term of each member of the board is coterminous with his term of elected office unless the public entity that appointed him revokes his appointment to the board.

4. ~~If a member fails to attend three consecutive meetings or fails to attend five meetings during a calendar year, his appointment is automatically revoked.~~

~~—5.—~~ If a member is unable to serve for the duration of his term or has his membership revoked, his position becomes vacant. A vacancy on the board must be filled by the authority which was entitled to appoint the member whose position is vacant. A vacancy must be filled within 45 days after the departure of the member. The term of a member appointed by the board to fill a vacancy is the remainder of the term of the member whose position is vacant.

Sec. 7. Section 11 of chapter 489, Statutes of Nevada 1999, at page 2531, is hereby amended to read as follows:

Sec. 11. The board shall:

1. Adopt rules or bylaws that govern its management and affairs

~~H~~, *including, without limitation, rules or bylaws pertaining to the attendance of members of the board at meetings of the board.*

2. Prepare and adopt an annual budget.

Sec. 8. This act becomes effective on July 1, 2001.