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PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

WORK SESSION

Assembly Committee on Government Affairs

SENATE BILL 181

(First Reprint)

Revises provisions relating to an amendment of redevelopment plans.
(BDR 22-992)

Sponsored by: Senator Care
Date Heard: May 1, 2003

Senate Bill 181 provides that if an action will constitute a "material deviation" or significant amendment to a previously adopted redevelopment plan, the agency must recommend the amendment to the appropriate legislative body. A "material deviation" is defined in the bill and includes vacation of a street or relocation of a park. A notice of a hearing on a proposed amendment to a redevelopment plan must be sent by mail, at least ten days before the hearing, to each owner of real property whom the agency determines is likely to be directly affected by the proposed amendment. Senate Bill 181 also sets forth the content of such notices and clarifies existing language regarding the filing with the appropriate planning commission an amended redevelopment plan that also affects a master plan.

Amendments: Patrick Smith, representing the City of Las Vegas, proposed a limiting amendment to the definition of "material deviation" as it relates to vacation of streets, which the sponsor stated was acceptable.

A mock-up of the proposed amendment is attached.

Opposition: None

Fiscal Impact: Local Government: Yes (attached)
State Government: No

5/7/2003

ASSEMBLY GOVERNMENT AFFAIRS
DATE: 5/8/03 ROOM: 3143 EXHIBIT H. 1 of 4
SUBMITTED BY: Susan Schaller

MOCK-UP

PROPOSED AMENDMENT TO
SENATE BILL NO. 181
FIRST REPRINT

PREPARED FOR COMMITTEE ON GOVERNMENT AFFAIRS
MAY 6, 2003

PREPARED BY THE LEGAL DIVISION

**NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN
CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE
OFFICIAL AMENDMENT MAY DIFFER.**

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) green bold dashed underlining is deleted language in the original bill that is proposed to be retained in this amendment.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 279.608 is hereby amended to read as follows:

279.608 1. If , at any time after the adoption of a redevelopment plan by the legislative body, ~~{it becomes}~~ *the agency desires to take an action that will constitute a material deviation from the plan or otherwise determines that it would be necessary or desirable to amend* ~~{or modify}~~ the plan, *the agency must recommend the amendment of the plan to the legislative body .* ~~{may amend the plan upon the recommendation of the agency.}~~ An amendment ~~{or modification}~~ may include the addition of one or more areas to any redevelopment area.

2. Before recommending amendment of the plan , the agency shall hold a public hearing on the proposed amendment. Notice of that hearing must be published at least 10 days before the date of hearing in a newspaper of general circulation, printed and published in the community, or, if there is none, in a newspaper selected by the agency. The notice of hearing must include a legal description of the boundaries of the area designated in the plan to be amended and a general statement of the purpose of the amendment. ~~{Copies of the notices must be mailed to the last known owner of each parcel of land within those boundaries, at his last~~

known address as shown by the records of the assessor for the community, and to any person who has acquired property within those boundaries from the agency, at his last known address as shown by the records of the agency.]

3. *In addition to the notice published pursuant to subsection 2, the agency shall cause a notice of hearing on a proposed amendment to the plan to be sent by mail at least 10 days before the date of the hearing to each owner of real property, as listed in the records of the county assessor, whom the agency determines is likely to be directly affected by the proposed amendment. The notice must:*

(a) *Set forth the date, time, place and purpose of the hearing and a physical description of, or a map detailing, the proposed amendment; and*

(b) *Contain a brief summary of the intent of the proposed amendment.*

4. If after the public ~~hearings~~ *hearing*, the agency recommends substantial changes in the plan which affect the master or community plan adopted by the planning commission or the legislative body, those changes must be submitted *by the agency* to the planning commission for its report and recommendation. ~~[That] The planning commission shall give its report and recommendations [must be given]~~ to the legislative body within 30 days after ~~that submission.~~

~~4.] the agency submitted the changes to the planning commission.~~

5. After receiving the recommendation of the agency concerning the changes in the plan, the legislative body shall hold a public hearing on the proposed amendment, notice of which must be published in a newspaper in the manner designated for notice of hearing by the agency. If after that hearing the legislative body determines that the amendments in the plan, proposed by the agency, are necessary or desirable, the legislative body shall adopt an ordinance amending the ordinance adopting the plan.

6. *As used in this section, "material deviation" means an action that, if taken, would alter significantly one or more of the aspects of a redevelopment plan that are required to be shown in the redevelopment plan pursuant to NRS 279.572. The term includes, without limitation, the vacation of a street that is depicted in the streets and highways plan of the master plan described in paragraph (p) of subsection 1 of NRS 278.160 which has been adopted for the community and the relocation of a public park. The term does not include the vacation of a street that is not depicted in the streets and highways plan of the master plan described in paragraph (p) of subsection 1 of NRS 278.160 which has been adopted for the community.*

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**BDR 22-992
S.B. 181**

**LOCAL GOVERNMENT
FISCAL NOTE**

AGENCY'S ESTIMATES

Date Prepared: March 17, 2003

Agency Submitting: Local Government

Items of Revenue or Expense, or Both	Fiscal Year 2002-03	Fiscal Year 2003-04	Fiscal Year 2004-05	Effect on Future Biennia
Total				

Explanation (Use Additional Sheets of Attachments, if required)

Cities:

Nevada League of Cities – Indeterminate fiscal impact.
Henderson – No significant fiscal impact.
Las Vegas – Cost prohibitive if interpreted strictly.
North Las Vegas – \$105,000 in FY 2004; \$110,000 in FY 2005.
Reno – \$285 in FY 2004; \$295 in FY 2005.
City of Sparks – did not provide a response.

Counties:

Carson City – \$5,000 each year.
Churchill County – \$9,200 in 2003-2005 biennium; \$9,660 in future biennia.
Douglas County – \$3,000 each year.
Eureka County – No fiscal impact.
Humboldt County – Minimal fiscal impact.
Lincoln County – No fiscal impact.
Pershing County – Indeterminate fiscal impact; depends on the size of the mailing required.
Washoe County – \$135,000 in FY 2004; \$142,000 in FY 2005; \$297,000 in future biennia.

The following counties did not respond:

Clark County
Elko County
Esmeralda County
Lander County
Lyon County
Mineral County
Nye County
Storey County
White Pine County

Name Rick Combs

Title Deputy Fiscal Analyst