

Amendment No. 617

Assembly Amendment to Assembly Bill No. 165

(BDR 22-843)

Proposed by: Committee on Government Affairs**Amendment Box:** Replaces Amendment No. 249.**Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, line 10, after “applicant” by inserting:

*“or his authorized representative”.*Amend section 1, page 2, line 11, after “*applicant*” by inserting:*“or his authorized representative”.*

Amend section 1, page 2, line 13, after “warranted.” by inserting:

“If the commission grants a continuance pursuant to this subsection for good cause shown, the person on whose behalf the continuance was granted must make a good faith effort to resolve the issues concerning which the continuance was requested.”.

Amend section 1, page 2, line 14, by deleting:

“If an applicant requests” and inserting:*“An applicant or his authorized representative may request”.*

HC/EGO

Date: 4/25/2005

A.B. No. 165—Revises provisions governing continuances of matters before planning commissions in larger counties.

Amend section 1, page 2, line 15, by deleting:

“another person and” and inserting:

“an officer or employee of a city or county, a member of the commission or any owner of property that may be directly affected by the matter. If”.

Amend section 1, page 2, by deleting lines 19 through 21 and inserting:

“5. As used in this section:

(a) “Applicant” means the person who owns the property to which the application pending before the commission pertains.

(b) “Good cause” includes, without limitation:

(1) The desire by the applicant or his authorized representative to:”.

Amend section 1, page 2, line 22, by deleting “(I)” and inserting “(I)”.

Amend section 1, page 2, line 24, by deleting “(2)” and inserting “(II)”.

Amend section 1, page 2, line 26, by deleting “(3)” and inserting “(III)”.

Amend section 1, page 2, line 27, by deleting “(b)” and inserting “(2)”.

Amend section 1, page 2, line 28, by deleting “*applicant.*” and inserting:

“applicant or his authorized representative.”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law requires certain cities and counties to create planning commissions. (NRS 278.030) Existing law prohibits a planning commission in a county with a population of 400,000 or more (currently Clark County) from granting to an applicant more than two continuances on a matter, unless the planning commission determines that there is good cause for granting the additional continuances. (NRS 278.050)

This bill clarifies that the limitation on the granting of continuances on matters before such planning commissions only applies to requests for continuances by the applicant or his authorized representative on behalf of the applicant or his authorized representative. The limitation does not apply to a request for a continuance by the applicant or his authorized representative on behalf of an officer or employee of a city or county, a member of the commission or any owner of property that may be directly affected by the matter. If the commission grants a continuance to an applicant or his authorized representative for good cause shown or grants a continuance on behalf of the other persons for whom the applicant or his authorized representative may request a continuance, the person on whose behalf the continuance was granted is required to make a good faith effort to resolve the issues concerning which the continuance was requested. This bill defines "applicant" as the person who owns the property to which the application pending before the commission pertains. This bill also describes circumstances that constitute "good cause" for granting continuances on matters in excess of the limitation, which include circumstances relating to the matter that are

beyond the control of the applicant or his authorized representative and the desire by the applicant or his authorized representative to revise plans or drawings, engage in negotiations concerning the matter or retain an attorney.