

Amendment No. 428

Assembly Amendment to Assembly Bill No. 527

(BDR 20-143)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: Yes Title: Yes 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"/>	_____

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) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

HAC/MSM



Date: 4/21/2007

A.B. No. 527—Revises provisions governing the planning for and funding of redevelopment and affordable housing. (BDR 20-143)



ASSEMBLY BILL NO. 527—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMISSION'S
SUBCOMMITTEE TO STUDY THE AVAILABILITY
AND INVENTORY OF AFFORDABLE HOUSING)

MARCH 26, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises provisions ~~{governing the planning for and funding of redevelopment and affordable housing;}~~ **relating to governmental entities.** (BDR ~~{20}~~ 32-143)

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 governmental entities; ~~{eliminating the regional planning coalition required for certain larger counties; requiring the establishment of a regional planning commission for those larger counties; authorizing local governments to enact certain ordinances relating to affordable and attainable housing; revising various provisions concerning financial administration of redevelopment agencies;}~~ authorizing certain governmental entities **and businesses** to appeal certain decisions concerning appraisals conducted by a county assessor; **expanding the matters that must be considered in connection with the infrastructure required to support certain projects;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~{ Existing law establishes a regional planning coalition for counties whose population is 400,000 or more (currently Clark County). (NRS 278.02507-278.02508) Existing law establishes a regional planning commission for counties whose population is 100,000 or more but less than 400,000 (currently Washoe County). (NRS 278.026-278.029) Sections 2-5 and 15 of this bill eliminate the current regional planning coalition and provide that counties whose population is 400,000 or more (currently Clark County) will be governed by a regional planning commission that operates and functions in the same manner as the regional planning commission currently established for counties whose population is 100,000 or more but less than 400,000 (currently Washoe County). }~~

~~{ Section 4 of this bill expands the provisions authorizing local governments to enact ordinances for the development of affordable housing to further authorize the enactment of ordinances for the acquisition, construction, improvement, rehabilitation or expansion of affordable and attainable housing. (NRS 244.180) }~~

Section 8 of this bill authorizes certain ~~{persons and}~~ entities aggrieved by the actions of a county assessor to appeal to the Nevada Tax Commission. **Section 12** of this bill authorizes

a governmental entity that believes it has been adversely affected by an incorrect appraisal conducted by a county assessor to apply to the county assessor for reconsideration of the appraisal. If the county assessor grants the application for reconsideration, the county assessor must report the results of his reconsideration to the governmental entity that submitted the application. ~~[Existing law requires a redevelopment agency in a city whose population is 200,000 or more (currently Las Vegas) to set aside revenue for low income housing. (NRS 279.685) Section 7 of this bill expands the applicability of this existing law by lowering the population threshold for such cities from 200,000 to 150,000 (currently Henderson, Reno and Las Vegas).]~~

Existing law provides that a "tentative map" is a map made to show the design of a proposed subdivision and the existing conditions in and around it. (NRS 278.019) Under existing law, the governing body of a local government, or the planning commission if it is authorized to take final action, is required to consider certain issues and factors when it determines whether to approve, conditionally approve or disapprove a tentative map. (NRS 278.015, 278.349) Section 16 of this bill expands the matters that must be considered in connection with the infrastructure required to support certain projects.

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

Section 1. ~~[NRS 244.189 is hereby amended to read as follows:~~
~~244.189 1. Except as otherwise provided in subsection 2 and in addition to any other powers authorized by specific statute, a board of county commissioners may exercise such powers and enact such ordinances, not in conflict with the provisions of NRS or other laws or regulations of this State, as the board determines are necessary and proper for:~~
~~(a) The acquisition, construction, development, improvement, rehabilitation or expansion of affordable and attainable housing;~~
~~(b) The control and protection of animals;~~
~~(c) The rehabilitation of rental property in residential neighborhoods; and~~
~~(d) The rehabilitation of abandoned residential property.~~
~~2. The board of county commissioners shall not impose or increase a tax unless the tax or increase is otherwise authorized by specific statute.~~
~~3. The board of county commissioners may, in lieu of a criminal penalty, provide a civil penalty for a violation of an ordinance enacted pursuant to this section unless state law provides a criminal penalty for the same act or omission.]~~
(Deleted by amendment.)

Sec. 2. ~~[NRS 278.0261 is hereby amended to read as follows:~~
~~278.0261 The Legislature hereby finds and declares that:~~
~~1. The process of regional planning in a county whose population is 100,000 or more, [but less than 400,000.] as set forth in NRS 278.026 to 278.029, inclusive, ensures that comprehensive planning will be carried out with respect to population, conservation, land use and transportation, public facilities and services, annexation and intergovernmental coordination.~~
~~2. The process of regional planning set forth in NRS 278.026 to 278.029, inclusive, does not specifically limit the premature expansion of development into undeveloped areas or address the unique needs and opportunities that are characteristic of older neighborhoods in a county whose population is 100,000 or more. [but less than 400,000.]~~
~~3. The problem of the premature expansion of development into undeveloped areas and the unique needs and opportunities that are characteristic of older neighborhoods may be addressed through:~~

~~— (a) Cooperative efforts to preserve and revitalize urban areas and older neighborhoods; and~~

~~— (b) Review of the master plans, facilities plans and other similar plans of local governments and other affected entities;~~

~~4. It is the intent of the Legislature with respect to NRS 278.026 to 278.029, inclusive, that each local government and affected entity shall exercise its powers and duties in a manner that is in harmony with the powers and duties exercised by other local governments and affected entities to enhance the long-term health and welfare of the county and all its residents. (Deleted by amendment.)~~

Sec. 3. ~~[NRS 278.0262 is hereby amended to read as follows:~~

~~278.0262 1. There is hereby created in each county whose population is 100,000 or more [but less than 400,000,] a regional planning commission consisting of:~~

~~— (a) Three members from the local planning commission of each city in the county whose population is 60,000 or more, appointed by the respective governing bodies of those cities;~~

~~— (b) One member from the local planning commission of each city in the county whose population is less than 60,000, appointed by the respective governing bodies of those cities; and~~

~~— (c) Three members from the local planning commission of the county, appointed by the governing body of the county, at least two of whom must reside in unincorporated areas of the county;~~

~~2. Except for the terms of the initial members of the commission, the term of each member is 3 years and until the selection and qualification of his successor. A member may be reappointed. A member who ceases to be a member of the local planning commission of the jurisdiction from which he is appointed automatically ceases to be a member of the commission. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.~~

~~3. The commission shall elect its chairman from among its members. The term of the chairman is 1 year. The member elected chairman must have been appointed by the governing body of the county or a city whose population is 60,000 or more, as determined pursuant to a schedule adopted by the commission and made a part of its bylaws which provides for the annual rotation of the chairmanship among each of those governing bodies;~~

~~4. A member of the commission must be compensated at the rate of \$80 per meeting or \$400 per month, whichever is less;~~

~~5. Each member of the commission must successfully complete the course of training prescribed by the governing body pursuant to subsection 2 of NRS 278.0265 within 1 year after the date on which his term of appointment commences. A member who fails to complete successfully the course of training as required pursuant to this subsection forfeits his appointment 1 year after the date on which his term of appointment commenced. (Deleted by amendment.)~~

Sec. 4. ~~[NRS 278.0264 is hereby amended to read as follows:~~

~~278.0264 1. There is hereby created in each county whose population is 100,000 or more [but less than 400,000,] a governing board for regional planning consisting of:~~

~~— (a) Three representatives appointed by the board of county commissioners, at least two of whom must represent or reside within unincorporated areas of the county. If the representative is:~~

~~— (1) A county commissioner, his district must be one of the two districts in the county with the highest percentage of unincorporated area;~~

~~— (2) Not a county commissioner, he must reside within an unincorporated area of the county;~~

~~(b) Four representatives appointed by the governing body of the largest incorporated city in the county.~~

~~(c) Three representatives appointed by the governing body of every other incorporated city in the county whose population is 60,000 or more.~~

~~(d) One representative appointed by the governing body of each incorporated city in the county whose population is less than 60,000.~~

~~2. Except for the terms of the initial members of the governing board, the term of each member is 3 years and until the selection and qualification of his successor. A member may be reappointed. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.~~

~~3. The governing bodies may appoint representatives to the governing board from within their respective memberships. A member of a local governing body who is so appointed and who subsequently ceases to be a member of that body, automatically ceases to be a member of the governing board. The governing body may also appoint alternative representatives who may act in the respective absences of the principal appointees.~~

~~4. The governing board shall elect its chairman from among its members. The term of the chairman is 1 year. The member elected chairman must have been appointed by the governing body of the county or a city whose population is more than 60,000, as determined pursuant to a schedule adopted by the governing board and made a part of its bylaws which provides for the annual rotation of the chairmanship among each of those governing bodies.~~

~~5. A member of the governing board who is also a member of the governing body which appointed him shall serve without additional compensation. All other members must be compensated at the rate of \$40 per meeting or \$200 per month, whichever is less.~~

~~6. The governing board may appoint such employees as it deems necessary for its work and may contract with city planners, engineers, architects and other consultants for such services as it requires.~~

~~7. The local governments represented on the governing board shall provide the necessary facilities, equipment, staff, supplies and other usual operating expenses necessary to enable the governing board to carry out its functions. The local governments shall enter into an agreement whereby those costs are shared by the local governments in proportion to the number of members that each appoints to the governing board. The agreement must also contain a provision specifying the responsibility of each local government, respectively, of paying for legal services needed by the governing board or by the regional planning commission.~~

~~8. The governing board may sue or be sued in any court of competent jurisdiction.~~

~~9. The governing board shall prepare and adopt an annual budget and transmit it as a recommendation for funding to each of the local governments.] (Deleted by amendment.)~~

Sec. 5. [NRS 278.315 is hereby amended to read as follows:]

~~278.315 1. The governing body may provide by ordinance for the granting of variances, special use permits, conditional use permits or other special exceptions by the board of adjustment, the planning commission or a hearing examiner appointed pursuant to NRS 278.262. The governing body may impose this duty entirely on the board, commission or examiner, respectively, or provide for the granting of enumerated categories of variances, special use permits, conditional use permits or special exceptions by the board, commission or examiner.~~

~~2. A hearing to consider an application for the granting of a variance, special use permit, conditional use permit or special exception must be held before the~~

~~board of adjustment, planning commission or hearing examiner within 65 days after the filing of the application, unless a longer time or a different process of review is provided in an agreement entered into pursuant to NRS 278.0201.~~

~~3. In a county whose population is less than 100,000, notice setting forth the time, place and purpose of the hearing must be sent at least 10 days before the hearing to:~~

~~(a) The applicant;~~

~~(b) Each owner of real property, as listed on the county assessor's records, located within 300 feet of the property in question;~~

~~(c) If a mobile home park is located within 300 feet of the property in question, each tenant of that mobile home park; and~~

~~(d) Any advisory board which has been established for the affected area by the governing body.~~

~~4. Except as otherwise provided in subsection 7, in a county whose population is 100,000 or more, a notice setting forth the time, place and purpose of the hearing must be sent at least 10 days before the hearing to:~~

~~(a) The applicant;~~

~~(b) If the application is for a deviation of at least 10 percent but not more than 30 percent from a standard for development:~~

~~(1) Each owner, as listed on the county assessor's records, of real property located within 100 feet of the property in question; and~~

~~(2) Each tenant of a mobile home park located within 100 feet of the property in question;~~

~~(c) If the application is for a special use permit or a deviation of more than 30 percent from a standard for development:~~

~~(1) Each owner, as listed on the county assessor's records, of real property located within 500 feet of the property in question;~~

~~(2) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the property in question, to the extent this notice does not duplicate the notice given pursuant to subparagraph (1); and~~

~~(3) Each tenant of a mobile home park located within 500 feet of the property in question;~~

~~(d) If the application is for a project of regional significance : [, as that term is described in NRS 278.02542;]~~

~~(1) Each owner, as listed on the county assessor's records, of real property located within 750 feet of the property in question;~~

~~(2) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the property in question, to the extent this notice does not duplicate the notice given pursuant to subparagraph (1); and~~

~~(3) Each tenant of a mobile home park located within 750 feet of the property in question; and~~

~~(e) Any advisory board which has been established for the affected area by the governing body.~~

~~5. If an application is filed with the governing body for the issuance of a special use permit with regard to property situated within an unincorporated town that is located more than 10 miles from an incorporated city, the governing body shall, at least 10 days before the hearing on the application is held pursuant to subsection 2, transmit a copy of any information pertinent to the application to the town board, citizens' advisory council or town advisory board, whichever is applicable, of the unincorporated town. The town board, citizens' advisory council or town advisory board may make recommendations regarding the application and submit its recommendations before the hearing on the application is held pursuant to subsection 2. The governing body or other authorized person or entity~~

1 conducting the hearing shall consider any recommendations submitted by the town
2 board, citizens' advisory council or town advisory board regarding the application
3 and, within 10 days after making its decision on the application, shall transmit a
4 copy of its decision to the town board, citizens' advisory council or town advisory
5 board.

6 ~~6. An applicant or a protestant may appeal a decision of the board of~~
7 ~~adjustment, planning commission or hearing examiner in accordance with the~~
8 ~~ordinance adopted pursuant to NRS 278.3195.~~

9 ~~7. In a county whose population is 400,000 or more, if the application is for~~
10 ~~the issuance of a special use permit for an establishment which serves alcoholic~~
11 ~~beverages for consumption on or off of the premises as its primary business in a~~
12 ~~district which is not a gaming enterprise district as defined in NRS 463.0158, the~~
13 ~~governing body shall, at least 10 days before the hearing:~~

14 ~~(a) Send a notice setting forth the time, place and purpose of the hearing to:~~

15 ~~(1) The applicant;~~

16 ~~(2) Each owner, as listed on the county assessor's records, of real property~~
17 ~~located within 1,500 feet of the property in question;~~

18 ~~(3) The owner, as listed on the county assessor's records, of each of the 30~~
19 ~~separately owned parcels nearest the property in question, to the extent this notice~~
20 ~~does not duplicate the notice given pursuant to subparagraph (2);~~

21 ~~(4) Each tenant of a mobile home park located within 1,500 feet of the~~
22 ~~property in question; and~~

23 ~~(5) Any advisory board which has been established for the affected area by~~
24 ~~the governing body; and~~

25 ~~(b) Erect or cause to be erected on the property, at least one sign not less than 2~~
26 ~~feet high and 2 feet wide. The sign must be made of material reasonably calculated~~
27 ~~to withstand the elements for 40 days. The governing body must be consistent in its~~
28 ~~use of colors for the background and lettering of the sign. The sign must include the~~
29 ~~following information:~~

30 ~~(1) The existing permitted use and zoning designation of the property in~~
31 ~~question;~~

32 ~~(2) The proposed permitted use of the property in question;~~

33 ~~(3) The date, time and place of the public hearing; and~~

34 ~~(4) A telephone number which may be used by interested persons to obtain~~
35 ~~additional information.~~

36 ~~8. A sign required pursuant to subsection 7 is for informational purposes only~~
37 ~~and must be erected regardless of any local ordinance regarding the size, placement~~
38 ~~or composition of signs to the contrary.~~

39 ~~9. A governing body may charge an additional fee for each application for a~~
40 ~~special use permit to cover the actual costs resulting from the erection of not more~~
41 ~~than one sign required by subsection 7, if any. The additional fee is not subject to~~
42 ~~the limitation imposed by NRS 354.5989.~~

43 ~~10. The governing body shall remove or cause to be removed any sign~~
44 ~~required by subsection 7 within 5 days after the final hearing for the application for~~
45 ~~which the sign was erected. There must be no additional charge to the applicant for~~
46 ~~such removal.~~

47 ~~11. The notice required to be provided pursuant to subsections 3, 4 and 7 must~~
48 ~~be sent by mail or, if requested by a party to whom notice must be provided~~
49 ~~pursuant to those subsections, by electronic means if receipt of such an electronic~~
50 ~~notice can be verified, and must be written in language which is easy to understand.~~
51 ~~The notice must set forth the time, place and purpose of the hearing and a physical~~
52 ~~description or map of the property in question.~~

~~12. The provisions of this section do not apply to an application for a conditional use permit filed pursuant to NRS 278.147.] (Deleted by amendment.)~~

Sec. 6. ~~[NRS 278C.250 is hereby amended to read as follows:~~

~~278C.250 1. After the effective date of the ordinance adopted pursuant to NRS 278C.220, any taxes levied upon taxable property in the tax increment area each year by or for the benefit of the State, the municipality and any public body must be divided as follows:~~

~~(a) That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of those taxing agencies upon the total sum of the assessed value of the taxable property in the tax increment area as shown upon the last equalized assessment roll used in connection with the taxation of the property by the taxing agency, must be allocated to and when collected must be paid into the funds of the respective taxing agencies as taxes by or for the taxing agencies on all other property are paid;~~

~~(b) Except as otherwise provided in this section, the portion of the taxes levied each year in excess of the amount determined pursuant to paragraph (a) must be allocated to, and when collected must be paid into, the tax increment account pertaining to the undertaking to pay the bond requirements of loans, money advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, incurred by the municipality to finance or refinance, in whole or in part, the undertaking. Unless the total assessed valuation of the taxable property in the tax increment area exceeds the total assessed value of the taxable property in the area as shown by the last equalized assessment roll referred to in this subsection, all of the taxes levied and collected upon the taxable property in the area must be paid into the funds of the respective taxing agencies. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the tax increment area must be paid into the funds of the respective taxing agencies as taxes on all other property are paid;~~

~~(c) The amount of the taxes levied each year which are paid into the tax increment account pursuant to paragraph (b) must be limited by the governing body to an amount not to exceed the combined total amount required for annual debt service of the project or projects acquired, improved or equipped, or any combination thereof, as part of the undertaking;~~

~~(d) Any revenues generated within the tax increment district in excess of the amount referenced in paragraph (c), if any, will be paid into the funds of the respective taxing agencies in the same proportion as their base amount was distributed;~~

~~2. In any fiscal year, the total revenue paid to a tax increment area in combination with the total revenue paid to any other tax increment areas and any redevelopment agencies of a municipality must not exceed;~~

~~(a) In a municipality whose population is 100,000 or more, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 10 percent of the total assessed valuation of the municipality;~~

~~(b) In a municipality whose population is less than 100,000, an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 15 percent of the total assessed valuation of the municipality;~~

~~→ If the revenue paid to a tax increment area must be limited pursuant to paragraph (a) or (b) and the municipality has more than one redevelopment agency or tax increment area, or one of each, the municipality shall determine the allocation to each agency and area. Any revenue that would be allocated to a tax increment area but for the provisions of this section must be paid into the funds of the respective taxing agencies.~~

~~3. Any revenue required to be allocated and paid to a redevelopment agency of a municipality pursuant to this section must be paid as soon as practicable after the revenue is collected.~~

~~4. The portion of the taxes levied each year in excess of the amount determined pursuant to paragraph (a) of subsection 1 which is attributable to any tax rate levied by a taxing agency:~~

~~(a) To produce revenue in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness that was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the debt service fund of that taxing agency.~~

~~(b) In excess of any tax rate of that taxing agency applicable to the last taxation of the property before the effective date of the ordinance, if that additional rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.~~

~~(c) Pursuant to NRS 387.3285 or 387.3287, if that rate was approved by a majority of the registered voters within the area of the taxing agency voting upon the question, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.~~

~~(d) For the support of the public schools within a county school district pursuant to NRS 387.195, must be allocated to, and when collected must be paid into, the appropriate fund of that taxing agency.~~

~~[4.] 5. The provisions of paragraph (a) of subsection [3] 4 include, without limitation, a tax rate approved for bonds of a county school district issued pursuant to NRS 350.020, including, without limitation, amounts necessary for a reserve account in the debt service fund.~~

~~[5.] 6. As used in this section, the term "last equalized assessment roll" means the assessment roll in existence on the 15th day of March immediately preceding the effective date of the ordinance.] (Deleted by amendment.)~~

Sec. 7. [NRS 279.685 is hereby amended to read as follows:

~~279.685 1. Except as otherwise provided in this section, an agency of a city whose population is [300,000] 150,000 or more that receives revenue from taxes pursuant to paragraph (b) of subsection 1 of NRS 279.676 shall set aside not less than 15 percent of that revenue received on or before October 1, 1999, and 18 percent of that revenue received after October 1, 1999, to increase, improve and preserve the number of dwelling units in the community for low-income households.~~

~~2. The obligation of an agency to set aside not less than 15 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded, refunded, assumed or otherwise incurred by the agency before July 1, 1993, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after July 1, 1993, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.~~

~~3. The obligation of an agency to set aside an additional 3 percent of the revenue from taxes allocated to and received by the agency pursuant to paragraph (b) of subsection 1 of NRS 279.676 is subordinate to any existing obligations of the agency. As used in this subsection, "existing obligations" means the principal and interest, when due, on any bonds, notes or other indebtedness whether funded,~~

~~refunded, assumed or otherwise incurred by the agency before October 1, 1999, to finance or refinance in whole or in part, the redevelopment of a redevelopment area. For the purposes of this subsection, obligations incurred by an agency after October 1, 1999, shall be deemed existing obligations if the net proceeds are used to refinance existing obligations of the agency.~~

~~4. The agency may expend or otherwise commit money for the purposes of subsection 1 outside the boundaries of the redevelopment area.] (Deleted by amendment.)~~

Sec. 8. Chapter 360 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any ~~natural person,~~ partnership, corporation, association or other business or legal entity ~~who~~ that is aggrieved by an action of a county assessor may appeal the action by filing a notice of appeal with the Nevada Tax Commission.

2. The Nevada Tax Commission shall, ~~within 30 days~~ at its next meeting held after receipt of an appeal made pursuant to this section, decide the appeal by taking any of the actions set forth in paragraph (f) of subsection 2 of NRS 360.250.

Sec. 9. NRS 360.250 is hereby amended to read as follows:

360.250 1. The Nevada Tax Commission shall adopt general and uniform regulations governing the assessment of property by the county assessors of the various counties, county boards of equalization, the State Board of Equalization and the Department. The regulations must include, without limitation, standards for the appraisal and reappraisal of land to determine its taxable value.

2. The Nevada Tax Commission may:

(a) Confer with, advise and direct county assessors, sheriffs as ex officio collectors of licenses and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues as to their duties.

(b) Prescribe the form and manner in which assessment rolls or tax lists must be kept by county assessors.

(c) Prescribe the form of the statements of property owners in making returns of their property.

(d) Require county assessors, sheriffs as ex officio collectors of licenses and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues, to furnish such information in relation to assessments, licenses or the equalization of property valuations, and in such form as the Nevada Tax Commission may demand.

(e) Except as otherwise provided in this title, share information in its records with agencies of local governments which are responsible for the collection of debts or obligations if the confidentiality of the information is otherwise maintained under the terms and conditions required by law.

(f) Reverse, affirm or modify any action of a county assessor that is appealed to the Nevada Tax Commission by a taxpayer pursuant to section 8 of this act.

3. Each assessor and any other such officer shall certify under penalty of perjury that in assessing property or furnishing other information required pursuant to this section he has complied with the regulations of the Nevada Tax Commission. This certificate must be appended to each assessment roll and any other information furnished.

4. A county assessor or other county officer whose certificate is knowingly falsified is guilty of a misdemeanor. If the Nevada Tax Commission finds that a county assessor or other county officer has knowingly violated its regulations and thereby has caused less revenue to be collected from taxes, it shall deduct the

amount of the undercollection from the money otherwise payable to the county from the proceeds of the supplemental city-county relief tax.

Sec. 10. Chapter 361 of NRS is hereby amended by adding thereto the provisions set forth as sections 11 and 12 of this act.

Sec. 11. 1. *A local government may request that the county board of equalization reconsider a reduction by the county assessor in the assessed value of taxable property in a redevelopment area.*

2. A local government may appeal any action of the county board of equalization made pursuant to subsection 1 to the State Board of Equalization.

3. The county board of equalization and the State Board of Equalization shall decide any request for reconsideration or appeal made pursuant to this section ~~within 30 days~~ at its next meeting after receipt of the request or appeal.

Sec. 12. 1. *A governmental entity that believes it has been adversely affected by an incorrect appraisal conducted by a county assessor may apply to the county assessor for reconsideration of the appraisal.*

2. If a county assessor grants an application for reconsideration submitted pursuant to subsection 1, the county assessor shall report the results of his reconsideration to the governmental entity that submitted the application.

Sec. 13. ~~NRS 373.146 is hereby amended to read as follows:~~

~~373.146 1. In a county whose population is 400,000 or more, the regional transportation commission shall cooperate with the local air pollution control board and the regional planning [coalition] commission in the county in which it is located to:~~

~~(a) Ensure that the plans, policies and programs adopted by each of them are consistent to the greatest extent practicable.~~

~~(b) Establish and carry out a program of integrated, long-range planning that conserves the economic, financial and natural resources of the region and supports a common vision of desired future conditions.~~

~~2. Before adopting or amending a plan, policy or program, a regional transportation commission shall:~~

~~(a) Consult with the local air pollution control board and the regional planning [coalition] commission; and~~

~~(b) Conduct hearings to solicit public comment on the consistency of the plan, policy or program with:~~

~~(1) The plans, policies and programs adopted or proposed to be adopted by the local air pollution control board and the regional planning [coalition] commission; and~~

~~(2) Plans for capital improvements that have been prepared pursuant to NRS 278.0226.~~

~~3. As used in this section:~~

~~(a) "Local air pollution control board" means a board that establishes a program for the control of air pollution pursuant to NRS 445B.500.~~

~~(b) "Regional planning [coalition]" has the meaning ascribed to it in NRS 278.0172. [commission] means a regional planning commission created pursuant to NRS 278.0262. (Deleted by amendment.)~~

Sec. 14. ~~NRS 445B.503 is hereby amended to read as follows:~~

~~445B.503 1. In addition to the duties set forth in NRS 445B.500, the local air pollution control board in a county whose population is 400,000 or more shall cooperate with the regional planning [coalition] commission and the regional transportation commission in the county in which it is located to:~~

~~(a) Ensure that the plans, policies and programs adopted by each of them are consistent to the greatest extent practicable.~~

~~(b) Establish and carry out a program of integrated, long-range planning that conserves the economic, financial and natural resources of the region and supports a common vision of desired future conditions.~~

~~2. Before adopting or amending a plan, policy or program, a local air pollution control board shall:~~

~~(a) Consult with the regional planning [coalition] commission and the regional transportation commission; and~~

~~(b) Conduct hearings to solicit public comment on the consistency of the plan, policy or program with:~~

~~(1) The plans, policies and programs adopted or proposed to be adopted by the regional planning [coalition] commission and the regional transportation commission; and~~

~~(2) Plans for capital improvements that have been prepared pursuant to NRS 278.0226.~~

~~3. As used in this section:~~

~~(a) "Local air pollution control board" means a board that establishes a program for the control of air pollution pursuant to NRS 445B.500.~~

~~(b) "Regional planning [coalition]" has the meaning ascribed to it in NRS 278.0172.] commission" means a regional planning commission created pursuant to NRS 278.0262.~~

~~(c) "Regional transportation commission" means a regional transportation commission created and organized in accordance with chapter 373 of NRS.] (Deleted by amendment.)~~

Sec. 14.5. NRS 278.349 is hereby amended to read as follows:

278.349 1. Except as otherwise provided in subsection 2, the governing body, if it has not authorized the planning commission to take final action, shall, by an affirmative vote of a majority of all the members, approve, conditionally approve or disapprove a tentative map filed pursuant to NRS 278.330:

(a) In a county whose population is 400,000 or more, within 45 days; or

(b) In a county whose population is less than 400,000, within 60 days,
➤ after receipt of the planning commission's recommendations.

2. If there is no planning commission, the governing body shall approve, conditionally approve or disapprove a tentative map:

(a) In a county whose population is 400,000 or more, within 45 days; or

(b) In a county whose population is less than 400,000, within 60 days,
➤ after the map is filed with the clerk of the governing body.

3. The governing body, or planning commission if it is authorized to take final action on a tentative map, shall consider:

(a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

(b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

(c) The availability and accessibility of utilities;

(d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;

(e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

(f) General conformity with the governing body's master plan of streets and highways;

(g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

(h) Physical characteristics of the land such as floodplain, slope and soil;

(i) The recommendations and comments of those entities and persons reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive; ~~and~~

(j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands ~~and~~ and

(k) If the tentative map is prepared in connection with a project that is proposed to be more than 20 acres but less than 100 acres in size, and that is proposed to be constructed at a density of greater than six dwelling units per acre, the development of such infrastructure as will be necessary to support such a project when it is completed, including, without limitation:

(1) The anticipated needs of the area that will be affected by the project with respect to emergency services, recreational facilities, open space, educational facilities, flood control facilities and regional transportation; and

(2) An estimate of the date on which each phase of the project will be completed.

to the extent that the consideration of such matters does not duplicate the matters required to be considered pursuant to paragraphs (a) to (i), inclusive.

4. The governing body or planning commission shall, by an affirmative vote of a majority of all the members, make a final disposition of the tentative map. Any disapproval or conditional approval must include a statement of the reason for that action.

Sec. 15. ~~[NRS 218.2417, 278.0172, 278.02507, 278.02514, 278.02521, 278.02528, 278.02535, 278.02542, 278.02549, 278.02556, 278.02563, 278.0257, 278.02577, 278.02584, 278.02591 and 278.02598 are hereby repealed.] (Deleted by amendment.)~~

~~[LEADLINES OF REPEALED SECTIONS]~~

~~[218.2417 Preparation of legislative measures for regional planning coalition by Legislative Counsel and Legal Division of Legislative Counsel Bureau.~~

~~[278.0172 "Regional planning coalition" defined.~~

~~[278.02507 Applicability.~~

~~[278.02514 Regional planning coalition: Establishment.~~

~~[278.02521 Legislative intent.~~

~~[278.02528 Regional planning coalition to develop comprehensive regional policy plan; consultation; contents of plan; adoption or amendment of plan.~~

~~[278.02535 Regional planning coalition: Study and development of incentives for certain types of development.~~

~~[278.02542 Powers of regional planning coalition; establishment of definition of term "project of regional significance."~~

~~[278.02549 Certain public entities to submit plans to regional planning coalition for review; certain public entities to ensure consistency of land use plans and decisions with comprehensive regional policy plan and certified plans.~~

~~[278.02556 Certain public entities prohibited from adopting or amending certain plans after March 1, 2001, unless regional planning coalition afforded opportunity to make recommendations; exception.~~

~~278.02562 Regional planning coalition to annually prepare, adopt and submit budget to local governments in region.~~

~~278.0257 Regional planning coalition authorized to employ persons and contract for services to carry out certain duties.~~

~~278.02577 Regional planning coalition to biennially review plans of public entities for conformance with comprehensive regional policy plan; procedure if nonconformance exists; determination of substantial conformance; certification; grants.~~

~~278.02584 Regional planning coalition to cooperate with local air pollution control board and regional transportation commission for consistency of action and to carry out program of integrated, long-range planning; public hearings; preparation and submission of report.~~

~~278.02591 Analysis by governing body of cost to construct infrastructure in undeveloped area: Establishment; contents; approval; provision to regional planning coalition.~~

~~278.02598 Governing body authorized to negotiate master development agreements to carry out plan for infrastructure.]~~