

Amendment No. 950

Senate Amendment to Assembly Bill No. 558 First Reprint (BDR 22-431)

Proposed by: Senate 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	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italic*** 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.

EGO



Date: 5/22/2007

A.B. No. 558—Authorizes governing bodies to reject certain incomplete applications relating to land use. (BDR 22-431)



ASSEMBLY BILL NO. 558—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF RENO)

MARCH 26, 2007

Referred to Committee on Government Affairs

SUMMARY—~~[Authorizes]~~ **Provides that** governing bodies ~~[to reject]~~ **may not accept** certain incomplete applications relating to land use. (BDR 22-431)

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 ~~[planning and zoning; authorizing]~~ **land use planning; providing that** governing bodies ~~[to reject]~~ **may not accept** certain land use applications if the applications are incomplete; requiring governing bodies to describe the additional information required to make such an application complete; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the governing bodies of cities and counties to regulate and restrict land use within their jurisdictions. (NRS 278.020) **Section 1** of this bill ~~[authorizes]~~ **provides that** governing bodies ~~[to reject]~~ **may not accept** land use applications if the applications are incomplete. **Section 1** also requires governing bodies ~~[that have rejected]~~ **, when returning incomplete applications , [that are incomplete]** to: (1) describe to the applicant the additional information required; and (2) if requested by the applicant, **provide a copy of the relevant provision of the ordinance, resolution or regulation that requires the additional information or** explain why the additional information is necessary. ~~[Section 1 of this bill clarifies that its provisions apply only with respect to the review, acceptance or rejection of land use applications for the purpose of processing, and do not affect other substantive provisions of law.]~~

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

Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any application submitted to a governing body or its designee ~~[which application]~~ **that concerns any matter relating to land use planning pursuant to NRS 278.010 to 278.630, inclusive, or any ordinance, resolution or regulation**

adopted pursuant thereto, may ~~not be rejected~~ accepted by the governing body or its designee if the application is incomplete.

2. The governing body or its designee shall, within 3 working days after receiving an application of the type described in subsection 1:

(a) Review the application for completeness;

(b) Accept the application if the governing body or its designee finds that the application is complete or reject return the application if the governing body or its designee finds that the application is incomplete; and

(c) ~~If it rejects~~ the governing body or its designee returns the application:

(1) Provide to the applicant a description of the additional information required; and

(2) If requested by the applicant, provide to the applicant a copy of the relevant provision of the ordinance, resolution or regulation which specifically requires the additional information or an explanation of why the additional information is necessary.

~~3. The provisions of this section:~~

~~(a) Apply with respect to an application of the type described in subsection 1 only for the limited purposes of:~~

~~(1) Determining whether the application is sufficiently complete to be processed; and~~

~~(2) Accepting or rejecting the application on that basis; and~~

~~(b) Do not alter, limit or otherwise affect the operation of any statute or regulation of this State which prescribes standards, criteria or other requirements relating to the submission, acceptance, approval or rejection of such an application.~~

Sec. 2. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, and section 1 of this act, unless the context otherwise requires, the words and terms defined in NRS 278.0105 to 278.0195, inclusive, have the meanings ascribed to them in those sections.