

ASSEMBLY BILL NO. 454—COMMITTEE
ON GOVERNMENT AFFAIRS

MARCH 28, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises certain provisions relating to land use planning. (BDR 22-1119)

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 land use planning; extending the period within which certain parcel maps must be recorded in certain counties; removing the prospective expiration of certain provisions concerning tentative maps and final maps of certain subdivisions of land; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prescribes certain requirements for the proposed dividing of land into five or more units for the purpose of transfer or development, unless otherwise exempted. (NRS 278.320-278.460) The initial action in the process of dividing such land is the submission of a tentative map of the proposed subdivision, and the concluding action is the recordation of an approved final map. (NRS 278.330, 278.460) A subdivider whose tentative map of a proposed subdivision has been approved by the appropriate planning authority must present a final map covering the entire subdivision, or the first of a series of successive final maps covering portions of the subdivision, within 4 years after the approval of the tentative map, with certain exceptions, or proceedings concerning the subdivision are terminated. (NRS 278.360) Additionally, if a subdivider is presenting a series of final maps, each successive map must be presented within 2 years after the previous final map in the series was recorded, unless the planning authority grants an extension of not more than 2 additional years. (NRS 278.360)

These deadlines of 4 years and 2 years were extended from 2 years and 1 year, respectively, during the 2009 Legislative Session, and those changes are scheduled to expire on June 30, 2013, after which the deadlines will revert to 2 years and 1 year, respectively. (Section 3, chapter 59, Statutes of Nevada 2009, p. 165) **Section 2** of this bill removes that prospective expiration so that: (1) the deadline for presenting a final map or the first in a series of successive maps will remain at 4 years after the approval of the tentative map; (2) the deadline for presenting one of a series of successive final maps will remain at 2 years after the presentation of the



previous map; and (3) the possible duration of an extension to the deadlines for presenting one of a series of successive maps will remain at 2 years.

Existing law requires a person who proposes to divide any land for transfer or development into four lots or less to submit a parcel map showing the proposed division to the appropriate planning commission or local governing body for approval. (NRS 278.461, 278.464) If the parcel map is approved, the person must cause the map to be recorded in the office of the county recorder within 1 year after the approval, unless the governing body establishes by ordinance a longer period, which may not exceed 2 years. (NRS 278.468) **Section 1** of this bill extends that period to 3 years, and authorizes the governing body to grant a 1-year extension, for a parcel map prepared in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties) if the parcel map shows land totaling 50 acres or more that is subject to a conservation easement preserving or protecting open space, a floodplain or agricultural lands.

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

Section 1. NRS 278.468 is hereby amended to read as follows:
278.468 1. If a parcel map is approved or deemed approved pursuant to NRS 278.464, the preparer of the map shall:

(a) ~~Cause~~ *Except as otherwise provided in subsection 2, cause* the approved map to be recorded in the office of the county recorder within 1 year after the date the map was approved or deemed approved, unless the governing body establishes by ordinance a longer period, not to exceed 2 years, for recording the map. The map must be accompanied by a written statement signed by the treasurer of the county in which the land to be divided is located indicating that all property taxes on the land for the fiscal year have been paid.

(b) Pay a fee of \$17 for the first sheet of the map plus \$10 for each additional sheet to the county recorder for filing and indexing.

2. *In a county whose population is less than 100,000, if the parcel map shows an area totaling 50 acres or more that is subject to a conservation easement, the preparer of the map shall cause the approved map to be recorded in the office of the county recorder within 3 years after the date the map was approved or deemed approved, unless the governing body grants an extension of time for recording the map, which may not exceed 1 year. As used in this subsection, "conservation easement" means an easement that permanently preserves or protects open space, a floodplain or agricultural land from being parceled, subdivided or otherwise developed in a manner incompatible with the preservation or protection of the open space, floodplain or agricultural land.*

3. Upon receipt of a parcel map, the county recorder shall file the map in a suitable place. The county recorder shall keep proper



indexes of parcel maps by the name of grant, tract, subdivision or United States subdivision.

~~{3.}~~ 4. A county recorder who records a parcel map pursuant to this section shall, within 7 working days after he or she records the parcel map, provide to the county assessor at no charge:

(a) A duplicate copy of the parcel map and any supporting documents; or

(b) Access to the digital parcel map and any digital supporting documents. The map and supporting documents must be in a form that is acceptable to the county recorder and the county assessor.

Sec. 2. Section 3 of chapter 59, Statutes of Nevada 2009, at page 165, is hereby amended to read as follows:

Sec. 3. ~~{1.}~~ This act becomes effective upon passage and approval.

~~{2. Section 2 of this act expires by limitation on June 30, 2013.}~~

Sec. 3. This act becomes effective on upon passage and approval.

