

**Amendment No. 620**

Assembly Amendment to Senate Bill No. 55 First Reprint (BDR 22-254)

**Proposed by:** Assembly Committee on Government Affairs

**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

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 underlining* is newly added transitory language.

JWP/MSN



Date: 5/17/2013

S.B. No. 55—Revises provisions governing master plans. (BDR 22-254)



## SENATE BILL NO. 55—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF LAS VEGAS)

PREFILED DECEMBER 20, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing master plans. (BDR 22-254)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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; revising provisions governing the subject matter of master plans; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law sets forth the subject matter that may be included in a master plan and specifies 19 separate plans and other items that may be so included, with the exception of certain cities and counties who must include all or a portion of certain elements in a master plan. (NRS 278.150-278.170) **Section 3** of this bill reorganizes the 19 separate plans and other items into 8 different elements that may comprise a master plan. Pursuant to this reorganization, a master plan may now include: (1) a conservation element; (2) a historic preservation element; (3) a housing element; (4) a land use element; (5) a public facilities and services element; (6) a recreation and open space element; (7) a safety element; and (8) a transportation element.

Existing law provides that in a county whose population is 100,000 or more but less than 700,000 (currently Washoe County), if a planning commission or governing body of a city or county adopts only a portion of the master plan, the following must be included in the master plan: (1) a conservation plan; (2) a housing plan; and (3) a population plan. (NRS 278.150, 278.170) **Sections 2 and 4** of this bill provide that if a planning commission or governing body in such a county adopts only a portion of a master plan, the following must be included in the master plan: (1) a conservation plan of the conservation element; (2) the housing element; and (3) a population plan of the public facilities and services element.

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

**Section 1.** NRS 278.02556 is hereby amended to read as follows:  
278.02556 Except as otherwise provided in this section, a governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall not adopt a master plan, facilities plan or other similar plan, or an amendment thereto, after March 1, 2001, unless the regional planning coalition has been afforded an opportunity to make recommendations regarding the

plan or amendment. A governing body, regional agency, state agency or public utility may adopt an amendment to a land use plan described in ~~paragraph (g) of subsection 1 of~~ NRS 278.160 without affording the regional planning coalition the opportunity to make recommendations regarding the amendment.

**Sec. 2.** NRS 278.150 is hereby amended to read as follows:

278.150 1. The planning commission shall prepare and adopt a comprehensive, long-term general plan for the physical development of the city, county or region which in the commission's judgment bears relation to the planning thereof.

2. The plan must be known as the master plan, and must be so prepared that all or portions thereof, except as otherwise provided in subsections 3 and 4, may be adopted by the governing body, as provided in NRS 278.010 to 278.630, inclusive, as a basis for the development of the city, county or region for such reasonable period of time next ensuing after the adoption thereof as may practically be covered thereby.

3. In counties whose population is 100,000 or more but less than 700,000, if the governing body of the city or county adopts only a portion of the master plan, it shall include in that portion ~~that~~ :

(a) *A conservation plan ~~is a~~ of the conservation element, as described in subparagraph (1) of paragraph (a) of subsection 1 of NRS 278.160;*

(b) *The housing ~~plan~~ element, as described in paragraph (c) of subsection 1 of NRS 278.160; and ~~that~~*

(c) *A population plan ~~as provided in~~ of the public facilities and services element, as described in subparagraph (2) of paragraph (e) of subsection 1 of NRS 278.160.*

4. In counties whose population is 700,000 or more, the governing body of the city or county shall adopt a master plan for all of the city or county that must address each of the ~~subjects~~ *elements* set forth in ~~subsection 1 of~~ NRS 278.160.

**Sec. 3.** NRS 278.160 is hereby amended to read as follows:

278.160 1. Except as otherwise provided in *this section and ~~subsection 1 of~~ subsections 3 and 4* of NRS 278.150 and ~~subsection 1 of~~ *subsections 2 and 3* of NRS 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following ~~subject matter~~ *elements* or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof:

(a) ~~Community design. Standards and principles governing the subdivision of land and suggestive patterns for community design and development.~~

~~(b) Conservation plan. For the conservation, development and utilization of natural resources, including, without limitation, water and its hydraulic force, underground water, water supply, solar or wind energy, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. The plan must also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils through proper clearing, grading and landscaping, beaches and shores, and protection of watersheds. The plan must also indicate the maximum tolerable level of air pollution.~~

~~(c) Economic plan. Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan.~~

~~(d) Historic neighborhood preservation plan. The plan:~~

~~(1) Must include, without limitation:~~

~~(I) A plan to inventory historic neighborhoods.~~

~~(II) A statement of goals and methods to encourage the preservation of historic neighborhoods.~~

~~(2) May include, without limitation, the creation of a commission to monitor and promote the preservation of historic neighborhoods.~~

~~(c) Historical properties preservation plan. An inventory of significant historical, archaeological, paleontological and architectural properties as defined by a city, county or region, and a statement of methods to encourage the preservation of those properties.~~

~~(f) Housing plan. The housing plan must include, without limitation:~~

~~(1) An inventory of housing conditions, needs and plans and procedures for improving housing standards and for providing adequate housing to individuals and families in the community, regardless of income level.~~

~~(2) An inventory of existing affordable housing in the community, including, without limitation, housing that is available to rent or own, housing that is subsidized either directly or indirectly by this State, an agency or political subdivision of this State, or the Federal Government or an agency of the Federal Government, and housing that is accessible to persons with disabilities.~~

~~(3) An analysis of projected growth and the demographic characteristics of the community.~~

~~(4) A determination of the present and prospective need for affordable housing in the community.~~

~~(5) An analysis of any impediments to the development of affordable housing and the development of policies to mitigate those impediments.~~

~~(6) An analysis of the characteristics of the land that is suitable for residential development. The analysis must include, without limitation:~~

~~(I) A determination of whether the existing infrastructure is sufficient to sustain the current needs and projected growth of the community; and~~

~~(II) An inventory of available parcels that are suitable for residential development and any zoning, environmental and other land-use planning restrictions that affect such parcels.~~

~~(7) An analysis of the needs and appropriate methods for the construction of affordable housing or the conversion or rehabilitation of existing housing to affordable housing.~~

~~(8) A plan for maintaining and developing affordable housing to meet the housing needs of the community for a period of at least 5 years.~~

~~(g) Land use plan. An inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan:~~

~~(1) Must address, if applicable:~~

~~(I) Mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts; and~~

~~(II) The coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.~~

~~(2) May include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.~~

~~(h) Population plan. An estimate of the total population which the natural resources of the city, county or region will support on a continuing basis without unreasonable impairment.~~

1 ~~—(i) Public buildings. Showing locations and arrangement of civic centers and~~  
2 ~~all other public buildings, including the architecture thereof and the landscape~~  
3 ~~treatment of the grounds thereof.~~

4 ~~—(j) Public services and facilities. Showing general plans for sewage, drainage~~  
5 ~~and utilities, and rights of way, easements and facilities therefor, including, without~~  
6 ~~limitation, any utility projects required to be reported pursuant to NRS 278.145.~~

7 ~~—(k) Recreation plan. Showing a comprehensive system of recreation areas,~~  
8 ~~including, without limitation, natural reservations, parks, parkways, trails, reserved~~  
9 ~~riverbank strips, beaches, playgrounds and other recreation areas, including, when~~  
10 ~~practicable, the locations and proposed development thereof.~~

11 ~~—(l) Rural neighborhoods preservation plan. In any county whose population is~~  
12 ~~700,000 or more, showing general plans to preserve the character and density of~~  
13 ~~rural neighborhoods.~~

14 ~~—(m) Safety plan. In any county whose population is 700,000 or more,~~  
15 ~~identifying potential types of natural and man-made hazards, including, without~~  
16 ~~limitation, hazards from floods, landslides or fires, or resulting from the~~  
17 ~~manufacture, storage, transfer or use of bulk quantities of hazardous materials. The~~  
18 ~~plan may set forth policies for avoiding or minimizing the risks from those hazards.~~

19 ~~—(n) School facilities plan. Showing the general locations of current and future~~  
20 ~~school facilities based upon information furnished by the appropriate local school~~  
21 ~~district.~~

22 ~~—(o) Seismic safety plan. Consisting of an identification and appraisal of seismic~~  
23 ~~hazards such as susceptibility to surface ruptures from faulting, to ground shaking~~  
24 ~~or to ground failures.~~

25 ~~—(p) Solid waste disposal plan. Showing general plans for the disposal of solid~~  
26 ~~waste.~~

27 ~~—(q) Streets and highways plan. Showing the general locations and widths of a~~  
28 ~~comprehensive system of major traffic thoroughfares and other traffic ways and of~~  
29 ~~streets and the recommended treatment thereof, building line setbacks, and a system~~  
30 ~~of naming or numbering streets and numbering houses, with recommendations~~  
31 ~~concerning proposed changes.~~

32 ~~—(r) Transit plan. Showing a proposed multimodal system of transit lines,~~  
33 ~~including mass transit, streetcar, motoreach and trolley coach lines, paths for~~  
34 ~~bicycles and pedestrians, satellite parking and related facilities.~~

35 ~~—(s) Transportation plan. Showing a comprehensive transportation system,~~  
36 ~~including, without limitation, locations of rights of way, terminals, viaducts and~~  
37 ~~grade separations. The plan may also include port, harbor, aviation and related~~  
38 ~~facilities.] A conservation element, which ~~may~~ **must** include:~~

39 *(1) A conservation plan for the conservation, development and utilization*  
40 *of natural resources, including, without limitation, water and its hydraulic force,*  
41 *underground water, water supply, solar or wind energy, forests, soils, rivers and*  
42 *other waters, harbors, fisheries, wildlife, minerals and other natural resources.*  
43 *The conservation plan must also cover the reclamation of land and waters, flood*  
44 *control, prevention and control of the pollution of streams and other waters,*  
45 *regulation of the use of land in stream channels and other areas required for the*  
46 *accomplishment of the conservation plan, prevention, control and correction of*  
47 *the erosion of soils through proper clearing, grading and landscaping, beaches*  
48 *and shores, and protection of watersheds. The conservation plan must also*  
49 *indicate the maximum tolerable level of air pollution.*

50 *(2) A solid waste disposal plan showing general plans for the disposal of*  
51 *solid waste.*

52 *(b) A historic preservation element, which ~~may~~ **must** include:*

53 *(1) A historic neighborhood preservation plan which:*

(I) Must include, without limitation, a plan to inventory historic neighborhoods and a statement of goals and methods to encourage the preservation of historic neighborhoods.

(II) May include, without limitation, the creation of a commission to monitor and promote the preservation of historic neighborhoods.

(2) A historical properties preservation plan setting forth an inventory of significant historical, archaeological, paleontological and architectural properties as defined by a city, county or region, and a statement of methods to encourage the preservation of those properties.

(c) A housing element, which must include, without limitation:

(1) An inventory of housing conditions and needs, and plans and procedures for improving housing standards and providing adequate housing to individuals and families in the community, regardless of income level.

(2) An inventory of existing affordable housing in the community, including, without limitation, housing that is available to rent or own, housing that is subsidized either directly or indirectly by this State, an agency or political subdivision of this State, or the Federal Government or an agency of the Federal Government, and housing that is accessible to persons with disabilities.

(3) An analysis of projected growth and the demographic characteristics of the community.

(4) A determination of the present and prospective need for affordable housing in the community.

(5) An analysis of any impediments to the development of affordable housing and the development of policies to mitigate those impediments.

(6) An analysis of the characteristics of the land that is suitable for residential development. The analysis must include, without limitation:

(I) A determination of whether the existing infrastructure is sufficient to sustain the current needs and projected growth of the community; and

(II) An inventory of available parcels that are suitable for residential development and any zoning, environmental and other land-use planning restrictions that affect such parcels.

(7) An analysis of the needs and appropriate methods for the construction of affordable housing or the conversion or rehabilitation of existing housing to affordable housing.

(8) A plan for maintaining and developing affordable housing to meet the housing needs of the community for a period of at least 5 years.

(d) A land use element, which ~~may~~ must include:

(1) Provisions concerning community design, including standards and principles governing the subdivision of land and suggestive patterns for community design and development.

(2) A land use plan, including an inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan:

(I) Must, if applicable, address mixed-use development, transit-oriented development, master-planned communities and gaming enterprise districts. The land use plan must also, if applicable, address the coordination and compatibility of land uses with any military installation in the city, county or region, taking into account the location, purpose and stated mission of the military installation.

(II) May include a provision concerning the acquisition and use of land that is under federal management within the city, county or region,

1 including, without limitation, a plan or statement of policy prepared pursuant to  
2 NRS 321.7355.

3 (3) In any county whose population is 700,000 or more, a rural  
4 neighborhoods preservation plan showing general plans to preserve the character  
5 and density of rural neighborhoods.

6 (e) A public facilities and services element, which ~~may~~ must include:

7 (1) An economic plan showing recommended schedules for the  
8 allocation and expenditure of public money to provide for the economical and  
9 timely execution of the various components of the plan.

10 (2) A population plan setting forth an estimate of the total population  
11 which the natural resources of the city, county or region will support on a  
12 continuing basis without unreasonable impairment.

13 (3) Provisions concerning public buildings showing the locations and  
14 arrangement of civic centers and all other public buildings, including the  
15 architecture thereof and the landscape treatment of the grounds thereof.

16 (4) Provisions concerning public services and facilities showing general  
17 plans for sewage, drainage and utilities, and rights-of-way, easements and  
18 facilities therefor, including, without limitation, any utility projects required to be  
19 reported pursuant to NRS 278.145. If a public utility which provides electric  
20 service notifies the planning commission that a new transmission line or  
21 substation will be required to support the master plan, those facilities must be  
22 included in the master plan. The utility is not required to obtain an easement for  
23 any such transmission line as a prerequisite to the inclusion of the transmission  
24 line in the master plan.

25 (5) A school facilities plan showing the general locations of current and  
26 future school facilities based upon information furnished by the appropriate  
27 county school district.

28 (f) A recreation and open space element, which ~~may~~ must include a  
29 recreation plan showing a comprehensive system of recreation areas, including,  
30 without limitation, natural reservations, parks, parkways, trails, reserved  
31 riverbank strips, beaches, playgrounds and other recreation areas, including,  
32 when practicable, the locations and proposed development thereof.

33 (g) A safety element, which ~~may~~ must include:

34 (1) In any county whose population is 700,000 or more, a safety plan  
35 identifying potential types of natural and man-made hazards, including, without  
36 limitation, hazards from floods, landslides or fires, or resulting from the  
37 manufacture, storage, transfer or use of bulk quantities of hazardous materials.  
38 The safety plan may set forth policies for avoiding or minimizing the risks from  
39 those hazards.

40 (2) A seismic safety plan consisting of an identification and appraisal of  
41 seismic hazards such as susceptibility to surface ruptures from faulting, to  
42 ground shaking or to ground failures.

43 (h) A transportation element, which ~~may~~ must include:

44 (1) A streets and highways plan showing the general locations and  
45 widths of a comprehensive system of major traffic thoroughfares and other traffic  
46 ways and of streets and the recommended treatment thereof, building line  
47 setbacks, and a system of naming or numbering streets and numbering houses,  
48 with recommendations concerning proposed changes.

49 (2) A transit plan showing a proposed multimodal system of transit lines,  
50 including mass transit, streetcar, motorcoach and trolley coach lines, paths for  
51 bicycles and pedestrians, satellite parking and related facilities.

52 (3) A transportation plan showing a comprehensive transportation  
53 system, including, without limitation, locations of rights-of-way, terminals,

1 *viaducts and grade separations. The transportation plan may also include port,*  
2 *harbor, aviation and related facilities.*

3 2. The commission may prepare and adopt, as part of the master plan, other  
4 and additional plans and reports dealing with such other ~~{subjects}~~ *elements* as may  
5 in its judgment relate to the physical development of the city, county or region, and  
6 nothing contained in NRS 278.010 to 278.630, inclusive, prohibits the preparation  
7 and adoption of any such ~~{subject}~~ *element* as a part of the master plan.

8 **Sec. 4.** NRS 278.170 is hereby amended to read as follows:

9 278.170 1. Except as otherwise provided in subsections 2 and 3, the  
10 commission may prepare and adopt all or any part of the master plan or any  
11 ~~{subject}~~ *element* thereof for all or any part of the city, county or region. Master  
12 regional plans must be coordinated with similar plans of adjoining regions, and  
13 master county and city plans within each region must be coordinated so as to fit  
14 properly into the master plan for the region.

15 2. In counties whose population is 100,000 or more but less than 700,000, if  
16 the commission prepares and adopts less than all ~~{subjects}~~ *elements* of the master  
17 plan, as outlined in NRS 278.160, it shall include, in its preparation and adoption ~~{~~  
18 ~~that}~~ :

19 (a) *A conservation ~~{}~~ plan of the conservation element, as described in*  
20 *subparagraph (1) of paragraph (a) of subsection 1 of NRS 278.160;*

21 (b) *The housing element, as described in paragraph (c) of subsection 1 of*  
22 *NRS 278.160; and*

23 (c) *A population ~~{plans}~~ plan of the public facilities and services element, as*  
24 *described in ~~{that section}~~ subparagraph (2) of paragraph (e) of subsection 1 of*  
25 *NRS 278.160.*

26 3. In counties whose population is 700,000 or more, the commission shall  
27 prepare and adopt a master plan for all of the city or county that must address each  
28 of the ~~{subjects}~~ *elements* set forth in ~~{subsection 1 of}~~ NRS 278.160.

29 **Sec. 5.** NRS 278.210 is hereby amended to read as follows:

30 278.210 1. Before adopting the master plan or any part of it in accordance  
31 with NRS 278.170, or any substantial amendment thereof, the commission shall  
32 hold at least one public hearing thereon, notice of the time and place of which must  
33 be given at least by one publication in a newspaper of general circulation in the city  
34 or county, or in the case of a regional planning commission, by one publication in a  
35 newspaper in each county within the regional district, at least 10 days before the  
36 day of the hearing.

37 2. Before a public hearing may be held pursuant to subsection 1 in a county  
38 whose population is 100,000 or more on an amendment to a master plan, including,  
39 without limitation, a gaming enterprise district, if applicable, the person who  
40 requested the proposed amendment must hold a neighborhood meeting to provide  
41 an explanation of the proposed amendment. Notice of such a meeting must be given  
42 by the person requesting the proposed amendment to:

43 (a) Each owner, as listed on the county assessor's records, of real property  
44 located within a radius of 750 feet of the area to which the proposed amendment  
45 pertains;

46 (b) The owner, as listed on the county assessor's records, of each of the 30  
47 separately owned parcels nearest to the area to which the proposed amendment  
48 pertains, to the extent this notice does not duplicate the notice given pursuant to  
49 paragraph (a);

50 (c) Each tenant of a mobile home park if that park is located within a radius of  
51 750 feet of the area to which the proposed amendment pertains; and

52 (d) If a military installation is located within 3,000 feet of the area to which the  
53 proposed amendment pertains, the commander of the military installation.



1     ↵ The notice must be sent by mail at least 10 days before the neighborhood  
2 meeting and include the date, time, place and purpose of the neighborhood meeting.

3     3. Except as otherwise provided in NRS 278.225, the adoption of the master  
4 plan, or of any amendment, extension or addition thereof, must be by resolution of  
5 the commission carried by the affirmative votes of not less than two-thirds of the  
6 total membership of the commission. The resolution must refer expressly to the  
7 maps, descriptive matter and other matter intended by the commission to constitute  
8 the plan or any amendment, addition or extension thereof, and the action taken must  
9 be recorded on the map and plan and descriptive matter by the identifying  
10 signatures of the secretary and chair of the commission.

11     4. Except as otherwise provided in NRS 278.225, no plan or map, hereafter,  
12 may have indicated thereon that it is a part of the master plan until it has been  
13 adopted as part of the master plan by the commission as herein provided for the  
14 adoption thereof, whenever changed conditions or further studies by the  
15 commission require such amendments, extension or addition.

16     5. Except as otherwise provided in this subsection, the commission shall not  
17 amend the land use plan of the master plan set forth in ~~paragraph (e) of subsection~~  
18 ~~4 of~~ NRS 278.160, or any portion of such a land use plan, more than four times in  
19 a calendar year. The provisions of this subsection do not apply to:

20     (a) A change in the land use designated for a particular area if the change does  
21 not affect more than 25 percent of the area; or

22     (b) A minor amendment adopted pursuant to NRS 278.225.

23     6. An attested copy of any part, amendment, extension of or addition to the  
24 master plan adopted by the planning commission of any city, county or region in  
25 accordance with NRS 278.170 must be certified to the governing body of the city,  
26 county or region. The governing body of the city, county or region may authorize  
27 such certification by electronic means.

28     7. An attested copy of any part, amendment, extension of or addition to the  
29 master plan adopted by any regional planning commission must be certified to the  
30 county planning commission and to the board of county commissioners of each  
31 county within the regional district. The county planning commission and board of  
32 county commissioners may authorize such certification by electronic means.

33     **Sec. 6.** NRS 278.230 is hereby amended to read as follows:

34     278.230 1. Except as otherwise provided in subsection 4 of NRS 278.150,  
35 whenever the governing body of any city or county has adopted a master plan or  
36 part thereof for the city or county, or for any major section or district thereof, the  
37 governing body shall, upon recommendation of the planning commission,  
38 determine upon reasonable and practical means for putting into effect the master  
39 plan or part thereof, in order that the same will serve as:

40     (a) A pattern and guide for that kind of orderly physical growth and  
41 development of the city or county which will cause the least amount of natural  
42 resource impairment and will conform to the adopted population plan, where  
43 required, and ensure an adequate supply of housing, including affordable housing;  
44 and

45     (b) A basis for the efficient expenditure of funds thereof relating to the  
46 ~~subjects~~ ~~elements~~ of the master plan.

47     2. The governing body may adopt and use such procedure as may be  
48 necessary for this purpose.

49     **Sec. 7.** NRS 278.235 is hereby amended to read as follows:

50     278.235 1. If the governing body of a city or county is required to include  
51 ~~the~~ housing ~~plan~~ ~~element~~ in its master plan pursuant to NRS 278.150, the  
52 governing body, in carrying out the plan for maintaining and developing affordable  
53 housing to meet the housing needs of the community, which is required to be

1 included in the housing ~~plan~~ **element** pursuant to subparagraph (8) of paragraph  
2 ~~((c))~~ (c) of subsection 1 of NRS 278.160, shall adopt at least six of the following  
3 measures:

4 (a) At the expense of the city or county, as applicable, subsidizing in whole or  
5 in part impact fees and fees for the issuance of building permits collected pursuant  
6 to NRS 278.580.

7 (b) Selling land owned by the city or county, as applicable, to developers  
8 exclusively for the development of affordable housing at not more than 10 percent  
9 of the appraised value of the land, and requiring that any such savings, subsidy or  
10 reduction in price be passed on to the purchaser of housing in such a development.  
11 Nothing in this paragraph authorizes a city or county to obtain land pursuant to the  
12 power of eminent domain for the purposes set forth in this paragraph.

13 (c) Donating land owned by the city or county to a nonprofit organization to be  
14 used for affordable housing.

15 (d) Leasing land by the city or county to be used for affordable housing.

16 (e) Requesting to purchase land owned by the Federal Government at a  
17 discounted price for the creation of affordable housing pursuant to the provisions of  
18 section 7(b) of the Southern Nevada Public Land Management Act of 1998, Public  
19 Law 105-263.

20 (f) Establishing a trust fund for affordable housing that must be used for the  
21 acquisition, construction or rehabilitation of affordable housing.

22 (g) Establishing a process that expedites the approval of plans and  
23 specifications relating to maintaining and developing affordable housing.

24 (h) Providing money, support or density bonuses for affordable housing  
25 developments that are financed, wholly or in part, with low-income housing tax  
26 credits, private activity bonds or money from a governmental entity for affordable  
27 housing, including, without limitation, money received pursuant to 12 U.S.C. §  
28 1701q and 42 U.S.C. § 8013.

29 (i) Providing financial incentives or density bonuses to promote appropriate  
30 transit-oriented housing developments that would include an affordable housing  
31 component.

32 (j) Offering density bonuses or other incentives to encourage the development  
33 of affordable housing.

34 (k) Providing direct financial assistance to qualified applicants for the purchase  
35 or rental of affordable housing.

36 (l) Providing money for supportive services necessary to enable persons with  
37 supportive housing needs to reside in affordable housing in accordance with a need  
38 for supportive housing identified in the 5-year consolidated plan adopted by the  
39 United States Department of Housing and Urban Development for the city or  
40 county pursuant to 42 U.S.C. § 12705 and described in 24 C.F.R. Part 91.

41 2. On or before January 15 of each year, the governing body shall submit to  
42 the Housing Division of the Department of Business and Industry a report, in the  
43 form prescribed by the Division, of how the measures adopted pursuant to  
44 subsection 1 assisted the city or county in maintaining and developing affordable  
45 housing to meet the needs of the community for the preceding year. The report  
46 must include an analysis of the need for affordable housing within the city or  
47 county that exists at the end of the reporting period.

48 3. On or before February 15 of each year, the Housing Division shall compile  
49 the reports submitted pursuant to subsection 2 and transmit the compilation to the  
50 Legislature, or the Legislative Commission if the Legislature is not in regular  
51 session.

1       **Sec. 8.** NRS 278.240 is hereby amended to read as follows:

2       278.240 Whenever the governing body of a city, county or region has adopted  
3 a master plan, or one or more ~~subject-matters~~ *elements* thereof, for the city,  
4 county or region, or for a major section or district thereof, no street, square, park, or  
5 other public way, ground, or open space may be acquired by dedication  
6 or otherwise, except by bequest, and no street or public way may be closed or  
7 abandoned, and no public building or structure may be constructed or authorized in  
8 the area for which the master plan or one or more ~~subject-matters~~ *elements* thereof  
9 has been adopted by the governing body unless the dedication, closure,  
10 abandonment, construction or authorization is approved in a manner consistent with  
11 the requirements of the governing body, board or commission having jurisdiction  
12 over such a matter.

13       **Sec. 9.** NRS 278.4787 is hereby amended to read as follows:

14       278.4787 1. Except as otherwise provided in subsection 5, a person who  
15 proposes to divide land for transfer or development into four or more lots pursuant  
16 to NRS 278.360 to 278.460, inclusive, or chapter 278A of NRS, may, in lieu of  
17 providing for the creation of an association for a common-interest community,  
18 request the governing body of the jurisdiction in which the land is located to  
19 assume the maintenance of one or more of the following improvements located on  
20 the land:

- 21       (a) Landscaping;  
22       (b) Public lighting;  
23       (c) Security walls; and  
24       (d) Trails, parks and open space which provide a substantial public benefit or  
25 which are required by the governing body for the primary use of the public.

26       2. A governing body shall establish by ordinance a procedure pursuant to  
27 which a request may be submitted pursuant to subsection 1 in the form of a petition,  
28 which must be signed by a majority of the owners whose property will be assessed  
29 and which must set forth descriptions of all tracts of land or residential units that  
30 would be subject to such an assessment.

31       3. The governing body may by ordinance designate a person to approve or  
32 disapprove a petition submitted pursuant to this section. If the governing body  
33 adopts such an ordinance, the ordinance must provide, without limitation:

34       (a) Procedures pursuant to which the petition must be reviewed to determine  
35 whether it would be desirable for the governing body to assume the maintenance of  
36 the proposed improvements.

37       (b) Procedures for the establishment of a maintenance district or unit of  
38 assessment.

39       (c) A method for:

40       (1) Determining the relative proportions in which the assumption of the  
41 maintenance of the proposed improvements by the governing body will:

42       (I) Benefit the development or subdivision in which the improvements  
43 are located; and

44       (II) Benefit the public;

45       (2) Assessing the tracts of land or residential units in the development or  
46 subdivision to pay the costs that will be incurred by the governing body in  
47 assuming the maintenance of the proposed improvements, in the proportion that  
48 such maintenance will benefit the development or subdivision in which the  
49 improvements are located; and

50       (3) Allocating an amount of public money to pay the costs that will be  
51 incurred by the governing body in assuming the maintenance of the proposed  
52 improvements, in the proportion that such maintenance will benefit the public.

(d) Procedures for a petitioner or other aggrieved person to appeal to the governing body a decision of the person designated by the governing body by ordinance adopted pursuant to this subsection to approve or disapprove a petition.

4. If the governing body does not designate by an ordinance adopted pursuant to subsection 3 a person to approve or disapprove a petition, the governing body shall, after receipt of a complete petition submitted at least 120 days before the approval of the final map for the land, hold a public hearing at least 90 days before the approval of the final map for the land, unless otherwise waived by the governing body, to determine the desirability of assuming the maintenance of the proposed improvements. If the governing body determines that it would be undesirable for the governing body to assume the maintenance of the proposed improvements, the governing body shall specify for the record its reasons for that determination. If the governing body determines that it would be desirable for the governing body to assume the maintenance of the proposed improvements, the governing body shall by ordinance:

(a) Determine the relative proportions in which the assumption of the maintenance of the proposed improvements by the governing body will:

(1) Benefit the development or subdivision in which the improvements are located; and

(2) Benefit the public.

(b) Create a maintenance district or unit of assessment consisting of the tracts of land or residential units set forth in the petition or include the tracts of land or residential units set forth in the petition in an existing maintenance district or unit of assessment.

(c) Establish the method or, if the tracts or units are included within an existing maintenance district or unit of assessment, apply an existing method for determining:

(1) The amount of an assessment to pay the costs that will be incurred by the governing body in assuming the maintenance of the proposed improvements. The amount of the assessment must be determined in accordance with the proportion to which such maintenance will benefit the development or subdivision in which the improvements are located.

(2) The time and manner of payment of the assessment.

(d) Provide that the assessment constitutes a lien upon the tracts of land or residential units within the maintenance district or unit of assessment. The lien must be executed, and has the same priority, as a lien for property taxes.

(e) Prescribe the levels of maintenance to be provided.

(f) Allocate to the cost of providing the maintenance the appropriate amount of public money to pay for that part of the maintenance which creates the public benefit.

(g) Address any other matters that the governing body determines to be relevant to the maintenance of the improvements, including, without limitation, matters relating to the ownership of the improvements and the land on which the improvements are located and any exposure to liability associated with the maintenance of the improvements.

5. If the governing body requires an owner of land to dedicate a tract of land as a trail identified in the recreation plan of the governing body adopted pursuant to ~~paragraph (k) of subsection 1 of~~ NRS 278.160, the governing body shall:

(a) Accept ownership of the tract; and

(b) Assume the maintenance of the tract and any other improvement located on the land that is authorized in subsection 1.

6. The governing body shall record, in the office of the county recorder for the county in which the tracts of land or residential units included in a petition

1 approved pursuant to this section are located, a notice of the creation of the  
2 maintenance district or unit of assessment that is sufficient to advise the owners of  
3 the tracts of land or residential units that the tracts of land or residential units are  
4 subject to the assessment. The costs of recording the notice must be paid by the  
5 petitioner.

6 7. The provisions of this section apply retroactively to a development or  
7 subdivision with respect to which:

8 (a) An agreement or agreements between the owners of tracts of land within  
9 the development or subdivision and the developer allow for the provision of  
10 services in the manner set forth in this section; or

11 (b) The owners of affected tracts of land or residential units agree to dissolve  
12 the association for their common-interest community in accordance with the  
13 governing documents of the common-interest community upon approval by the  
14 governing body of a petition filed by the owners pursuant to this section.

15 **Sec. 10.** NRS 279.608 is hereby amended to read as follows:

16 279.608 1. If, at any time after the adoption of a redevelopment plan by the  
17 legislative body, the agency desires to take an action that will constitute a material  
18 deviation from the plan or otherwise determines that it would be necessary or  
19 desirable to amend the plan, the agency must recommend the amendment of the  
20 plan to the legislative body. An amendment may include the addition of one or  
21 more areas to any redevelopment area.

22 2. Before recommending amendment of the plan, the agency shall hold a  
23 public hearing on the proposed amendment. Notice of that hearing must be  
24 published at least 10 days before the date of hearing in a newspaper of general  
25 circulation, printed and published in the community, or, if there is none, in a  
26 newspaper selected by the agency. The notice of hearing must include a legal  
27 description of the boundaries of the area designated in the plan to be amended and a  
28 general statement of the purpose of the amendment.

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

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

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

37 4. If after the public hearing, the agency recommends substantial changes in  
38 the plan which affect the master or community plan adopted by the planning  
39 commission or the legislative body, those changes must be submitted by the agency  
40 to the planning commission for its report and recommendation. The planning  
41 commission shall give its report and recommendations to the legislative body  
42 within 30 days after the agency submitted the changes to the planning commission.

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

50 6. As used in this section, "material deviation" means an action that, if taken,  
51 would alter significantly one or more of the aspects of a redevelopment plan that  
52 are required to be shown in the redevelopment plan pursuant to NRS 279.572. The  
53 term includes, without limitation, the vacation of a street that is depicted in the

1 streets and highways plan of the master plan described in ~~paragraph (q) of~~  
2 ~~subsection 1 of~~ NRS 278.160 which has been adopted for the community and the  
3 relocation of a public park. The term does not include the vacation of a street that is  
4 not depicted in the streets and highways plan of the master plan described in  
5 ~~paragraph (q) of subsection 1 of~~ NRS 278.160 which has been adopted for the  
6 community.

7 **Sec. 11.** This act becomes effective upon passage and approval.