

ASSEMBLY BILL NO. 5—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF LAS VEGAS)

PREFILED NOVEMBER 15, 2018

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the amendment of the land use plan of the master plan by local government planning commissions. (BDR 22-462)

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; creating an exemption to provisions that limit the number of annual amendments to the land use plan of the master plan; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law prohibits a planning commission from amending the land use plan
2 component of a master plan more than four times in a calendar year, except for
3 certain minor amendments and changes in land use designated for a particular area
4 which do not affect more than 25 percent of the area. (NRS 278.210) This bill
5 provides an additional exemption from that prohibition for a change in the land use
6 designation of not more than 250 parcels that is necessary in order to change the
7 zoning boundary or classification of such parcels in accordance with a local
8 ordinance.

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

1 **Section 1.** NRS 278.210 is hereby amended to read as follows:
2 278.210 1. Before adopting the master plan or any part of it
3 in accordance with NRS 278.170, or any substantial amendment
4 thereof, the commission shall hold at least one public hearing
5 thereon, notice of the time and place of which must be given at least



1 by one publication in a newspaper of general circulation in the city
2 or county, or in the case of a regional planning commission, by one
3 publication in a newspaper in each county within the regional
4 district, at least 10 days before the day of the hearing.

5 2. Before a public hearing may be held pursuant to subsection
6 1 in a county whose population is 100,000 or more on an
7 amendment to a master plan, including, without limitation, a gaming
8 enterprise district, if applicable, the person who requested the
9 proposed amendment must hold a neighborhood meeting to provide
10 an explanation of the proposed amendment. Notice of such a
11 meeting must be given by the person requesting the proposed
12 amendment to:

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

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

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

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

26 ➤ The notice must be sent by mail at least 10 days before the
27 neighborhood meeting and include the date, time, place and purpose
28 of the neighborhood meeting.

29 3. Except as otherwise provided in NRS 278.225, the adoption
30 of the master plan, or of any amendment, extension or addition
31 thereof, must be by resolution of the commission carried by the
32 affirmative votes of not less than two-thirds of the total membership
33 of the commission. The resolution must refer expressly to the maps,
34 descriptive matter and other matter intended by the commission to
35 constitute the plan or any amendment, addition or extension thereof,
36 and the action taken must be recorded on the map and plan and
37 descriptive matter by the identifying signatures of the secretary and
38 chair of the commission.

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



1 5. Except as otherwise provided in this subsection, the
2 commission shall not amend the land use plan of the master plan set
3 forth in NRS 278.160, or any portion of such a land use plan, more
4 than four times in a calendar year. The provisions of this subsection
5 do not apply to:

6 (a) A change in the land use designated for a particular area if
7 the change does not affect more than 25 percent of the area; ~~for~~

8 (b) A minor amendment adopted pursuant to NRS 278.225 ~~H~~ ;
9 *or*

10 *(c) A change in the land use designation of not more than 250*
11 *parcels that is necessary in order to change the zoning boundary*
12 *or classification of such parcels in accordance with a local*
13 *ordinance.*

14 6. An attested copy of any part, amendment, extension of or
15 addition to the master plan adopted by the planning commission of
16 any city, county or region in accordance with NRS 278.170 must be
17 certified to the governing body of the city, county or region. The
18 governing body of the city, county or region may authorize such
19 certification by electronic means.

20 7. An attested copy of any part, amendment, extension of or
21 addition to the master plan adopted by any regional planning
22 commission must be certified to the county planning commission
23 and to the board of county commissioners of each county within the
24 regional district. The county planning commission and board of
25 county commissioners may authorize such certification by electronic
26 means.

