

ASSEMBLY BILL NO. 304—ASSEMBLYMEN SEGERBLOM, OHRENSCHALL; AIZLEY, ARBERRY, ATKINSON, CLABORN, HOGAN, HORNE, KIHUEN, KOIVISTO, MANENDO, MORTENSON, MUNFORD, PIERCE, SMITH AND STEWART

MARCH 12, 2009

JOINT SPONSOR: SENATOR COFFIN

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to the preservation of existing neighborhoods. (BDR 22-641)

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 regulation; making various changes pertaining to the preservation of existing neighborhoods, including historic neighborhoods; allowing certain providers of utility service to apply for and receive a rate adjustment to incorporate the costs of placing certain facilities underground; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, certain planning, zoning and transportation plans and
- 2 regulations must incorporate the consideration of certain policies, including the
- 3 protection of existing neighborhoods and communities. (NRS 268.190, 278.02528,
- 4 278.0274, 278.150, 278.160, 278.170, 278.250, 408.290) **Sections 1, 3, 5-8, 13, 16**
- 5 **and 22** of this bill require certain state and local governmental entities to address
- 6 the preservation of historic neighborhoods and the effect of proposed streets and
- 7 highways upon existing neighborhoods in those plans and regulations.
- 8 Existing law prescribes certain requirements for the vacation or abandonment
- 9 by a city or county of a street. (NRS 278.480) **Section 17** of this bill prohibits a city
- 10 from requiring agreement from more than 80 percent of the abutting property
- 11 owners as a prerequisite to vacating a street.
- 12 Under existing law, certain local governments are authorized to establish a
- 13 local improvement district to finance a project to convert certain service facilities to
- 14 underground facilities. (NRS 271.800, 271.850) Existing law also allows certain



15 property owners to petition for the creation of a service district to pay for the cost
16 of converting certain overhead electric and communication facilities to
17 underground locations. (Chapter 704A of NRS) Under existing law, the cost of
18 converting both types of facilities is borne by benefited property owners. **Sections**
19 **20, 21, 23 and 24** of this bill allow service providers and public utility corporations
20 who are subject to the jurisdiction of the Public Utilities Commission of Nevada to
21 apply to and receive approval from the Commission to include underground
22 conversion costs within their rate base, in part to preserve existing neighborhoods,
23 including historic neighborhoods. Assessments against property owners to pay for
24 such costs are required to be reduced to the extent that the costs are paid by rate
25 adjustments. (NRS 704A.312)

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

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

3 *“Historic neighborhood” means a subdivided or developed*
4 *area:*

- 5 1. *Which consists of 10 or more residential dwelling units;*
- 6 2. *Where at least two-thirds of the residential dwelling units*
7 *are 40 or more years of age; and*
- 8 3. *Which has been identified by a governing body, planning*
9 *commission, regional planning commission, coalition or agency or*
10 *other governmental entity as having a distinctive character or*
11 *traditional quality that can be distinguished from surrounding*
12 *areas or new developments in the vicinity.*

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

14 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
15 *section 1 of this act*, unless the context otherwise requires, the
16 words and terms defined in NRS 278.0105 to 278.0195, inclusive,
17 *and section 1 of this act* have the meanings ascribed to them in
18 those sections.

19 **Sec. 3.** NRS 278.02528 is hereby amended to read as follows:

20 278.02528 1. The regional planning coalition shall develop a
21 comprehensive regional policy plan for the balanced economic,
22 social, physical, environmental and fiscal development and orderly
23 management of the growth of the region for a period of at least 20
24 years. The comprehensive regional policy plan must contain
25 recommendations of policy to carry out each part of the plan.

26 2. In developing the plan, the coalition:

27 (a) May consult with other entities that are interested or
28 involved in regional planning within the county.

29 (b) Shall ensure that the comprehensive regional policy plan
30 includes goals, policies, maps and other documents relating to:



1 (1) Conservation, including, without limitation, policies
2 relating to the use and protection of natural resources.

3 (2) Population, including, without limitation, standardized
4 projections for population growth in the region.

5 (3) Land use and development, including, without limitation,
6 a map of land use plans that have been adopted by local
7 governmental entities within the region, and that the plan addresses,
8 if applicable:

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

11 (II) The coordination and compatibility of land uses with
12 each military installation in the region, taking into account the
13 location, purpose and stated mission of the military installation.

14 (4) Transportation ~~(4)~~, *including, without limitation, policies*
15 *addressing the effect of proposed streets and highways upon*
16 *existing neighborhoods.*

17 (5) The efficient provision of public facilities and services,
18 including, without limitation, roads, water and sewer service, police
19 and fire protection, mass transit, libraries and parks.

20 (6) Air quality.

21 (7) Strategies to promote and encourage:

22 (I) The interspersion of new housing and businesses in
23 established neighborhoods; ~~(and)~~

24 (II) *The preservation of historic neighborhoods; and*

25 (III) Development in areas in which public services are
26 available.

27 3. The regional planning coalition shall not adopt or amend the
28 comprehensive regional policy plan unless the adoption or
29 amendment is by resolution of the regional planning coalition:

30 (a) Carried by the affirmative votes of not less than two-thirds of
31 its total membership; and

32 (b) Ratified by the board of county commissioners of the county
33 and the city council of each city that jointly established the regional
34 planning coalition pursuant to NRS 278.02514.

35 **Sec. 4.** NRS 278.02556 is hereby amended to read as follows:

36 278.02556 Except as otherwise provided in this section, a
37 governing body, regional agency, state agency or public utility that
38 is located in whole or in part within the region shall not adopt a
39 master plan, facilities plan or other similar plan, or an amendment
40 thereto, after March 1, 2001, unless the regional planning coalition
41 has been afforded an opportunity to make recommendations
42 regarding the plan or amendment. A governing body, regional
43 agency, state agency or public utility may adopt an amendment to a
44 land use plan described in paragraph ~~(f)~~ (g) of subsection 1 of



1 NRS 278.160 without affording the regional planning coalition the
2 opportunity to make recommendations regarding the amendment.

3 **Sec. 5.** NRS 278.0274 is hereby amended to read as follows:

4 278.0274 The comprehensive regional plan must include goals,
5 policies, maps and other documents relating to:

6 1. Population, including a projection of population growth in
7 the region and the resources that will be necessary to support that
8 population.

9 2. Conservation, including policies relating to the use and
10 protection of air, land, water and other natural resources, ambient air
11 quality, natural recharge areas, floodplains and wetlands, and a map
12 showing the areas that are best suited for development based on
13 those policies.

14 3. The limitation of the premature expansion of development
15 into undeveloped areas, preservation of neighborhoods , *including,*
16 *without limitation, historic neighborhoods,* and revitalization of
17 urban areas, including, without limitation, policies that relate to the
18 interspersion of new housing and businesses in established
19 neighborhoods and set forth principles by which growth will be
20 directed to older urban areas.

21 4. Land use and transportation, including the classification of
22 future land uses by density or intensity of development based upon
23 the projected necessity and availability of public facilities,
24 including, without limitation, schools, and services and natural
25 resources, and the compatibility of development in one area with
26 that of other areas in the region. This portion of the plan must:

27 (a) Address, if applicable:

28 (1) Mixed-use development, transit-oriented development,
29 master-planned communities and gaming enterprise districts; and

30 (2) The coordination and compatibility of land uses with
31 each military installation in the region, taking into account the
32 location, purpose and stated mission of the military installation;

33 (b) Allow for a variety of uses;

34 (c) *Address the effect of proposed streets and highways upon*
35 *existing neighborhoods;*

36 (d) Describe the transportation facilities that will be necessary to
37 satisfy the requirements created by those future uses; and

38 ~~(e)~~ (e) Be based upon the policies and map relating to
39 conservation that are developed pursuant to subsection 2, surveys,
40 studies and data relating to the area, the amount of land required to
41 accommodate planned growth, the population of the area projected
42 pursuant to subsection 1, and the characteristics of undeveloped land
43 in the area.

44 5. Public facilities and services, including provisions relating to
45 sanitary sewer facilities, solid waste, flood control, potable water



1 and groundwater aquifer recharge which are correlated with
2 principles and guidelines for future land uses, and which specify
3 ways to satisfy the requirements created by those future uses. This
4 portion of the plan must:

5 (a) Describe the problems and needs of the area relating to
6 public facilities and services and the general facilities that will be
7 required for their solution and satisfaction;

8 (b) Identify the providers of public services within the region
9 and the area within which each must serve, including service
10 territories set by the Public Utilities Commission of Nevada for
11 public utilities;

12 (c) Establish the time within which those public facilities and
13 services necessary to support the development relating to land use
14 and transportation must be made available to satisfy the
15 requirements created by that development; and

16 (d) Contain a summary prepared by the regional planning
17 commission regarding the plans for capital improvements that:

18 (1) Are required to be prepared by each local government in
19 the region pursuant to NRS 278.0226; and

20 (2) May be prepared by the water planning commission of
21 the county, the regional transportation commission and the county
22 school district.

23 6. Annexation, including the identification of spheres of
24 influence for each unit of local government, improvement district or
25 other service district and specifying standards and policies for
26 changing the boundaries of a sphere of influence and procedures for
27 the review of development within each sphere of influence. As used
28 in this subsection, "sphere of influence" means an area into which a
29 political subdivision may expand in the foreseeable future.

30 7. Intergovernmental coordination, including the establishment
31 of guidelines for determining whether local master plans and
32 facilities plans conform with the comprehensive regional plan.

33 8. Any utility project required to be reported pursuant to
34 NRS 278.145.

35 **Sec. 6.** NRS 278.150 is hereby amended to read as follows:

36 278.150 1. The planning commission shall prepare and adopt
37 a comprehensive, long-term general plan for the physical
38 development of the city, county or region which in the
39 commission's judgment bears relation to the planning thereof.

40 2. The plan must be known as the master plan, and must be so
41 prepared that all or portions thereof, except as otherwise provided in
42 subsections 3 , ~~and~~ 4 ~~and~~ 5, may be adopted by the governing
43 body, as provided in NRS 278.010 to 278.630, inclusive, as a basis
44 for the development of the city, county or region for such reasonable



1 period of time next ensuing after the adoption thereof as may
2 practically be covered thereby.

3 3. *In counties whose population is less than 100,000, if the*
4 *governing body of the city or county adopts only a portion of the*
5 *master plan, it shall include in that portion a plan to identify and*
6 *inventory historic neighborhoods, which is part of the historic*
7 *neighborhood preservation plan provided in NRS 278.160.*

8 4. In counties whose population is 100,000 or more but less
9 than 400,000, if the governing body of the city or county adopts
10 only a portion of the master plan, it shall include in that portion a
11 conservation plan, *a historic neighborhood preservation plan*, a
12 housing plan and a population plan as provided in NRS 278.160.

13 ~~4~~ 5. In counties whose population is 400,000 or more, the
14 governing body of the city or county shall adopt a master plan for all
15 of the city or county that must address each of the subjects set forth
16 in subsection 1 of NRS 278.160.

17 **Sec. 7.** NRS 278.160 is hereby amended to read as follows:

18 278.160 1. Except as otherwise provided in subsection ~~4~~ 5
19 of NRS 278.150 and subsection ~~3~~ 4 of NRS 278.170, the master
20 plan, with the accompanying charts, drawings, diagrams, schedules
21 and reports, may include such of the following subject matter or
22 portions thereof as are appropriate to the city, county or region, and
23 as may be made the basis for the physical development thereof:

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

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

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

44 (d) *Historic neighborhood preservation plan. The plan must*
45 *include, without limitation:*



- 1 ***(1) A plan to identify and inventory historic neighborhoods.***
- 2 ***(2) A statement of methods to encourage the preservation of***
- 3 ***historic neighborhoods.***
- 4 ***(3) The creation of a commission to monitor and promote***
- 5 ***the preservation of historic neighborhoods.***
- 6 ***(4) A plan to convert existing overhead service facilities, as***
- 7 ***defined in NRS 271.152, and existing overhead electric and***
- 8 ***communication facilities, as defined in NRS 704A.090, to***
- 9 ***underground facilities along major thoroughfares in historic***
- 10 ***neighborhoods.***
- 11 ***(e)*** Historical properties preservation plan. An inventory of
- 12 significant historical, archaeological and architectural properties as
- 13 defined by a city, county or region, and a statement of methods to
- 14 encourage the preservation of those properties.
- 15 ~~***(e)***~~ ***(f)*** Housing plan. The housing plan must include, without
- 16 limitation:
- 17 (1) An inventory of housing conditions, needs and plans and
- 18 procedures for improving housing standards and for providing
- 19 adequate housing to individuals and families in the community,
- 20 regardless of income level.
- 21 (2) An inventory of existing affordable housing in the
- 22 community, including, without limitation, housing that is available
- 23 to rent or own, housing that is subsidized either directly or indirectly
- 24 by this State, an agency or political subdivision of this State, or the
- 25 Federal Government or an agency of the Federal Government, and
- 26 housing that is accessible to persons with disabilities.
- 27 (3) An analysis of projected growth and the demographic
- 28 characteristics of the community.
- 29 (4) A determination of the present and prospective need for
- 30 affordable housing in the community.
- 31 (5) An analysis of any impediments to the development of
- 32 affordable housing and the development of policies to mitigate those
- 33 impediments.
- 34 (6) An analysis of the characteristics of the land that is
- 35 suitable for residential development. The analysis must include,
- 36 without limitation:
- 37 (I) A determination of whether the existing infrastructure
- 38 is sufficient to sustain the current needs and projected growth of the
- 39 community; and
- 40 (II) An inventory of available parcels that are suitable for
- 41 residential development and any zoning, environmental and other
- 42 land-use planning restrictions that affect such parcels.
- 43 (7) An analysis of the needs and appropriate methods for the
- 44 construction of affordable housing or the conversion or
- 45 rehabilitation of existing housing to affordable housing.



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

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

8 (1) Must address, if applicable:

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

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

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

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

22 ~~(h)~~ (i) Public buildings. Showing locations and arrangement
23 of civic centers and all other public buildings, including the
24 architecture thereof and the landscape treatment of the grounds
25 thereof.

26 ~~(i)~~ (j) Public services and facilities. Showing general plans for
27 sewage, drainage and utilities, and rights-of-way, easements and
28 facilities therefor, including, without limitation, any utility projects
29 required to be reported pursuant to NRS 278.145.

30 ~~(j)~~ (k) Recreation plan. Showing a comprehensive system of
31 recreation areas, including, without limitation, natural reservations,
32 parks, parkways, trails, reserved riverbank strips, beaches,
33 playgrounds and other recreation areas, including, when practicable,
34 the locations and proposed development thereof.

35 ~~(k)~~ (l) Rural neighborhoods preservation plan. In any county
36 whose population is 400,000 or more, showing general plans to
37 preserve the character and density of rural neighborhoods.

38 ~~(l)~~ (m) Safety plan. In any county whose population is
39 400,000 or more, identifying potential types of natural and man-
40 made hazards, including, without limitation, hazards from floods,
41 landslides or fires, or resulting from the manufacture, storage,
42 transfer or use of bulk quantities of hazardous materials. The plan
43 may set forth policies for avoiding or minimizing the risks from
44 those hazards.



1 ~~[(m)]~~ (n) School facilities plan. Showing the general locations
2 of current and future school facilities based upon information
3 furnished by the appropriate local school district.

4 ~~[(n)]~~ (o) Seismic safety plan. Consisting of an identification and
5 appraisal of seismic hazards such as susceptibility to surface
6 ruptures from faulting, to ground shaking or to ground failures.

7 ~~[(o)]~~ (p) Solid waste disposal plan. Showing general plans for
8 the disposal of solid waste.

9 ~~[(p)]~~ (q) Streets and highways plan. ~~[Showing]~~ *The streets and*
10 *highways plan must:*

11 (1) *Show* the general locations and widths of a
12 comprehensive system of major traffic thoroughfares and other
13 traffic ways and of streets and the recommended treatment thereof,
14 building line setbacks, and a system of naming or numbering streets
15 and numbering houses, with recommendations concerning proposed
16 changes ~~[-]~~; *and*

17 (2) *Address the effects of proposed streets and highways*
18 *upon existing neighborhoods.*

19 ~~[(q)]~~ (r) Transit plan. Showing a proposed multimodal system
20 of transit lines, including mass transit, streetcar, motorcoach and
21 trolley coach lines, paths for bicycles and pedestrians, satellite
22 parking and related facilities.

23 ~~[(r)]~~ (s) Transportation plan. Showing a comprehensive
24 transportation system, including, without limitation, locations of
25 rights-of-way, terminals, viaducts and grade separations. The plan
26 may also include port, harbor, aviation and related facilities.

27 2. The commission may prepare and adopt, as part of the
28 master plan, other and additional plans and reports dealing with such
29 other subjects as may in its judgment relate to the physical
30 development of the city, county or region, and nothing contained in
31 NRS 278.010 to 278.630, inclusive, prohibits the preparation and
32 adoption of any such subject as a part of the master plan.

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

34 278.170 1. Except as otherwise provided in subsections 2
35 ~~[and 3,]~~ *3 and 4*, the commission may prepare and adopt all or any
36 part of the master plan or any subject thereof for all or any part of
37 the city, county or region. Master regional plans must be
38 coordinated with similar plans of adjoining regions, and master
39 county and city plans within each region must be coordinated so as
40 to fit properly into the master plan for the region.

41 2. *In counties whose population is less than 100,000, if the*
42 *commission prepares and adopts less than all the subjects of the*
43 *master plan, as outlined in NRS 278.160, it shall include, in its*
44 *preparation and adoption, a plan to identify and inventory historic*



1 *neighborhoods, which is part of the historic neighborhood*
2 *preservation plan provided in NRS 278.160.*

3 3. In counties whose population is 100,000 or more but less
4 than 400,000, if the commission prepares and adopts less than all
5 subjects of the master plan, as outlined in NRS 278.160, it shall
6 include, in its preparation and adoption, the conservation, *historic*
7 *neighborhood preservation*, housing and population plans described
8 in that section.

9 ~~3.~~ 4. In counties whose population is 400,000 or more, the
10 commission shall prepare and adopt a master plan for all of the city
11 or county that must address each of the subjects set forth in
12 subsection 1 of NRS 278.160.

13 **Sec. 9.** NRS 278.210 is hereby amended to read as follows:

14 278.210 1. Before adopting the master plan or any part of it
15 in accordance with NRS 278.170, or any substantial amendment
16 thereof, the commission shall hold at least one public hearing
17 thereon, notice of the time and place of which must be given at least
18 by one publication in a newspaper of general circulation in the city
19 or county, or in the case of a regional planning commission, by one
20 publication in a newspaper in each county within the regional
21 district, at least 10 days before the day of the hearing.

22 2. Before a public hearing may be held pursuant to subsection
23 1 in a county whose population is 100,000 or more on an
24 amendment to a master plan, including, without limitation, a gaming
25 enterprise district, if applicable, the person who requested the
26 proposed amendment must hold a neighborhood meeting to provide
27 an explanation of the proposed amendment. Notice of such a
28 meeting must be given by the person requesting the proposed
29 amendment to:

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

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

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

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

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



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

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

17 5. Except as otherwise provided in this subsection, the
18 commission shall not amend the land use plan of the master plan set
19 forth in paragraph ~~(f)~~ (g) of subsection 1 of NRS 278.160, or any
20 portion of such a land use plan, more than four times in a calendar
21 year. The provisions of this subsection do not apply to:

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

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

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

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

38 **Sec. 10.** NRS 278.220 is hereby amended to read as follows:

39 278.220 Except as otherwise provided in subsection ~~4~~ 5 of
40 NRS 278.150 and NRS 278.225:

41 1. Upon receipt of a certified copy of the master plan, or of any
42 part thereof, as adopted by the planning commission, the governing
43 body may adopt such parts thereof as may practicably be applied to
44 the development of the city, county or region for a reasonable period
45 of time next ensuing.



1 2. The parts must thereupon be endorsed and certified as
2 master plans thus adopted for the territory covered, and are hereby
3 declared to be established to conserve and promote the public
4 health, safety and general welfare.

5 3. Before adopting any plan or part thereof, the governing body
6 shall hold at least one public hearing thereon, notice of the time and
7 place of which must be published at least once in a newspaper of
8 general circulation in the city or counties at least 10 days before the
9 day of hearing.

10 4. No change in or addition to the master plan or any part
11 thereof, as adopted by the planning commission, may be made by
12 the governing body in adopting the same until the proposed change
13 or addition has been referred to the planning commission for a
14 report thereon and an attested copy of the report has been filed with
15 the governing body. Failure of the planning commission so to report
16 within 40 days, or such longer period as may be designated by the
17 governing body, after such reference shall be deemed to be approval
18 of the proposed change or addition.

19 **Sec. 11.** NRS 278.230 is hereby amended to read as follows:

20 278.230 1. Except as otherwise provided in subsection ~~4~~ 5
21 of NRS 278.150, whenever the governing body of any city or county
22 has adopted a master plan or part thereof for the city or county, or
23 for any major section or district thereof, the governing body shall,
24 upon recommendation of the planning commission, determine upon
25 reasonable and practical means for putting into effect the master
26 plan or part thereof, in order that the same will serve as:

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

32 (b) A basis for the efficient expenditure of funds thereof relating
33 to the subjects of the master plan.

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

36 **Sec. 12.** NRS 278.235 is hereby amended to read as follows:

37 278.235 1. If the governing body of a city or county is
38 required to include a housing plan in its master plan pursuant to
39 NRS 278.150, the governing body, in carrying out the plan for
40 maintaining and developing affordable housing to meet the housing
41 needs of the community, which is required to be included in the
42 housing plan pursuant to subparagraph (8) of paragraph ~~(e)~~ (f)
43 subsection 1 of NRS 278.160, shall adopt at least six of the
44 following measures:



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

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

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

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

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

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

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

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

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

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

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

40 (l) Providing money for supportive services necessary to enable
41 persons with supportive housing needs to reside in affordable
42 housing in accordance with a need for supportive housing identified
43 in the 5-year consolidated plan adopted by the United States
44 Department of Housing and Urban Development for the city or



1 county pursuant to 42 U.S.C. § 12705 and described in 24 C.F.R.
2 Part 91.

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

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

15 **Sec. 13.** NRS 278.250 is hereby amended to read as follows:

16 278.250 1. For the purposes of NRS 278.010 to 278.630,
17 inclusive, the governing body may divide the city, county or region
18 into zoning districts of such number, shape and area as are best
19 suited to carry out the purposes of NRS 278.010 to 278.630,
20 inclusive. Within the zoning district, it may regulate and restrict the
21 erection, construction, reconstruction, alteration, repair or use of
22 buildings, structures or land.

23 2. The zoning regulations must be adopted in accordance with
24 the master plan for land use and be designed:

25 (a) To preserve the quality of air and water resources.

26 (b) To promote the conservation of open space and the
27 protection of other natural and scenic resources from unreasonable
28 impairment.

29 (c) To consider existing views and access to solar resources by
30 studying the height of new buildings which will cast shadows on
31 surrounding residential and commercial developments.

32 (d) To reduce the consumption of energy by encouraging the use
33 of products and materials which maximize energy efficiency in the
34 construction of buildings.

35 (e) To provide for recreational needs.

36 (f) To protect life and property in areas subject to floods,
37 landslides and other natural disasters.

38 (g) To conform to the adopted population plan, if required by
39 NRS 278.170.

40 (h) To develop a timely, orderly and efficient arrangement of
41 transportation and public facilities and services, including public
42 access and sidewalks for pedestrians, and facilities and services for
43 bicycles.


44 (i) To ensure that the development on land is commensurate
45 with the character and the physical limitations of the land.



1 (j) To take into account the immediate and long-range financial
2 impact of the application of particular land to particular kinds of
3 development, and the relative suitability of the land for
4 development.

5 (k) To promote health and the general welfare.

6 (l) To ensure the development of an adequate supply of housing
7 for the community, including the development of affordable
8 housing.

9 (m) To ensure the protection of existing neighborhoods and
10 communities, including the protection of *historic neighborhoods*
11 *and rural preservation neighborhoods*  , *with specific*
12 *consideration of the effects of proposed streets and highways upon*
13 *existing neighborhoods and communities.*

14 (n) To promote systems which use solar or wind energy.

15 (o) To foster the coordination and compatibility of land uses
16 with any military installation in the city, county or region, taking
17 into account the location, purpose and stated mission of the military
18 installation.

19 3. The zoning regulations must be adopted with reasonable
20 consideration, among other things, to the character of the area and
21 its peculiar suitability for particular uses, and with a view to
22 conserving the value of buildings and encouraging the most
23 appropriate use of land throughout the city, county or region.

24 4. In exercising the powers granted in this section, the
25 governing body may use any controls relating to land use or
26 principles of zoning that the governing body determines to be
27 appropriate, including, without limitation, density bonuses,
28 inclusionary zoning and minimum density zoning.

29 5. As used in this section:

30 (a) "Density bonus" means an incentive granted by a governing
31 body to a developer of real property that authorizes the developer to
32 build at a greater density than would otherwise be allowed under the
33 master plan, in exchange for an agreement by the developer to
34 perform certain functions that the governing body determines to be
35 socially desirable, including, without limitation, developing an area
36 to include a certain proportion of affordable housing.

37 (b) "Inclusionary zoning" means a type of zoning pursuant to
38 which a governing body requires or provides incentives to a
39 developer who builds residential dwellings to build a certain
40 percentage of those dwellings as affordable housing.

41 (c) "Minimum density zoning" means a type of zoning pursuant
42 to which development must be carried out at or above a certain
43 density to maintain conformance with the master plan.



1 **Sec. 14.** NRS 278.4787 is hereby amended to read as follows:

2 278.4787 1. Except as otherwise provided in subsection 5, a
3 person who proposes to divide land for transfer or development into
4 four or more lots pursuant to NRS 278.360 to 278.460, inclusive, or
5 chapter 278A of NRS, may, in lieu of providing for the creation of
6 an association for a common-interest community, request the
7 governing body of the jurisdiction in which the land is located to
8 assume the maintenance of one or more of the following
9 improvements located on the land:

10 (a) Landscaping;

11 (b) Public lighting;

12 (c) Security walls; and

13 (d) Trails, parks and open space which provide a substantial
14 public benefit or which are required by the governing body for the
15 primary use of the public.

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

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

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

29 (b) Procedures for the establishment of a maintenance district or
30 unit of assessment.

31 (c) A method for:

32 (1) Determining the relative proportions in which the
33 assumption of the maintenance of the proposed improvements by
34 the governing body will:

35 (I) Benefit the development or subdivision in which the
36 improvements are located; and

37 (II) Benefit the public;

38 (2) Assessing the tracts of land or residential units in the
39 development or subdivision to pay the costs that will be incurred by
40 the governing body in assuming the maintenance of the proposed
41 improvements, in the proportion that such maintenance will benefit
42 the development or subdivision in which the improvements are
43 located; and

44 (3) Allocating an amount of public money to pay the costs
45 that will be incurred by the governing body in assuming the



1 maintenance of the proposed improvements, in the proportion that
2 such maintenance will benefit the public.

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

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

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

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

26 (2) Benefit the public.

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

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

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

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

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

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



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

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

10 5. If the governing body requires an owner of land to dedicate a
11 tract of land as a trail identified in the recreation plan of the
12 governing body adopted pursuant to paragraph ~~(f)~~ (k) of subsection
13 1 of NRS 278.160, the governing body shall:

14 (a) Accept ownership of the tract; and

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

17 6. The governing body shall record, in the office of the county
18 recorder for the county in which the tracts of land or residential
19 units included in a petition approved pursuant to this section are
20 located, a notice of the creation of the maintenance district or unit of
21 assessment that is sufficient to advise the owners of the tracts of
22 land or residential units that the tracts of land or residential units are
23 subject to the assessment. The costs of recording the notice must be
24 paid by the petitioner.

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

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

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

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

37 279.608 1. If, at any time after the adoption of a
38 redevelopment plan by the legislative body, the agency desires to
39 take an action that will constitute a material deviation from the plan
40 or otherwise determines that it would be necessary or desirable to
41 amend the plan, the agency must recommend the amendment of the
42 plan to the legislative body. An amendment may include the
43 addition of one or more areas to any redevelopment area.

44 2. Before recommending amendment of the plan, the agency
45 shall hold a public hearing on the proposed amendment. Notice of



1 that hearing must be published at least 10 days before the date of
2 hearing in a newspaper of general circulation, printed and published
3 in the community, or, if there is none, in a newspaper selected by
4 the agency. The notice of hearing must include a legal description of
5 the boundaries of the area designated in the plan to be amended and
6 a general statement of the purpose of the amendment.

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

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

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

18 4. If after the public hearing, the agency recommends
19 substantial changes in the plan which affect the master or
20 community plan adopted by the planning commission or the
21 legislative body, those changes must be submitted by the agency to
22 the planning commission for its report and recommendation. The
23 planning commission shall give its report and recommendations to
24 the legislative body within 30 days after the agency submitted the
25 changes to the planning commission.

26 5. After receiving the recommendation of the agency
27 concerning the changes in the plan, the legislative body shall hold a
28 public hearing on the proposed amendment, notice of which must be
29 published in a newspaper in the manner designated for notice of
30 hearing by the agency. If after that hearing the legislative body
31 determines that the amendments in the plan, proposed by the
32 agency, are necessary or desirable, the legislative body shall adopt
33 an ordinance amending the ordinance adopting the plan.

34 6. As used in this section, "material deviation" means an action
35 that, if taken, would alter significantly one or more of the aspects of
36 a redevelopment plan that are required to be shown in the
37 redevelopment plan pursuant to NRS 279.572. The term includes,
38 without limitation, the vacation of a street that is depicted in the
39 streets and highways plan of the master plan described in paragraph
40 ~~(p)~~ (q) of subsection 1 of NRS 278.160 which has been adopted
41 for the community and the relocation of a public park. The term
42 does not include the vacation of a street that is not depicted in the
43 streets and highways plan of the master plan described in paragraph
44 ~~(p)~~ (q) of subsection 1 of NRS 278.160 which has been adopted
45 for the community.



1 **Sec. 16.** NRS 268.190 is hereby amended to read as follows:

2 268.190 Except as otherwise provided by law, the city
3 planning commission may:

4 1. Recommend and advise the city council and all other public
5 authorities concerning:

6 (a) The laying out, widening, extending, paving, parking and
7 locating of streets, sidewalks and boulevards.

8 (b) The betterment of housing and sanitary conditions, and the
9 establishment of zones or districts within which lots or buildings
10 may be restricted to residential use, or from which the
11 establishment, conduct or operation of certain business,
12 manufacturing or other enterprises may be excluded, and limiting
13 the height, area and bulk of buildings and structures therein.

14 2. Recommend to the city council and all other public
15 authorities plans and regulations for the future growth, development
16 and beautification of the municipality in respect to its public and
17 private buildings and works, streets, parks, grounds and vacant lots,
18 which must include for each city a *plan to identify and inventory*
19 *historic neighborhoods, and a historic neighborhood preservation*
20 *plan and* population plan if required by NRS 278.170 and a plan for
21 the development of affordable housing.

22 3. Perform any other acts and things necessary or proper to
23 carry out the provisions of NRS 268.110 to 268.220, inclusive, and
24 in general to study and propose such measures as may be for the
25 municipal welfare and in the interest of protecting the municipal
26 area's natural resources from impairment.

27 **Sec. 17.** Chapter 270 of NRS is hereby amended by adding
28 thereto a new section to read as follows:

29 *If the governing body of an incorporated city establishes by*
30 *ordinance, regulation or rule a requirement that a street owned by*
31 *the city may not be vacated unless the vacation is approved by a*
32 *certain percentage of:*

33 1. *The property owners abutting the street; or*

34 2. *An association of property owners,*

35 *the percentage required must not exceed 80 percent.*

36 **Sec. 18.** NRS 270.180 is hereby amended to read as follows:

37 270.180 *The provisions of* NRS 270.160 and 270.170 *and*
38 *section 17 of this act* are intended to supplement and not to
39 supersede the existing laws relating to the vacation of city and town
40 plats and do not apply to land divided pursuant to NRS 278.010 to
41 278.630, inclusive.

42 **Sec. 19.** Chapter 271 of NRS is hereby amended by adding
43 thereto the provisions set forth as sections 20 and 21 of this act.

44 **Sec. 20.** 1. *A service provider subject to the jurisdiction of*
45 *the Public Utilities Commission of Nevada may apply to the*



1 *Commission for an adjustment in its rates to allow its recovery of*
2 *all or part of the cost of converting existing overhead service*
3 *facilities to underground facilities.*

4 2. *Within 120 days after receipt of such an application, the*
5 *Commission shall hold a public hearing to consider whether to*
6 *authorize such an adjustment and, if authorized, the methods to be*
7 *used to allow the recovery.*

8 3. *The Commission shall render its written decision within*
9 *180 days after receiving the application for such an adjustment.*

10 4. *The Commission shall render its decision based on the*
11 *record and may grant the application, deny it or grant it according*
12 *to such terms, conditions or modifications as the Commission*
13 *finds appropriate.*

14 5. *The Commission may grant an application for such an*
15 *adjustment if it determines that:*

16 (a) *The conversion of existing overhead service facilities to*
17 *underground facilities will help preserve the character of existing*
18 *neighborhoods, including, without limitation, historic*
19 *neighborhoods, improve safety or efficiency or otherwise improve*
20 *the quality of life of the service provider's customers; and*

21 (b) *The cost of the conversion will be reasonable in*
22 *consideration of the likely benefits.*

23 6. *If the Commission grants the application, the service*
24 *provider must, within a reasonable time specified by the*
25 *Commission, file with the Commission a tariff which sets forth the*
26 *adjustment in the rates authorized as a result of the conversion.*

27 7. *A service provider shall annually present to the*
28 *Commission a certified accounting of the cost of conversion and*
29 *an accounting of the revenues it has received in that year from the*
30 *adjustment in its rates.*

31 8. *As used in this section, "historic neighborhood" has the*
32 *meaning ascribed to it in section 1 of this act.*

33 **Sec. 21.** *If a service provider subject to the jurisdiction of the*
34 *Public Utilities Commission of Nevada has been granted an*
35 *adjustment in rates pursuant to section 20 of this act, the amount*
36 *of assessments against tracts of land within a district to finance an*
37 *underground conversion project must be reduced to reflect the*
38 *proportion of the cost of the project, if any, which will be defrayed*
39 *by that adjustment.*

40 **Sec. 22.** NRS 408.290 is hereby amended to read as follows:

41 408.290 1. The Department may establish new routes into or
42 in the vicinity of municipalities and metropolitan areas with the
43 approval of the board of county commissioners of the county in
44 which an addition is proposed and with the approval of the city
45 council of any incorporated city directly affected. ***In establishing***



1 *such new routes, the Department shall consider the effect of the*
2 *routes upon existing neighborhoods, including, without limitation,*
3 *historic neighborhoods.*

4 2. *As used in this section, “historic neighborhood” has the*
5 *meaning ascribed to it in section 1 of this act.*

6 **Sec. 23.** Chapter 704A of NRS is hereby amended by adding
7 thereto a new section to read as follows:

8 1. *A public utility corporation subject to the jurisdiction of*
9 *the Public Utilities Commission of Nevada may apply to the*
10 *Commission for an adjustment in its rates to allow its recovery of*
11 *all or part of the cost of converting existing overhead electric and*
12 *communication facilities to underground locations.*

13 2. *Within 120 days after receipt of such an application, the*
14 *Commission shall hold a public hearing to consider whether to*
15 *authorize such an adjustment and, if authorized, the methods to be*
16 *used to allow the recovery.*

17 3. *The Commission shall render its written decision within*
18 *180 days after receiving the application for such an adjustment.*

19 4. *The Commission shall render its decision based on the*
20 *record and may grant the application, deny it or grant it according*
21 *to such terms, conditions or modifications as the Commission*
22 *finds appropriate.*

23 5. *The Commission may grant an application for such an*
24 *adjustment if it determines that:*

25 (a) *The conversion of existing overhead electric and*
26 *communication facilities to underground locations will help to*
27 *preserve the character of existing neighborhoods, including,*
28 *without limitation, historic neighborhoods, improve safety or*
29 *efficiency or otherwise improve the quality of life of the public*
30 *utility corporation’s customers; and*

31 (b) *The cost of the conversion will be reasonable in*
32 *consideration of the likely benefits.*

33 6. *If the Commission grants the application, the public utility*
34 *corporation must, within a reasonable time specified by the*
35 *Commission, file with the Commission a tariff which sets forth the*
36 *adjustment in the rates authorized as a result of the conversion.*

37 7. *A public utility corporation shall annually present to the*
38 *Commission a certified accounting of the cost of conversion and*
39 *an accounting of the revenues it has received in that year from the*
40 *adjustment in its rates.*

41 8. *As used in this section, “historic neighborhood” has the*
42 *meaning ascribed to it in section 1 of this act.*



1 **Sec. 24.** NRS 704A.312 is hereby amended to read as follows:

2 704A.312 1. At any time after there occur the conditions
3 stated in subsection 1 or in subsections 2 and 3 of NRS 704A.290,
4 the governing body, by resolution, shall:

5 (a) Determine the total cost of the construction or conversion
6 pertaining to the service district, including, without limitation,
7 interest on any interim warrants relating thereto and all other
8 incidental costs, based upon the actual costs known at the time of
9 such determination of cost and otherwise upon the estimated costs
10 stated in the joint report prepared under NRS 704A.180, as
11 modified, if modified by the occurrence thereafter of factors
12 affecting such costs and permitting their revision;

13 (b) *In the case of a conversion, determine and subtract the*
14 *portion of the cost, if any, that will be paid by an adjustment in*
15 *rates granted pursuant to section 23 of this act;*

16 (c) Determine the net cost of the construction or conversion to
17 be defrayed by special assessments;

18 ~~[(e)]~~ (d) Order the municipal engineer to make out or to cause
19 to be made out an assessment roll containing, among other matters:

20 (1) The name of each last known owner of each lot to be
21 assessed, or if not known, a statement that the name is "unknown";
22 and

23 (2) A description of each tract to be assessed, and the amount
24 of the proposed assessment thereon, apportioned upon the basis for
25 assessments stated in the resolution of the governing body adopted
26 pursuant to subsection 2 of NRS 704A.180, but subject to the
27 provisions of subsections 5 and 6 of NRS 704A.240; and

28 ~~[(d)]~~ (e) Cause a copy of the resolution to be furnished by the
29 municipal clerk to the municipal engineer.

30 2. If by mistake or otherwise any person is improperly
31 designated in the assessment roll as the owner of any lot, or if the
32 same is assessed without the name of the owner or each owner, as
33 the case may be, or in the name of a person other than the owner,
34 such assessment shall not for that reason be vitiated but shall, in all
35 respects, be as valid upon and against such lot as though assessed in
36 the name of the owner or each owner thereof, as the case may be;
37 and when the assessment roll has been confirmed, such assessment
38 shall become a lien on such lot and be collected as provided by law.

39 3. No assessment shall exceed the amount of the special
40 benefits to the lot assessed nor exceed the amount of the reasonable
41 market value of such lot for any one project for the construction or
42 conversion of any one type of service facilities of a public utility
43 corporation, as determined by the governing body.

