

ASSEMBLY BILL NO. 213—ASSEMBLYWOMAN JAUREGUI

FEBRUARY 22, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing residential zoning. (BDR 22-250)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 1.6, 12)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; requiring the governing body of a city or county to publish certain information on its Internet website relating to certain applications relating to land use planning; requiring the governing body of certain counties and cities to annually report certain information to the Housing Division of the Department of Business and Industry and the Advisory Committee on Housing; revising provisions relating to the procedures for review of certain applications for land use planning; ~~revising provisions relating to rural neighborhood preservation plans;~~ revising provisions relating to the adoption of measures in certain counties relating to affordable housing; ~~providing, under certain circumstances, that a tentative map shall be deemed to be unconditionally approved by certain state agencies;~~ providing that certain deadlines relating to land use planning that apply to counties also apply to cities; requiring counties and cities to enact certain ordinances relating to projects for affordable housing on or before July 1, 2024; making certain legislative declarations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the governing body of certain cities or counties to include in its master plan a housing element, which includes certain information relating to housing. (NRS 278.150, 278.160) Section 1.6 of this bill requires the governing body of such a city or county to annually report this information to the Housing Division of the Department of Business and Industry and the Advisory Committee on Housing. The Housing Division is required to compile and post such reports on its Internet website. Section 12.5 of this bill requires the governing body of such a city or county to submit the first report required pursuant to section 1.6 on or before July 15, 2024.

Existing law: (1) provides that any application submitted to a governing body or its designee that concerns any matter relating to land use planning may not be accepted if the application is incomplete; and (2) sets forth a timeline and process for the governing body or its designee to review an application for completeness. (NRS 278.02327) **Section 3** of this bill

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13 provides that if the governing body or its designee fails to comply with the timeline and
14 process, the application shall be deemed to be complete. **Section 3** also requires the governing
15 body or designee to review and respond to a corrected application within 3 working days and
16 prohibits a governing body or designee from using any preliminary application to circumvent
17 the timeline or process in **section 3**.

18 **Section** ~~4~~ **1.3** of this bill requires a governing body to publish on its Internet website a
19 list of applications ~~[that concern any matter]~~ relating to land use planning in areas zoned for
20 residential housing.

21 ~~[Existing law sets forth the elements of a master plan, including a land use element,
22 which must include, in any county whose population is 700,000 or more (currently only Clark
23 County), a rural neighborhoods preservation plan showing general plans to preserve the
24 character and density of rural neighborhoods. (NRS 278.160) Section 4 of this bill provides
25 instead that such a rural neighborhoods plan must show general plans that consider the
26 character and density of rural neighborhoods.]~~

27 ~~— Existing law authorizes a governing body to divide the city, county or region into zoning
28 districts, which must be adopted in accordance with the master plan for land use and be
29 designed, in relevant part, to ensure the protection of existing neighborhoods and
30 communities, including the protection of rural preservation neighborhoods. (NRS 278.250)
31 Section 6 of this bill provides instead that the zoning districts be designed to ensure the
32 consideration of existing neighborhoods and communities, including the consideration of rural
33 preservation neighborhoods.]~~

34 Existing law provides that if the governing body of a city or county is required to include
35 the housing element in its master plan, the governing body is required to adopt certain
36 measures for maintaining and developing affordable housing. (NRS 278.235) **Section 5** of this
37 bill authorizes the governing body to also offer increased residential density for multi-family
38 or multi-story residential development as one such measure. **Section 5** also revises contents of
39 the annual report that the governing body is required to submit to the Housing Division of the
40 Department of Business and Industry relating to affordable housing.

41 Existing law requires a subdivider to file copies of a tentative map with the planning
42 commission or its designated representative, or with the clerk of the governing body if there is
43 no planning commission. The tentative map is then distributed to all state and local agencies
44 and persons charged with reviewing the proposed subdivision. If there is no planning
45 commission, the clerk of the governing body is required to submit the tentative map to the
46 governing body at its next meeting. If there is a planning commission, the planning
47 commission shall, after accepting as a complete application a tentative map: (1) in a county
48 whose population is 700,000 or more (currently only Clark County), within 45 days, approve,
49 conditionally approve or disapprove the tentative map; or (2) in a county whose population is
50 less than 700,000 (currently all counties other than Clark County), approve, conditionally
51 approve or disapprove the tentative map. (NRS 278.330) **Section 7** of this bill provides that a
52 city within such a county is subject to the same deadlines to approve, conditionally approve or
53 disapprove the tentative map.

54 ~~[Existing law requires: (1) a copy of a tentative map to be forwarded by the planning
55 commission or its designated representative for review to certain state agencies; and (2) each
56 reviewing agency to file its written comments with the planning commission or governing
57 body recommending approval, conditional approval or disapproval and stating the reasons
58 therefor within 15 days after receipt of the tentative map. (NRS 278.335) Section 8 of this bill
59 provides that if a reviewing agency fails to file such written comments within 15 days after
60 receipt of the tentative map, it shall be deemed that the reviewing agency recommends
61 unconditionally the approval of the tentative map.]~~

62 Existing law provides that the planning commission or governing body, as applicable,
63 shall recommend approval, conditional approval or disapproval of a parcel map: (1) within 45
64 days after accepting the parcel map as a complete application in a county whose population is
65 700,000 or more (currently only Clark County); or (2) within 60 days after accepting the
66 parcel map as a complete application in a county whose population is less than 700,000
67 (currently all counties other than Clark County). (NRS 278.464) **Section 9** of this bill provides
68 that a city within such a county is subject to the same deadlines to recommend approval,
69 conditional approval or disapproval of a parcel map.

70 Existing law provides that, under certain circumstances, a governing body or planning
71 commission may waive the requirement for a parcel map and that a request for such a waiver

72 must be acted upon: (1) in a county whose population is 700,000 or more (currently only
 73 Clark County) within 45 days; or (2) in a county whose population is less than 700,000
 74 (currently all counties other than Clark County) within 60 days. (NRS 278.464) **Section 9**
 75 provides that a city within such a county is subject to the same deadlines.

76 Existing law provides that a planning commission or governing body must take final
 77 action on a final map: (1) in a county whose population is 700,000 or more (currently only
 78 Clark County) within 45 days after accepting the final map as a complete application; or (2) in
 79 a county whose population is less than 700,000 (currently all counties other than Clark
 80 County) within 60 days after accepting the final map as a complete application. (NRS
 81 278.4725) **Section 10** of this bill provides that a city within such a county is subject to the
 82 same deadlines.

83 ~~Existing law provides that any regulations of the State Fire Marshal concerning matters~~
 84 ~~relating to building codes do not apply in a county whose population is 700,000 or more~~
 85 ~~(currently only Clark County) which has adopted a code at least as stringent as International~~
 86 ~~Fire Code, the International Building Code and the International Wildland Urban Interface~~
 87 ~~Code, published by the International Code Council. (NRS 477.030) Section 11 of this bill~~
 88 ~~provides instead that such regulations of the State Fire Marshal do not apply in a county~~
 89 ~~whose population is 700,000 or more (currently only Clark County), and in any city within~~
 90 ~~such a county whose population is 220,000 or more (currently the Cities of Henderson and~~
 91 ~~Las Vegas) and in a county whose population is 100,000 or more and less than 700,000~~
 92 ~~(currently only Washoe County), which has adopted a code at least as stringent as the~~
 93 ~~International Fire Code, the International Building Code and the International Wildland Urban~~
 94 ~~Interface Code, published by the International Code Council.]~~

95 **Section 12** of this bill requires, on or before July 1, 2024, the governing body of each
 96 county and city to enact: (1) an expedited process for the consideration and approval of
 97 projects for affordable housing in the county or city; and (2) incentives for the development of
 98 projects for affordable housing in the county or city.

99 **Sections 13 and 14** of this bill make certain legislative declarations regarding this bill.

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 thereto ~~a new~~
 2 ~~section to read as follows:~~ the provisions set forth as sections 1.3 and 1.6 of this
 3 act.

4 **Sec. 1.3. 1.** A governing body shall publish on its Internet website a list of
 5 all applications ~~that concern any matter~~ relating to land use planning ~~in areas~~
 6 ~~concerned~~ for residential housing pursuant to NRS 278.010 to 278.630, inclusive.

7 **2.** The list must be updated at least monthly and include, without limitation:

8 (a) The date an application was initially filed;

9 (b) The number of days an application has been pending;

10 (c) The number of times an application was issued a notice for
 11 incompleteness; ~~and~~

12 (d) The number of applications rejected for being incomplete ~~it~~; and

13 (e) Any other information that is relevant to determine whether applications
 14 relating to land use planning for residential housing are processed efficiently and
 15 expeditiously.

16 **3.** As used in this section, “application” means any established preliminary
 17 application, including, without limitation, the preliminary application established
 18 pursuant to subsection 5 of NRS 278.02327. The term does not include an
 19 application for a building permit.

20 **Sec. 1.6. 1.** If the governing body of each city or county is required to
 21 include the housing element in its master plan pursuant to NRS 278.150, the
 22 governing body shall, on or before July 15 of each year, report the following

1 information relating to the county or city, as applicable, to the Housing Division
 2 of the Department of Business and Industry and the Advisory Committee on
 3 Housing created by NRS 319.174:

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

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

12 (c) An analysis of projected growth and the demographic characteristics of
 13 the community.

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

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

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

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

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

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

28 (h) A plan for maintaining and developing affordable housing and market
 29 rate housing to meet the housing needs of the community for a period of at least 5
 30 years.

31 2. On or before September 15 of each year, the Housing Division of the
 32 Department of Business and Industry shall compile the reports submitted
 33 pursuant to subsection 1 and post the compilation on its Internet website.

34 3. As used in this section, "market rate housing" means housing for a
 35 household which has a total monthly gross income that is more than the total
 36 monthly gross income that would allow the household to qualify for affordable
 37 housing.

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

39 278.010 As used in NRS 278.010 to 278.630, inclusive, ~~and section 1~~
 40 sections 1.3 and 1.6 of this act, unless the context otherwise requires, the words
 41 and terms defined in NRS 278.0103 to 278.0195, inclusive, have the meanings
 42 ascribed to them in those sections.

43 Sec. 3. NRS 278.02327 is hereby amended to read as follows:

44 278.02327 1. Any application submitted to a governing body or its designee
 45 that concerns any matter relating to land use planning pursuant to NRS 278.010
 46 to 278.630, inclusive, ~~and section 1~~ sections 1.3 and 1.6 of this act, or any
 47 ordinance, resolution or regulation adopted pursuant thereto, may not be accepted
 48 by the governing body or its designee if the application is incomplete.

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

51 (a) Review the application for completeness;

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

4 (c) If the governing body or its designee returns the application:

5 (1) Provide to the applicant a *specific* description of the additional
 6 information required; and

7 (2) ~~[If requested by the applicant, provide]~~ Provide to the applicant a copy
 8 of the relevant provision of the ordinance, resolution or regulation which
 9 specifically requires the additional information or an explanation of why the
 10 additional information is necessary.

11 *3. If a governing body or its designee fails to comply with the provisions of*
 12 *subsection 2, the application shall be deemed to be complete.*

13 *4. Once an applicant submits a corrected application in response to a notice*
 14 *of incompleteness provided pursuant to subsection 2, the governing body or its*
 15 *designee shall review and respond to the corrected application within 3 working*
 16 *days.*

17 *5. A governing body or its designee may establish a preliminary application*
 18 *process to help an applicant submit a complete application but shall not use any*
 19 ~~*kind of*~~ *preliminary application process to circumvent the provisions of this*
 20 *section. Any preliminary application process established pursuant to this*
 21 *subsection must require a substantive meeting between an applicant and a*
 22 *governing body or its designee within 15 business days after the applicant's*
 23 *request.*

24 *6. As used in this section, "designee" means any division, department or*
 25 *agency of a governing body with jurisdiction over land use planning,*
 26 *improvement planning, permitting, inspection, zoning, roadways, utilities, public*
 27 *health, water, sewer, drainage, traffic control and public works.*

28 **Sec. 4.** ~~[NRS 278.160 is hereby amended to read as follows:~~

29 ~~278.160 1. Except as otherwise provided in this section and NRS 278.150~~
 30 ~~and 278.170, the master plan, with the accompanying charts, drawings, diagrams,~~
 31 ~~schedules and reports, may include such of the following elements or portions~~
 32 ~~thereof as are appropriate to the city, county or region, and as may be made the~~
 33 ~~basis for the physical development thereof:~~

34 ~~(a) A conservation element, which must include:~~

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

46 ~~(2) A solid waste disposal plan showing general plans for the disposal of~~
 47 ~~solid waste.~~

48 ~~(b) A historic preservation element, which must include:~~

49 ~~(1) A historic neighborhood preservation plan which:~~

50 ~~(i) Must include, without limitation, a plan to inventory historic~~
 51 ~~neighborhoods and a statement of goals and methods to encourage the preservation~~
 52 ~~of historic neighborhoods.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 ~~———— (II) May include a provision concerning the acquisition and use of land~~
48 ~~that is under federal management within the city, county or region, including,~~
49 ~~without limitation, a plan or statement of policy prepared pursuant to NRS~~
50 ~~321.7355.~~

51 ~~———— (3) In any county whose population is 700,000 or more, a rural~~
52 ~~neighborhoods [preservation] plan showing general plans [to preserve] *that*~~
53 ~~*consider* the character and density of rural neighborhoods.~~

1 ~~— (c) A public facilities and services element, which must include:~~

2 ~~— (1) An economic plan showing recommended schedules for the allocation~~
3 ~~and expenditure of public money to provide for the economical and timely~~
4 ~~execution of the various components of the plan.~~

5 ~~— (2) A population plan setting forth an estimate of the total population~~
6 ~~which the natural resources of the city, county or region will support on a~~
7 ~~continuing basis without unreasonable impairment.~~

8 ~~— (3) An aboveground utility plan that shows corridors designated for the~~
9 ~~construction of aboveground utilities and complies with the provisions of NRS~~
10 ~~278.165.~~

11 ~~— (4) Provisions concerning public buildings showing the locations and~~
12 ~~arrangement of civic centers and all other public buildings, including the~~
13 ~~architecture thereof and the landscape treatment of the grounds thereof.~~

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

22 ~~— (6) A school facilities plan showing the general locations of current and~~
23 ~~future school facilities based upon information furnished by the appropriate county~~
24 ~~school district.~~

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

30 ~~— (g) A safety element, which must include:~~

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

37 ~~— (2) A seismic safety plan consisting of an identification and appraisal of~~
38 ~~seismic hazards such as susceptibility to surface ruptures from faulting, to ground~~
39 ~~shaking or to ground failures.~~

40 ~~— (h) A transportation element, which must include:~~

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

46 ~~— (2) A transit plan showing a proposed multimodal system of transit lines,~~
47 ~~including mass transit, streetcar, motoreoach and trolley coach lines, paths for~~
48 ~~bicycles and pedestrians, satellite parking and related facilities.~~

49 ~~— (3) A transportation plan showing a comprehensive transportation system,~~
50 ~~including, without limitation, locations of rights of way, terminals, viaducts and~~
51 ~~grade separations. The transportation plan may also include port, harbor, aviation~~
52 ~~and related facilities.~~

~~(i) An urban agricultural element, which must include a plan to inventory any vacant lands or other real property owned by the city or county and blighted land in the city or county to determine whether such lands are suitable for urban farming and gardening. The plan to inventory any vacant lands or other real property may include, without limitation, any other real property in the city or county, as deemed appropriate by the commission.~~

~~2. The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other elements as may in its judgment relate to the physical development of the city, county or region, and nothing contained in NRS 278.010 to 278.630, inclusive, and section 1 of this act, prohibits the preparation and adoption of any such element as a part of the master plan. (Deleted by amendment.)~~

Sec. 5. NRS 278.235 is hereby amended to read as follows:

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

(a) Reducing or subsidizing in whole or in part impact fees, fees for the issuance of building permits collected pursuant to NRS 278.580 and fees imposed for the purpose for which an enterprise fund was created.

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

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

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

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

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

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

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

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

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

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

(l) Providing money for supportive services necessary to enable persons with supportive housing needs to reside in affordable housing in accordance with a need

1 for supportive housing identified in the 5-year consolidated plan adopted by the
2 United States Department of Housing and Urban Development for the city or
3 county pursuant to 42 U.S.C. § 12705 and described in 24 C.F.R. Part 91.

4 ~~[(m) Offering increased residential density for multi-family or multi-story~~
5 ~~residential development.]~~

6 2. A governing body may reduce or subsidize impact fees, fees for the
7 issuance of building permits or fees imposed for the purpose for which an
8 enterprise fund was created to assist in maintaining or developing a project for
9 affordable housing, pursuant to paragraph (a) of subsection 1, only if:

10 (a) When the incomes of all the residents of the project for affordable housing
11 are averaged, the housing would be affordable on average for a family with a total
12 gross income that does not exceed 60 percent of the median gross income for the
13 county concerned based upon the estimates of the United States Department of
14 Housing and Urban Development of the most current median gross family income
15 for the county.

16 (b) The governing body has adopted an ordinance that establishes the criteria
17 that a project for affordable housing must satisfy to receive assistance in
18 maintaining or developing the project for affordable housing. Such criteria must be
19 designed to put into effect all relevant elements of the master plan adopted by the
20 governing body pursuant to NRS 278.150.

21 (c) The project for affordable housing satisfies the criteria set forth in the
22 ordinance adopted pursuant to paragraph (b).

23 (d) The governing body makes a determination that reducing or subsidizing
24 such fees will not impair adversely the ability of the governing body to pay, when
25 due, all interest and principal on any outstanding bonds or any other obligations for
26 which revenue from such fees was pledged.

27 (e) The governing body holds a public hearing concerning the effect of the
28 reduction or subsidization of such fees on the economic viability of the general
29 fund of the city or county, as applicable, and, if applicable, the economic viability
30 of any affected enterprise fund.

31 3. On or before ~~January~~ July 15 of each year, the governing body shall
32 submit to the Housing Division of the Department of Business and Industry a
33 report, in the form prescribed by the Housing Division, of how the measures
34 adopted pursuant to subsection 1 assisted the city or county in maintaining and
35 developing affordable housing to meet the needs of the community for the
36 preceding year. The report must include an ~~the~~

37 ~~(a) An~~ analysis of the need for affordable housing within the city or county
38 that exists at the end of the reporting period. ~~the~~

39 ~~(b) The number and status of parcels of land that have been identified within~~
40 ~~the city or county for affordable housing projects;~~

41 ~~(c) A summary of all residential dwelling units approved for development in~~
42 ~~the city or county in the preceding year; and~~

43 ~~(d) An estimate of the number of residential dwelling units expected to be~~
44 ~~necessary to accommodate the projected growth of the city or county in each of~~
45 ~~the next 5 years and a plan to provide appropriate zoning for such projected~~
46 ~~growth, including, without limitation, a list of parcels that may be appropriate for~~
47 ~~rezoning and a list of other parcels that may be developed into residential~~
48 ~~dwelling units.~~

49 ~~The~~ governing body shall cooperate with the Housing Division to ensure that
50 the information contained in the report is appropriate for inclusion in, and can be
51 effectively incorporated into, the statewide low-income housing database created
52 pursuant to NRS 319.143.

1 4. On or before ~~February~~ August 15 of each year, the Housing Division
2 shall compile the reports submitted pursuant to subsection 3 and post the
3 compilation on the Internet website of the Housing Division.

4 **Sec. 6.** ~~[NRS 278.250 is hereby amended to read as follows:~~

5 ~~278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive, and~~
6 ~~section 1 of this act, the governing body may divide the city, county or region into~~
7 ~~zoning districts of such number, shape and area as are best suited to carry out the~~
8 ~~purposes of NRS 278.010 to 278.630, inclusive [.] , and section 1 of this act.~~
9 ~~Within the zoning district, it may regulate and restrict the erection, construction,~~
10 ~~reconstruction, alteration, repair or use of buildings, structures or land.~~

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

13 ~~(a) To preserve the quality of air and water resources;~~

14 ~~(b) To promote the conservation of open space and the protection of other~~
15 ~~natural and scenic resources from unreasonable impairment;~~

16 ~~(c) To consider existing views and access to solar resources by studying the~~
17 ~~height of new buildings which will cast shadows on surrounding residential and~~
18 ~~commercial developments;~~

19 ~~(d) To reduce the consumption of energy by encouraging the use of products~~
20 ~~and materials which maximize energy efficiency in the construction of buildings;~~

21 ~~(e) To provide for recreational needs;~~

22 ~~(f) To protect life and property in areas subject to floods, landslides and other~~
23 ~~natural disasters;~~

24 ~~(g) To conform to the adopted population plan, if required by NRS 278.170;~~

25 ~~(h) To develop a timely, orderly and efficient arrangement of transportation~~
26 ~~and public facilities and services, including public access and sidewalks for~~
27 ~~pedestrians, and facilities and services for bicycles;~~

28 ~~(i) To ensure that the development on land is commensurate with the character~~
29 ~~and the physical limitations of the land;~~

30 ~~(j) To take into account the immediate and long range financial impact of the~~
31 ~~application of particular land to particular kinds of development, and the relative~~
32 ~~suitability of the land for development;~~

33 ~~(k) To promote health and the general welfare;~~

34 ~~(l) To ensure the development of an adequate supply of housing for the~~
35 ~~community, including the development of affordable housing;~~

36 ~~(m) To ensure the [protection] *consideration* of existing neighborhoods and~~
37 ~~communities, including [the protection] *consideration* of rural preservation~~
38 ~~neighborhoods and, in counties whose population is 700,000 or more, the protection~~
39 ~~of historic neighborhoods;~~

40 ~~(n) To promote systems which use solar or wind energy;~~

41 ~~(o) To foster the coordination and compatibility of land uses with any military~~
42 ~~installation in the city, county or region, taking into account the location, purpose~~
43 ~~and stated mission of the military installation;~~

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

48 ~~4. In exercising the powers granted in this section, the governing body may~~
49 ~~use any controls relating to land use or principles of zoning that the governing body~~
50 ~~determines to be appropriate, including, without limitation, density bonuses,~~
51 ~~inclusionary zoning and minimum density zoning.~~

52 ~~5. As used in this section:~~

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

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

~~(c) "Minimum density zoning" means a type of zoning pursuant to which development must be carried out at or above a certain density to maintain conformance with the master plan.~~ **(Deleted by amendment.)**

Sec. 7. NRS 278.330 is hereby amended to read as follows:

278.330 1. The initial action in connection with the making of any subdivision is the preparation of a tentative map.

2. The subdivider shall file copies of the map with the planning commission or its designated representative, or with the clerk of the governing body if there is no planning commission, together with a filing fee in an amount determined by the governing body.

3. The commission, its designated representative, the clerk or other designated representative of the governing body or, when authorized by the governing body, the subdivider or any other appropriate agency shall distribute copies of the map and any accompanying data to all state and local agencies and persons charged with reviewing the proposed subdivision.

4. If there is no planning commission, the clerk of the governing body shall submit the tentative map to the governing body at its next regular meeting.

5. Except as otherwise provided by subsection 6, if there is a planning commission, it shall:

(a) In a county whose population is 700,000 or more, *or in any city within such county*, within 45 days; or

(b) In a county whose population is less than 700,000, *or in any city within such county*, within 60 days,

↳ after accepting as a complete application a tentative map, recommend approval, conditional approval or disapproval of the map in a written report filed with the governing body.

6. If the governing body has authorized the planning commission to take final action on a tentative map, the planning commission shall:

(a) In a county whose population is 700,000 or more, *or in any city within such county*, within 45 days; or

(b) In a county whose population is less than 700,000, *or in any city within such county*, within 60 days,

↳ after accepting as a complete application a tentative map, approve, conditionally approve or disapprove the tentative map in the manner provided for in NRS 278.349. The planning commission shall file its written decision with the governing body.

Sec. 8. ~~[NRS 278.335 is hereby amended to read as follows:]~~

~~278.335 1. A copy of the tentative map must be forwarded by the planning commission or its designated representative, or if there is no planning commission, the clerk or other designated representative of the governing body, for review to:~~

~~(a) The Division of Water Resources and the Division of Environmental Protection of the State Department of Conservation and Natural Resources.~~

~~1 (b) The district board of health acting for the Division of Environmental
2 Protection pursuant to subsection 2.~~

~~3 (c) If the subdivision is subject to the provisions of NRS 704.6672, the Public
4 Utilities Commission of Nevada.~~

~~5 (d) Except as otherwise provided in this paragraph, the Department of Wildlife.
6 This paragraph does not apply if:~~

~~7 (1) The governing body has adopted a habitat conservation plan for
8 multiple species of wildlife that evaluates the potential impacts to wildlife and
9 wildlife habitats from the development of land, including, without limitation, any
10 determination of impact to wildlife and wildlife habitat required pursuant to federal
11 law, and the habitat conservation plan has been approved by the United States Fish
12 and Wildlife Service; or~~

~~13 (2) The proposed subdivision is infill development which is proposed on a
14 vacant or substantially vacant tract of land that is surrounded by land that is already
15 developed.~~

~~16 2. In a county whose population is 100,000 or more, if the county and one or
17 more incorporated cities in the county have established a district board of health,
18 the authority of the Division of Environmental Protection to review and certify
19 proposed subdivisions and to conduct construction or installation inspections must
20 be exercised by the district board of health.~~

~~21 3. A district board of health which conducts reviews and inspections under
22 this section shall consider all the requirements of the law concerning sewage
23 disposal, water pollution, water quality and water supply facilities. At least four
24 times annually, the district board of health shall notify the Division of
25 Environmental Protection which subdivisions met these requirements of law and
26 have been certified by the district board of health.~~

~~27 4. The State is not chargeable with any expense incurred by a district board of
28 health acting pursuant to this section.~~

~~29 5. Each reviewing agency shall, within 15 days after the receipt of the
30 tentative map, file its written comments with the planning commission or the
31 governing body recommending approval, conditional approval or disapproval and
32 stating the reasons therefor. *If a reviewing agency fails to file its written comments
33 recommending approval, conditional approval or disapproval and stating the
34 reasons therefor within 15 days after receipt of the tentative map, it shall be
35 deemed that the reviewing agency recommends approval unconditionally.*
36 **(Deleted by amendment.)**~~

Sec. 9. NRS 278.464 is hereby amended to read as follows:

278.464 1. Except as otherwise provided in subsection 2, if there is a
39 planning commission, it shall:

40 (a) In a county whose population is 700,000 or more, *or in any city within*
41 *such county*, within 45 days; or

42 (b) In a county whose population is less than 700,000, *or in any city within*
43 *such county*, within 60 days,

44 *↳ after accepting as a complete application a parcel map, recommend approval,*
45 *conditional approval or disapproval of the map in a written report. The planning*
46 *commission shall submit the parcel map and the written report to the governing*
47 *body.*

48 2. If the governing body has authorized the planning commission to take final
49 action on a parcel map, the planning commission shall:

50 (a) In a county whose population is 700,000 or more, *or in any city within*
51 *such county*, within 45 days; or

52 (b) In a county whose population is less than 700,000, *or in any city within*
53 *such county*, within 60 days,

1 ↳ after accepting as a complete application the parcel map, approve, conditionally
2 approve or disapprove the map. The planning commission shall file its written
3 decision with the governing body. Unless the time is extended by mutual
4 agreement, if the planning commission is authorized to take final action and it fails
5 to take action within the period specified in this subsection, the parcel map shall be
6 deemed approved.

7 3. If there is no planning commission or if the governing body has not
8 authorized the planning commission to take final action, the governing body or, by
9 authorization of the governing body, the director of planning or other authorized
10 person or agency shall:

11 (a) In a county whose population is 700,000 or more, *or in any city within*
12 *such county*, within 45 days; or

13 (b) In a county whose population is less than 700,000, *or in any city within*
14 *such county*, within 60 days,

15 ↳ after acceptance of the parcel map as a complete application by the governing
16 body pursuant to subsection 1 or pursuant to subsection 3 of NRS 278.461, review
17 and approve, conditionally approve or disapprove the parcel map. Unless the time is
18 extended by mutual agreement, if the governing body, the director of planning or
19 other authorized person or agency fails to take action within the period specified in
20 this subsection, the parcel map shall be deemed approved.

21 4. The planning commission and the governing body or director of planning
22 or other authorized person or agency shall not approve the parcel map unless the
23 person proposing to divide the land has submitted an affidavit stating that the
24 person will make provision for the payment of the tax imposed by chapter 375 of
25 NRS and for compliance with the disclosure and recording requirements of
26 paragraph (f) of subsection 1 of NRS 598.0923, if applicable, by the person
27 proposing to divide the land or any successor in interest.

28 5. Except as otherwise provided in NRS 278.463, if unusual circumstances
29 exist, a governing body or, if authorized by the governing body, the planning
30 commission may waive the requirement for a parcel map. Before waiving the
31 requirement for a parcel map, a determination must be made by the county
32 surveyor, city surveyor or professional land surveyor appointed by the governing
33 body that a survey is not required. Unless the time is extended by mutual
34 agreement, a request for a waiver must be acted upon:

35 (a) In a county whose population is 700,000 or more, *or in any city within*
36 *such county*, within 45 days; or

37 (b) In a county whose population is less than 700,000, *or in any city within*
38 *such county*, within 60 days,

39 ↳ after the date of the request for the waiver or, in the absence of action, the waiver
40 shall be deemed approved.

41 6. A governing body may consider or may, by ordinance, authorize the
42 consideration of the criteria set forth in subsection 3 of NRS 278.349 in
43 determining whether to approve, conditionally approve or disapprove a second or
44 subsequent parcel map for land that has been divided by a parcel map which was
45 recorded within the 5 years immediately preceding the acceptance of the second or
46 subsequent parcel map as a complete application.

47 7. An applicant or other person aggrieved by a decision of the governing
48 body's authorized representative or by a final act of the planning commission may
49 appeal the decision in accordance with the ordinance adopted pursuant to NRS
50 278.3195.

51 8. If a parcel map and the associated division of land are approved or deemed
52 approved pursuant to this section, the approval must be noted on the map in the
53 form of a certificate attached thereto and executed by the clerk of the governing

1 body, the governing body's designated representative or the chair of the planning
2 commission. A certificate attached to a parcel map pursuant to this subsection must
3 indicate, if applicable, that the governing body or planning commission determined
4 that a public street, easement or utility easement which will not remain in effect
5 after a merger and resubdivision of parcels conducted pursuant to NRS 278.4925
6 has been vacated or abandoned in accordance with NRS 278.480.

7 **Sec. 10.** NRS 278.4725 is hereby amended to read as follows:

8 278.4725 1. Except as otherwise provided in this section, if the governing
9 body has authorized the planning commission to take final action on a final map,
10 the planning commission shall approve, conditionally approve or disapprove the
11 final map, basing its action upon the requirements of NRS 278.472:

12 (a) In a county whose population is 700,000 or more, *or in any city within*
13 *such county*, within 45 days; or

14 (b) In a county whose population is less than 700,000, *or in any city within*
15 *such county*, within 60 days,

16 ↪ after accepting the final map as a complete application. The planning
17 commission shall file its written decision with the governing body. Except as
18 otherwise provided in subsection 5, or unless the time is extended by mutual
19 agreement, if the planning commission is authorized to take final action and it fails
20 to take action within the period specified in this subsection, the final map shall be
21 deemed approved unconditionally.

22 2. If there is no planning commission or if the governing body has not
23 authorized the planning commission to take final action, the governing body or its
24 authorized representative shall approve, conditionally approve or disapprove the
25 final map, basing its action upon the requirements of NRS 278.472:

26 (a) In a county whose population is 700,000 or more, *or in any city within*
27 *such county*, within 45 days; or

28 (b) In a county whose population is less than 700,000, *or in any city within*
29 *such county*, within 60 days,

30 ↪ after the final map is accepted as a complete application. Except as otherwise
31 provided in subsection 5 or unless the time is extended by mutual agreement, if the
32 governing body or its authorized representative fails to take action within the period
33 specified in this subsection, the final map shall be deemed approved
34 unconditionally.

35 3. An applicant or other person aggrieved by a decision of the authorized
36 representative of the governing body or by a final act of the planning commission
37 may appeal the decision in accordance with the ordinance adopted pursuant to NRS
38 278.3195.

39 4. If the map is disapproved, the governing body or its authorized
40 representative or the planning commission shall return the map to the person who
41 proposes to divide the land, with the reason for its action and a statement of the
42 changes necessary to render the map acceptable.

43 5. If the final map divides the land into 16 lots or more, the governing body or
44 its authorized representative or the planning commission shall not approve a map,
45 and a map shall not be deemed approved, unless:

46 (a) Each lot contains an access road that is suitable for use by emergency
47 vehicles; and

48 (b) The corners of each lot are set by a professional land surveyor.

49 6. If the final map divides the land into 15 lots or less, the governing body or
50 its authorized representative or the planning commission may, if reasonably
51 necessary, require the map to comply with the provisions of subsection 5.

52 7. Upon approval, the map must be filed with the county recorder. Filing with
53 the county recorder operates as a continuing:

1 (a) Offer to dedicate for public roads the areas shown as proposed roads or
2 easements of access, which the governing body may accept in whole or in part at
3 any time or from time to time.

4 (b) Offer to grant the easements shown for public utilities, which any public
5 utility may similarly accept without excluding any other public utility whose
6 presence is physically compatible.

7 8. The map filed with the county recorder must include:

8 (a) A certificate signed and acknowledged by each owner of land to be divided
9 consenting to the preparation of the map, the dedication of the roads and the
10 granting of the easements.

11 (b) A certificate signed by the clerk of the governing body or authorized
12 representative of the governing body or the secretary to the planning commission
13 that the map was approved, or the affidavit of the person presenting the map for
14 filing that the time limited by subsection 1 or 2 for action by the governing body or
15 its authorized representative or the planning commission has expired and that the
16 requirements of subsection 5 have been met. A certificate signed pursuant to this
17 paragraph must also indicate, if applicable, that the governing body or planning
18 commission determined that a public street, easement or utility easement which will
19 not remain in effect after a merger and resubdivision of parcels conducted pursuant
20 to NRS 278.4925, has been vacated or abandoned in accordance with NRS 278.480.

21 (c) A written statement signed by the treasurer of the county in which the land
22 to be divided is located indicating that all property taxes on the land for the fiscal
23 year have been paid.

24 9. A governing body may by local ordinance require a final map to include:

25 (a) A report from a title company which lists the names of:

26 (1) Each owner of record of the land to be divided; and

27 (2) Each holder of record of a security interest in the land to be divided, if
28 the security interest was created by a mortgage or a deed of trust.

29 (b) The signature of each owner of record of the land to be divided.

30 (c) The written consent of each holder of record of a security interest listed
31 pursuant to subparagraph (2) of paragraph (a), to the preparation and recordation of
32 the final map. A holder of record may consent by signing:

33 (1) The final map; or

34 (2) A separate document that is filed with the final map and declares his or
35 her consent to the division of land.

36 10. After a map has been filed with the county recorder, any lot shown
37 thereon may be conveyed by reference to the map, without further description.

38 11. The county recorder shall charge and collect for recording the map a fee
39 set by the board of county commissioners of not more than \$50 for the first sheet of
40 the map plus \$10 for each additional sheet.

41 12. A county recorder who records a final map pursuant to this section shall,
42 within 7 working days after he or she records the final map, provide to the county
43 assessor at no charge:

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

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

48 **Sec. 11.** ~~[NRS 477.030 is hereby amended to read as follows:~~

49 ~~477.030 1. Except as otherwise provided in this section, the State Fire
50 Marshal shall enforce all laws and adopt regulations relating to:~~

51 ~~(a) The prevention of fire;~~

52 ~~(b) The storage and use of:~~

53 ~~(1) Combustibles, flammables and fireworks; and~~

~~1 (2) Explosives in any commercial construction, but not in mining or the
2 control of avalanches;~~

~~3 under those circumstances that are not otherwise regulated by the Division of
4 Industrial Relations of the Department of Business and Industry pursuant to NRS
5 618.890.~~

~~6 (c) The safety, access, means and adequacy of exit in case of fire from mental
7 and penal institutions, facilities for the care of children, foster homes, residential
8 facilities for groups, facilities for intermediate care, nursing homes, hospitals,
9 schools, all buildings, except private residences, which are occupied for sleeping
10 purposes, buildings used for public assembly and all other buildings where large
11 numbers of persons work, live or congregate for any purpose. As used in this
12 paragraph, "public assembly" means a building or a portion of a building used for
13 the gathering together of 50 or more persons for purposes of deliberation,
14 education, instruction, worship, entertainment, amusement or awaiting
15 transportation, or the gathering together of 100 or more persons in establishments
16 for drinking or dining.~~

~~17 (d) The suppression and punishment of arson and fraudulent claims or
18 practices in connection with fire losses.~~

~~19 (e) The maintenance and testing of:~~

~~20 (1) Fire dampers, smoke dampers and combination fire and smoke
21 dampers; and~~

~~22 (2) Smoke control systems.~~

~~23 Except as otherwise provided in subsection 12, the regulations of the State Fire
24 Marshal apply throughout the State, but except with respect to state owned or state
25 occupied buildings, the State Fire Marshal's authority to enforce them or conduct
26 investigations under this chapter does not extend to a school district except as
27 otherwise provided in NRS 393.110, or a county whose population is 100,000 or
28 more or which has been converted into a consolidated municipality, except in those
29 local jurisdictions in those counties where the State Fire Marshal is requested to
30 exercise that authority by the chief officer of the organized fire department of that
31 jurisdiction or except as otherwise provided in a regulation adopted pursuant to
32 paragraph (b) of subsection 2.~~

~~33 2. The State Fire Marshal may:~~

~~34 (a) Set standards for equipment and appliances pertaining to fire safety or to be
35 used for fire protection within this State, including the threads used on fire hose
36 couplings and hydrant fittings; and~~

~~37 (b) Adopt regulations based on nationally recognized standards setting forth
38 the requirements for fire departments to provide training to firefighters using
39 techniques or exercises that involve the use of fire or any device that produces or
40 may be used to produce fire.~~

~~41 3. The State Fire Marshal shall cooperate with the State Forester Firewarden
42 in the mitigation of the risk of a fire hazard from vegetation in this State pursuant to
43 paragraph (g) of subsection 1 of NRS 472.040.~~

~~44 4. The State Fire Marshal shall cooperate with the Division of Child and
45 Family Services of the Department of Health and Human Services in establishing
46 reasonable minimum standards for overseeing the safety of and directing the means
47 and adequacy of exit in case of fire from foster homes.~~

~~48 5. The State Fire Marshal shall coordinate all activities conducted pursuant to
49 15 U.S.C. §§ 2201 et seq. and receive and distribute money allocated by the United
50 States pursuant to that act.~~

~~51 6. Except as otherwise provided in subsection 10, the State Fire Marshal shall:~~

1 ~~— (a) Investigate any fire which occurs in a county other than one whose~~
2 ~~population is 100,000 or more or which has been converted into a consolidated~~
3 ~~municipality, and from which a death results or which is of a suspicious nature.~~

4 ~~— (b) Investigate any fire which occurs in a county whose population is 100,000~~
5 ~~or more or which has been converted into a consolidated municipality, and from~~
6 ~~which a death results or which is of a suspicious nature, if requested to do so by the~~
7 ~~chief officer of the fire department in whose jurisdiction the fire occurs.~~

8 ~~— (c) Cooperate with the Commissioner of Insurance, the Attorney General and~~
9 ~~the Fraud Control Unit for Insurance established pursuant to NRS 228.412 in any~~
10 ~~investigation of a fraudulent claim under an insurance policy for any fire of a~~
11 ~~suspicious nature.~~

12 ~~— (d) Cooperate with any local fire department in the investigation of any report~~
13 ~~received pursuant to NRS 629.045.~~

14 ~~— (e) Provide specialized training in investigating the causes of fires if requested~~
15 ~~to do so by the chief officer of an organized fire department.~~

16 ~~7. The State Fire Marshal shall put the National Fire Incident Reporting~~
17 ~~System into effect throughout the State and publish at least annually a summary of~~
18 ~~data collected under the System.~~

19 ~~8. The State Fire Marshal shall provide assistance and materials to local~~
20 ~~authorities, upon request, for the establishment of programs for public education~~
21 ~~and other fire prevention activities.~~

22 ~~9. The State Fire Marshal shall:~~

23 ~~— (a) Except as otherwise provided in subsection 12 and NRS 393.110, assist in~~
24 ~~checking plans and specifications for construction;~~

25 ~~— (b) Provide specialized training to local fire departments; and~~

26 ~~— (c) Assist local governments in drafting regulations and ordinances,~~

27 ~~or on request or as the State Fire Marshal deems necessary.~~

28 ~~10. Except as otherwise provided in this subsection, in a county other than~~
29 ~~one whose population is 100,000 or more or which has been converted into a~~
30 ~~consolidated municipality, the State Fire Marshal shall, upon request by a local~~
31 ~~government, delegate to the local government by interlocal agreement all or a~~
32 ~~portion of the State Fire Marshal's authority or duties if the local government's~~
33 ~~personnel and programs are, as determined by the State Fire Marshal, equally~~
34 ~~qualified to perform those functions. If a local government fails to maintain the~~
35 ~~qualified personnel and programs in accordance with such an agreement, the State~~
36 ~~Fire Marshal shall revoke the agreement. The provisions of this subsection do not~~
37 ~~apply to the authority of the State Fire Marshal to adopt regulations pursuant to~~
38 ~~paragraph (b) of subsection 2.~~

39 ~~11. The State Fire Marshal may, as a public safety officer or as a technical~~
40 ~~expert on issues relating to hazardous materials, participate in any local, state or~~
41 ~~federal team or task force that is established to conduct enforcement and~~
42 ~~interdiction activities involving:~~

43 ~~— (a) Commercial trucking;~~

44 ~~— (b) Environmental crimes;~~

45 ~~— (c) Explosives and pyrotechnics;~~

46 ~~— (d) Drugs or other controlled substances; or~~

47 ~~— (e) Any similar activity specified by the State Fire Marshal.~~

48 ~~12. Except as otherwise provided in this subsection, any regulations of the~~
49 ~~State Fire Marshal concerning matters relating to building codes, including, without~~
50 ~~limitation, matters relating to the construction, maintenance or safety of buildings,~~
51 ~~structures and property in this State:~~

52 ~~— (a) Do not apply in a county whose population is 700,000 or more, and in any~~
53 ~~city within such county whose population is 220,000 or more, and in a county~~

~~whose population is 100,000 or more and less than 700,000, which has adopted a code at least as stringent as the International Fire Code, the International Building Code and the International Wildland-Urban Interface Code, published by the International Code Council. To maintain the exemption from the applicability of the regulations of the State Fire Marshal pursuant to this subsection, the code of the county or city must be at least as stringent as the most recently published edition of the International Fire Code, the International Building Code and the International Wildland-Urban Interface Code within 2 years after publication of such an edition.~~

~~(b) Apply in a county or city described in paragraph (a) with respect to state-owned or state-occupied buildings or public schools in the county or city and in those local jurisdictions in the county or city in which the State Fire Marshal is requested to exercise that authority by the chief executive officer of that jurisdiction. As used in this paragraph, "public school" has the meaning ascribed to it in NRS 385.007.] (Deleted by amendment.)~~

Sec. 12. 1. On or before July 1, 2024, the governing body of each county and city shall enact by ordinance:

(a) An expedited process for the consideration and approval of projects for affordable housing in the county or city, as applicable. Such expedited process must ~~be at least 50 percent faster than]~~ prioritize, to the extent practicable, the processing of projects for affordable housing in the county or city, as applicable, over all other projects and allow deviation from the current process for the consideration and approval of projects for affordable housing. Any such deviation includes, without limitation, authorizing the administrative approval for any applications relating to affordable housing projects by a person authorized by the governing body.

(b) Incentives for the development of projects for affordable housing in the county or city, as applicable, that encourage the use of the expedited process required pursuant to paragraph (a).

2. As used in this section, "affordable housing" has the meaning ascribed to it NRS 278.0105.

Sec. 12.5. The governing body of each city or county that is required to submit a report pursuant to section 1.6 of this act shall submit the first report on or before July 15, 2024.

Sec. 13. 1. The Legislature hereby finds and declares that the efficient and expeditious processing of land use applications and improvement plans by a governing body is important to the economic health and housing supply of this State.

2. By considering and adopting the amendments to the provisions of NRS 278.02327 pursuant to section 3 of this act, the Legislature recognizes the importance of an efficient and expeditious process for the review of land use applications and improvement plans.

Sec. 14. 1. The Legislature hereby finds and declares that a consistent and robust supply of housing is an important factor in the overall affordability of housing.

2. By considering and adopting the amendments to the provisions of NRS 278.235 pursuant to section 5 of this act, the Legislature recognizes the need for more affordable housing in this State.

Sec. 15. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 16. 1. This section and sections 1, 1.6 and 2 to 15, inclusive, of this act [becomes] become effective on July 1, 2023.

2. Section 1.3 of this act becomes effective on January 1, 2024.