

Amendment No. 690

Senate Amendment to Assembly Bill No. 213 First Reprint (BDR 22-250)
Proposed by: Senate Committee on Government Affairs
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 213 R1 (§§ 1.6, 12).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date					
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SMH/HAC



Date: 5/21/2023

A.B. No. 213—Revises provisions governing residential zoning. (BDR 22-250)



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 ~~formatted 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 the adoption of measures in certain counties relating to affordable housing; 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 provides that if the governing body or its designee fails to comply with the timeline and process, the application shall be deemed to be complete. **Section 3** also requires the governing body or designee to review and respond to a corrected application within ~~14~~ **5** working days

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16 and prohibits a governing body or designee from using any preliminary application to
17 circumvent the timeline or process in **section 3**.

18 **Section 1.3** of this bill requires a governing body to publish on its Internet website a list
19 of applications relating to land use planning in areas zoned for residential housing.

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

27 Existing law requires a subdivider to file copies of a tentative map with the planning
28 commission or its designated representative, or with the clerk of the governing body if there is
29 no planning commission. The tentative map is then distributed to all state and local agencies
30 and persons charged with reviewing the proposed subdivision. If there is no planning
31 commission, the clerk of the governing body is required to submit the tentative map to the
32 governing body at its next meeting. If there is a planning commission, the planning
33 commission shall, after accepting as a complete application a tentative map: (1) in a county
34 whose population is 700,000 or more (currently only Clark County), within 45 days, approve,
35 conditionally approve or disapprove the tentative map; or (2) in a county whose population is
36 less than 700,000 (currently all counties other than Clark County), approve, conditionally
37 approve or disapprove the tentative map. (NRS 278.330) **Section 7** of this bill provides that a
38 city within such a county is subject to the same deadlines to approve, conditionally approve or
39 disapprove the tentative map.

40 Existing law provides that the planning commission or governing body, as applicable,
41 shall recommend approval, conditional approval or disapproval of a parcel map: (1) within 45
42 days after accepting the parcel map as a complete application in a county whose population is
43 700,000 or more (currently only Clark County); or (2) within 60 days after accepting the
44 parcel map as a complete application in a county whose population is less than 700,000
45 (currently all counties other than Clark County). (NRS 278.464) **Section 9** of this bill provides
46 that a city within such a county is subject to the same deadlines to recommend approval,
47 conditional approval or disapproval of a parcel map.

48 Existing law provides that, under certain circumstances, a governing body or planning
49 commission may waive the requirement for a parcel map and that a request for such a waiver
50 must be acted upon: (1) in a county whose population is 700,000 or more (currently only
51 Clark County) within 45 days; or (2) in a county whose population is less than 700,000
52 (currently all counties other than Clark County) within 60 days. (NRS 278.464) **Section 9**
53 provides that a city within such a county is subject to the same deadlines.

54 Existing law provides that a planning commission or governing body must take final
55 action on a final map: (1) in a county whose population is 700,000 or more (currently only
56 Clark County) within 45 days after accepting the final map as a complete application; or (2) in
57 a county whose population is less than 700,000 (currently all counties other than Clark
58 County) within 60 days after accepting the final map as a complete application. (NRS
59 278.4725) **Section 10** of this bill provides that a city within such a county is subject to the
60 same deadlines.

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

65 **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 the
2 provisions set forth as sections 1.3 and 1.6 of this act.

3 **Sec. 1.3. 1.** *A governing body shall publish on its Internet website a list of*
4 *all applications relating to land use planning for residential housing pursuant to*
5 *NRS 278.010 to 278.630, inclusive.*

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

7 (a) *The date an application was initially filed;*

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

9 (c) *The number of times an application was issued a notice for*
10 *incompleteness;*

11 (d) *The number of applications rejected for being incomplete; and*

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

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

19 **Sec. 1.6. 1.** *If the governing body of each city or county is required to*
20 *include the housing element in its master plan pursuant to NRS 278.150, the*
21 *governing body shall, on or before July 15 of each year, report the following*
22 *information relating to the county or city, as applicable, to the Housing Division*
23 *of the Department of Business and Industry and the Advisory Committee on*
24 *Housing created by NRS 319.174:*

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

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

33 (c) *An analysis of projected growth and the demographic characteristics of*
34 *the community.*

35 (d) *A determination of the present and prospective need for affordable*
36 *housing in the community.*

37 (e) *An analysis of any impediments to the development of affordable housing*
38 *and the development of policies to mitigate those impediments.*

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

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

43 (2) *An inventory of available parcels that are suitable for residential*
44 *development and any zoning, environmental and other land use planning*
45 *restrictions that affect such parcels.*

46 (g) *An analysis of the needs and appropriate methods for the construction of*
47 *affordable housing or the conversion or rehabilitation of existing housing to*
48 *affordable housing.*

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

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

7 3. *As used in this section, "market rate housing" means housing for a*
8 *household which has a total monthly gross income that is more than the total*
9 *monthly gross income that would allow the household to qualify for affordable*
10 *housing.*

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

12 278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 1.3 and*
13 *1.6 of this act*, unless the context otherwise requires, the words and terms defined
14 in NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in
15 those sections.

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

17 278.02327 1. Any application submitted to a governing body or its designee
18 that concerns any matter relating to land use planning pursuant to NRS 278.010 to
19 278.630, inclusive, *and sections 1.3 and 1.6 of this act*, or any ordinance,
20 resolution or regulation adopted pursuant thereto, may not be accepted by the
21 governing body or its designee if the application is incomplete.

22 2. The governing body or its designee shall, within ~~10~~ 10 working days after
23 receiving an application of the type described in subsection 1:

24 (a) Review the application for completeness;

25 (b) Accept the application if the governing body or its designee finds that the
26 application is complete or return the application if the governing body or its
27 designee finds that the application is incomplete; and

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

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

31 (2) ~~[If requested by the applicant, provide]~~ *Provide* to the applicant a copy
32 of the relevant provision of the ordinance, resolution or regulation which
33 specifically requires the additional information or an explanation of why the
34 additional information is necessary.

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

37 4. *Once an applicant submits a corrected application in response to a notice*
38 *of incompleteness provided pursuant to subsection 2, the governing body or its*
39 *designee shall review and respond to the corrected application within ~~10~~ 5*
40 *working days.*

41 5. *A governing body or its designee may establish a preliminary application*
42 *process to help an applicant submit a complete application but shall not use any*
43 *preliminary application process to circumvent the provisions of this section. Any*
44 *preliminary application process established pursuant to this subsection must*
45 *require a substantive meeting between an applicant and a governing body or its*
46 *designee within 15 business days after the applicant's request.*

47 6. *As used in this section ~~["designee"]~~:*

48 (a) "Application" does not include an application for a building permit.

49 (b) "Designee" means any division, department or agency of a governing
50 *body with jurisdiction over land use planning, improvement planning, permitting,*
51 *inspection, zoning, roadways, utilities, public health, water, sewer, drainage,*
52 *traffic control and public works.*

53 **Sec. 4.** (Deleted by amendment.)

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

2 278.235 1. If the governing body of a city or county is required to include
3 the housing element in its master plan pursuant to NRS 278.150, the governing
4 body, in carrying out the plan for maintaining and developing affordable housing to
5 meet the housing needs of the community, which is required to be included in the
6 housing element pursuant to subparagraph (8) of paragraph (c) of subsection 1 of
7 NRS 278.160, shall adopt at least six of the following measures:

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

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

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

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

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

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

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

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

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

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

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

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

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

49 (a) When the incomes of all the residents of the project for affordable housing
50 are averaged, the housing would be affordable on average for a family with a total
51 gross income that does not exceed 60 percent of the median gross income for the
52 county concerned based upon the estimates of the United States Department of

1 Housing and Urban Development of the most current median gross family income
2 for the county.

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

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

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

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

18 3. On or before ~~January~~ *July* 15 of each year, the governing body shall
19 submit to the Housing Division of the Department of Business and Industry a
20 report, in the form prescribed by the Housing Division, of how the measures
21 adopted pursuant to subsection 1 assisted the city or county in maintaining and
22 developing affordable housing to meet the needs of the community for the
23 preceding year. The report must include an analysis of the need for affordable
24 housing within the city or county that exists at the end of the reporting period . The
25 governing body shall cooperate with the Housing Division to ensure that the
26 information contained in the report is appropriate for inclusion in, and can be
27 effectively incorporated into, the statewide low-income housing database created
28 pursuant to NRS 319.143.

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

32 **Sec. 6.** (Deleted by amendment.)

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

34 278.330 1. The initial action in connection with the making of any
35 subdivision is the preparation of a tentative map.

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

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

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

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

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

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

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

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

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

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

10 ↳ after accepting as a complete application a tentative map, approve, conditionally
11 approve or disapprove the tentative map in the manner provided for in NRS
12 278.349. The planning commission shall file its written decision with the governing
13 body.

14 **Sec. 8.** (Deleted by amendment.)

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

16 278.464 1. Except as otherwise provided in subsection 2, if there is a
17 planning commission, it shall:

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

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

22 ↳ after accepting as a complete application a parcel map, recommend approval,
23 conditional approval or disapproval of the map in a written report. The planning
24 commission shall submit the parcel map and the written report to the governing
25 body.

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

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

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

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

38 3. If there is no planning commission or if the governing body has not
39 authorized the planning commission to take final action, the governing body or, by
40 authorization of the governing body, the director of planning or other authorized
41 person or agency shall:

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

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

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

52 4. The planning commission and the governing body or director of planning
53 or other authorized person or agency shall not approve the parcel map unless the

1 person proposing to divide the land has submitted an affidavit stating that the
2 person will make provision for the payment of the tax imposed by chapter 375 of
3 NRS and for compliance with the disclosure and recording requirements of
4 paragraph (f) of subsection 1 of NRS 598.0923, if applicable, by the person
5 proposing to divide the land or any successor in interest.

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

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

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

17 ↪ after the date of the request for the waiver or, in the absence of action, the waiver
18 shall be deemed approved.

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

25 7. An applicant or other person aggrieved by a decision of the governing
26 body's authorized representative or by a final act of the planning commission may
27 appeal the decision in accordance with the ordinance adopted pursuant to NRS
28 278.3195.

29 8. If a parcel map and the associated division of land are approved or deemed
30 approved pursuant to this section, the approval must be noted on the map in the
31 form of a certificate attached thereto and executed by the clerk of the governing
32 body, the governing body's designated representative or the chair of the planning
33 commission. A certificate attached to a parcel map pursuant to this subsection must
34 indicate, if applicable, that the governing body or planning commission determined
35 that a public street, easement or utility easement which will not remain in effect
36 after a merger and resubdivision of parcels conducted pursuant to NRS 278.4925
37 has been vacated or abandoned in accordance with NRS 278.480.

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

39 278.4725 1. Except as otherwise provided in this section, if the governing
40 body has authorized the planning commission to take final action on a final map,
41 the planning commission shall approve, conditionally approve or disapprove the
42 final map, basing its action upon the requirements of NRS 278.472:

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

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

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

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

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

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

9 ↳ after the final map is accepted as a complete application. Except as otherwise
10 provided in subsection 5 or unless the time is extended by mutual agreement, if the
11 governing body or its authorized representative fails to take action within the period
12 specified in this subsection, the final map shall be deemed approved
13 unconditionally.

14 3. An applicant or other person aggrieved by a decision of the authorized
15 representative of the governing body or by a final act of the planning commission
16 may appeal the decision in accordance with the ordinance adopted pursuant to NRS
17 278.3195.

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

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

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

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

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

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

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

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

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

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

43 (b) A certificate signed by the clerk of the governing body or authorized
44 representative of the governing body or the secretary to the planning commission
45 that the map was approved, or the affidavit of the person presenting the map for
46 filing that the time limited by subsection 1 or 2 for action by the governing body or
47 its authorized representative or the planning commission has expired and that the
48 requirements of subsection 5 have been met. A certificate signed pursuant to this
49 paragraph must also indicate, if applicable, that the governing body or planning
50 commission determined that a public street, easement or utility easement which will
51 not remain in effect after a merger and resubdivision of parcels conducted pursuant
52 to NRS 278.4925, has been vacated or abandoned in accordance with NRS 278.480.

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

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

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

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

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

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

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

13 (1) The final map; or

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

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

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

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

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

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

28 **Sec. 11.** (Deleted by amendment.)

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

31 (a) An expedited process for the consideration and approval of projects for
32 affordable housing in the county or city, as applicable. Such expedited process must
33 prioritize, to the extent practicable, the processing of projects for affordable
34 housing in the county or city, as applicable, over all other projects and allow
35 deviation from the current process for the consideration and approval of projects for
36 affordable housing. Any such deviation includes, without limitation, authorizing the
37 administrative approval for any applications relating to affordable housing projects
38 by a person authorized by the governing body.

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

42 2. As used in this section, “affordable housing” has the meaning ascribed to it
43 NRS 278.0105.

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

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

51 2. By considering and adopting the amendments to the provisions of NRS
52 278.02327 pursuant to section 3 of this act, the Legislature recognizes the

1 importance of an efficient and expeditious process for the review of land use
2 applications and improvement plans.

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

6 2. By considering and adopting the amendments to the provisions of NRS
7 278.235 pursuant to section 5 of this act, the Legislature recognizes the need for
8 more affordable housing in this State.

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

11 **Sec. 16.** 1. This section and sections 1 and 1.6 to 15, inclusive, of this act
12 become effective on July 1, 2023.

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