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SECOND REPRINT

A.B. 213

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 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:

1 Existing law requires the governing body of certain cities or counties to include
2 in its master plan a housing element, which includes certain information relating to
3 housing. (NRS 278.150, 278.160) **Section 1.6** of this bill requires the governing
4 body of such a city or county to annually report this information to the Housing
5 Division of the Department of Business and Industry and the Advisory Committee
6 on Housing. The Housing Division is required to compile and post such reports on



7 its Internet website. **Section 12.5** of this bill requires the governing body of such a
8 city or county to submit the first report required pursuant to **section 1.6** on or
9 before July 15, 2024.

10 Existing law: (1) provides that any application submitted to a governing body
11 or its designee that concerns any matter relating to land use planning may not be
12 accepted if the application is incomplete; and (2) sets forth a timeline and process
13 for the governing body or its designee to review an application for completeness.
14 (NRS 278.02327) **Section 3** of this bill provides that if the governing body or its
15 designee fails to comply with the timeline and process, the application shall be
16 deemed to be complete. **Section 3** also requires the governing body or designee to
17 review and respond to a corrected application within 5 working days and prohibits a
18 governing body or designee from using any preliminary application to circumvent
19 the timeline or process in **section 3**.

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

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

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

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

55 Existing law provides that, under certain circumstances, a governing body or
56 planning commission may waive the requirement for a parcel map and that a
57 request for such a waiver must be acted upon: (1) in a county whose population is
58 700,000 or more (currently only Clark County) within 45 days; or (2) in a county
59 whose population is less than 700,000 (currently all counties other than Clark
60 County) within 60 days. (NRS 278.464) **Section 9** provides that a city within such a
61 county is subject to the same deadlines.



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

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

73 **Sections 13 and 14** of this bill make certain legislative declarations regarding
74 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
2 thereto the 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*
4 *website a list of all applications relating to land use planning for*
5 *residential housing pursuant to NRS 278.010 to 278.630,*
6 *inclusive.*

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

- 9 (a) *The date an application was initially filed;*
10 (b) *The number of days an application has been pending;*
11 (c) *The number of times an application was issued a notice for*
12 *incompleteness;*
13 (d) *The number of applications rejected for being incomplete;*
14 *and*

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

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

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



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

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

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

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

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

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

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

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

28 (g) *An analysis of the needs and appropriate methods for the*
29 *construction of affordable housing or the conversion or*
30 *rehabilitation of existing housing to affordable housing.*

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

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

38 3. *As used in this section, “market rate housing” means*
39 *housing for a household which has a total monthly gross income*
40 *that is more than the total monthly gross income that would allow*
41 *the household to qualify for affordable housing.*

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

43 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
44 *sections 1.3 and 1.6 of this act*, unless the context otherwise
45 requires, the words and terms defined in NRS 278.0103 to



1 278.0195, inclusive, have the meanings ascribed to them in those
2 sections.

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

4 278.02327 1. Any application submitted to a governing body
5 or its designee that concerns any matter relating to land use planning
6 pursuant to NRS 278.010 to 278.630, inclusive, *and sections 1.3*
7 *and 1.6 of this act*, or any ordinance, resolution or regulation
8 adopted pursuant thereto, may not be accepted by the governing
9 body or its designee if the application is incomplete.

10 2. The governing body or its designee shall, within ~~3~~ 10
11 working days after receiving an application of the type described in
12 subsection 1:

13 (a) Review the application for completeness;

14 (b) Accept the application if the governing body or its designee
15 finds that the application is complete or return the application if the
16 governing body or its designee finds that the application is
17 incomplete; and

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

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

21 (2) ~~If requested by the applicant, provide~~ *Provide* to the
22 applicant a copy of the relevant provision of the ordinance,
23 resolution or regulation which specifically requires the additional
24 information or an explanation of why the additional information is
25 necessary.

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

29 *4. Once an applicant submits a corrected application in*
30 *response to a notice of incompleteness provided pursuant to*
31 *subsection 2, the governing body or its designee shall review and*
32 *respond to the corrected application within 5 working days.*

33 *5. A governing body or its designee may establish a*
34 *preliminary application process to help an applicant submit a*
35 *complete application but shall not use any preliminary application*
36 *process to circumvent the provisions of this section. Any*
37 *preliminary application process established pursuant to this*
38 *subsection must require a substantive meeting between an*
39 *applicant and a governing body or its designee within 15 business*
40 *days after the applicant's request.*

41 *6. As used in this section:*

42 (a) *"Application" does not include an application for a*
43 *building permit.*

44 (b) *"Designee" means any division, department or agency of a*
45 *governing body with jurisdiction over land use planning,*



1 *improvement planning, permitting, inspection, zoning, roadways,*
2 *utilities, public health, water, sewer, drainage, traffic control and*
3 *public works.*

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

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

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

14 (a) Reducing or subsidizing in whole or in part impact fees, fees
15 for the issuance of building permits collected pursuant to NRS
16 278.580 and fees imposed for the purpose for which an enterprise
17 fund was created.

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

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

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

30 (e) Requesting to purchase land owned by the Federal
31 Government at a discounted price for the creation of affordable
32 housing pursuant to the provisions of section 7(b) of the Southern
33 Nevada Public Land Management Act of 1998, Public Law
34 105-263.

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

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

41 (h) Providing money, support or density bonuses for affordable
42 housing developments that are financed, wholly or in part, with low-
43 income housing tax credits, private activity bonds or money from a
44 governmental entity for affordable housing, including, without



1 limitation, money received pursuant to 12 U.S.C. § 1701q and 42
2 U.S.C. § 8013.

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

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

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

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

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

22 (a) When the incomes of all the residents of the project for
23 affordable housing are averaged, the housing would be affordable
24 on average for a family with a total gross income that does not
25 exceed 60 percent of the median gross income for the county
26 concerned based upon the estimates of the United States Department
27 of Housing and Urban Development of the most current median
28 gross family income for the county.

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

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

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

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



1 3. On or before ~~January~~ *July* 15 of each year, the governing
2 body shall submit to the Housing Division of the Department of
3 Business and Industry a report, in the form prescribed by the
4 Housing Division, of how the measures adopted pursuant to
5 subsection 1 assisted the city or county in maintaining and
6 developing affordable housing to meet the needs of the community
7 for the preceding year. The report must include an analysis of the
8 need for affordable housing within the city or county that exists at
9 the end of the reporting period. The governing body shall cooperate
10 with the Housing Division to ensure that the information contained
11 in the report is appropriate for inclusion in, and can be effectively
12 incorporated into, the statewide low-income housing database
13 created pursuant to NRS 319.143.

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

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

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

20 278.330 1. The initial action in connection with the making
21 of any subdivision is the preparation of a tentative map.

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

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

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

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

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

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

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



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

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

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

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

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

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

14 278.464 1. Except as otherwise provided in subsection 2, if
15 there is a planning commission, it shall:

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

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

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

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

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

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

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

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

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

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



1 ↪ after acceptance of the parcel map as a complete application by
2 the governing body pursuant to subsection 1 or pursuant to
3 subsection 3 of NRS 278.461, review and approve, conditionally
4 approve or disapprove the parcel map. Unless the time is extended
5 by mutual agreement, if the governing body, the director of planning
6 or other authorized person or agency fails to take action within the
7 period specified in this subsection, the parcel map shall be deemed
8 approved.

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

17 5. Except as otherwise provided in NRS 278.463, if unusual
18 circumstances exist, a governing body or, if authorized by the
19 governing body, the planning commission may waive the
20 requirement for a parcel map. Before waiving the requirement for a
21 parcel map, a determination must be made by the county surveyor,
22 city surveyor or professional land surveyor appointed by the
23 governing body that a survey is not required. Unless the time is
24 extended by mutual agreement, a request for a waiver must be acted
25 upon:

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

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

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

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

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

43 8. If a parcel map and the associated division of land are
44 approved or deemed approved pursuant to this section, the approval
45 must be noted on the map in the form of a certificate attached



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

30 (b) A certificate signed by the clerk of the governing body or
31 authorized representative of the governing body or the secretary to
32 the planning commission that the map was approved, or the affidavit
33 of the person presenting the map for filing that the time limited by
34 subsection 1 or 2 for action by the governing body or its authorized
35 representative or the planning commission has expired and that the
36 requirements of subsection 5 have been met. A certificate signed
37 pursuant to this paragraph must also indicate, if applicable, that the
38 governing body or planning commission determined that a public
39 street, easement or utility easement which will not remain in effect
40 after a merger and resubdivision of parcels conducted pursuant to
41 NRS 278.4925, has been vacated or abandoned in accordance with
42 NRS 278.480.

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



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

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

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

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

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

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

14 (1) The final map; or

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

