

SENATE BILL NO. 66—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF HENDERSON)

PREFILED DECEMBER 20, 2014

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing local governmental agreements for the development of land. (BDR 22-422)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local government planning; revising provisions relating to agreements for the development of land entered into between the governing body of a local government and one or more persons having a legal or equitable interest in the land; establishing a procedure for the amendment or cancellation of such an agreement by the governing body; revising provisions governing the contents and scope of such an agreement; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the governing body of a local government to enter into
2 an agreement for the development of land with one or more persons who hold a
3 legal or equitable interest in the land. (NRS 278.0201-278.0207) **Section 2** of this
4 bill defines the term “undeveloped land” and **section 6** of this bill revises the
5 definition of the terms “infrastructure” and “public facilities” for the purpose of
6 such agreements. **Section 8** of this bill revises the scope and contents of an
7 agreement for the development of land.

8 Existing law provides that an agreement for the development of land may
9 establish a deadline by which construction must commence and may provide for an
10 extension of that deadline. The extended deadline is itself subject to an extension
11 by the governing body under certain circumstances. (NRS 278.0201) **Section 8**
12 eliminates the authority to extend such a deadline.

13 Existing law provides for the amendment or cancellation of an agreement for
14 the development of land by mutual consent of the parties to the agreement or their
15 successors in interest. Existing law also authorizes the governing body to amend or
16 cancel the agreement without the consent of the other parties to the agreement



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17 under certain circumstances. (NRS 278.0205) **Section 4** of this bill provides that,
18 under certain circumstances, the governing body must give notice and an
19 opportunity for a party in breach to cure the breach. **Sections 4 and 9** of this bill
20 require a governing body that proposes unilaterally to amend or cancel an
21 agreement to hold a public hearing before taking such action. **Section 4** provides
22 that any person having a legal or equitable interest in the land subject to the
23 agreement or any other interested person may present oral or written testimony at
24 the hearing. **Section 4** requires the governing body to consider all the testimony
25 presented at the hearing.

26 **Sections 5, 7 and 10-17** of this bill make conforming changes.

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 2, 3 and 4 of this act.

3 **Sec. 2.** *“Undeveloped land” means land in its unused,*
4 *natural or reclaimed state and on which little or no infrastructure*
5 *exists.*

6 **Sec. 3.** (Deleted by amendment.)

7 **Sec. 4.** *1. If a governing body makes a determination*
8 *described in paragraph (b) of subsection 1 of NRS 278.0205,*
9 *before the governing body may amend or cancel an agreement for*
10 *development of land entered into pursuant to NRS 278.0201*
11 *without the consent of the other parties to the agreement or their*
12 *successors in interest, the governing body must hold a public*
13 *hearing concerning the proposed amendment to or cancellation of*
14 *the agreement that complies with the provisions of this section.*
15 *Not less than 60 days’ notice of the date and time of the public*
16 *hearing must be given to the parties to the agreement or their*
17 *successors in interest and any property owner of record that is*
18 *subject to the agreement.*

19 *2. On the date and at the time and place fixed for the hearing,*
20 *any person having a legal or equitable interest in the land or any*
21 *other interested person may give oral or written testimony to the*
22 *governing body concerning the proposed amendment to or*
23 *cancellation of the agreement.*

24 *3. The governing body shall consider all the testimony*
25 *presented at the hearing and any other relevant information*
26 *presented at the hearing and, after the conclusion of the hearing,*
27 *make a determination concerning whether to amend or cancel the*
28 *agreement.*

29 *4. Any complaint, protest or objection to:*

30 *(a) The proposed amendment to or cancellation of the*
31 *agreement;*



1 (b) *The effect of the proposed amendment to or cancellation of*
2 *the agreement on the zoning or entitlements related to the property*
3 *that is subject to the agreement; or*

4 (c) *The regularity, validity or correctness of any proceedings*
5 *relating to or actions taken with respect to the hearing on or*
6 *before the date of the hearing,*

7 *↪ shall be deemed waived unless presented at the hearing or*
8 *received in writing by the clerk of the governing body at least 3*
9 *business days before the date of the hearing.*

10 **Sec. 5.** NRS 278.010 is hereby amended to read as follows:

11 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
12 *sections 2, 3 and 4 of this act*, unless the context otherwise requires,
13 the words and terms defined in NRS 278.0103 to 278.0195,
14 inclusive, *and section 2 of this act* have the meanings ascribed to
15 them in those sections.

16 **Sec. 6.** NRS 278.0157 is hereby amended to read as follows:

17 278.0157 “Infrastructure” or “public facilities” means *facilities*
18 *and the structure or network used for the delivery of goods,*
19 *services and public safety. The term includes, without limitation,*
20 *communications facilities, facilities for the transmission and*
21 *distribution of electricity and natural gas, water ~~{}~~ systems,*
22 *sanitary sewer ~~{}~~ systems, storm sewer ~~{-street,}~~ systems, streets*
23 *and roads, traffic control systems, sidewalks, parks ~~{}~~ and trails,*
24 *recreational facilities, fire, police and flood protection ~~{}~~ and all*
25 *related appurtenances, equipment and employee costs.*

26 **Sec. 7.** NRS 278.016 is hereby amended to read as follows:

27 278.016 “Local ordinance” means an ordinance enacted by the
28 governing body of any city or county, pursuant to the powers
29 granted in NRS 278.010 to 278.630, inclusive ~~{}~~, *and sections 2, 3*
30 *and 4 of this act.*

31 **Sec. 8.** NRS 278.0201 is hereby amended to read as follows:

32 278.0201 1. In the manner prescribed by ordinance, a
33 governing body may, upon application of any person having a legal
34 or equitable interest in land, enter into an agreement with that
35 person concerning the development of that land. ~~{This agreement~~
36 ~~must describe}~~

37 2. *An agreement entered into pursuant to this section:*

38 (a) *Must contain provisions:*

39 (1) *Describing* the land which is the subject of the agreement
40 ~~{and specify}~~;

41 (2) *Specifying* the duration of the agreement ~~{-the}~~;

42 (3) *Specifying what events will constitute breach of the*
43 *agreement; and*

44 (4) *Providing periods during which any breach may be*
45 *cured; and*



1 **(b) May contain provisions specifying or relating to:**

2 **(1) The** permitted uses of the land ~~[-, the]~~ ;

3 **(2) The** density or intensity of ~~[its use,]~~ the **use of the land;**

4 **(3) The** maximum height and size of ~~[the]~~ **any** proposed
5 buildings ; ~~[and any provisions for the]~~

6 **(4) The reservation or** dedication of any portion of the land
7 for public use ~~[-. The agreement may fix the period within which~~
8 ~~construction must commence and provide for an extension of that~~
9 ~~deadline.~~

10 ~~—2. For an agreement entered into for the residential or~~
11 ~~commercial development of land, the governing body may extend,~~
12 ~~beyond the original deadline and beyond any extension of that~~
13 ~~deadline pursuant to subsection 1, the period within which~~
14 ~~construction must commence if the person:~~

15 ~~—(a) Applies for an extension before July 1, 2013, subject to any~~
16 ~~applicable ordinances adopted by the governing body;~~

17 ~~—(b) Demonstrates to the satisfaction of the governing body that:~~

18 ~~— (1) Financing for the residential or commercial project is not~~
19 ~~available; and~~

20 ~~— (2) The land will be leased for a renewable energy generation~~
21 ~~project; and~~

22 ~~—(c) Submits with his or her application for an extension an~~
23 ~~affidavit showing that due diligence has been used to obtain~~
24 ~~financing for the residential or commercial project. The affidavit~~
25 ~~must include, without limitation, evidence that:~~

26 ~~— (1) The project was denied financing by at least two lenders;~~
27 ~~or~~

28 ~~— (2) The person was unable to issue bonds or other securities~~
29 ~~to finance the project.~~

30 ~~—3. An agreement must not be extended pursuant to~~
31 ~~subsection 2:~~

32 ~~—(a) For more than 15 years after the original deadline or, if the~~
33 ~~deadline is extended pursuant to subsection 1, after that extension;~~
34 ~~or~~

35 ~~—(b) If the land ceases to be leased for a renewable energy~~
36 ~~generation project, after the period established pursuant to~~
37 ~~subsection 4.~~

38 ~~—4. If a governing body extends a deadline pursuant to~~
39 ~~subsection 2, the governing body shall establish the maximum~~
40 ~~duration of the period for which the agreement will remain valid if~~
41 ~~the land is no longer leased for a renewable energy generation~~
42 ~~project.~~

43 ~~—5.] or for the payment of fees in lieu thereof;~~

44 **(5) The protection of environmentally sensitive lands;**

45 **(6) The preservation and restoration of historic structures;**



1 (7) *The phasing or timing of construction or development*
2 *on the land, including, without limitation, the dates on which all*
3 *or any part of the construction or development must commence*
4 *and be completed, and the terms on which any deadline may be*
5 *extended;*

6 (8) *The conditions, terms, restrictions and requirements for*
7 *infrastructure on the land and the financing of the public*
8 *infrastructure by a person having a legal or equitable interest in*
9 *the land;*

10 (9) *The conditions, terms, restrictions and requirements for*
11 *annexation of land by the city or county and the phasing or timing*
12 *of annexation by the city or county;*

13 (10) *The conditions, terms, restrictions and requirements*
14 *relating to the intent of the governing body to include the land in*
15 *an improvement district created pursuant to chapter 271 of NRS;*

16 (11) *A schedule of fees and charges; and*

17 (12) *Any other matters relating to the development of the*
18 *land.*

19 3. Unless the agreement otherwise provides and except as
20 otherwise provided in subsection ~~7~~ 4, the ordinances, resolutions
21 or regulations applicable to that land and governing the permitted
22 uses of that land, density and standards for design, improvements
23 and construction are those in effect at the time the agreement is
24 made.

25 ~~6~~ 4. This section does not prohibit the governing body from
26 adopting new ordinances, resolutions or regulations applicable to
27 that land which do not conflict with those ordinances, resolutions
28 and regulations in effect at the time the agreement is made, except
29 that any subsequent action by the governing body must not prevent
30 the development of the land as set forth in the agreement. The
31 governing body is not prohibited from denying or conditionally
32 approving any other plan for development pursuant to any
33 ordinance, resolution or regulation in effect at the time of that denial
34 or approval.

35 ~~7. Notwithstanding the provisions of subsection 6, if the~~
36 ~~governing body extends a deadline pursuant to subsection 2,~~
37 ~~changes to ordinances, resolutions or regulations that:~~

38 ~~— (a) Are made after the extension is granted; and~~

39 ~~— (b) Enforce environmental, life or safety standards against land~~
40 ~~that the governing body determines are similar to the land for which~~
41 ~~an agreement was made pursuant to this section;~~

42 ~~→ apply to the land for which the agreement was made.~~

43 ~~8. The provisions of subsection 2 of NRS 278.315 and NRS~~
44 ~~278.350 and 278.360 do not apply if an agreement entered into~~



1 ~~pursuant to this section contains provisions which are contrary to the~~
2 ~~respective sections.~~

3 ~~9. As used in this section, "environmental, life or safety~~
4 ~~standards" includes, without limitation:~~

5 ~~—(a) Standards and codes relating to the usage of water; and~~

6 ~~—(b) Any specialized or uniform code related to environmental,~~
7 ~~life or safety standards.]~~

8 **Sec. 9.** NRS 278.0205 is hereby amended to read as follows:

9 278.0205 1. ~~[The]~~ *An* agreement for development of land
10 *entered into pursuant to NRS 278.0201* may be amended or
11 cancelled, in whole or in part, by ~~[mutual]~~ :

12 (a) *Mutual* consent of the parties to the agreement or their
13 successors in interest ~~[, except that]~~ ; or

14 (b) *Subject to the requirements of this section and section 4 of*
15 *this act, the governing body without the consent of the other*
16 *parties to the agreement or their successors in interest,* if the
17 governing body determines, upon a review of the development of
18 the land held at least once every 24 months, ~~[that the]~~ *that:*

19 (I) *A party to the agreement or a successor in interest is in*
20 *breach of any of the* terms or conditions of the agreement ~~[are not~~
21 ~~being complied with, it may cancel or amend the agreement without~~
22 ~~the consent of the breaching party.]~~ *and:*

23 (I) *Any applicable period set forth in the agreement for*
24 *curing the breach has passed; or*

25 (II) *If the agreement does not contain an applicable*
26 *period for curing the breach, the governing body has provided the*
27 *party in breach with notice that the party is in breach and has*
28 *provided the party not less than 30 days to cure the breach; or*

29 (2) *Any event has occurred which demonstrates that a party*
30 *to the agreement or a successor in interest is unable to perform his*
31 *or her duties set forth in the agreement, including, without*
32 *limitation, the insolvency or bankruptcy of the party or his or her*
33 *successor in interest, the appointment of a receiver for the party or*
34 *his or her successor in interest or the commission of fraud by the*
35 *party or his or her successor in interest.*

36 2. ~~[Notice]~~ *In addition to the notice requirement set forth in*
37 *subsection 1 of section 4 of this act, notice* of intention to amend or
38 cancel any portion of the agreement must be given by publication in
39 a newspaper of general circulation in the applicable city or county.

40 The governing body may approve *cancellation of the agreement by*
41 *ordinance or approve* any amendment to the agreement by
42 ordinance if the amendment is consistent with the master plan. The
43 original of *the notice of cancellation or* the amendment must be
44 filed for recording with the county recorder or the recorder of
45 Carson City.



1 **Sec. 10.** NRS 278.0235 is hereby amended to read as follows:

2 278.0235 No action or proceeding may be commenced for the
3 purpose of seeking judicial relief or review from or with respect to
4 any final action, decision or order of any governing body,
5 commission or board authorized by NRS 278.010 to 278.630,
6 inclusive, *and sections 2, 3 and 4 of this act* unless the action or
7 proceeding is commenced within 25 days after the date of filing of
8 notice of the final action, decision or order with the clerk or
9 secretary of the governing body, commission or board.

10 **Sec. 11.** NRS 278.02591 is hereby amended to read as
11 follows:

12 278.02591 1. A governing body may establish, independently
13 or in conjunction with another governing body, an analysis of the
14 cost to construct infrastructure in an area which is ~~relatively~~
15 undeveloped *land* and which is likely to become developed.

16 2. The analysis of the cost to construct infrastructure in an area
17 that is ~~relatively~~ undeveloped *land* must include, without
18 limitation:

19 (a) A precise description of the area, either in the form of a legal
20 description or by reference to roadways, lakes and waterways,
21 railroads or similar landmarks, and township, county or city
22 boundaries;

23 (b) An estimate of the expected total population of the area
24 when the land becomes fully developed;

25 (c) An assessment of the infrastructure that will be necessary to
26 support the area when it becomes fully developed according to the
27 master plan adopted by the governing body pursuant to NRS
28 278.220; and

29 (d) A plan for the development of the infrastructure which
30 includes, without limitation:

31 (1) Any minimum requirements for the development of
32 infrastructure that have been determined by the regional planning
33 coalition;

34 (2) A plan to meet the anticipated needs of the area for police
35 and fire protection, parks, roads, regional transportation and flood
36 control facilities when the land becomes fully developed;

37 (3) An estimate of the date on which each phase of the
38 development will occur;

39 (4) The manner in which the plan for the development of the
40 infrastructure will be implemented; and

41 (5) An economic analysis of the cost to plan and develop
42 fully the infrastructure for the area.

43 3. The governing body may, if it finds that the analysis of the
44 projected need for infrastructure is consistent with the master plan,
45 approve the analysis by ordinance.



1 4. The governing body shall provide the necessary copies of
2 the analysis to the regional planning coalition for review and
3 information.

4 **Sec. 12.** NRS 278.02598 is hereby amended to read as
5 follows:

6 278.02598 1. A governing body may carry out the plan for
7 infrastructure by negotiating master development agreements,
8 independently or in conjunction with an interlocal agreement for the
9 area.

10 2. As used in this section, "master development agreement"
11 means a written agreement:

12 (a) Between a governing body and a person who has a legal or
13 equitable interest in land that is entered into upon the application of
14 the person who wishes to develop that land;

15 (b) To enable the governing body to distribute equitably the
16 costs to develop infrastructure for an area of land that is ~~largely~~
17 ~~undeveloped;~~ *undeveloped land*; and

18 (c) That is based on an analysis of the need for infrastructure
19 that is prepared pursuant to NRS 278.02591.

20 **Sec. 13.** NRS 278.02788 is hereby amended to read as
21 follows:

22 278.02788 1. If a city has a sphere of influence that is
23 designated in the comprehensive regional plan, the city shall adopt a
24 master plan concerning the territory within the sphere of influence.
25 The master plan and any ordinance required by the master plan must
26 be consistent with the comprehensive regional plan. After adoption
27 and certification of a master plan concerning the territory within the
28 sphere of influence and after adopting the ordinances required by
29 the master plan, if any, the city may exercise any power conferred
30 pursuant to NRS 278.010 to 278.630, inclusive, *and sections 2, 3*
31 *and 4 of this act* within its sphere of influence.

32 2. If the comprehensive regional plan designates that all or part
33 of the sphere of influence of a city is a joint planning area, the
34 master plan and any ordinance adopted by the city pursuant to
35 subsection 1 must be consistent with the master plan that is adopted
36 for the joint planning area.

37 3. Before certification of the master plan for the sphere of
38 influence pursuant to NRS 278.028, any action taken by the county
39 pursuant to NRS 278.010 to 278.630, inclusive, *and sections 2, 3*
40 *and 4 of this act* within the sphere of influence of a city must be
41 consistent with the comprehensive regional plan.

42 4. A person, county or city that is represented on the governing
43 board and is aggrieved by a final determination of the county or,
44 after the certification of the master plan for a sphere of influence, is
45 aggrieved by a final determination of the city, concerning zoning, a



1 subdivision map, a parcel map or the use of land within the sphere
2 of influence may appeal the decision to the regional planning
3 commission within 30 days after the determination. A person,
4 county or city that is aggrieved by the determination of the regional
5 planning commission may appeal the decision to the governing
6 board within 30 days after the determination. A person, county or
7 city that is aggrieved by the determination of the governing board
8 may seek judicial review of the decision within 25 days after the
9 determination.

10 **Sec. 14.** NRS 278.160 is hereby amended to read as follows:

11 278.160 1. Except as otherwise provided in this section and
12 NRS 278.150 and 278.170, the master plan, with the accompanying
13 charts, drawings, diagrams, schedules and reports, may include such
14 of the following elements or portions thereof as are appropriate to
15 the city, county or region, and as may be made the basis for the
16 physical development thereof:

17 (a) A conservation element, which must include:

18 (1) A conservation plan for the conservation, development
19 and utilization of natural resources, including, without limitation,
20 water and its hydraulic force, underground water, water supply,
21 solar or wind energy, forests, soils, rivers and other waters, harbors,
22 fisheries, wildlife, minerals and other natural resources. The
23 conservation plan must also cover the reclamation of land and
24 waters, flood control, prevention and control of the pollution of
25 streams and other waters, regulation of the use of land in stream
26 channels and other areas required for the accomplishment of the
27 conservation plan, prevention, control and correction of the erosion
28 of soils through proper clearing, grading and landscaping, beaches
29 and shores, and protection of watersheds. The conservation plan
30 must also indicate the maximum tolerable level of air pollution.

31 (2) A solid waste disposal plan showing general plans for the
32 disposal of solid waste.

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

34 (1) A historic neighborhood preservation plan which:

35 (I) Must include, without limitation, a plan to inventory
36 historic neighborhoods and a statement of goals and methods to
37 encourage the preservation of historic neighborhoods.

38 (II) May include, without limitation, the creation of a
39 commission to monitor and promote the preservation of historic
40 neighborhoods.

41 (2) A historical properties preservation plan setting forth an
42 inventory of significant historical, archaeological, paleontological
43 and architectural properties as defined by a city, county or region,
44 and a statement of methods to encourage the preservation of those
45 properties.



1 (c) A housing element, which must include, without limitation:

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

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

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

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

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

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

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

25 (II) 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 (7) 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 (8) A plan for maintaining and developing affordable
32 housing to meet the housing needs of the community for a period of
33 at least 5 years.

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

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

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

42 (I) Must, if applicable, address mixed-use development,
43 transit-oriented development, master-planned communities and
44 gaming enterprise districts. The land use plan must also, if
45 applicable, address the coordination and compatibility of land uses



1 with any military installation in the city, county or region, taking
2 into account the location, purpose and stated mission of the military
3 installation.

4 (II) May include a provision concerning the acquisition
5 and use of land that is under federal management within the city,
6 county or region, including, without limitation, a plan or statement
7 of policy prepared pursuant to NRS 321.7355.

8 (3) In any county whose population is 700,000 or more, a
9 rural neighborhoods preservation plan showing general plans to
10 preserve the character and density of rural neighborhoods.

11 (e) A public facilities and services element, which must include:

12 (1) An economic plan showing recommended schedules for
13 the allocation and expenditure of public money to provide for the
14 economical and timely execution of the various components of the
15 plan.

16 (2) A population plan setting forth an estimate of the total
17 population which the natural resources of the city, county or region
18 will support on a continuing basis without unreasonable impairment.

19 (3) An aboveground utility plan that shows corridors
20 designated for the construction of aboveground utilities and
21 complies with the provisions of NRS 278.165.

22 (4) Provisions concerning public buildings showing the
23 locations and arrangement of civic centers and all other public
24 buildings, including the architecture thereof and the landscape
25 treatment of the grounds thereof.

26 (5) Provisions concerning public services and facilities
27 showing general plans for sewage, drainage and utilities, and rights-
28 of-way, easements and facilities therefor, including, without
29 limitation, any utility projects required to be reported pursuant to
30 NRS 278.145. If a public utility which provides electric service
31 notifies the planning commission that a new transmission line or
32 substation will be required to support the master plan, those
33 facilities must be included in the master plan. The utility is not
34 required to obtain an easement for any such transmission line as a
35 prerequisite to the inclusion of the transmission line in the master
36 plan.

37 (6) A school facilities plan showing the general locations of
38 current and future school facilities based upon information furnished
39 by the appropriate county school district.

40 (f) A recreation and open space element, which must include a
41 recreation plan showing a comprehensive system of recreation areas,
42 including, without limitation, natural reservations, parks, parkways,
43 trails, reserved riverbank strips, beaches, playgrounds and other
44 recreation areas, including, when practicable, the locations and
45 proposed development thereof.



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1 (g) A safety element, which must include:

2 (1) In any county whose population is 700,000 or more, a
3 safety plan identifying potential types of natural and man-made
4 hazards, including, without limitation, hazards from floods,
5 landslides or fires, or resulting from the manufacture, storage,
6 transfer or use of bulk quantities of hazardous materials. The safety
7 plan may set forth policies for avoiding or minimizing the risks from
8 those hazards.

9 (2) A seismic safety plan consisting of an identification and
10 appraisal of seismic hazards such as susceptibility to surface
11 ruptures from faulting, to ground shaking or to ground failures.

12 (h) A transportation element, which must include:

13 (1) A streets and highways plan showing the general
14 locations and widths of a comprehensive system of major traffic
15 thoroughfares and other traffic ways and of streets and the
16 recommended treatment thereof, building line setbacks, and a
17 system of naming or numbering streets and numbering houses, with
18 recommendations concerning proposed changes.

19 (2) A transit plan showing a proposed multimodal system of
20 transit lines, including mass transit, streetcar, motorcoach and
21 trolley coach lines, paths for bicycles and pedestrians, satellite
22 parking and related facilities.

23 (3) A transportation plan showing a comprehensive
24 transportation system, including, without limitation, locations of
25 rights-of-way, terminals, viaducts and grade separations. The
26 transportation plan may also include port, harbor, aviation and
27 related facilities.

28 2. The commission may prepare and adopt, as part of the
29 master plan, other and additional plans and reports dealing with such
30 other elements as may in its judgment relate to the physical
31 development of the city, county or region, and nothing contained in
32 NRS 278.010 to 278.630, inclusive, *and sections 2, 3 and 4 of this*
33 *act* prohibits the preparation and adoption of any such element as a
34 part of the master plan.

35 **Sec. 15.** NRS 119.128 is hereby amended to read as follows:

36 119.128 An exemption pursuant to this chapter is not an
37 exemption from the provisions of NRS 278.010 to 278.630,
38 inclusive **H**, *and sections 2, 3 and 4 of this act.*

39 **Sec. 16.** NRS 119.340 is hereby amended to read as follows:

40 119.340 The provisions of this chapter are in addition to and
41 not a substitute for NRS 278.010 to 278.630, inclusive **H**, *and*
42 *sections 2, 3 and 4 of this act.*

43 **Sec. 17.** NRS 270.180 is hereby amended to read as follows:

44 270.180 NRS 270.160 and 270.170 are intended to supplement
45 and not to supersede the existing laws relating to the vacation of city



1 and town plats and do not apply to land divided pursuant to NRS
2 278.010 to 278.630, inclusive **H**, *and sections 2, 3 and 4 of this*
3 *act.*

4 **Sec. 17.5.** 1. Except as otherwise provided in subsection 2,
5 the amendatory provisions of this act apply to all agreements for the
6 development of land that are entered into pursuant to NRS 278.0201
7 before, on or after July 1, 2015.

8 2. The provisions of paragraph (a) of subsection 2 of NRS
9 278.0201, as amended by section 8 of this act, do not apply to
10 agreements for the development of land entered into before July 1,
11 2015.

12 **Sec. 18.** This act becomes effective on July 1, 2015.

③



* S B 6 6 R 1 *

