

The attached document was submitted to the **Washoe
County Board of Commissioners** during the meeting

held on 10-25-16

by John Slaughter

for Agenda Item No. 16

and included here pursuant to NRS 241.020(7) as
amended by AB65 of the 2013 Legislative Session.

Option A

Proposed Regional Planning Legislation:

Governance Change to Existing Washoe County Model

Summary of Changes: Utilize the existing Washoe County Model, with changes to the Governing Board; the Nevada Revised Statutes guiding regional planning in the two largest urban counties in Nevada would remain inconsistent.

Note: **New Language;** ~~Deleted Language~~

REGIONAL PLANNING IN COUNTIES WHOSE POPULATION IS 100,000 OR MORE BUT LESS THAN 700,000

NRS 278.026 Definitions. As used in [NRS 278.026](#) to [278.029](#), inclusive, unless the context otherwise requires:

1. "Affected entity" means a public utility, franchise holder, local or regional agency, or any other entity having responsibility for planning or providing public facilities relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality or public education. The term does not include:

(a) A state agency; or

(b) A public utility which is subject to regulation by the Public Utilities Commission of Nevada.

2. "Facilities plan" means a plan for the development of public facilities which will have a regional impact or which will aid in accomplishing regional goals relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality or public education. The term does not include a plan for the development of a specific site or regulations adopted by an affected entity to implement the comprehensive regional plan.

3. "Governing board" means the governing board for regional planning created pursuant to [NRS 278.0264](#).

4. "Joint planning area" means an area that is the subject of common study and planning by the governing body of a county and one or more cities.

5. "Project of regional significance," with respect to a project proposed by any person other than a public utility, means a project which:

(a) Has been identified in the guidelines of the regional planning commission as a project which will result in the loss or significant degradation of a designated historic, archeological, paleontological, cultural or scenic resource;

(b) Has been identified in the guidelines of the regional planning commission as a project which will result in the creation of significant new geothermal or mining operations;

(c) Has been identified in the guidelines of the regional planning commission as a project which will have a significant effect on the natural resources, public services, public facilities, including, without limitation, schools, or the adopted regional form of the region; or

(d) Will require a change in zoning, a special use permit, an amendment to a master plan, a tentative map or other approval for the use of land which, if approved, will have an effect on the region of increasing:

- (1) Employment by not less than 938 employees;
- (2) Housing by not less than 625 units;
- (3) Hotel accommodations by not less than 625 rooms;
- (4) Sewage by not less than 187,500 gallons per day;

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- (5) Water usage by not less than 625 acre feet per year; or
- (6) Traffic by not less than an average of 6,250 trips daily.

↳ The term does not include any project for which a request for an amendment to a master plan, a change in zoning, a tentative map or a special use permit has been approved by the local planning commission before June 17, 1989.

6. "Project of regional significance," with respect to a project proposed by a utility, includes:

- (a) An electric substation;
- (b) A transmission line that carries 60 kilovolts or more;
- (c) A facility that generates electricity greater than 5 megawatts;
- (d) Natural gas storage and peak shaving facilities; and
- (e) Gas regulator stations and mains that operate over 100 pounds per square inch.

7. "Sphere of influence" means an area into which a city plans to expand as designated in the comprehensive regional plan within the time designated in the comprehensive regional plan.

(Added to NRS by [1989, 759](#); A [1991, 1733](#); [1995, 2662](#); [1997, 1981](#); [1999, 2124](#); [2005, 1586](#); [2009, 378](#))

NRS 278.0261 Legislative findings and declaration. The Legislature hereby finds and declares that:

1. The process of regional planning in a county whose population is 100,000 or more but less than 700,000, as set forth in [NRS 278.026](#) to [278.029](#), inclusive, ensures that comprehensive planning will be carried out with respect to population, conservation, land use and transportation, public facilities and services, annexation and intergovernmental coordination.

2. The process of regional planning set forth in [NRS 278.026](#) to [278.029](#), inclusive, does not specifically limit the premature expansion of development into undeveloped areas or address the unique needs and opportunities that are characteristic of older neighborhoods in a county whose population is 100,000 or more but less than 700,000.

3. The problem of the premature expansion of development into undeveloped areas and the unique needs and opportunities that are characteristic of older neighborhoods may be addressed through:

- (a) Cooperative efforts to preserve and revitalize urban areas and older neighborhoods; and
- (b) Review of the master plans, facilities plans and other similar plans of local governments and other affected entities.

4. It is the intent of the Legislature with respect to [NRS 278.026](#) to [278.029](#), inclusive, that each local government and affected entity shall exercise its powers and duties in a manner that is in harmony with the powers and duties exercised by other local governments and affected entities to enhance the long-term health and welfare of the county and all its residents.

(Added to NRS by [1999, 2123](#); A [2011, 1179](#))

NRS 278.0262 Regional planning commission: Creation; membership; chair; compensation; training.

1. There is hereby created in each county whose population is 100,000 or more but less than 700,000, a regional planning commission consisting of:

- (a) Three members from the local planning commission of each city in the county whose population is 60,000 or more, appointed by the respective governing bodies of those cities;
- (b) One member from the local planning commission of each city in the county whose population is less than 60,000, appointed by the respective governing bodies of those cities; and
- (c) Three members from the local planning commission of the county, appointed by the governing body of the county, at least two of whom must reside in unincorporated areas of the county.

2. Except for the terms of the initial members of the commission, the term of each member is 3 years and until the selection and qualification of his or her successor. A member may be reappointed. A member who ceases to be a member of the local planning commission of the jurisdiction from which he or she is

appointed automatically ceases to be a member of the commission. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.

3. The commission shall elect its chair from among its members. The term of the chair is 1 year. The member elected chair must have been appointed by the governing body of the county or a city whose population is 60,000 or more, as determined pursuant to a schedule adopted by the commission and made a part of its bylaws which provides for the annual rotation of the chair among each of those governing bodies.

4. A member of the commission must be compensated at the rate of \$80 per meeting or \$400 per month, whichever is less.

5. Each member of the commission must successfully complete the course of training prescribed by the governing body pursuant to subsection 2 of [NRS 278.0265](#) within 1 year after the date on which his or her term of appointment commences. A member who fails to complete successfully the course of training as required pursuant to this subsection forfeits his or her appointment 1 year after the date on which his or her term of appointment commenced.

(Added to NRS by [1989, 759](#); A [1999, 2125](#); [2001, 1965](#); [2011, 1179](#))

NRS 278.0263 Regional planning commission: Request for assistance. The regional planning commission shall request assistance from the governing body of a county, the governing body of a city, a state agency or an affected entity as required to perform its duties.

(Added to NRS by [1991, 1732](#))

NRS 278.02632 Regional planning commission: Study and development of incentives for certain types of development. The regional planning commission shall continue to study and develop methods to provide incentives for:

1. Mixed-use development, transit-oriented development, the development of a brownfield site and development which minimizes the negative impact on the environment. As used in this subsection, "brownfield site" has the meaning ascribed to it in 42 U.S.C. § 9601.

2. Large commercial development which provides employee parking at a site other than the commercial development. Such incentives may be developed in cooperation with the regional transportation commission and other local governmental entities.

(Added to NRS by [2005, 1583](#))

NRS 278.0264 Governing board for regional planning: Creation; membership; chair; compensation; operational needs; capacity to sue and be sued; budget.

1. There is hereby created in each county whose population is 100,000 or more but less than 700,000, a governing board for regional planning consisting of:

(a) Three representatives appointed by the board of county commissioners, ~~at least two of whom must represent or reside within unincorporated areas of the county.~~ If the representative is:

~~(1) A county commissioner, his or her district must be one of the two districts in the county with the highest percentage of unincorporated area.~~

~~(2) Not not~~ a county commissioner, he or she must reside within an unincorporated area of the county.

(b) ~~Four~~ Three representatives appointed by the governing body of the largest incorporated city in the county.

(c) Three representatives appointed by the governing body of every other incorporated city in the county whose population is 60,000 or more.

~~(d) One representative appointed by the governing body of each incorporated city in the county whose population is less than 60,000.~~

2. Except for the terms of the initial members of the governing board, the term of each member is 3 years and until the selection and qualification of his or her successor. A member may be reappointed. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.

3. The governing bodies may appoint representatives to the governing board from within their respective memberships. A member of a local governing body who is so appointed and who subsequently ceases to be a member of that body, automatically ceases to be a member of the governing board. The governing body may also appoint alternative representatives who may act in the respective absences of the principal appointees.

4. The governing board shall elect its chair from among its members. The term of the chair is 1 year. The member elected chair must have been appointed by the governing body of the county or a city whose population is 60,000 or more as determined pursuant to a schedule adopted by the governing board and made a part of its bylaws which provides for the annual rotation of the chair among each of those governing bodies.

5. A member of the governing board who is also a member of the governing body which appointed him or her shall serve without additional compensation. All other members must be compensated at the rate of \$40 per meeting or \$200 per month, whichever is less.

6. The governing board may appoint such employees as it deems necessary for its work and may contract with city planners, engineers, architects and other consultants for such services as it requires.

7. The local governments represented on the governing board shall provide the necessary facilities, equipment, staff, supplies and other usual operating expenses necessary to enable the governing board to carry out its functions. The local governments shall enter into an agreement whereby those costs are shared by the local governments in proportion to the number of members that each appoints to the governing board. The agreement must also contain a provision specifying the responsibility of each local government, respectively, of paying for legal services needed by the governing board or by the regional planning commission.

8. The governing board may sue or be sued in any court of competent jurisdiction.

9. The governing board shall prepare and adopt an annual budget and transmit it as a recommendation for funding to each of the local governments.

(Added to NRS by [1989, 760](#); A [1991, 1734](#); [2001, 1966](#); [2011, 1180](#))

NRS 278.0265 Governing board for regional planning: Adoption of regulations; prescription of training for members of regional planning commission; fees for services provided; entry into cooperative agreements and interlocal agreements. The governing board:

1. Shall adopt such regulations as are necessary to carry out its specific powers and duties.

2. Shall prescribe an appropriate course of at least 12 hours of training in land use planning for the members of the regional planning commission. The course of training must include, without limitation, training relating to:

(a) State statutes and regulations and local ordinances, resolutions and regulations concerning land use planning; and

(b) The provisions of [chapter 241](#) of NRS.

3. May establish and collect reasonable fees for the provision of any service that is authorized pursuant to the provisions of [NRS 278.026](#) to [278.029](#), inclusive.

4. May enter into an agreement pursuant to [NRS 277.045](#) or [277.080](#) to [277.180](#), inclusive, for a purpose that is consistent with the provisions of [NRS 278.026](#) to [278.029](#), inclusive.

(Added to NRS by [1991, 1732](#); A [1993, 572](#); [1999, 2126](#); [2001, 756](#); [2005, 1587](#))

NRS 278.0266 Director of regional planning: Appointment; qualifications; powers and duties. There is hereby created the position of director of regional planning. The director:

1. Is appointed by the governing board from a list of three names submitted by the regional planning commission, and serves at the pleasure of the governing board;
 2. Must be selected on the basis of his or her training, experience, capability and interest in planning;
 3. Must have the demonstrated ability to administer a major program relating to planning;
 4. Shall devote his or her entire time and attention to the business of that office and shall not pursue any other business or occupation or hold any other office of profit;
 5. Shall not hold any other position relating to planning with a regional or local entity in the county or be on leave of absence from any other regional or local entity in the county while holding the position of director;
 6. Is responsible for administration of the regional planning program;
 7. Shall appoint a professional assistant experienced in planning to assist in administration of the program; and
 8. May:
 - (a) Appoint professional, technical or clerical staff to, and dismiss them from, positions which are approved by the governing board;
 - (b) Execute contracts for services and interlocal agreements which are approved by the governing board;
 - (c) Direct the activities of all other persons employed by the governing board; and
 - (d) Prepare an annual budget.
- (Added to NRS by [1989, 761](#))

NRS 278.0268 Appointment of subcommittees and advisory committees.

1. The governing board and the regional planning commission may, jointly or separately, appoint subcommittees for any purpose that is consistent with [NRS 278.026](#) to [278.029](#), inclusive. A subcommittee appointed pursuant to this subsection must be composed only of:

- (a) Members of the governing board or regional planning commission, as appropriate, if the subcommittee is appointed separately; or
- (b) Members from both the governing board and the regional planning commission, if the subcommittee is appointed jointly.

2. To assist in the formulation and the implementation of the comprehensive regional plan, the governing board and the regional planning commission may, jointly or separately, appoint advisory committees to advise and report to the governing board, regional planning commission, director of regional planning or a combination of such entities.

3. The governing board and the regional planning commission may, jointly or separately, appoint advisory committees to examine issues that affect the county in which the governing board and regional planning commission are located. The governing board and regional planning commission may appoint persons from outside the county in which the governing board and regional planning commission are located and from outside this State to serve on an advisory committee appointed pursuant to this section. An advisory committee appointed pursuant to this subsection may:

- (a) Identify, examine and discuss regional issues that affect the county in which the governing board and regional planning commission are located, including, without limitation, issues relating to land use, fiscal matters, air quality and infrastructure; and
- (b) Make recommendations to the governing board, regional planning commission, or both, concerning regional issues.

(Added to NRS by [1989, 763](#); A [2001, 757](#))

NRS 278.0272 Development, review and amendment of regional plan; public hearings required.

1. The regional planning commission shall develop a comprehensive regional plan for the physical development and orderly management of the growth of the region for the next 20 years.
2. The plan must consist of written text, appropriate maps and such goals and policies, including those addressing current and future problems, as may, in the opinion of the commission, affect the region as a whole and are proper for inclusion in the regional plan.
3. In developing the plan, the commission shall:
 - (a) Review and consider each existing regional plan and master plan that has been adopted pursuant to the provisions of this chapter and that applies to any area in the region, and any similar plan of a local government, and may seek and consider the advice of each local planning commission and any other affected entity; and
 - (b) Coordinate the elements of the plan and make them consistent with each other.
4. Before approving the plan, the commission must hold a public hearing on the proposed plan in each of the cities within the region and in the unincorporated area of the county.
5. Before amending the plan, the commission must hold at least one public hearing on the proposed amendment at a location in the region.
6. The approval of the plan or any amendment to it must be by resolution of the commission carried by the affirmative votes of not less than two-thirds of its total membership.
7. The regional planning commission shall review the plan annually, update it not less than every 5 years, and forward its recommendations regarding proposed amendments to the plan to the governing board for adoption. Amendments to the comprehensive regional plan may be proposed only by the regional planning commission, the governing board or a local governing body. Except as otherwise provided in subsection 8, all requests for amendments to the plan must be studied and considered at public hearings held annually by the commission.
8. The commission may consider a proposed amendment and determine whether it is necessary to the health and welfare of the community or substantially benefits the community in general. If the commission determines that the amendment is necessary, it may schedule a public hearing on the amendment at any time. Any person may appeal the determination of the commission to the governing board.
9. Except as otherwise provided in this subsection, notice of the time and place of each hearing required by the provisions of this section must be given by publication in a newspaper of general circulation in the region at least 10 days before the day of the hearing. If there is more than one newspaper of general circulation in the region, notice must be given by publication in at least two such newspapers. Notice of the time and place of the initial meeting of the regional planning commission and the hearing at which the commission receives testimony concerning final approval of the comprehensive regional plan must be given by publication at least 30 days before the day of the meeting or hearing. Notice given pursuant to this subsection must be a display advertisement of not less than 3 inches by 5 inches.

(Added to NRS by [1989, 761](#))

NRS 278.0274 Contents of regional plan. The comprehensive regional plan must include goals, policies, maps and other documents relating to:

1. Population, including a projection of population growth in the region and the resources that will be necessary to support that population.
2. Conservation, including policies relating to the use and protection of air, land, water and other natural resources, ambient air quality, natural recharge areas, floodplains and wetlands, and a map showing the areas that are best suited for development based on those policies.
3. The limitation of the premature expansion of development into undeveloped areas, preservation of neighborhoods and revitalization of urban areas, including, without limitation, policies that relate to

the interspersed of new housing and businesses in established neighborhoods and set forth principles by which growth will be directed to older urban areas.

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

(a) Address, if applicable:

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

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

(b) Allow for a variety of uses;

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

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

5. Public facilities and services, including provisions relating to sanitary sewer facilities, solid waste, flood control, potable water and groundwater aquifer recharge which are correlated with principles and guidelines for future land uses, and which specify ways to satisfy the requirements created by those future uses. This portion of the plan must:

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

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

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

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

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

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

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

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

8. Any utility project required to be reported pursuant to [NRS 278.145](#).

(Added to NRS by [1989, 762](#); [A 1991, 953](#); [1997, 1982](#); [1999, 2126](#); [2005, 1587](#); [2007, 340](#); [2009, 2759](#); [2011, 3744](#))

NRS 278.0276 Adoption of regional plan. The governing board shall adopt the plan approved by the regional planning commission with any amendments it deems necessary. Before adopting the plan

with any amendments the board shall submit each proposed amendment to the regional planning commission for its review and comment. The commission shall complete its review and return the plan to the governing board within 30 days or as specified by the board. Within 30 days after its receipt of the commission's comments, the governing board shall consider those comments and adopt the plan with or without amendment. The adoption of the plan or any amendment must be by resolution of the governing board carried by a simple majority of its total membership. Before the adoption of the plan or any amendment, the governing board must hold a public hearing, notice of the time and place of which must be given by publication in a newspaper of general circulation in the region not later than 10 days before the day of the hearing.

(Added to NRS by [1989, 763](#))

NRS 278.0277 Project of regional significance: Adoption of guidelines and procedures for review of proposal. The regional planning commission shall adopt guidelines and procedures for the review of whether a proposal for the use of land submitted to a county or city located in the region is a project of regional significance. The county or city shall use the guidelines and procedures adopted by the regional planning commission to determine if a proposal for the use of land is a project of regional significance.

(Added to NRS by [1991, 1731](#))

NRS 278.0278 Project of regional significance: Finding of conformance with adopted regional plan required before final approval and commencement of construction; appeal of determination to governing board.

1. Before a project of regional significance is approved finally by the county or city and before construction on a project of regional significance may begin, the regional planning commission must make a finding that the project is in conformance with the adopted regional plan. In making its determination, the commission shall limit its review to the substance and content of the adopted comprehensive regional plan and shall not consider the merits or deficiencies of a project in a manner other than is necessary to enable it to make that determination.

2. If the commission fails to make any finding regarding a project of regional significance within 60 days after the project is submitted to it, it shall be deemed that the commission has made a finding that the project conforms with the regional plan.

3. If the commission determines that the project is not in conformance with the regional plan, the determination may be appealed to the governing board within 45 days after the determination is made. The governing board shall consider the appeal and may reverse the determination of the commission or recommend that the county or city take actions to make the proposal consistent with the comprehensive regional plan. The county or city shall, within 45 days after receipt, consider any such recommendations and direct such changes in the project as are necessary to assure the consistency of the proposal with the adopted regional plan.

4. The limits on time imposed in subsection 2 of [NRS 278.315](#), subsection 5 of [NRS 278.330](#) and subsection 2 of [NRS 278.349](#) are extended by 60 days or such period as may be necessary to complete the review and any appeal provided for in this section.

(Added to NRS by [1989, 764](#); A [1991, 1735](#))

NRS 278.02784 Joint planning area: Designation in regional plan; master plan required for area.

1. The regional planning commission may designate one or more joint planning areas in the comprehensive regional plan.

2. If an area is designated a joint planning area, the county and the affected cities shall jointly adopt a master plan for the area.

3. The master plan for a joint planning area must:
 - (a) Be consistent with the comprehensive regional plan;
 - (b) Designate the portion of the area, if any, that is included within the sphere of influence of a city;
 - (c) Designate the portion of the area, if any, that is subject to the jurisdiction of the county for planning and zoning and development decisions; and
 - (d) Be submitted to the regional planning commission for review pursuant to [NRS 278.028](#).
- (Added to NRS by [1991, 1731](#))

NRS 278.02786 Joint planning area: Procedure for recommendation and adoption of master plan.

1. Before recommending the master plan for a joint planning area, each affected local planning commission shall jointly hold at least one public hearing thereon. Notice of the time and place of the hearing must be given by at least one publication in a newspaper of general circulation in the county at least 10 days before the day of the hearing.

2. The recommendation of the master plan for a joint planning area must be by resolution of each affected local planning commission in the joint planning area carried by the affirmative votes of not less than two-thirds of the total membership of each commission. The resolution must refer expressly to the maps, descriptive matter and other matter intended by the county planning commission and the planning commission of each city in the joint planning area to constitute the recommended master plan for the joint planning area.

3. The master plan for the joint planning area that is recommended by the affected local planning commissions must be considered for adoption by each affected local governing body.

4. The affected local governing bodies may adopt such parts thereof as may practicably be applied to the development of the joint planning area. The master plan for the joint planning area becomes effective upon the approval by a majority of the membership of each affected local governing body.

5. Before adopting the master plan for the joint planning area, or part thereof, the affected local governing bodies shall jointly hold at least one public hearing thereon. Notice of the time and place of the hearing must be published at least once in a newspaper of general circulation in the county at least 10 days before the day of the public hearing.

(Added to NRS by [1991, 1732](#))

NRS 278.02788 Adoption of master plan for sphere of influence; appeal of decision concerning use of land within sphere of influence.

1. If a city has a sphere of influence that is designated in the comprehensive regional plan, the city shall adopt a master plan concerning the territory within the sphere of influence. The master plan and any ordinance required by the master plan must be consistent with the comprehensive regional plan. After adoption and certification of a master plan concerning the territory within the sphere of influence and after adopting the ordinances required by the master plan, if any, the city may exercise any power conferred pursuant to [NRS 278.010](#) to [278.630](#), inclusive, within its sphere of influence.

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

3. Before certification of the master plan for the sphere of influence pursuant to [NRS 278.028](#), any action taken by the county pursuant to [NRS 278.010](#) to [278.630](#), inclusive, within the sphere of influence of a city must be consistent with the comprehensive regional plan.

4. A person, county or city that is represented on the governing board and is aggrieved by a final determination of the county or, after the certification of the master plan for a sphere of influence, is aggrieved by a final determination of the city, concerning zoning, a subdivision map, a parcel map or the use of land within the sphere of influence may appeal the decision to the regional planning commission

within 30 days after the determination. A person, county or city that is aggrieved by the determination of the regional planning commission may appeal the decision to the governing board within 30 days after the determination. A person, county or city that is aggrieved by the determination of the governing board may seek judicial review of the decision within 25 days after the determination.

(Added to NRS by [1991, 1731](#); A [2013, 3218](#); [2015, 315](#))

NRS 278.028 Review and amendment of existing master plan, facilities plan or other similar plan; objection filed with regional planning commission; appeal of final determination to board.

1. Following the initial adoption of the comprehensive regional plan or any portion of it, each local planning commission, and any other affected entity shall review its respective master plan, facilities plan and other similar plans, amend them to conform with the provisions of the comprehensive regional plan, and submit them, within 60 days after the adoption of the comprehensive plan, to the regional planning commission. The regional planning commission shall review the plans at one or more public hearings held within 180 days after their submission and determine whether they conform with the comprehensive regional plan. The regional planning commission shall specify which parts of the plan, if any, are not in conformance and why they fail to conform.

2. If the regional planning commission fails to make a determination within 180 days after the submission of a plan pursuant to this section, the plan shall be deemed to be in conformance with the comprehensive regional plan.

3. An affected entity or local governing body that has submitted a plan and disagrees with the reasons given by the regional planning commission for making a determination of nonconformance pursuant to this section may file an objection with the regional planning commission within 45 days after the issuance of that determination. The affected entity or local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan. The regional planning commission shall consider the objection and issue its final determination of conformance or nonconformance within 45 days after the objection is filed. The determination may be appealed to the governing board not later than 30 days after its issuance.

4. Within 45 days after its receipt of an appeal, the governing board shall consider the appeal and issue its decision. If the board affirms the determination of the commission, the affected entity or local governing body shall, within 60 days after the issuance of the decision, propose revisions to the plan and resubmit the plan together with the proposed revisions to the commission for review in accordance with this section.

(Added to NRS by [1989, 765](#))

NRS 278.0282 Review of proposed adoption or amendment of master plan, facilities plan or other similar plan; objection filed with regional planning commission; appeal of final determination to board.

1. Before the adoption or amendment of any master plan, facilities plan or other similar plan, each governing body and any other affected entity shall submit the proposed plan or amendment to the regional planning commission, which shall review the plan or amendment at one or more public hearings held within 60 days after its receipt of that plan or amendment and determine whether the proposed plan or amendment conforms with the comprehensive regional plan. The commission shall specify those parts of the plan or amendment, if any, that are not in conformance and why they fail to conform.

2. Before the adoption or amendment of any master plan, facilities plan or other similar plan by a state agency or a public utility whose plan must be approved by the Public Utilities Commission of Nevada, the agency or utility shall submit the proposed plan or amendment to the regional planning commission, which shall, within 60 days after its receipt, review the plan or amendment and offer suggestions to the agency or utility regarding the conformance of the plan with the comprehensive regional plan.

3. Except as otherwise provided in [NRS 278.028](#), a local governing body or any other affected entity shall not adopt a master plan, facilities plan or other similar plan, or any amendment to any of those plans, unless the regional planning commission has determined that the plan or amendment is in conformance with the comprehensive regional plan. A proposed plan is in conformance with the comprehensive regional plan if it is not in conflict with the comprehensive regional plan and it promotes the goals and policies of the comprehensive regional plan.

4. If the regional planning commission fails to make a determination within 60 days after its receipt from an affected entity or local governing body of a proposed plan or amendment pursuant to this section, the plan or amendment shall be deemed to be in conformance with the comprehensive regional plan.

5. An affected entity or a local governing body which has submitted a proposed plan and which disagrees with the reasons given by the regional planning commission for making a determination of nonconformance pursuant to this section, may file an objection with the regional planning commission within 45 days after the issuance of that determination. The affected entity or local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan. The regional planning commission shall consider the objection and issue its final determination of conformance or nonconformance within 45 days after the objection is filed. The determination may be appealed to the governing board not later than 30 days after its issuance.

6. Within 45 days after its receipt of an appeal, the governing board shall consider the appeal and issue its decision, which must be made by the affirmative votes of a simple majority of its total membership. If the board affirms the determination of the commission, the affected entity or local governing body shall, within 60 days after the issuance of the decision, propose revisions to the plan and resubmit the plan together with those proposed revisions to the commission for review in accordance with the provisions of this section.

7. Any determination of conformance made by the commission pursuant to this section must be made by the affirmative votes of not less than two-thirds of its total membership.

(Added to NRS by [1989, 764](#); A [1997, 1983](#))

NRS 278.0284 Conformity of local ordinances and regulations to master plan. Any action of a local government relating to development, zoning, the subdivision of land or capital improvements must conform to the master plan of the local government. In adopting any ordinance or regulation relating to development, zoning, the subdivision of land or capital improvements, the local government shall make a specific finding that the ordinance conforms to the master plan. Within 1 year after its adoption of any portion of a master plan, the local government shall review and, if necessary, amend its existing ordinances to ensure their conformity with the provisions of the master plan. If any provision of the master plan is inconsistent with any regulation relating to land development, the provision of the master plan governs any action taken in regard to an application for development.

(Added to NRS by [1989, 766](#))

NRS 278.0286 Annual report by local planning commission; local government to file information relating to proposed actions concerning regional plan.

1. Each local planning commission responsible for the preparation of a city or county master plan and each affected entity shall prepare and submit to the regional planning commission and the governing board a complete report by April 1 of each year indicating any action taken within the previous calendar year which furthers or assists in carrying out the policies or programs contained in the comprehensive regional plan, and any work relating to the comprehensive regional plan that is proposed for the next fiscal year.

2. Before submitting a recommendation for proposed legislation or beginning any program or project relating to the mandatory provisions of the comprehensive regional plan, a unit of local government or

an affected entity shall file all relevant information relating to that request, program or project with the governing board.

(Added to NRS by [1989, 766](#))

NRS 278.0288 Exempted region. The region defined in [NRS 278.790](#) is exempt from the provisions of [NRS 278.026](#) to [278.029](#), inclusive, and [278.145](#).

(Added to NRS by [1989, 766](#); A [1991, 954](#))

NRS 278.029 Facilities plan not required. Nothing contained in the provisions of [NRS 278.026](#) to [278.029](#), inclusive, requires any entity that has not already adopted a facilities plan to do so.

(Added to NRS by [1989, 766](#))

Option B

Regional Planning Legislation: Clark County Model

Note: New Language Deleted Language

REGIONAL PLANNING IN COUNTIES WHOSE POPULATION IS ~~700,000-100,000~~ OR MORE

General Provisions

NRS 278.02507 Applicability. The provisions of NRS 278.02507 to 278.02598, inclusive, apply only to counties whose population is ~~700,000-100,000~~ or more and cities located within those counties. (Added to NRS by 1999. 3364; A 2009. 2261; 2011. 1177)

NRS 278.02514 Regional planning coalition: Establishment. In a county whose population is ~~700,000-100,000~~ or more, the board of county commissioners and the city council of each of at least the three largest cities in the county shall establish a regional planning coalition by cooperative agreement pursuant to chapter 277 of NRS.

(Added to NRS by 1999. 1973; A 1999. 3374; 2011. 1178)

Comprehensive Regional Policy Planning

NRS 278.02521 Legislative intent.

1. The Legislature recognizes the need for innovative strategies of planning and development that:
 - (a) Address the anticipated needs and demands of continued urbanization and the corresponding need to protect environmentally sensitive areas; and
 - (b) Will allow the development of less populous regions of this State if such regions:
 - (1) Seek increased economic development; and
 - (2) Have sufficient resources of land and water to accommodate development in a manner that is environmentally sound.
2. The Legislature further recognizes that innovative strategies of planning and development may be superior to conventional strategies of planning and development with respect to:
 - (a) Protecting environmentally sensitive areas;
 - (b) Maintaining the economic viability of agricultural and other predominantly rural land uses; and
 - (c) Providing cost-effective public facilities and services.
3. It is the intent of the Legislature that each comprehensive regional policy plan adopted or amended pursuant to this chapter should set forth a process of planning which:
 - (a) Allows for:
 - (1) The efficient use of land within existing urban areas; and
 - (2) The conversion of rural lands to other uses, if such other uses are appropriate and consistent with the provisions of this chapter and the master plan of each affected city and county.
 - (b) Uses innovative and flexible strategies of planning and development and creative techniques of land use planning which promote sustainable growth, including, without limitation, establishment of new towns, the maintenance of open space and mixed-use development.
4. It is the further intent of the Legislature that when the governing body of a local government adopts a master plan or zoning regulation, the plan or regulation should promote a strategy of maximizing the use of existing facilities and services through redevelopment, interspersions of new housing and businesses in established neighborhoods and other mechanisms for urban revitalization.
5. It is the further intent of the Legislature that the construction of public facilities and the provision of services necessary to support development should be coordinated with activities of development to ensure that demand for such facilities and services can be met at the time the demand is created. In carrying out this intent, local and regional governmental entities are encouraged to construct public

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facilities, including, without limitation, buildings that are certified in accordance with the Leadership in Energy and Environmental Design Green Building System or its equivalent, provide services or carry out development in phases. Public facilities constructed and services provided to accommodate new development should be consistent with plans for capital improvements prepared pursuant to [NRS 278.0226](#).

(Added to NRS by [1999, 1926](#); A [2005, 1583](#))

NRS 278.02528 Comprehensive regional policy plan: Development by regional planning coalition; contents; prerequisites to adoption and amendment.

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

2. In developing the plan, the coalition:

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

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

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

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

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

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

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

(4) Transportation.

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

(6) Air quality.

(7) Strategies to promote and encourage:

(I) The interspersions of new housing and businesses in established neighborhoods;

(II) The preservation of historic neighborhoods; and

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

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

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

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

(Added to NRS by [1999, 1928](#); A [1999, 3370](#); [2005, 1584](#); [2007, 340](#); [2009, 2758](#))

NRS 278.02535 Regional planning coalition: Study and development of incentives for certain types of development.

1. The regional planning coalition shall study and develop methods to provide incentives for:

(a) The interspersions of new housing and businesses in established neighborhoods, including, without limitation, the:

(1) Creation of an expedited process for granting necessary permits for a development that features such interspersions; and

(2) Imposition of a fee for the extension of infrastructure to encourage such interspersions.

(b) Mixed-use development, transit-oriented development, the development of a brownfield site and development which minimizes the negative impact on the environment. As used in this paragraph, "brownfield site" has the meaning ascribed to it in 42 U.S.C. § 9601.

(c) Large commercial development which provides employee parking at a site other than the commercial development. Such incentives may be developed in cooperation with the regional transportation commission and other governmental entities.

2. As used in this section, "infrastructure" means publicly owned or publicly supported facilities that are necessary or desirable to support intense habitation within a region, including, without limitation, parks, roads, schools, libraries, community centers, police and fire protection, sanitary sewers, facilities for mass transit and facilities for the conveyance of water and the treatment of wastewater.

(Added to NRS by [1999, 1928](#); A [1999, 3371](#); [2005, 1585](#))

NRS 278.02542 Regional planning coalition: Powers; establishment of definition for term "project of regional significance."

1. The regional planning coalition may:

(a) Coordinate sources of information.

(b) Recommend measures to increase the efficiency of governmental entities and services.

(c) Make recommendations regarding the disposal of federal land.

(d) Establish methods for resolving issues related to annexation, boundaries and other matters that arise between jurisdictions.

(e) At least every 5 years, review:

(1) Master plans, facilities plans and other similar plans, and amendments thereto, adopted by a governing body, regional agency, state agency or public utility that is located in whole or in part within the region; and

(2) The annual plan for capital improvements that is prepared by each local government in the region pursuant to [NRS 278.0226](#).

(f) Develop and recommend, to the extent practicable, standardized classifications for land use for the region.

(g) Consider and take necessary action with respect to any issue that the regional planning coalition determines will have a significant impact on the region, including, without limitation, projects of regional significance.

(h) Review, consider and make recommendations regarding applications submitted to agencies of the Federal Government and applications for federal assistance for federally assisted programs or projects.

(i) Designate allowable future land uses for each part of the county, including, without limitation, the identification of each category of land use in which the construction and operation of a public school is permissible. The identification of a category of land use in which the construction and operation of a public school is permissible must be carried out in consultation with the county school district and include a determination of whether there is sufficient land in the proximity of a residential development to meet projected needs for public schools.

2. The regional planning coalition shall establish a definition for the term "project of regional significance." In establishing the definition, the regional planning coalition shall consider:

(a) Existing definitions of the term within the Nevada Revised Statutes; and

(b) That a project may have regional significance for several reasons, including, without limitation, the potential impact that the project may have on historic, archaeological, paleontological, cultural, scenic

and natural resources, public facilities, including, without limitation, schools, and public services within the region.

(Added to NRS by [1999, 1929](#); A [1999, 3371](#); [2001, 2116](#); [2005, 1585](#); [2009, 377](#))

NRS 278.02549 Certain public entities to submit plans to regional planning coalition for review; certain public entities to ensure consistency of land use plans and decisions with comprehensive regional policy plan and certified plans.

1. Each governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall, at least every 5 years, submit to the regional planning coalition for its review all master plans, facilities plans and other similar plans of the governing body, regional agency, state agency or public utility.

2. Each regional agency and state agency that is located in whole or in part within the region shall, to the extent practicable, ensure that all its master plans, facilities plans and other similar plans and decisions pertaining to the use of land are consistent with:

(a) The comprehensive regional policy plan developed and adopted by the regional planning coalition pursuant to [NRS 278.02528](#); and

(b) The master plans, facilities plans and other similar plans of a city or county which have been certified by the regional planning coalition pursuant to subsection 4 of [NRS 278.02577](#) as being in substantial conformance with the comprehensive regional policy plan.

(Added to NRS by [1999, 1929](#); A [1999, 3372](#); [2001, 2117](#))

NRS 278.02556 Certain public entities prohibited from adopting or amending certain plans after March 1, 2001, unless regional planning coalition afforded opportunity to make recommendations; exception. In counties whose population is 700,000 or more, and ~~Except~~ except as otherwise provided in this section, a governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall not adopt a master plan, facilities plan or other similar plan, or an amendment thereto, after March 1, 2001, unless the regional planning coalition has been afforded an opportunity to make recommendations regarding the plan or amendment. A governing body, regional agency, state agency or public utility may adopt an amendment to a land use plan described in [NRS 278.160](#) without affording the regional planning coalition the opportunity to make recommendations regarding the amendment.

(Added to NRS by [1999, 1929](#); A [2009, 2759](#); [2013, 1499](#))

New Section: Certain public entities prohibited from adopting or amending certain plans after March 1, 2018, unless regional planning coalition afforded opportunity to make recommendations; exception. In counties whose population is between 100,000 and 700,000, and except as otherwise provided in this section, a governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall not adopt a master plan, facilities plan or other similar plan, or an amendment thereto, after March 1, 2008, unless the regional planning coalition has been afforded an opportunity to make recommendations regarding the plan or amendment. A governing body, regional agency, state agency or public utility may adopt an amendment to a land use plan described in [NRS 278.160](#) without affording the regional planning coalition the opportunity to make recommendations regarding the amendment.

NRS 278.02563 Regional planning coalition to annually prepare, adopt and submit budget to local governments in region. The regional planning coalition shall, on or before July 1 of each year, prepare and adopt a budget for the immediately succeeding fiscal year and shall submit that budget to each of the local governments within the region as a recommendation for funding.

(Added to NRS by [1999, 1930](#))

NRS 278.0257 Regional planning coalition authorized to employ persons and contract for services to carry out certain duties. The regional planning coalition may employ persons or contract for services necessary to carry out:

1. The provisions of [NRS 278.02528](#) to [278.02577](#), inclusive; and
2. Other responsibilities set forth in the cooperative agreement pursuant to which the regional planning coalition was established pursuant to [NRS 278.02514](#).

(Added to NRS by [1999, 1930](#); A [1999, 3372](#))

NRS 278.02577 Regional planning coalition to review plans of public entities for conformance with comprehensive regional policy plan; procedure upon determination of nonconformance or conformance; grants to city or county.

1. At least every 5 years, the regional planning coalition shall review the master plans, facilities plans and other similar plans that it receives pursuant to [NRS 278.02549](#), and determine whether those plans are in substantial conformance with the comprehensive regional policy plan.

2. If the regional planning coalition determines that a plan reviewed pursuant to subsection 1 is not in substantial conformance with the comprehensive regional policy plan, the regional planning coalition shall return the plan to the submitting entity accompanied by recommendations regarding the manner in which the submitting entity may bring the plan into substantial conformance with the comprehensive regional policy plan.

3. Within 90 days after the date on which a submitting entity receives the plan and recommendations from the regional planning coalition pursuant to subsection 2, the submitting entity shall provide to the regional planning coalition a written response setting forth the:

(a) Manner in which the submitting entity changed the plan to be in substantial conformance with the comprehensive regional policy plan; or

(b) Reasons of the submitting entity for not bringing the plan into substantial conformance.

4. If the regional planning coalition determines that all the plans that a city or county is required to submit pursuant to [NRS 278.02549](#) are in substantial conformance with the comprehensive regional policy plan, the regional planning coalition shall issue to the city or county a certificate or other indicia of that determination. Upon receipt of such a certificate or other indicia, the city or county, until the next time the regional planning coalition reviews the plans of the city or county pursuant to subsection 1, is entitled to establish its own policies and procedures with respect to regional planning, to the extent that those policies and procedures do not conflict with federal or state law.

5. The regional planning coalition may, within the limits of legislative appropriations and other available money, provide grants to a city or county if the regional planning coalition has issued to the city or county a certificate or other indicia pursuant to subsection 4 of the determination of the regional planning coalition that all the plans that the city or county is required to submit pursuant to [NRS 278.02549](#) are in substantial conformance with the comprehensive regional policy plan. Grants provided to a city or county pursuant to this subsection must be expended by the city or county only to pay the costs of establishing, maintaining and carrying out programs related to land use planning.

(Added to NRS by [1999, 1930](#); A [1999, 3372](#); [2001, 2117](#))

~~REGIONAL PLANNING IN COUNTIES WHOSE POPULATION IS 100,000 OR MORE BUT LESS THAN 700,000~~

~~**NRS 278.026 Definitions.** As used in [NRS 278.026](#) to [278.029](#), inclusive, unless the context otherwise requires:~~

~~—1. “Affected entity” means a public utility, franchise holder, local or regional agency, or any other entity having responsibility for planning or providing public facilities relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality or public education. The term does not include:~~

~~—(a) A state agency; or~~

~~—(b) A public utility which is subject to regulation by the Public Utilities Commission of Nevada.~~

~~—2. “Facilities plan” means a plan for the development of public facilities which will have a regional impact or which will aid in accomplishing regional goals relating to transportation, solid waste, energy generation and transmission, conventions and the promotion of tourism, air quality or public education. The term does not include a plan for the development of a specific site or regulations adopted by an affected entity to implement the comprehensive regional plan:~~

~~—3. “Governing board” means the governing board for regional planning created pursuant to NRS 278.0264.~~

~~—4. “Joint planning area” means an area that is the subject of common study and planning by the governing body of a county and one or more cities.~~

~~—5. “Project of regional significance,” with respect to a project proposed by any person other than a public utility, means a project which:~~

~~—(a) Has been identified in the guidelines of the regional planning commission as a project which will result in the loss or significant degradation of a designated historic, archeological, paleontological, cultural or scenic resource;~~

~~—(b) Has been identified in the guidelines of the regional planning commission as a project which will result in the creation of significant new geothermal or mining operations;~~

~~—(c) Has been identified in the guidelines of the regional planning commission as a project which will have a significant effect on the natural resources, public services, public facilities, including, without limitation, schools, or the adopted regional form of the region; or~~

~~—(d) Will require a change in zoning, a special use permit, an amendment to a master plan, a tentative map or other approval for the use of land which, if approved, will have an effect on the region of increasing:~~

~~—(1) Employment by not less than 938 employees;~~

~~—(2) Housing by not less than 625 units;~~

~~—(3) Hotel accommodations by not less than 625 rooms;~~

~~—(4) Sewage by not less than 187,500 gallons per day;~~

~~—(5) Water usage by not less than 625 acre feet per year; or~~

~~—(6) Traffic by not less than an average of 6,250 trips daily.~~

~~→ The term does not include any project for which a request for an amendment to a master plan, a change in zoning, a tentative map or a special use permit has been approved by the local planning commission before June 17, 1989.~~

~~—6. “Project of regional significance,” with respect to a project proposed by a utility, includes:~~

~~—(a) An electric substation;~~

~~—(b) A transmission line that carries 60 kilovolts or more;~~

~~—(c) A facility that generates electricity greater than 5 megawatts;~~

~~—(d) Natural gas storage and peak shaving facilities; and~~

~~—(e) Gas regulator stations and mains that operate over 100 pounds per square inch.~~

~~—7. “Sphere of influence” means an area into which a city plans to expand as designated in the comprehensive regional plan within the time designated in the comprehensive regional plan.~~

~~—(Added to NRS by 1989, 759; A 1991, 1733; 1995, 2662; 1997, 1981; 1999, 2124; 2005, 1586; 2009, 378)~~

~~— NRS 278.0261 Legislative findings and declaration. — The Legislature hereby finds and declares that:~~

~~— 1. — The process of regional planning in a county whose population is 100,000 or more but less than 700,000, as set forth in NRS 278.026 to 278.029, inclusive, ensures that comprehensive planning will be carried out with respect to population, conservation, land use and transportation, public facilities and services, annexation and intergovernmental coordination.~~

~~— 2. — The process of regional planning set forth in NRS 278.026 to 278.029, inclusive, does not specifically limit the premature expansion of development into undeveloped areas or address the unique needs and opportunities that are characteristic of older neighborhoods in a county whose population is 100,000 or more but less than 700,000.~~

~~— 3. — The problem of the premature expansion of development into undeveloped areas and the unique needs and opportunities that are characteristic of older neighborhoods may be addressed through:~~

~~— (a) Cooperative efforts to preserve and revitalize urban areas and older neighborhoods; and~~

~~— (b) Review of the master plans, facilities plans and other similar plans of local governments and other affected entities.~~

~~— 4. — It is the intent of the Legislature with respect to NRS 278.026 to 278.029, inclusive, that each local government and affected entity shall exercise its powers and duties in a manner that is in harmony with the powers and duties exercised by other local governments and affected entities to enhance the long-term health and welfare of the county and all its residents.~~

~~— (Added to NRS by 1999, 2123; A 2011, 1179)~~

~~— NRS 278.0262 Regional planning commission: Creation; membership; chair; compensation; training.~~

~~— 1. — There is hereby created in each county whose population is 100,000 or more but less than 700,000, a regional planning commission consisting of:~~

~~— (a) Three members from the local planning commission of each city in the county whose population is 60,000 or more, appointed by the respective governing bodies of those cities;~~

~~— (b) One member from the local planning commission of each city in the county whose population is less than 60,000, appointed by the respective governing bodies of those cities; and~~

~~— (c) Three members from the local planning commission of the county, appointed by the governing body of the county, at least two of whom must reside in unincorporated areas of the county.~~

~~— 2. — Except for the terms of the initial members of the commission, the term of each member is 3 years and until the selection and qualification of his or her successor. A member may be reappointed. A member who ceases to be a member of the local planning commission of the jurisdiction from which he or she is appointed automatically ceases to be a member of the commission. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.~~

~~— 3. — The commission shall elect its chair from among its members. The term of the chair is 1 year. The member elected chair must have been appointed by the governing body of the county or a city whose population is 60,000 or more, as determined pursuant to a schedule adopted by the commission and made a part of its bylaws which provides for the annual rotation of the chair among each of those governing bodies.~~

~~— 4. — A member of the commission must be compensated at the rate of \$80 per meeting or \$400 per month, whichever is less.~~

~~— 5. — Each member of the commission must successfully complete the course of training prescribed by the governing body pursuant to subsection 2 of NRS 278.0265 within 1 year after the date on which his or her term of appointment commences. A member who fails to complete successfully the course of training as required pursuant to this subsection forfeits his or her appointment 1 year after the date on which his or her term of appointment commenced.~~

—(Added to NRS by 1989, 759; A 1999, 2125; 2001, 1965; 2011, 1179)

— ~~**NRS 278.0263 Regional planning commission: Request for assistance.**~~ The regional planning commission shall request assistance from the governing body of a county, the governing body of a city, a state agency or an affected entity as required to perform its duties.

—(Added to NRS by 1991, 1732)

— ~~**NRS 278.02632 Regional planning commission: Study and development of incentives for certain types of development.**~~ The regional planning commission shall continue to study and develop methods to provide incentives for:

—1. ~~Mixed use development, transit oriented development, the development of a brownfield site and development which minimizes the negative impact on the environment. As used in this subsection, "brownfield site" has the meaning ascribed to it in 42 U.S.C. § 9601.~~

—2. ~~Large commercial development which provides employee parking at a site other than the commercial development. Such incentives may be developed in cooperation with the regional transportation commission and other local governmental entities.~~

—(Added to NRS by 2005, 1583)

— ~~**NRS 278.0264 Governing board for regional planning: Creation; membership; chair; compensation; operational needs; capacity to sue and be sued; budget.**~~

—1. ~~There is hereby created in each county whose population is 100,000 or more but less than 700,000, a governing board for regional planning consisting of:~~

—(a) ~~Three representatives appointed by the board of county commissioners, at least two of whom must represent or reside within unincorporated areas of the county. If the representative is:~~

—(1) ~~A county commissioner, his or her district must be one of the two districts in the county with the highest percentage of unincorporated area.~~

—(2) ~~Not a county commissioner, he or she must reside within an unincorporated area of the county.~~

—(b) ~~Four representatives appointed by the governing body of the largest incorporated city in the county.~~

—(c) ~~Three representatives appointed by the governing body of every other incorporated city in the county whose population is 60,000 or more.~~

—(d) ~~One representative appointed by the governing body of each incorporated city in the county whose population is less than 60,000.~~

—2. ~~Except for the terms of the initial members of the governing board, the term of each member is 3 years and until the selection and qualification of his or her successor. A member may be reappointed. A vacancy must be filled for the unexpired term by the governing body which made the original appointment.~~

—3. ~~The governing bodies may appoint representatives to the governing board from within their respective memberships. A member of a local governing body who is so appointed and who subsequently ceases to be a member of that body, automatically ceases to be a member of the governing board. The governing body may also appoint alternative representatives who may act in the respective absences of the principal appointees.~~

—4. ~~The governing board shall elect its chair from among its members. The term of the chair is 1 year. The member elected chair must have been appointed by the governing body of the county or a city whose population is 60,000 or more as determined pursuant to a schedule adopted by the governing board and made a part of its bylaws which provides for the annual rotation of the chair among each of those governing bodies.~~

— 5. — A member of the governing board who is also a member of the governing body which appointed him or her shall serve without additional compensation. All other members must be compensated at the rate of \$40 per meeting or \$200 per month, whichever is less.

— 6. — The governing board may appoint such employees as it deems necessary for its work and may contract with city planners, engineers, architects and other consultants for such services as it requires.

— 7. — The local governments represented on the governing board shall provide the necessary facilities, equipment, staff, supplies and other usual operating expenses necessary to enable the governing board to carry out its functions. The local governments shall enter into an agreement whereby those costs are shared by the local governments in proportion to the number of members that each appoints to the governing board. The agreement must also contain a provision specifying the responsibility of each local government, respectively, of paying for legal services needed by the governing board or by the regional planning commission.

— 8. — The governing board may sue or be sued in any court of competent jurisdiction.

— 9. — The governing board shall prepare and adopt an annual budget and transmit it as a recommendation for funding to each of the local governments.

— (Added to NRS by 1989, 760; A 1991, 1734; 2001, 1966; 2011, 1180)

~~— NRS 278.0265 — Governing board for regional planning: Adoption of regulations; prescription of training for members of regional planning commission; fees for services provided; entry into cooperative agreements and interlocal agreements. — The governing board:~~

~~— 1. — Shall adopt such regulations as are necessary to carry out its specific powers and duties.~~

~~— 2. — Shall prescribe an appropriate course of at least 12 hours of training in land use planning for the members of the regional planning commission. The course of training must include, without limitation, training relating to:~~

~~— (a) State statutes and regulations and local ordinances, resolutions and regulations concerning land use planning; and~~

~~— (b) The provisions of chapter 241 of NRS.~~

~~— 3. — May establish and collect reasonable fees for the provision of any service that is authorized pursuant to the provisions of NRS 278.026 to 278.029, inclusive.~~

~~— 4. — May enter into an agreement pursuant to NRS 277.045 or 277.080 to 277.180, inclusive, for a purpose that is consistent with the provisions of NRS 278.026 to 278.029, inclusive.~~

~~— (Added to NRS by 1991, 1732; A 1993, 572; 1999, 2126; 2001, 756; 2005, 1587)~~

~~— NRS 278.0266 — Director of regional planning: Appointment; qualifications; powers and duties.~~

~~There is hereby created the position of director of regional planning. The director:~~

~~— 1. — Is appointed by the governing board from a list of three names submitted by the regional planning commission, and serves at the pleasure of the governing board;~~

~~— 2. — Must be selected on the basis of his or her training, experience, capability and interest in planning;~~

~~— 3. — Must have the demonstrated ability to administer a major program relating to planning;~~

~~— 4. — Shall devote his or her entire time and attention to the business of that office and shall not pursue any other business or occupation or hold any other office of profit;~~

~~— 5. — Shall not hold any other position relating to planning with a regional or local entity in the county or be on leave of absence from any other regional or local entity in the county while holding the position of director;~~

~~— 6. — Is responsible for administration of the regional planning program;~~

~~— 7. — Shall appoint a professional assistant experienced in planning to assist in administration of the program; and~~

~~— 8. — May:~~

- ~~— (a) Appoint professional, technical or clerical staff to, and dismiss them from, positions which are approved by the governing board;~~
- ~~— (b) Execute contracts for services and interlocal agreements which are approved by the governing board;~~
- ~~— (c) Direct the activities of all other persons employed by the governing board; and~~
- ~~— (d) Prepare an annual budget.~~
- ~~— (Added to NRS by 1989, 761)~~

~~— **NRS 278.0268 Appointment of subcommittees and advisory committees.**~~

~~— 1. The governing board and the regional planning commission may, jointly or separately, appoint subcommittees for any purpose that is consistent with NRS 278.026 to 278.029, inclusive. A subcommittee appointed pursuant to this subsection must be composed only of:~~

- ~~— (a) Members of the governing board or regional planning commission, as appropriate, if the subcommittee is appointed separately; or~~
- ~~— (b) Members from both the governing board and the regional planning commission, if the subcommittee is appointed jointly.~~

~~— 2. To assist in the formulation and the implementation of the comprehensive regional plan, the governing board and the regional planning commission may, jointly or separately, appoint advisory committees to advise and report to the governing board, regional planning commission, director of regional planning or a combination of such entities.~~

~~— 3. The governing board and the regional planning commission may, jointly or separately, appoint advisory committees to examine issues that affect the county in which the governing board and regional planning commission are located. The governing board and regional planning commission may appoint persons from outside the county in which the governing board and regional planning commission are located and from outside this State to serve on an advisory committee appointed pursuant to this section. An advisory committee appointed pursuant to this subsection may:~~

- ~~— (a) Identify, examine and discuss regional issues that affect the county in which the governing board and regional planning commission are located, including, without limitation, issues relating to land use, fiscal matters, air quality and infrastructure; and~~
- ~~— (b) Make recommendations to the governing board, regional planning commission, or both, concerning regional issues.~~

~~— (Added to NRS by 1989, 763; A 2001, 757)~~

~~— **NRS 278.0272 Development, review and amendment of regional plan; public hearings required.**~~

~~— 1. The regional planning commission shall develop a comprehensive regional plan for the physical development and orderly management of the growth of the region for the next 20 years.~~

~~— 2. The plan must consist of written text, appropriate maps and such goals and policies, including those addressing current and future problems, as may, in the opinion of the commission, affect the region as a whole and are proper for inclusion in the regional plan.~~

~~— 3. In developing the plan, the commission shall:~~

~~— (a) Review and consider each existing regional plan and master plan that has been adopted pursuant to the provisions of this chapter and that applies to any area in the region, and any similar plan of a local government, and may seek and consider the advice of each local planning commission and any other affected entity; and~~

~~— (b) Coordinate the elements of the plan and make them consistent with each other.~~

~~— 4. Before approving the plan, the commission must hold a public hearing on the proposed plan in each of the cities within the region and in the unincorporated area of the county.~~

~~— 5. — Before amending the plan, the commission must hold at least one public hearing on the proposed amendment at a location in the region.~~

~~— 6. — The approval of the plan or any amendment to it must be by resolution of the commission carried by the affirmative votes of not less than two thirds of its total membership.~~

~~— 7. — The regional planning commission shall review the plan annually, update it not less than every 5 years, and forward its recommendations regarding proposed amendments to the plan to the governing board for adoption. Amendments to the comprehensive regional plan may be proposed only by the regional planning commission, the governing board or a local governing body. Except as otherwise provided in subsection 8, all requests for amendments to the plan must be studied and considered at public hearings held annually by the commission.~~

~~— 8. — The commission may consider a proposed amendment and determine whether it is necessary to the health and welfare of the community or substantially benefits the community in general. If the commission determines that the amendment is necessary, it may schedule a public hearing on the amendment at any time. Any person may appeal the determination of the commission to the governing board.~~

~~— 9. — Except as otherwise provided in this subsection, notice of the time and place of each hearing required by the provisions of this section must be given by publication in a newspaper of general circulation in the region at least 10 days before the day of the hearing. If there is more than one newspaper of general circulation in the region, notice must be given by publication in at least two such newspapers. Notice of the time and place of the initial meeting of the regional planning commission and the hearing at which the commission receives testimony concerning final approval of the comprehensive regional plan must be given by publication at least 30 days before the day of the meeting or hearing. Notice given pursuant to this subsection must be a display advertisement of not less than 3 inches by 5 inches.~~

~~— (Added to NRS by 1989, 761)~~

~~— **NRS 278.0274 — Contents of regional plan.** — The comprehensive regional plan must include goals, policies, maps and other documents relating to:~~

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

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

~~— 3. — The limitation of the premature expansion of development into undeveloped areas, preservation of neighborhoods and revitalization of urban areas, including, without limitation, policies that relate to the interspersion of new housing and businesses in established neighborhoods and set forth principles by which growth will be directed to older urban areas.~~

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

~~— (a) Address, if applicable:~~

~~— (1) Mixed use development, transit oriented development, master planned communities and gaming enterprise districts; and~~

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

~~— (b) Allow for a variety of uses;~~

~~— (c) Describe the transportation facilities that will be necessary to satisfy the requirements created by those future uses; and~~

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

~~— 5. Public facilities and services, including provisions relating to sanitary sewer facilities, solid waste, flood control, potable water and groundwater aquifer recharge which are correlated with principles and guidelines for future land uses, and which specify ways to satisfy the requirements created by those future uses. This portion of the plan must:~~

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

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

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

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

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

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

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

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

~~— 8. Any utility project required to be reported pursuant to NRS 278.145.~~

~~— (Added to NRS by 1989, 762; A 1991, 953; 1997, 1982; 1999, 2126; 2005, 1587; 2007, 340; 2009, 2759; 2011, 3744)~~

~~**NRS 278.0276 — Adoption of regional plan.** The governing board shall adopt the plan approved by the regional planning commission with any amendments it deems necessary. Before adopting the plan with any amendments the board shall submit each proposed amendment to the regional planning commission for its review and comment. The commission shall complete its review and return the plan to the governing board within 30 days or as specified by the board. Within 30 days after its receipt of the commission's comments, the governing board shall consider those comments and adopt the plan with or without amendment. The adoption of the plan or any amendment must be by resolution of the governing board carried by a simple majority of its total membership. Before the adoption of the plan or any amendment, the governing board must hold a public hearing, notice of the time and place of which must be given by publication in a newspaper of general circulation in the region not later than 10 days before the day of the hearing.~~

~~— (Added to NRS by 1989, 763)~~

~~**NRS 278.0277 — Project of regional significance: Adoption of guidelines and procedures for review of proposal.** The regional planning commission shall adopt guidelines and procedures for the review of whether a proposal for the use of land submitted to a county or city located in the region is a project of regional significance. The county or city shall use the guidelines and procedures adopted by the~~

regional planning commission to determine if a proposal for the use of land is a project of regional significance.

—(Added to NRS by 1991, 1731)

~~— **NRS 278.0278** — Project of regional significance: Finding of conformance with adopted regional plan required before final approval and commencement of construction; appeal of determination to governing board.~~

~~— 1. — Before a project of regional significance is approved finally by the county or city and before construction on a project of regional significance may begin, the regional planning commission must make a finding that the project is in conformance with the adopted regional plan. In making its determination, the commission shall limit its review to the substance and content of the adopted comprehensive regional plan and shall not consider the merits or deficiencies of a project in a manner other than is necessary to enable it to make that determination.~~

~~— 2. — If the commission fails to make any finding regarding a project of regional significance within 60 days after the project is submitted to it, it shall be deemed that the commission has made a finding that the project conforms with the regional plan.~~

~~— 3. — If the commission determines that the project is not in conformance with the regional plan, the determination may be appealed to the governing board within 45 days after the determination is made. The governing board shall consider the appeal and may reverse the determination of the commission or recommend that the county or city take actions to make the proposal consistent with the comprehensive regional plan. The county or city shall, within 45 days after receipt, consider any such recommendations and direct such changes in the project as are necessary to assure the consistency of the proposal with the adopted regional plan.~~

~~— 4. — The limits on time imposed in subsection 2 of NRS 278.315, subsection 5 of NRS 278.330 and subsection 2 of NRS 278.349 are extended by 60 days or such period as may be necessary to complete the review and any appeal provided for in this section.~~

~~—(Added to NRS by 1989, 764; A 1991, 1735)~~

~~— **NRS 278.02784** — Joint planning area: Designation in regional plan; master plan required for area.~~

~~— 1. — The regional planning commission may designate one or more joint planning areas in the comprehensive regional plan.~~

~~— 2. — If an area is designated a joint planning area, the county and the affected cities shall jointly adopt a master plan for the area.~~

~~— 3. — The master plan for a joint planning area must:~~

~~—(a) — Be consistent with the comprehensive regional plan;~~

~~—(b) — Designate the portion of the area, if any, that is included within the sphere of influence of a city;~~

~~—(c) — Designate the portion of the area, if any, that is subject to the jurisdiction of the county for planning and zoning and development decisions; and~~

~~—(d) — Be submitted to the regional planning commission for review pursuant to NRS 278.028.~~

~~—(Added to NRS by 1991, 1731)~~

~~— **NRS 278.02786** — Joint planning area: Procedure for recommendation and adoption of master plan.~~

~~— 1. — Before recommending the master plan for a joint planning area, each affected local planning commission shall jointly hold at least one public hearing thereon. Notice of the time and place of the hearing must be given by at least one publication in a newspaper of general circulation in the county at least 10 days before the day of the hearing.~~

— 2. The recommendation of the master plan for a joint planning area must be by resolution of each affected local planning commission in the joint planning area carried by the affirmative votes of not less than two thirds of the total membership of each commission. The resolution must refer expressly to the maps, descriptive matter and other matter intended by the county planning commission and the planning commission of each city in the joint planning area to constitute the recommended master plan for the joint planning area.

— 3. The master plan for the joint planning area that is recommended by the affected local planning commissions must be considered for adoption by each affected local governing body.

— 4. The affected local governing bodies may adopt such parts thereof as may practicably be applied to the development of the joint planning area. The master plan for the joint planning area becomes effective upon the approval by a majority of the membership of each affected local governing body.

— 5. Before adopting the master plan for the joint planning area, or part thereof, the affected local governing bodies shall jointly hold at least one public hearing thereon. Notice of the time and place of the hearing must be published at least once in a newspaper of general circulation in the county at least 10 days before the day of the public hearing.

— (Added to NRS by 1991, 1732)

— **~~NRS 278.0278 — Adoption of master plan for sphere of influence; appeal of decision concerning use of land within sphere of influence.~~**

— 1. If a city has a sphere of influence that is designated in the comprehensive regional plan, the city shall adopt a master plan concerning the territory within the sphere of influence. The master plan and any ordinance required by the master plan must be consistent with the comprehensive regional plan. After adoption and certification of a master plan concerning the territory within the sphere of influence and after adopting the ordinances required by the master plan, if any, the city may exercise any power conferred pursuant to NRS 278.010 to 278.630, inclusive, within its sphere of influence.

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

— 3. Before certification of the master plan for the sphere of influence pursuant to NRS 278.028, any action taken by the county pursuant to NRS 278.010 to 278.630, inclusive, within the sphere of influence of a city must be consistent with the comprehensive regional plan.

— 4. A person, county or city that is represented on the governing board and is aggrieved by a final determination of the county or, after the certification of the master plan for a sphere of influence, is aggrieved by a final determination of the city, concerning zoning, a subdivision map, a parcel map or the use of land within the sphere of influence may appeal the decision to the regional planning commission within 30 days after the determination. A person, county or city that is aggrieved by the determination of the regional planning commission may appeal the decision to the governing board within 30 days after the determination. A person, county or city that is aggrieved by the determination of the governing board may seek judicial review of the decision within 25 days after the determination.

— (Added to NRS by 1991, 1731; A 2013, 3218; 2015, 315)

— **~~NRS 278.028 — Review and amendment of existing master plan, facilities plan or other similar plan; objection filed with regional planning commission; appeal of final determination to board.~~**

— 1. Following the initial adoption of the comprehensive regional plan or any portion of it, each local planning commission, and any other affected entity shall review its respective master plan, facilities plan and other similar plans, amend them to conform with the provisions of the comprehensive regional plan, and submit them, within 60 days after the adoption of the comprehensive plan, to the regional planning commission. The regional planning commission shall review the plans at one or more public hearings held within 180 days after their submission and determine whether they conform with the comprehensive

regional plan. The regional planning commission shall specify which parts of the plan, if any, are not in conformance and why they fail to conform.

— 2. If the regional planning commission fails to make a determination within 180 days after the submission of a plan pursuant to this section, the plan shall be deemed to be in conformance with the comprehensive regional plan.

— 3. An affected entity or local governing body that has submitted a plan and disagrees with the reasons given by the regional planning commission for making a determination of nonconformance pursuant to this section may file an objection with the regional planning commission within 45 days after the issuance of that determination. The affected entity or local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan. The regional planning commission shall consider the objection and issue its final determination of conformance or nonconformance within 45 days after the objection is filed. The determination may be appealed to the governing board not later than 30 days after its issuance.

— 4. Within 45 days after its receipt of an appeal, the governing board shall consider the appeal and issue its decision. If the board affirms the determination of the commission, the affected entity or local governing body shall, within 60 days after the issuance of the decision, propose revisions to the plan and resubmit the plan together with the proposed revisions to the commission for review in accordance with this section.

— (Added to NRS by 1989, 765)

~~**NRS 278.0282 Review of proposed adoption or amendment of master plan, facilities plan or other similar plan; objection filed with regional planning commission; appeal of final determination to board.**~~

— 1. Before the adoption or amendment of any master plan, facilities plan or other similar plan, each governing body and any other affected entity shall submit the proposed plan or amendment to the regional planning commission, which shall review the plan or amendment at one or more public hearings held within 60 days after its receipt of that plan or amendment and determine whether the proposed plan or amendment conforms with the comprehensive regional plan. The commission shall specify those parts of the plan or amendment, if any, that are not in conformance and why they fail to conform.

— 2. Before the adoption or amendment of any master plan, facilities plan or other similar plan by a state agency or a public utility whose plan must be approved by the Public Utilities Commission of Nevada, the agency or utility shall submit the proposed plan or amendment to the regional planning commission, which shall, within 60 days after its receipt, review the plan or amendment and offer suggestions to the agency or utility regarding the conformance of the plan with the comprehensive regional plan.

— 3. Except as otherwise provided in NRS 278.028, a local governing body or any other affected entity shall not adopt a master plan, facilities plan or other similar plan, or any amendment to any of these plans, unless the regional planning commission has determined that the plan or amendment is in conformance with the comprehensive regional plan. A proposed plan is in conformance with the comprehensive regional plan if it is not in conflict with the comprehensive regional plan and it promotes the goals and policies of the comprehensive regional plan.

— 4. If the regional planning commission fails to make a determination within 60 days after its receipt from an affected entity or local governing body of a proposed plan or amendment pursuant to this section, the plan or amendment shall be deemed to be in conformance with the comprehensive regional plan.

— 5. An affected entity or a local governing body which has submitted a proposed plan and which disagrees with the reasons given by the regional planning commission for making a determination of nonconformance pursuant to this section, may file an objection with the regional planning commission within 45 days after the issuance of that determination. The affected entity or local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan. The regional

planning commission shall consider the objection and issue its final determination of conformance or nonconformance within 45 days after the objection is filed. The determination may be appealed to the governing board not later than 30 days after its issuance.

~~—6. Within 45 days after its receipt of an appeal, the governing board shall consider the appeal and issue its decision, which must be made by the affirmative votes of a simple majority of its total membership. If the board affirms the determination of the commission, the affected entity or local governing body shall, within 60 days after the issuance of the decision, propose revisions to the plan and resubmit the plan together with those proposed revisions to the commission for review in accordance with the provisions of this section.~~

~~—7. Any determination of conformance made by the commission pursuant to this section must be made by the affirmative votes of not less than two thirds of its total membership.~~

~~—(Added to NRS by 1989, 764; A 1997, 1983)~~

~~**NRS 278.0284 Conformity of local ordinances and regulations to master plan.**— Any action of a local government relating to development, zoning, the subdivision of land or capital improvements must conform to the master plan of the local government. In adopting any ordinance or regulation relating to development, zoning, the subdivision of land or capital improvements, the local government shall make a specific finding that the ordinance conforms to the master plan. Within 1 year after its adoption of any portion of a master plan, the local government shall review and, if necessary, amend its existing ordinances to ensure their conformity with the provisions of the master plan. If any provision of the master plan is inconsistent with any regulation relating to land development, the provision of the master plan governs any action taken in regard to an application for development.~~

~~—(Added to NRS by 1989, 766)~~

~~**NRS 278.0286 Annual report by local planning commission; local government to file information relating to proposed actions concerning regional plan.**~~

~~—1. Each local planning commission responsible for the preparation of a city or county master plan and each affected entity shall prepare and submit to the regional planning commission and the governing board a complete report by April 1 of each year indicating any action taken within the previous calendar year which furthers or assists in carrying out the policies or programs contained in the comprehensive regional plan, and any work relating to the comprehensive regional plan that is proposed for the next fiscal year.~~

~~—2. Before submitting a recommendation for proposed legislation or beginning any program or project relating to the mandatory provisions of the comprehensive regional plan, a unit of local government or an affected entity shall file all relevant information relating to that request, program or project with the governing board.~~

~~—(Added to NRS by 1989, 766)~~

~~**NRS 278.0288 Exempted region.**— The region defined in NRS 278.790 is exempt from the provisions of NRS 278.026 to 278.029, inclusive, and 278.145.~~

~~—(Added to NRS by 1989, 766; A 1991, 954)~~

~~**NRS 278.029 Facilities plan not required.**— Nothing contained in the provisions of NRS 278.026 to 278.029, inclusive, requires any entity that has not already adopted a facilities plan to do so.~~

~~—(Added to NRS by 1989, 766)~~