

Assembly

MINUTES OF MEETING - COMMITTEE ON STATE, COUNTY AND CITY AFFAIRS  
54th Session, Nevada Assembly, February 13,  
1967.

Present: Hilbrecht, Garfinkle, Dini, Bryan Hafen, McKissick, Smith,  
Wooster, Roy Young.

Absent: Tyson

Meeting convened at 11:00 a.m.

Chairman Hilbrecht acknowledged the absence of Mrs. Tyson who had handled the subcommittee investigation on AB 83 and announced that Mr. Smith would report back on her behalf.

Mr. Smith reported that the subcommittee had conferred with the planning commissions of both Reno and Las Vegas and had found that no matter what regulations are adopted on hearings for land use changes that some groups always seem to feel overlooked and not properly notified. The concensus of the findings were that action on a local level by the planning commissions could achieve the intent of AB 83 without state legislation. A letter from the City of Las Vegas Planning Department expressing this same concensus was produced and is made part of this committee's records.

Mr. Smith moved AB 83 postponed indefinitely.  
Mr. Young seconded.  
Motion unanimously passed.

Mr. Roy Young was asked to report on AB 185 and SB 87 and 89. He stated that AB 185 was intended to clarify a conflict between two statutes that had become apparent following recent audits of local fair boards.

Mr. Young moved Do Pass AB 185.  
Mr. Garfinkle seconded.  
Motion unanimously passed.

SB 87: This bill was introduced on recommendation of the Legislative Counsel and would permit the fiscal analyst to examine accident reports made to the Public Service Commission. Mr. Young stated the bill seemed to stem from the failure of some individual to secure access to these confidential records. He stated that the Senate committee had not endorsed the bill and that it would be violently opposed by public utilities.

Mr. Young moved SB 87 postponed indefinitely.  
Mr. Dini seconded.  
Motion unanimously passed.

SB 89: Mr. Young explained that this bill would formally authorize state agencies to mimeograph reports and other matter not considered as "printing" within their offices. It merely sanctions what is presently being done.

Mr. Young moved Do Pass SB 89.  
Mr. Smith seconded.  
Motion unanimously passed.

Bryan Hafen reporting back on AB 143 deferred to Mr. Wooster who explained that an old statute required county commissioners to audit the books of the county treasurer and that with the passage of the Local Government Budget Act certified public accountants were now required to perform these annual audits. He stated that the purpose here was to remove a requirement from the county commissioners which they are not qualified to handle.

Mr. Wooster moved Do Pass AB 143.  
Mr. McKissick seconded.  
Motion unanimously passed.

AB 144: Mr. Wooster asked he be given until Wednesday to report on this bill in order to give full consideration to some suggested amendments to it that are presently pending.

AB 167: Chairman Hilbrecht stated that railroad representatives had expressed concern that this bill would restrict the right of "Common carriers" to transport explosives and stated that he was considering an amendment to clarify. Mr. Young and Mr. Dini expressed concern relative to restrictions that would be placed on the blasting operations frequently essential to the operations of some miners and farmers in the rural areas. They did not object to the intent sought but felt that a local tragedy had been used to motivate legislation harmful to elements in the state as a whole. Chairman Hilbrecht emphasized the importance of allowing fire marshals to educate the users of explosives in their proper handling. Mr. Smith suggested that the intent of this bill might be accomplished in a less restrictive fashion by requiring registered sales. Chairman Hilbrecht asked that Mr. Smith and Mr. Dini join with him in further research on the bill.

AB 149: Mr. Smith reporting on this bill stated that the income standards for tenant preferences given by housing authorities would be brought into line with actual income currently effective so that lower income groups would not be affected by increased payments for which they may be eligible.

Mr. Smith moved Do Pass AB 149.  
Mr. McKissick seconded.  
Motion unanimously passed.

Mr. Wooster and the committee discussed the referral actions that had been taken on AB 204, 205 and 206.

Mr. Wooster moved AB 204 re-referred to the Washoe Delegation.  
Mr. Garfinkle seconded.  
Motion unanimously passed.

Chairman Hilbrecht asked that Mr. Wooster and Mr. McKissick report back on AB 205 and 206 at the Wednesday or Friday meeting.

Meeting adjourned at 12:15 p.m.

*Mayor:*

ORAN K. GRAGSON

*Commissioners:*

REED WHIPPLE

EDGAR FOUNTAIN

PHILIP MIRABELLI

S. GRANT STEWART

*City of* **LAS VEGAS**  
 N E V A D A

Planning Department  
 400 Stewart Avenue

February 6, 1967

9 cc  
 Mrs. Geraldine Tyson, Assemblywoman  
 State of Nevada  
 Carson City, Nevada

Re: A.B. 83

Dear Mrs. Tyson:

Attached is a copy of our procedure relative to notices for public hearings on changes in zoning. You will notice that the excerpt from our Ordinance refers to the Board of Zoning Adjustment but this same procedure is used by the Planning Commission on zoning. You will further note that it stipulates notices should be sent a minimum distance of 300 feet but that the secretary, which is me, can expand the area to whatever limits he deems reasonable. You will note that four procedures of notification are set forth and that any or all may be used. We, in Las Vegas, as a matter of standard procedure use methods A, B and C all the time and in certain instances also method D.

It does not appear to be reasonable, in my opinion, to set forth the dictates on the matter of Notices of Public Hearing through State legislature. This is more properly a local determination and can be handled very satisfactorily through local Ordinance. A.B. 83 is unrealistic in several instances. The use of the longest side of the affected area as a means of determining the distance in which notices should be sent is not practical nor would it serve the purpose of the intent of the bill. Extending the time of notice to thirty days serves no good purpose but could have a very serious effect, as you well know, by simply lengthening the time it takes to get matters processed through the Planning Commission and the Board of City Commissioners and during times of rapid growth this becomes a very vital factor. Furthermore, the bill not only refers to the change of zoning of property but also to the changes in the zoning text and this would present a very serious problem if each and every time we changed or added to

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the provisions set forth in the zoning text for any particular zoning classification we would have to notify the property owners within "X" number of feet of the area encompassed by that particular area and distance.

Although I do not deem it necessary I would not have any serious objections to a bill setting forth the area in which notices should be sent provided it was based upon a realistic formula and further provided that it did not refer to changes in the zoning text and did not refer to the zoning time factor but in order for A.B. 83 to achieve this it would have to be completely rewritten and, as I mentioned previously, I don't believe that it is at all necessary to do this through State legislation when it can be effectively achieved at the local level.

Also attached are two examples of recent actions before our Planning Commission which indicate the area that was notified and you can see that it extends beyond the 300 foot minimum.

If you have any further questions please advise.



DON J. SAYLOR  
Director of Planning,  
Coordinator of Urban  
Renewal

DJS:da

Att:

excerpt from  
City of Las Vegas  
Ordinance

this same procedure  
also applies to changes in  
Zoning

shall be due and payable at the time of filing such application.

7 Public Hearing - The Board of Zoning Adjustment shall hold a Public Hearing upon each properly submitted application for a permissible Variance. Said Public Hearing shall be conducted not less than 21 days nor more than 60 days following the date of filing such application. The Secretary of the Board of Zoning Adjustment shall exert every effort to see that each owner of property within a minimum distance of 300 feet of the exterior boundary of the lot or parcel of land described in the application, is notified of the time and place of said Public Hearing, with a description of the property involved and the provisions of the Ordinance from which a Variance is sought. In the event that the Secretary of the Board of Zoning Adjustment shall make a determination that the area which would be affected by a Variance, if granted by the Board, would be greater than 300 feet from the exterior boundary of the land in question, he is authorized to expand the area of notification to property owners to whatever limits he deems reasonable. The Secretary of the Board of Zoning Adjustment may use any or all of the following methods of notification:

- (a) Mailing a notice to each property owner shown on the latest assessment rolls of Clark County or other available public records.
- (b) Posting of a written notice, posted conspicuously at a minimum of 2 public places within the affected area.
- (c) Publication of a legal notice in a daily newspaper of general circulation in the community.
- d. Delivering a written notice to the premises of each occupied lot or parcel of property within the effected area.