

SENATE BILL NO. 138—SENATORS LANGE,
PICKARD; AND DONDERO LOOP

FEBRUARY 22, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to planned development.
(BDR 22-566)

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

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

AN ACT relating to land use planning; revising requirements for an ordinance for planned unit development; revising requirements for minimum site areas and parking for a planned unit development; eliminating the requirement that a planned unit development obtain tentative approval; making various other changes relating to provisions relating to planned unit development; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law gives certain powers to a city or county that enacts an ordinance
- 2 for planned unit development. (NRS 278A.080) **Section 2** of this bill provides that
- 3 a city or county is not prohibited from enacting an ordinance for planned
- 4 development that is consistent with the general statutory requirements relating to
- 5 planning and zoning.
- 6 Existing law requires an ordinance for planned unit development to set forth
- 7 standards and conditions by which a proposed planned unit development is
- 8 evaluated. (NRS 278.090) **Section 3** of this bill requires the ordinance also to: (1)
- 9 require the plan to be set forth in written and graphic materials, as specified in the
- 10 ordinance; (2) set forth certain procedures for reviewing an application for a plan;
- 11 and (3) set forth procedures for reviewing an application to modify, remove or
- 12 release any provision of a plan. **Section 1** of this bill makes a conforming change to
- 13 the definition of “plan.”
- 14 **Section 5** of this bill provides that the ordinance may require that any common
- 15 open space resulting from the application of standards for density or intensity of
- 16 land use be set aside for the use and benefit of the residents or owners of the
- 17 development.



18 **Section 6** of this bill provides that the ordinance may authorize a city or county
19 to accept the dedication of land or interest in the land for public use and
20 maintenance.

21 Existing law requires an ordinance to set forth all standards and criteria for any
22 feature of a planned unit development with sufficient certainty to provide work
23 criteria by which specific proposals for the development may be evaluated. (NRS
24 278A.220) **Section 7** of this bill provides, instead, that the ordinance must set forth
25 all standards and criteria for any feature of a planned unit development with
26 sufficient certainty to provide criteria by which specific proposals for the
27 development may be evaluated.

28 Existing law requires the minimum site area for a planned unit development to
29 be 5 acres but authorizes the governing body of the city or county to waive the
30 minimum site area when a proper planning justification is shown. (NRS 278A.250)
31 **Section 8** of this bill provides, instead, that the minimum site area is 5 acres unless
32 the governing body of the city or county provides otherwise in the ordinance.

33 Existing law requires that a minimum of one parking space be provided for
34 each dwelling unit in a planned unit development. (NRS 278A.320) **Section 9** of
35 this bill provides, instead, that a minimum of one parking space must be provided
36 for each dwelling unit unless the governing body of the city or county provides
37 otherwise in the ordinance.

38 **Section 10** of this bill removes the requirement in existing law that the
39 enforcement and modification of an approved plan must be to further the interests
40 of the residents and owners of the planned unit development and the public and
41 provides, instead, that the enforcement and modification of an approved plan are
42 subject to the provisions adopted by the governing body in the ordinance.
43 (NRS 278A.380)

44 Existing law authorizes the city or county to enforce certain provisions of a
45 plan pursuant to its powers of regulation. (NRS 278A.390) **Section 11** of this bill
46 provides that any other provision of a plan may be enforced by a city or county
47 only as set forth in the ordinance.

48 **Section 13** of this bill revises the existing prohibition on a city or county
49 approving the modification, removal or release of a provision of a plan without first
50 holding a public hearing to provide, instead, that a provision of a plan may be
51 modified, removed or released without a public hearing if the city or county
52 determines that the modification, removal or release substantially complies with the
53 plan. (NRS 278A.410)

54 Existing law requires that a person who proposes a planned unit development
55 must submit an application for tentative approval and an application for final
56 approval. (NRS 278A.440, 278A.530) **Section 14** of this bill provides, instead, that
57 unless otherwise required by the ordinance, tentative approval of a plan for a
58 planned unit development is not required. Consistent with this change, **section 4** of
59 this bill removes the requirement in existing law that a reservation of common
60 space in a planned development that will take place over a number of years must
61 defer the location of the common space until an application for final approval is
62 filed. (NRS 278A.110) **Section 24** of this bill repeals the provisions relating to the
63 process for obtaining final approval. **Sections 12, 15-17, 22 and 23** of this bill
64 make conforming changes to eliminate references that distinguish between tentative
65 and final approval.

66 **Sections 18 and 19** of this bill eliminate the requirement in existing law that a
67 grant or denial of an application for a plan be by minute action. (NRS 278A.490,
68 278A.500) **Section 19** requires that the grant or denial of approval of a plan must
69 be in writing and include a detailed explanation of the reasons that the plan would
70 or would not be in the public interest.

71 **Section 20** of this bill provides that approval of a plan may be revoked under
72 certain circumstances.



73 **Section 21** of this bill removes an existing provision providing that an
74 approved plan may not be modified or impaired by an act of the city or county
75 unless the landowner consents. (NRS 278A.570)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 278A.060 is hereby amended to read as
2 follows:

3 278A.060 "Plan" means the provisions for development of a
4 planned unit development, including *, without limitation,* a plat of
5 subdivision, all covenants relating to use, location and bulk of
6 buildings and other structures, intensity of use or density
7 of development, private streets, ways and parking facilities,
8 common open space and public facilities. ~~[The phrase "provisions of~~
9 ~~the plan" means the written and graphic materials referred to in this~~
10 ~~section.]~~

11 **Sec. 2.** NRS 278A.080 is hereby amended to read as follows:

12 278A.080 *1.* The powers granted under the provisions of this
13 chapter may be exercised by any city or county which enacts an
14 ordinance conforming to the provisions of this chapter.

15 *2. Nothing in this chapter prohibits a city or county from*
16 *enacting an ordinance that sets forth procedures for planned*
17 *development that are consistent with the provisions of chapter 278*
18 *of NRS.*

19 **Sec. 3.** NRS 278A.090 is hereby amended to read as follows:

20 278A.090 Each ordinance enacted pursuant to the provisions of
21 this chapter must ~~[set]~~ :

22 *1. Require the plan to be set forth in written and graphic*
23 *materials, as specified in the ordinance;*

24 *2. Set forth procedures by which the city or county will review*
25 *an application for a plan, which must include, without limitation,*
26 *procedures by which the city or county will review an application*
27 *for a plan which calls for development over a period of years;*

28 *3. Set forth procedures by which the city or county will review*
29 *and process an application to modify, remove or release any*
30 *provision of the plan; and*

31 *4. Set forth the standards and conditions by which a proposed*
32 *planned unit development is evaluated.*

33 **Sec. 4.** NRS 278A.110 is hereby amended to read as follows:

34 278A.110 *1.* An ordinance enacted pursuant to the provisions
35 of this chapter must establish standards governing the density or
36 intensity of land use in a planned unit development.

37 *2.* The standards must take into account the possibility that the
38 density or intensity of land use otherwise allowable on the site under



1 the provisions of a zoning ordinance previously enacted may not be
2 appropriate for a planned unit development. The standards may vary
3 the density or intensity of land use otherwise applicable to the land
4 within the planned unit development in consideration of:

5 (a) The amount, location and proposed use of common open
6 space.

7 (b) The location and physical characteristics of the site of the
8 proposed planned development.

9 (c) The location, design and type of dwelling units.

10 (d) The criteria for approval of a tentative map of a subdivision
11 pursuant to subsection 3 of NRS 278.349.

12 3. In the case of a planned unit development which is proposed
13 to be developed over a period of years, the standards may, to
14 encourage the flexibility of density, design and type intended by the
15 provisions of this chapter, authorize a departure from the density or
16 intensity of use established for the entire planned unit development
17 in the case of each section to be developed. The ordinance may
18 authorize the city or county to allow for a greater concentration of
19 density or intensity of land use within a section of development
20 whether it is earlier or later in the development than the other
21 sections. The ordinance may require that the approval by the city or
22 county of a greater concentration of density or intensity of land use
23 for any section to be developed be offset by a smaller concentration
24 in any completed prior stage or by an appropriate reservation of
25 common open space on the remaining land by a grant of easement
26 or by covenant in favor of the city or county . ~~[, but the reservation
27 must, as far as practicable, defer the precise location of the common
28 open space until an application for final approval is filed so that
29 flexibility of development, which is a prime objective of this
30 chapter, can be maintained.]~~

31 **Sec. 5.** NRS 278A.120 is hereby amended to read as follows:

32 278A.120 The standards for a planned unit development
33 established by an ordinance enacted pursuant to the provisions of
34 this chapter ~~[must]~~ :

35 *1. May* require that any common open space resulting from the
36 application of standards for density or intensity of land use be set
37 aside for the use and benefit of the residents or owners of the
38 development ; and ~~[must include]~~

39 *2. If the ordinance includes provisions to set aside common
40 open space, must include* provisions by which the amount and
41 location of any common open space is determined and its
42 improvement and maintenance secured.

43 **Sec. 6.** NRS 278A.130 is hereby amended to read as follows:

44 278A.130 *1.* The ordinance ~~[must]~~ *may* provide that the city
45 or county may accept the dedication of land or any interest therein



1 for public use and maintenance, but the ordinance must not require,
2 as a condition of the approval of a planned unit development, that
3 land proposed to be set aside for common open space be dedicated
4 or made available to public use.

5 2. If any land is set aside for common open space ~~[, the]~~ :

6 (a) *The* planned unit development must be organized as a
7 common-interest community in one of the forms permitted by
8 chapter 116 of NRS.

9 (b) The ordinance may require that the association for the
10 common-interest community may not be dissolved or dispose of any
11 common open space by sale or otherwise, without first offering to
12 dedicate the common open space to the city or county. That offer *to*
13 *dedicate the common open space* must be accepted or rejected
14 within 120 days.

15 **Sec. 7.** NRS 278A.220 is hereby amended to read as follows:

16 278A.220 1. An ordinance enacted pursuant to this chapter
17 must set forth the standards and criteria by which the design, bulk
18 and location of buildings is evaluated, and all standards and all
19 criteria for any feature of a planned unit development must be set
20 forth in that ordinance with sufficient certainty to provide ~~[work]~~
21 criteria by which specific proposals for a planned unit development
22 can be evaluated.

23 2. Standards in the ordinance must not unreasonably restrict the
24 ability of the landowner to relate the plan to the particular site and to
25 the particular demand for housing existing at the time of
26 development.

27 **Sec. 8.** NRS 278A.250 is hereby amended to read as follows:

28 278A.250 The minimum site area is 5 acres ~~[, except that]~~
29 *unless* the governing body ~~[may waive this minimum when proper~~
30 ~~planning justification is shown.]~~ *provides otherwise in the*
31 *ordinance.*

32 **Sec. 9.** NRS 278A.320 is hereby amended to read as follows:

33 278A.320 A minimum of one parking space shall be provided
34 for each dwelling unit ~~[.]~~
35 *unless the governing body provides otherwise in the ordinance.*

36 **Sec. 10.** NRS 278A.380 is hereby amended to read as follows:

37 278A.380 1. The enforcement and modification of the
38 ~~[provisions of the]~~ plan as ~~[finally]~~ approved, whether or not ~~[these~~
39 ~~are]~~ *the plan is* recorded by plat, covenant, easement or otherwise,
40 are subject to *the ordinance adopted pursuant to this chapter and*
41 the provisions contained in NRS 278A.390, 278A.400 and
42 278A.410.

43 2. ~~[The enforcement and modification of the provisions of the~~
44 ~~plan must be to further the mutual interest of the residents and~~
45 ~~owners of the planned unit development and of the public in the~~



~~preservation of the integrity of the plan as finally approved.~~ The enforcement and modification of ~~[provisions]~~ *the plan* must ~~be drawn also to insure that modifications, if any, in the plan will~~ not impair the reasonable reliance of the residents and owners upon the ~~[provisions of the]~~ plan or result in changes that would adversely affect the public interest.

Sec. 11. NRS 278A.390 is hereby amended to read as follows:
278A.390 *1.* The provisions of the plan relating to:

~~[1.]~~ *(a)* The use of land and the use, bulk and location of buildings and structures;

~~[2.]~~ *(b)* The quantity and location of common open space;

~~[3.]~~ *(c)* The intensity of use or the density of residential units; and

~~[4.]~~ *(d)* The ratio of residential to nonresidential uses,

↪ must run in favor of the city or county and are enforceable in law by the city or county, without limitation on any powers of regulation of the city or county.

2. Any other provision of the plan not set forth in subsection 1 may be enforced by the city or county only as provided in the ordinance enacted pursuant to this chapter.

Sec. 12. NRS 278A.400 is hereby amended to read as follows:

278A.400 *1.* All provisions of the plan shall run in favor of the residents of the planned unit residential development, but only to the extent expressly provided in the plan and in accordance with the terms of the plan and to that extent such provisions, whether recorded by plat, covenant, easement or otherwise, may be enforced at law or equity by the residents acting individually, jointly or through an organization designated in the plan to act on their behalf.

2. No provision of the plan exists in favor of residents on the planned unit residential development except as to those portions of the plan which have been ~~[finally]~~ approved and have been recorded.

Sec. 13. NRS 278A.410 is hereby amended to read as follows:

278A.410 All provisions of the plan authorized to be enforced by the city or county may be modified, removed or released by the city or county, except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility, subject to the following conditions:

1. No such modification, removal or release of the provisions of the plan by the city or county may affect the rights of the residents of the planned unit residential development to maintain and enforce those provisions.

2. ~~[No]~~ *Except as otherwise provided in subsection 3, no* modification, removal or release of the provisions of the plan by the city or county is permitted except upon a finding by the city or



1 county, following a public hearing , that ~~[(i)]~~ *the modification,*
2 *removal or release:*

3 (a) ~~[(a)]~~ ~~Is consistent with the efficient development and~~
4 ~~preservation of the entire planned unit development;~~

5 ~~—(b)]~~ Does not adversely affect either the enjoyment of land
6 abutting upon or across a street from the planned unit development
7 or the public interest; and

8 ~~[(e)]~~ (b) Is not granted solely to confer a private benefit upon
9 any person.

10 3. *A city or county may approve a modification, removal or*
11 *release of the provisions of a plan without a public hearing if the*
12 *city or county determines that such modification, removal or*
13 *release substantially complies with the approved plan.*

14 **Sec. 14.** NRS 278A.430 is hereby amended to read as follows:

15 278A.430 1. In order to provide an expeditious method for
16 processing a plan for a planned unit development under the terms of
17 an ordinance enacted pursuant to the powers granted under this
18 chapter, and to avoid the delay and uncertainty which would arise if
19 it were necessary to secure approval by a multiplicity of local
20 procedures of a plat or subdivision or resubdivision, as well as
21 approval of a change in the zoning regulations otherwise applicable
22 to the property, it is hereby declared to be in the public interest that
23 all procedures with respect to the approval or disapproval of a
24 planned unit development and its continuing administration must be
25 consistent with the provisions set out in *this section and* NRS
26 278A.440 to 278A.590, inclusive.

27 2. *Unless otherwise provided in the ordinance, a tentative*
28 *approval of the plan for a planned unit development is not*
29 *required. The ordinance may include a procedure for granting*
30 *tentative approval that is subject to compliance with further*
31 *procedures in order to obtain final administrative approval of the*
32 *plan.*

33 **Sec. 15.** NRS 278A.440 is hereby amended to read as follows:

34 278A.440 An application for ~~[(tentative)]~~ approval of the plan
35 for a planned unit development must be filed by or on behalf of the
36 landowner.

37 **Sec. 16.** NRS 278A.450 is hereby amended to read as follows:

38 278A.450 1. The ~~[(ordinance enacted pursuant to this chapter~~
39 ~~must designate the)]~~ form of the application for ~~[(tentative)]~~ approval
40 ~~[(the fee for filing the application)]~~ and the official of the city or
41 county with whom the application is to be filed ~~[()]~~ *must be:*

42 (a) *Set forth in the ordinance enacted pursuant to this chapter;*
43 *or*

44 (b) *Published and made publicly available by the city or*
45 *county.*



1 2. *The fee for filing the application must be set forth in the*
2 *ordinance enacted pursuant to this chapter.*

3 3. The application for ~~tentative~~ approval may include a
4 tentative map. If a tentative map is included, ~~tentative~~ approval
5 may not be granted pursuant to NRS 278A.490 until the tentative
6 map has been submitted for review and comment by the agencies
7 specified in NRS 278.335.

8 **Sec. 17.** NRS 278A.470 is hereby amended to read as follows:
9 278A.470 The ordinance may require such information in the
10 application as is reasonably necessary to disclose to the city or
11 county:

12 1. The location and size of the site and the nature of the
13 landowner's interest in the land proposed to be developed.

14 2. The density of land use to be allocated to parts of the site to
15 be developed.

16 3. The location and size of any common open space and the
17 form of organization proposed to own and maintain any common
18 open space.

19 4. The use and the approximate height, bulk and location of
20 buildings and other structures.

21 5. The ratio of residential to nonresidential use.

22 6. The feasibility of proposals for disposition of sanitary waste
23 and storm water.

24 7. The substance of covenants, grants or easements or other
25 restrictions proposed to be imposed upon the use of the land,
26 buildings and structures, including proposed easements or grants for
27 public utilities.

28 8. The provisions for parking of vehicles and the location and
29 width of proposed streets and public ways.

30 9. The required modifications in the municipal land use
31 regulations otherwise applicable to the subject property.

32 10. In the case of plans which call for development over a
33 period of years, a schedule showing the proposed times within
34 which *additional* applications for ~~final~~ approval of all sections of
35 the planned unit development are intended to be filed.

36 **Sec. 18.** NRS 278A.490 is hereby amended to read as follows:

37 278A.490 The city or county shall, following the conclusion of
38 the public hearing provided for in NRS 278A.480 ~~[, by minute~~
39 ~~action:]~~ :

40 1. Grant ~~tentative~~ approval of the plan as submitted;

41 2. Grant ~~tentative~~ approval subject to specified conditions not
42 included in the plan as submitted; or

43 3. Deny ~~tentative~~ approval to the plan.

44 ↪ If ~~tentative~~ approval is granted, with regard to the plan as
45 submitted or with regard to the plan with conditions, the city or



1 county ~~[shall,]~~ *may*, as part of its action, specify the drawings,
2 specifications and form of performance bond that shall ~~[accompany~~
3 ~~an application for final approval.]~~ *be included in the approved plan.*

4 **Sec. 19.** NRS 278A.500 is hereby amended to read as follows:

5 278A.500 The grant or denial of ~~[tentative]~~ approval ~~[by~~
6 ~~minute action]~~ must ~~[set]~~ :

7 *1. Be in writing;*

8 *2. Set* forth the reasons for the grant, with or without
9 conditions, or for the denial ~~[, and the minutes must set forth with~~
10 ~~particularity in what respects]~~ ; *and*

11 *3. Include a detailed explanation of the reasons that* the plan
12 would or would not be in the public interest, ~~[including but not~~
13 ~~limited to]~~ *which may include, without limitation,* findings on the
14 following:

15 ~~[1.]~~ *(a)* In what respects the plan is or is not consistent with the
16 statement of objectives of a planned unit development.

17 ~~[2.]~~ *(b)* The extent to which the plan departs from zoning and
18 subdivision regulations otherwise applicable to the property,
19 including but not limited to density, bulk and use, and the reasons
20 why these departures are or are not deemed to be in the public
21 interest.

22 ~~[3.]~~ *(c)* The ratio of residential to nonresidential use in the
23 planned unit development.

24 ~~[4.]~~ *(d)* The purpose, location and amount of the common open
25 space in the planned unit development, the reliability of the
26 proposals for maintenance and conservation of the common open
27 space, and the adequacy or inadequacy of the amount and purpose
28 of the common open space as related to the proposed density and
29 type of residential development.

30 ~~[5.]~~ *(e)* The physical design of the plan and the manner in which
31 the design does or does not make adequate provision for public
32 services, provide adequate control over vehicular traffic, and further
33 the amenities of light and air, recreation and visual enjoyment.

34 ~~[6.]~~ *(f)* The relationship, beneficial or adverse, of the proposed
35 planned unit development to the neighborhood in which it is
36 proposed to be established.

37 ~~[7.]~~ *(g)* In the case of a plan which proposes development over
38 a period of years, the sufficiency of the terms and conditions
39 intended to protect the interests of the public, residents and owners
40 of the planned unit development in the integrity of the plan.

41 **Sec. 20.** NRS 278A.520 is hereby amended to read as follows:

42 278A.520 1. A copy of the ~~[minutes]~~ *grant or denial of*
43 *approval that is prepared pursuant to NRS 278.500* must be mailed
44 to the landowner.



1 2. ~~[Tentative approval of a plan does not qualify a plat of the~~
2 ~~planned unit development for recording or authorize development or~~
3 ~~the issuance of any building permits. A plan which has been given~~
4 ~~tentative approval as submitted, or which has been given tentative~~
5 ~~approval with conditions which have been accepted by the~~
6 ~~landowner, may not be modified, revoked or otherwise impaired by~~
7 ~~action of the city or county pending an application for final~~
8 ~~approval, without the consent of the landowner. Impairment by~~
9 ~~action of the city or county is not stayed if an application for final~~
10 ~~approval has not been filed, or in the case of development over a~~
11 ~~period of years applications for approval of the several parts have~~
12 ~~not been filed, within the time specified in the minutes granting~~
13 ~~tentative approval.~~

14 ~~—3. The tentative approval must~~ *Approval of a plan may* be
15 revoked and ~~[the portion of]~~ the area included in the plan ~~[for which~~
16 ~~final approval has not been given]~~ is subject to local ordinances if:

17 (a) The landowner elects to abandon the plan or any part thereof,
18 and so notifies the city or county in writing; or

19 (b) The landowner fails to ~~[file application for the final~~
20 ~~approval]~~ *record the plan* within the ~~[required]~~ time ~~[-] required by~~
21 *the ordinance enacted by the city or county.*

22 **Sec. 21.** NRS 278A.570 is hereby amended to read as follows:

23 278A.570 1. A plan which has been ~~[given final approval]~~
24 *approved* by the city or county ~~[-]~~ must be certified without delay by
25 the city or county and filed of record in the office of the appropriate
26 county recorder before any development occurs in accordance with
27 that plan. A county recorder shall not file for record any ~~[final]~~ plan
28 unless it includes:

29 (a) A final map of the entire ~~[final]~~ plan or an identifiable phase
30 of the ~~[final]~~ plan if required by the provisions of NRS 278.010 to
31 278.630, inclusive;

32 (b) The certifications required pursuant to NRS 116.2109; and

33 (c) The same certificates of approval as are required under NRS
34 278.377 or evidence that:

35 (1) The approvals were requested more than 30 days before
36 the date on which the request for filing is made; and

37 (2) The agency has not refused its approval.

38 2. Except as otherwise provided in this subsection, after the
39 plan is recorded, the zoning and subdivision regulations otherwise
40 applicable to the land included in the plan cease to apply. If the
41 development is completed in identifiable phases, then each phase
42 can be recorded. The zoning and subdivision regulations cease to
43 apply after the recordation of each phase to the extent necessary to
44 allow development of that phase.



1 3. ~~Pending completion of the planned unit development, or of~~
2 ~~the part that has been finally approved, no modification of the~~
3 ~~provisions of the plan, or any part finally approved, may be made,~~
4 ~~nor may it be impaired by any act of the city or county except with~~
5 ~~the consent of the landowner.~~

6 —4.] For the recording or filing of any final map, plat or plan, the
7 county recorder shall collect a fee of \$50 for the first sheet of the
8 map, plat or plan plus \$10 for each additional sheet. The fee must be
9 deposited in the general fund of the county where it is collected.

10 **Sec. 22.** NRS 278A.580 is hereby amended to read as follows:

11 278A.580 No further development may take place on the
12 property included in the plan until the property is resubdivided and
13 is reclassified by an enactment of an amendment to the zoning
14 ordinance if:

15 1. The plan, or a section thereof, is given approval and,
16 thereafter, the landowner abandons the plan or the section thereof as
17 ~~[finally]~~ approved and gives written notification thereof to the city
18 or county; or

19 2. The landowner fails to carry out the planned unit
20 development within the specified period of time after ~~[the final]~~
21 approval has been granted.

22 **Sec. 23.** NRS 278A.590 is hereby amended to read as follows:

23 278A.590 1. Any decision of the city or county under this
24 chapter granting or denying ~~[tentative or final]~~ approval of the plan
25 or authorizing or refusing to authorize a modification in a plan is a
26 final administrative decision and is subject to judicial review in
27 properly presented cases.

28 2. No action or proceeding may be commenced for the purpose
29 of seeking judicial relief or review from or with respect to any final
30 action, decision or order of any city, county or other governing body
31 authorized by this chapter unless the action or proceeding is
32 commenced within 25 days after the date of filing of notice of the
33 final action, decision or order with the clerk or secretary of the
34 governing body.

35 **Sec. 24.** NRS 278A.510, 278A.530, 278A.540, 278A.550 and
36 278A.560 are hereby repealed.

37 **Sec. 25.** This act becomes effective on July 1, 2021.

LEADLINES OF REPEALED SECTIONS

278A.510 Minute order: Specification of time for filing application for final approval.



278A.530 Application for final approval; public hearing not required if substantial compliance with plan tentatively approved.

278A.540 What constitutes substantial compliance with plan tentatively approved.

278A.550 Plan not in substantial compliance: Alternative procedures; public hearing; final action.

278A.560 Action brought upon failure of city or county to grant or deny final approval.

