

Proposed Subdivision Review Regulations

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Nevada Department of Wildlife – Technical Review Program



State of Nevada Assembly Bill 211 (2021)

2021 – AB211: Amending NRS 278

An Act relating to land use planning; requiring, with certain exceptions, a copy of the tentative map of the design of a proposed subdivision of land to be forwarded to the Department of Wildlife for review; revising the factors that are considered before taking final action on a tentative map; and providing other matters properly relating thereto.



State of Nevada Assembly Bill 211 (2021)

2021 – AB211: Amending NRS 278

Changes included:

- ◆ Creation of NRS 278.337 – Board of Wildlife
Commissioners authorized to adopt regulations related to review of tentative map by Department of Wildlife; fees.
- ◆ Addition of NDOW to list of agencies reviewing subdivision tentative maps
- ◆ Exemption for Counties/Municipalities with MSHCP
- ◆ Establishment of initial \$250 fee + \$5 per acre on map



Proposed Regulation (LCB File No. R162-22)

- ◆ Relates to land use planning; specifically, subdivision development;
- ◆ Defines and interprets several terms relating to the review of tentative subdivision maps;
- ◆ Sets forth requirements of certain information to be submitted to the Department;
- ◆ Provides that the Department will provide written comments on a tentative map;
- ◆ Provides certain fees for the review of a tentative map;
- ◆ Provides for other matters related to review.



Proposed Regulation (Sections 1-6)

Definitions & Interpretations

DEFINITIONS

- “Subdivision”
- “Tentative map”

INTERPRETATIONS

- “Infill Development”
- “Substantially vacant”
- “Vacant”

Requirements of Developers

SUBMISSION OF:

- Tentative map topographic features
- location relative to nearest city/major highway
- cross streets, or other landmarks
- Expected timeline of development
- Size of development (acres); Type of H₂O system to be used and H₂O source
- map of 100-year floodplain; PLSS TRS of subdivision
- Contact information
- Master Plan indicating future development
- FEE



Proposed Regulation (Sections 7-8)

Requirements of Department

PROVIDE WRITTEN:

- Notification of missing requirements (when applicable) in submission
- Methods to avoid or minimize impacts to wildlife
- Recommendations on mitigation measures (where appropriate)
- Best Management Practices (BMPs) or Design Features (DFs)
- Notification that no impacts are anticipated (where applicable)
- Development of a subdivision review form, available via Department website, to be submitted by Developers with tentative map and fee

Fees

DEPARTMENT WILL CHARGE:

For *initial review* of tentative map:

- \$250 plus additional fee of \$5 per acre shown on map

For review of any *modifications to a tentative map* previously submitted:

- \$5 per new acre shown on modified tentative map



Proposed Regulation (LCB File No. R162-22)

Public Meetings/Workshops

20 County Advisory Board Meetings in 2022 and 2023

2 Nevada Board of Wildlife Commission Meetings

1 Public Open House

Input received from:

Public

NACO

Counties

LCB

Developers

BANN

SNBA

Wildlife Commission

Small Business Impact Survey



Proposed Regulation (LCB File No. R162-22)

Small Business Impact

Pursuant to NRS 233B.0608

Potential impacts of regulation to small businesses

- Survey sent to 238 contacts
- Open for 21 days
- Included Copy of the Proposed Draft Regulation
 - NNBA
 - SNBA
 - Individual builders/developers
 - County Planning divisions
 - City Planning departments
 - Nevada Association of Counties



Proposed Regulation (LCB File No. R162-22)

Small Business Impact

Pursuant to NRS 233B.0608

Potential business owners/authorized representatives that could be affected were identified:

- Builders Association of Northern Nevada
- Southern Nevada Builders Association
- Individual builders/developers
- Nevada Association of Counties
- County/City planning departments



Proposed Regulation (LCB File No. R162-22)

Small Business Impact Analysis

Feedback:

- Previously submitted tentative maps to governing bodies
- Unsure if the regulation would have impacts
- Anticipated that fees may not constitute significant financial/economic impact, and that fees should be associated with lots rather than acres
- Concern regarding added review time



Proposed Regulation (LCB File No. R162-22)

Subdivision Review:

50 reviews since 2021

- 39 residential
- 1 commercial (exempt) – Lyon County
- 10 public inquiries re: subdivisions

5,173 acres total

3,000 acres residential subdivision reviewed

4 counties (Washoe, Lyon, Storey, Clark [exempt])

Review time 15 days or less

Average cost per subdivision: \$634.63



Discussion

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