



Community Development Department

108 E. Proctor Street
Carson City, Nevada 89701
(775) 887-2180 – Hearing Impaired: 711

Staff Report To: Redevelopment Authority Citizens Committee

Meeting Date: November 4, 2019

Item 4.B

Staff Contact: Lee Plemel, Director (lplemel@carson.org); 283-7075)

Agenda Title: For Discussion Only: Discussion only regarding the State laws related to amending Redevelopment plans, including adding or removing areas to or from an existing Redevelopment Plan Area.

Staff Summary: At the request of RACC members, the purpose of this item is to inform the RACC of the laws related to amending Redevelopment plans.

Proposed Motion: [No action; discussion only.]

DISCUSSION:

Redevelopment activities for local governments in Nevada are enabled by NRS Chapter 279 (Redevelopment of Communities). Carson City has two redevelopment areas: Plan Area #1 consisting generally of the downtown redevelopment area plus the Costco property on Old Clear Creek Road, and Plan Area #2 consisting generally of the South Carson Street area plus the former K-Mart property (North Town Center) on North Carson Street (see attached Redevelopment Area maps).

The procedures to amend a redevelopment plan are contained in NRS 279.608. Changes can include amendments to the text of a plan or amendments to the redevelopment plan area boundaries. For example, a text amendment may include the addition of certain plan objectives on which to expend Redevelopment funds, and an amendment to the plan area boundaries could add properties, such as when the former K-Mart property was added to Redevelopment Area #2. State law does not allow the removal of properties from a Redevelopment Area once that property has been included within a Redevelopment Area.

The complete section of NRS related to amending redevelopment plans is copied below for reference. Note that NRS Chapter 279 references a redevelopment “agency” and a “legislative body.” In Carson City, the agency is the Redevelopment Authority, and the legislative body the Board of Supervisors. The members of the Board of Supervisors also serve as the Redevelopment Authority. The Redevelopment Authority Citizens Committee is not a statutory board, but is an advisory board created by the Redevelopment Authority to provide recommendations to the Authority on redevelopment matters.

NRS 279.608 Material deviation from or amendment of redevelopment plan: Recommendation to legislative body; hearing; notice; report and recommendations by planning commission; action by legislative body.

1. *If, at any time after the adoption of a redevelopment plan by the legislative body, the agency desires to take an action that will constitute a*

material deviation from the plan or otherwise determines that it would be necessary or desirable to amend the plan, the agency must recommend the amendment of the plan to the legislative body. An amendment may include the addition of one or more areas to any redevelopment area but may not include the removal of an area from any redevelopment area, regardless of whether that area was initially a part of the redevelopment area or was added later through amendment.

2. *Before recommending amendment of the plan, the agency shall hold a public hearing on the proposed amendment. Notice of that hearing must be published at least 10 days before the date of hearing in a newspaper of general circulation, printed and published in the community, or, if there is none, in a newspaper selected by the agency. The notice of hearing must include a legal description of the boundaries of the area designated in the plan to be amended and a general statement of the purpose of the amendment.*
3. *In addition to the notice published pursuant to subsection 2, the agency shall cause a notice of hearing on a proposed amendment to the plan to be sent by mail at least 10 days before the date of the hearing to each owner of real property, as listed in the records of the county assessor, whom the agency determines is likely to be directly affected by the proposed amendment. The notice must:*
 - (a) *Set forth the date, time, place and purpose of the hearing and a physical description of, or a map detailing, the proposed amendment; and*
 - (b) *Contain a brief summary of the intent of the proposed amendment.*
4. *If after the public hearing, the agency recommends substantial changes in the plan which affect the master or community plan adopted by the planning commission or the legislative body, those changes must be submitted by the agency to the planning commission for its report and recommendation. The planning commission shall give its report and recommendations to the legislative body within 30 days after the agency submitted the changes to the planning commission.*
5. *After receiving the recommendation of the agency concerning the changes in the plan, the legislative body shall hold a public hearing on the proposed amendment, notice of which must be published in a newspaper in the manner designated for notice of hearing by the agency. If after that hearing the legislative body determines that the amendments in the plan, proposed by the agency, are necessary or desirable, the legislative body shall adopt an ordinance amending the ordinance adopting the plan.*
6. *As used in this section, “material deviation” means an action that, if taken, would alter significantly one or more of the aspects of a redevelopment plan that are required to be shown in the redevelopment plan pursuant to [NRS 279.572](#). The term includes, without limitation, the vacation of a street that is depicted in the streets and highways plan of the master plan described in [NRS 278.160](#) which has been adopted for the community and the relocation of a public park. The term does not include the vacation of a street that is not depicted in the streets and highways plan of the master plan described in [NRS 278.160](#) which has been adopted for the community.*

(Added to NRS by 1959, 664; A 1983, 492; 1985, 2077; 2003, 2344; 2009, 2769; 2013, 1510; 2017, 3420)

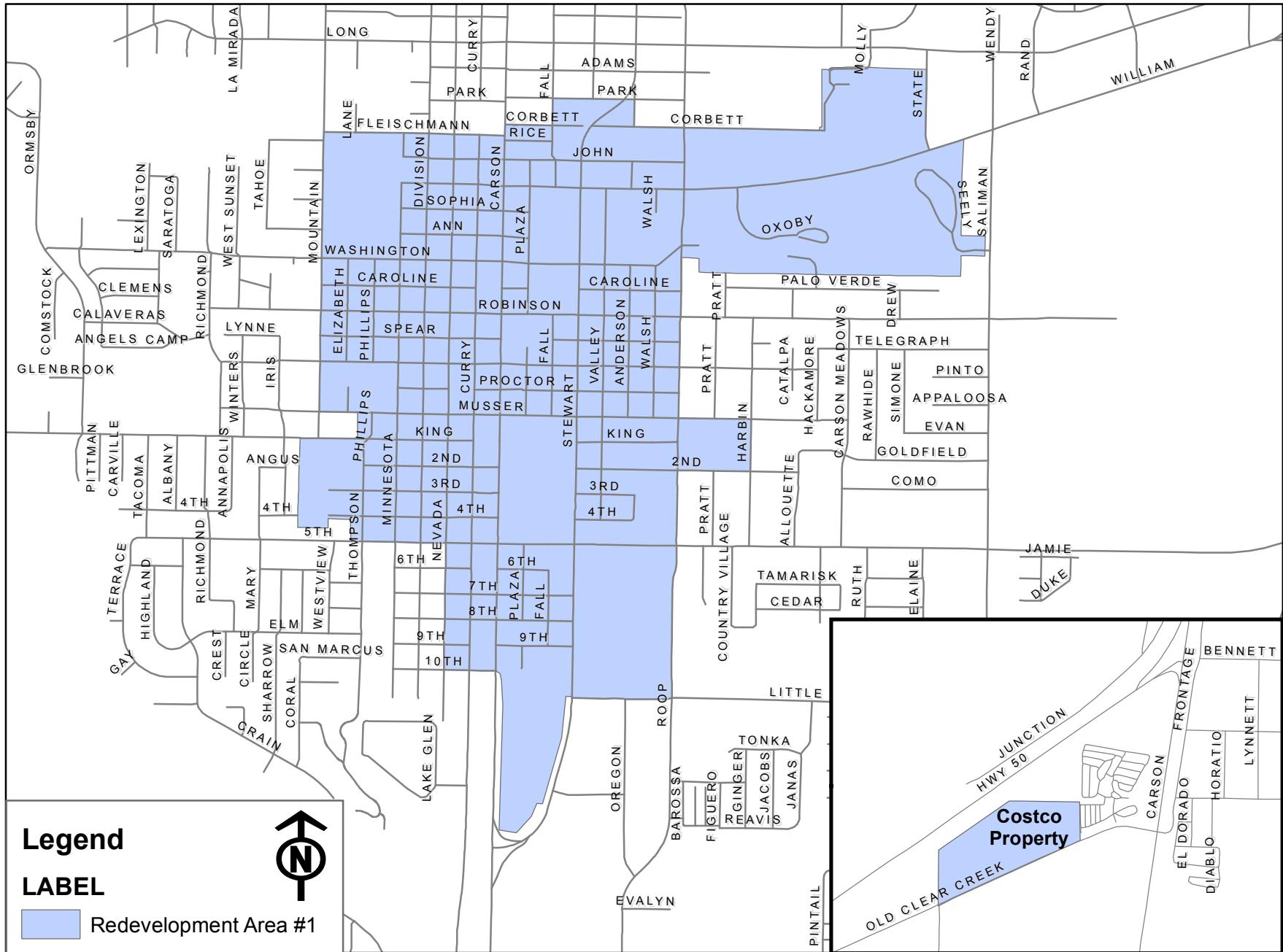
Carson City Redevelopment Area Plan #1 expires in February 2031, and Redevelopment Area Plan #2 expires in July 2034. Currently, there are no provisions in NRS to extend the duration of either Plan.

Go to <https://www.leg.state.nv.us/NRS/NRS-279.html> to view the complete provisions of NRS 279 online. The Redevelopment Area Plan #1 and Area Plan #2 documents can be downloaded at www.carson.org/redevelopment.

If you have any questions regarding this item, please contact Lee Plemel at 283-7075 or lplemel@carson.org.

Attachments:

A. Carson City Redevelopment Area Maps

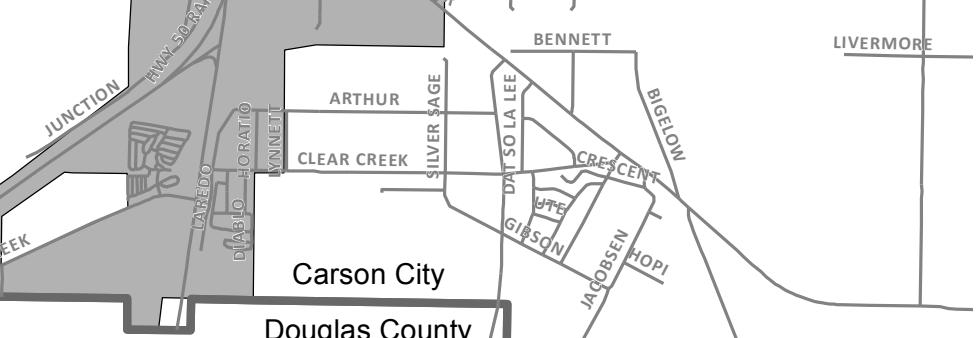
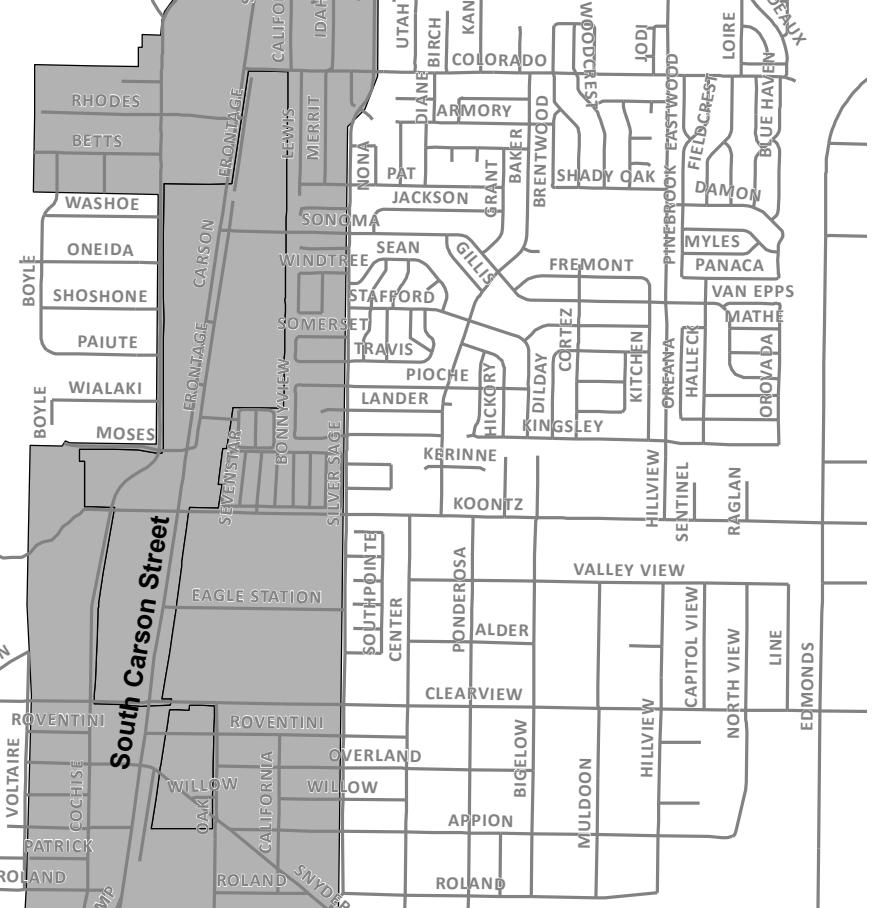


Legend

LABEL

Redevelopment Area #1





Legend



Redevelopment Area #2