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### **16.12.010: DESCRIPTION OF ACTION:**

- A. The general purpose of this chapter is to safeguard the public health, safety and general welfare by regulating the division of land and requiring certain improvements as a result of that division of land. The specific purpose of this chapter is:
1. To preserve and protect the natural environment by protecting the land through limiting stormwater runoff, erosion, fire, flooding and pollution.
  2. To conserve agricultural resources.
  3. To provide adequate open spaces through efficient design and development.
  4. To preserve topographic elements and features.
  5. To facilitate through the orderly planning and subsequent development provision of police, fire and other public services.
  6. To promote the public health, safety and welfare by ensuring proper development that is consistent and compatible with the existing community.
  7. To provide at the time of land division the proper infrastructure for water, sewer, and drainage, and other utilities.
  8. To encourage the preservation and conservation of natural resources, including water, streams, hills, scenic areas and open space.
- B. The division of land in Churchill County by policy must consider the division of the land and subsequent development subject to the control of the county pursuant to the adopted zoning code to provide for the orderly planned and economical development of the community. The land shall be divided and developed in a manner that is safe, appropriate and suitable for the land, has the ability to access adequate public utilities and

infrastructure and can be effectively provided with public services.

While all types of land division have the same purpose and must follow the aforementioned general guidelines, the specific processes and procedures are tailored differently for the specific land divisions. In accordance with this chapter there are seven (7) identified methods of land division utilized within Churchill County. These land division types include subdivisions, parcel maps, map of division into large parcels, planned unit developments, cluster developments, boundary line adjustments and records of survey. These land division types are defined in more detail in this chapter. (Bill 2005-F § 2.2, 2005)

**16.12.020: REVIEW PROCEDURE:**

- A. Prior to the submittal of any map the developer or land divider shall meet with the planning department for a conference to determine the feasibility of the project and the applicable development standards.
- B. All land division maps must be submitted to the planning department forty five (45) days prior to a scheduled planning commission meeting, except a record of survey (ROS) or record of survey/boundary line adjustment (ROS/BLA) that is reviewed by the planning department and county surveyor for compliance.
- C. All land division maps shall be submitted to and approved by the Truckee-Carson irrigation district (TCID), for the purpose of calculating the amount of water rights appurtenant to the subject property and to verify all drainage, district road and ditch easements. All land division maps shall be in compliance with current Truckee-Carson irrigation district policy.
- D. All land divisions retaining water rights shall be subject to review and recommendation by Truckee-Carson irrigation district for irrigation and drainage distribution systems.
- E. All certificates, except that of the planning commission, the county commissioners, and the county clerk-treasurer, shall be signed by the designated authority prior to its presentation to the planning commission.
- F. All land division maps, except an ROS and an ROS/BLA, are reviewed by the planning commission and forwarded with a recommendation to the board of county commissioners for final action.
- G. All filing fees are due upon receipt by the land divider of a letter from the planning department indicating the submittal package is complete.
- H. All land division maps for parcels within the Naval Air Station Fallon and its associated bombing ranges notification area will be provided to the planning division of NAS Fallon for their review and comment. (Bill 2006-G, 2006: Bill 2005-F § 2.2, 2005)

**16.12.030: LAND DIVISION REQUIREMENTS:**

**16.12.030.1: GENERAL PROVISIONS:**

All land division maps must be:

- A. Prepared by a registered land surveyor.
- B. Based upon an actual survey by the preparer and show the date of such survey or based upon the most recent government survey and show the date of approval of such

government survey and contain a certificate by the preparer that the parcels contain the number of acres shown for each parcel.

- C. Clearly and legibly drawn in black waterproof ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession, but affidavits, certificates and acknowledgment must be legibly stamped or printed upon the map with opaque ink.
- D. Twenty four by thirty two inches (24 x 32") in size with a marginal line drawn completely around each sheet, leaving an entirely blank margin of one inch (1") at the top, bottom and right edges, and of two inches (2") at the left edge along the twenty four inch (24") dimension.
- E. Of scale large enough to show clearly all details. The scale shall be shown on each sheet containing a map.
- F. The particular number of the sheet and the total number of sheets comprising the map must be stated on each of the sheets, and its relation to each adjoining sheet must be clearly shown.
- G. Prepared and drawn in full compliance with Nevada Revised Statutes, all provisions of this title and in full compliance with [title 19](#), "Flood Damage Prevention", of this code.
- H. Final maps and tentative maps shall be submitted in digitized form in any CAD format compatible with AutoCAD. (Bill 2012-F, 2012: Bill 2005-F § 2.2, 2005)

#### **16.12.030.2: SURVEYS:**

- A. Survey Required For All Land Division Maps: Before a final map of a land development can be prepared or submitted, an accurate and complete boundary survey of the building sites, blocks, road easements, and boundaries shall be made by a professional land surveyor registered in the state of Nevada. The standards of practice for the survey and preparation of the final map shall conform to the guidelines and requirements as set forth in the Nevada Revised Statutes and Nevada administrative code, regarding surveying and mapping.
- B. Monuments; Generally:
  - 1. Marking: Monuments shall have a mark for the exact point and stamped "PLS" followed by the professional surveyor's number, and description of each monument to be set subsequent to recordation shall be shown on the final map. The Nevada administrative code 625.010 to 625.795 shall be followed/accepted as the standard of practice for professional land surveyors.
  - 2. Setting: The surveyor in charge of surveys shall cause permanent monuments to be set in accordance with this subsection B2. When second and subsequent parcel maps are filed for parcel areas of less than ten (10) acres, they shall comply with Nevada Revised Statutes 278.371. For purposes of this subsection, Nevada Revised Statutes 278.371, subsection 4, "centerline of streets" is interpreted to be centerline of easements or rights of way.  
A monument shall be set as follows:
    - a. On each corner of the land development boundary;

- b. At any point necessary to ensure that each monument on a given boundary can be seen from the next monument on that boundary; intervals not to exceed one-fourth ( $\frac{1}{4}$ ) of a mile;
  - c. The beginning or end of a curve or angle point of a tangent and also the intersection of a centerline of right of way or easement with the boundary of the development boundary;
  - d. At each parcel corner and building site corner.
3. Specifications: Monuments shall consist of either:
- a. An iron pipe having an inside diameter of three-fourths ( $\frac{3}{4}$ ) of an inch or more and at least eighteen inches (18") long, driven at least twelve inches (12") in the ground. Pipe to be filled with concrete and a surveyor's brass tag affixed in it. Tag to be stamped "PLS" followed by the surveyor's registration number; or
  - b. A reinforcing bar or metallic shaft, with a minimum diameter of five-eighths ( $\frac{5}{8}$ ) of an inch, solidly embedded in the ground with a nonferrous tablet, disk or plastic cup securely attached to the top and stamped "PLS" followed by the surveyor's registration number.

By order entered in the minutes, the governing body may authorize placement of other specified kinds of monuments in a specific development.

- C. Marking Lots For Identification Purposes: The developer shall indicate or post markers which will show the approximate corners of building sites so as to enable a determination whether such development will comply with applicable sanitary, pollution and other provisions of county and state law. (Bill 2005-F § 2.2, 2005)

**16.12.030.3: BONDING/SECURITIES FOR IMPROVEMENTS:**

- A. Bonding To Record: In circumstances where the land divider/developer wishes to record a final map or parcel map prior to construction of any improvements, an agreement shall be entered into with the county and a security deposited to ensure improvements are completed.

The agreement shall:

1. Be approved by the district attorney, guaranteeing that the developer will complete the construction of all improvements within a time period specified by the board of county commissioners and will make full payment therefor.
2. Be accompanied by a faithful performance bond or other satisfactory guarantee of completion ensuring the faithful performance of all work including the estimated cost of construction of the improvements and monuments, guaranteeing performance of work, payment for labor and materials, and any other claims that may arise as a result of the improvement work, as set forth in the agreement. The penal sum of the bond shall be in a sum which, in the opinion of the road supervisor and county engineer, equals the cost, plus a contingency amount, of improvements to which the land divider has agreed.
3. Provide for the acceptance of the work as it progresses, and for withdrawal of that portion of any security posted as required equal to ninety percent (90%) of the estimated cost of that portion of the work so accepted, as shown by the certificate of the county engineer.
4. Provide that the developer shall repair, at his sole cost and expense, any hidden defect in workmanship or materials which appears in the work within one year following

acceptance of the work by the board of county commissioners and for retention of ten percent (10%) of the original amount of the security posted as required to secure developer's obligation to repair such defects.

If any land divider fails to complete any improvement as agreed within the time specified, the board of county commissioners may cause the bond to be forfeited in the amount necessary to finish the uncompleted portion of the work. If a security was previously posted to guarantee completion of improvements for two (2) or more contiguous parcels and those improvements will not be completed because of a merger and subsequent redivision pursuant to this chapter, a credit on a pro rata basis of the security posted by the owner shall be credited toward the financial assurance required for the map redivision.

**B. Improvements By Assessment District Proceedings:**

1. Where all or part of the improvements required in a land division are made by assessment district proceedings providing for an awarded contract to construct such improvements and the faithful performance of such contract is secured by a surety bond approved by the district attorney in the amount of the contract price, the amount of the bond or cash deposit required by this title may be reduced by an amount equal to seventy five percent (75%) of such faithful performance bond from and after filing of such approved faithful performance bond with the board of county commissioners.
2. In lieu of the agreement to make the improvements required by the board of county commissioners, the developer shall submit an agreement to initiate and consummate proceedings under an appropriate special assessment act or acts for the formation of a special assessment district including the development or a part thereof for the financing and construction of the improvements required. Any such agreement shall incorporate also the requirements and procedures contained in the resolution establishing procedures for acquisition of public improvements by assessment district proceedings and any revision thereof adopted by the board of county commissioners. The agreement to consummate assessment district proceedings shall provide for the acceptance of the work as it progresses and partial withdrawal of any deposit made, in money or bond, to secure the faithful performance of the agreement upon the certificate of the county engineer under the "Rules For The Disposition Of Subdivision Bonds And Deposits" adopted by resolution of the board of county commissioners. Any such agreement shall be in a form approved by the district attorney. (Bill 2005-F § 2.2, 2005)

**16.12.030.4: WATER AND SEWER RESOURCE REQUIREMENTS:**

(Bill 2015-D, 2015: Rep. by Bill 2008-A, 2008)

**16.12.030.5: DEDICATION OF FACILITIES AND WATER RIGHTS:**

- A. Purpose: Water, being an invaluable resource essential to the existence of life and paramount to the future growth of Churchill County, must be preserved and the impact on its diminishing availability minimized. In 1903, the United States congress authorized the Newlands project. Subsequent federal decrees on the Carson and Truckee Rivers secured water rights that have allowed and enhanced this community's growth.

To ensure the long term sustainability of the water resources in Churchill County and to ensure that a balance is maintained between aquifer recharge and water withdrawal, water rights shall be dedicated to Churchill County for all new development. To ensure an adequate, sustained water supply for the intended use or permit, the developer, property owner, or contractor, shall dedicate to Churchill County, as a condition precedent to the issuance of a permit or approval of the land division or development, any water resources reasonably necessary to either serve or sustain the intended use or development.

Furthermore, the purpose of these requirements is to encourage the development of water and sewer facilities in the urbanizing area and to eliminate the use of individual domestic wells and septic tanks on lots created in a subdivision that is less than five (5) acres in size.

- B. Applicability: The provisions of this section shall apply to all permits, approvals, land divisions, subdivisions, planned unit developments or development projects in the county with the following exceptions:
1. The provisions of this section do not apply to land divisions and development within hydrographic basins 128 (Dixie Valley), 73 and 74 (Humboldt Sink region), 75 (Hot Springs Flat area), 76 (Fernley area), 77 (North Valley), 78 (Granite Springs Valley), 123 (Rawhide Flats), 124 (Fairview Valley), 125 (Stingaree Valley), 126 (Cowkick Valley), 127 (Eastgate Valley area), 133 (Edwards Creek Valley), and 134 (Smith Creek Valley).
  2. The provisions of this section may not apply to the development of a cluster development where the agricultural reservation or conservation easement being established will continue irrigation and retain the surface water rights on the subject parcel in perpetuity. Upon approval of the cluster development parcel map and the agricultural reservation deed, the board of county commissioners shall determine if the provisions of this section shall apply.
  3. The provisions of this section may not apply to developments being served by existing water systems owned and operated by a utility on the effective date hereof but compliance with [title 13, chapter 13.02](#) of this code must be achieved.
  4. The provisions of this section may not apply to a proposed sending site in the transfer of development rights (TDR) program where the conservation easement being established will continue irrigation and retain the surface water rights on the subject parcel in perpetuity. If a land division map is submitted with the intent of placing one or more of the parcels into a conservation easement, the parcels proposed as a sending site may not be subject to water right dedication. Upon approval of the land division map, the board of county commissioners shall determine if the provisions of this section shall apply to the parcels.
- C. Water Resources: The development owner, land divider or property owner shall be required to dedicate to Churchill County, as a condition precedent to the permit or approval, any water rights reasonably necessary to ensure an adequate water supply for the intended or permitted use. The amount of water rights necessary shall be determined by the county planning department and the building department and the state engineer. In the event the state and the county have different requirements under this section, both the county and state requirements, and the more stringent of the two, must be satisfied.

- D. Water Right Dedication Requirements: The amount and type of water rights to be dedicated shall be in compliance with this section and [title 13, chapter 13.02](#) of this code.
1. Subdivisions, planned unit developments and parcel maps connecting to the county water system shall be required to dedicate the amount and type of water necessary to be served by the county system.
  2. Parcel maps where lots created are undeveloped and are less than one gross acre in size and a county water line exists within one hundred eighty feet (180') of the property line shall be required to connect to the county system and shall be required to dedicate the amount and type of water necessary to be served by the county.
  3. Parcel maps, division into large parcels, second and subsequent parcel maps and industrial or subdivision maps that are not connecting to the county water system as a condition of approval, shall dedicate to Churchill County 2.0 acre-feet of surface water per parcel that may be used by the county to ensure the long term sustainability of the county water resources and to ensure that a balance is maintained between aquifer recharge and water withdrawal. The total number of lots represented on the map indicates how many acre-feet will be dedicated regardless of existing buildings and wells.
- E. Water Right Satisfaction:
1. The quantity of water rights required to be dedicated shall follow the above requirements unless otherwise required by the board or the state engineer. Final determination of the type and amount of water rights to be dedicated shall be by the county planning department and building department.
  2. Dedication of groundwater rights to Churchill County under the provisions of this section must be evidenced by any requisite permits from the state engineer including permits approving changes of place and/or manner of use, and may further be accomplished by quitclaim deed from the holder of the water rights to Churchill County. The deed must be in such form and executed in such a manner that is acceptable to the board.
  3. It shall be the duty of the land divider or contractor to take all steps necessary to complete any dedication made pursuant to the provisions of this subsection E.
  4. The dedication of water rights to Churchill County shall be achieved as follows:
    - a. Before approval of any tentative subdivision or planned unit development map the land divider or contractor shall submit a statement of intent to dedicate to Churchill County at the time of final map submittal the type and amount of water rights required to serve the subdivision.
    - b. Before submittal of a final subdivision map the land divider shall dedicate to Churchill County the quantity and type of water rights required to serve the portion of the subdivision reflected in the final map.
    - c. Prior to recordation of a parcel map where development will be connecting to the county system adequate groundwater rights to serve the land division shall be dedicated to the county unless the board accepts alternative water right dedication requirements as outlined in [title 13, chapter 13.02](#) of this code.
    - d. Prior to recordation of a parcel map, second and subsequent parcel map, division into large parcels, where development is not connecting to the county water system, surface water rights shall be dedicated to the county.

- e. Upon demonstration by the applicant that ground or surface water rights cannot be secured a cash in lieu payment may be accepted only in the following circumstances:
  - (1) Land Divisions; Parcel Maps, Division Into Large Parcels, And Commercial Or Industrial Subdivisions: Cash in lieu payment for any parcel map, map of division into large parcels, or final map will only be accepted in circumstances where the parcel to be divided has no surface district.
- 5. a. The dedication of groundwater rights and facilities required by this section will be satisfied if the development owner or property owner enters into an agreement with the county, secured by a performance bond or other undertaking acceptable to the county. This agreement must constitute a binding offer to dedicate, conditioned only upon failure to receive final project approval, or, in case where a building permit is the only approval needed, failure to receive a building permit for the project. No building permit or recordation of a subdivision map shall be granted until dedication is accepted or an agreement conforming to this section has been accepted by the board.
- b. The county will evaluate the water rights offered for dedication based on, but not limited to, the following criteria:
  - (1) Adequacy Of Amount: The adequacy of the amount of water resources offered for dedication to the county for the intended use;
  - (2) Type/Source Of Water Rights: The ability of the county to use the type of water rights being offered for dedication;
  - (3) Proof Of Ownership: Valid proof of ownership, including a chain of title to the original water right holder, for the water rights offered for dedication to the county;
  - (4) Status Of Water Right: The priority and yield of the water right, the current manner and place of use, and the status of the permits or certificates issued by the state engineer, or the status of the water right established in a court decree, which are offered for dedication to the county; and
  - (5) Point Of Diversion: The ability of the county to obtain from the state engineer the necessary permits to change the point of diversion, and the manner and place of use of the water right for the intended use. (Bill 2015-D, 2015)
- F. Authority To Utilize Dedicated Water Rights And Collect Administrative Fees:
  - 1. The planning department, or an appointed county agent, may file applications with the state engineer's office to change the point of diversion, and the manner and place of use of the dedicated water rights to put the water resources to beneficial use and to otherwise utilize and maintain the validity of the dedicated water rights.
  - 2. The development owner or property owner shall:
    - a. Pay all state engineer's office application fees to transfer the dedicated water rights to the proposed delivery facilities;
    - b. Allow county personnel to enter the property in order to read water meters on all wells and delivery facilities, or perform other related inspections as necessary;
    - c. Comply with the terms of the water right permits or certificates as issued by the state engineer's office; and
    - d. Pay reasonable administrative fees and service fees to read and maintain water meters or carry out other activities as necessary to maintain the validity of the dedicated water right. (Bill 2015-D, 2015: Bill 2010-G, 2010: Bill 2008-A, 2008: Bill 2005-F § 2.2, 2005)



**16.12.030.6: DEDICATION OF OTHER FACILITIES:**

A. Required Facilities: Except as otherwise provided under subsection B, "Irrevocable Trust", of this section, the land divider or contractor shall also dedicate, before approval of the final subdivision map, the required water rights to serve the project depicted on the final map and any facilities for stormwater drainage, or the treatment, supply, storage, transportation or distribution of water and any appurtenances thereto including wells, pipelines, pumps, storage tanks, and all associated easements and rights of way located within or outside of the project area depicted on the final map which are necessary to ensure an adequate supply of water and a system for the collection and disposal of stormwater within the project area depicted on the final map.

1. The following facilities are not required to be dedicated pursuant to the provisions of this subsection A:
  - a. Any facilities which serve only one single-family residence;
  - b. Any facilities which were constructed before the effective date hereof; and
  - c. Any facilities, including improvements and additions to existing facilities constructed after the effective date hereof which serve the proposed development and are owned or operated by a utility which was operating pursuant to a certificate of public convenience and necessity issued before the effective date hereof.
2. Any facilities required to be dedicated to Churchill County pursuant to the provisions of this subsection A must be constructed in accordance with the requirements of the Churchill County building code and facility standards and to the satisfaction of the Churchill County planning department.

B. Irrevocable Trust: The board of county commissioners may allow the land divider or contractor to establish an irrevocable trust in accordance with Nevada Revised Statutes 704.340, in lieu of the requirements set forth in subsection A of this section. Such a trust must be established pursuant to the authority and requirements set forth in Nevada Revised Statutes 704.340, and the following requirements:

1. The land divider or contractor shall be the trustor and trustee of the trust, unless the board of county commissioners approves otherwise;
2. Churchill County shall be the beneficiary of the trust;
3. The purpose of any such trust shall be to construct, operate and own a water or sewer treatment system required to provide service within the land divider's or contractor's subdivision or parcel;
4. Any such trust shall be for a term of ten (10) years, or such other term as approved by the board of county commissioners but shall be subject to termination at the option of the board of county commissioners at any time; and
5. All rates for services provided by the trust, including rates related to operation and maintenance expenses, depreciation, or reserves for replacement and any debt service, whether original or subsequent to the creation of the trust, must be approved by the board of county commissioners. (Bill 2010-G, 2010: Bill 2005-F § 2.2, 2005)

**16.12.030.7: LEASE OF WATER RIGHTS:**

Churchill County may lease dedicated water rights. (Bill 2005-F § 2.2, 2005)

#### **16.12.030.8: REIMBURSEMENT; OFF SITE INFRASTRUCTURE:**

A. Reimbursement Eligibility: A land divider required to construct improvements on or in any public right of way as a condition by Churchill County to a land division may be reimbursed for:

1. Fifty percent (50%) of the cost of the common improvements when an adjacent property owner divides or develops on the adjacent property; and
2. A proportionate share of the cost for improvements constructed to the land division which are off site from the land division, when properties directly benefiting from the improvements are divided.

B. Conditions For Reimbursement:

1. Improvements must be constructed by the divider within the time frame approved by the county in the reimbursement agreement.
2. A document indicating intent to execute a reimbursement contract shall be submitted to the Churchill County planning department with any land division map in which the owner or developer wishes to be reimbursed for improvements. The planning department shall review the proposed contract and forward to the board of county commissioners for action.
3. Reimbursement will occur only after owners of property directly benefiting from the improvements apply for division of their property and only after monies to be reimbursed have been collected.
4. Private streets will not be eligible for the reimbursement procedure.
5. After required improvements are completed, approved and accepted by Churchill County a developer seeking reimbursement shall enter into an agreement or contract with Churchill County, approved by the Churchill County district attorney's office, defining the terms of reimbursement, said contract shall be filed for record in the office of the Churchill County recorder. The contract for reimbursement shall expire ten (10) years from the date of approval and acceptance of improvements by the county and no reimbursement shall be forthcoming for division on properties directly benefiting from the covered improvements occurring after the expiration date of the agreement.

C. Calculation Of Reimbursable Amounts:

1. Reimbursements shall be based upon the actual cost of improvements not to exceed the average cost of the construction at the time. Costs of construction, involving access improvements, considered for reimbursement shall be submitted to the Churchill County road supervisor and the county engineer for review and approval.
2. Reimbursement shall include interest not to exceed ten percent (10%) simple interest per year. Actual interest shall be computed based upon "Engineering News-Record" construction cost index and the most current base index shall be included in the agreement for reimbursement.
3. Reimbursement shall not be provided until all improvements are completed, approved and accepted by Churchill County.

D. Collection And Payment Of Reimbursement:

1. Collections of reimbursement shall be submitted to the Churchill County clerk-treasurer's office where it will be maintained in a special fund until such time as payment of reimbursements are completed. Before any reimbursement shall take place, the Churchill

County planning department shall provide written notice to the clerk's office that all improvements have been completed, approved and accepted by Churchill County, except when involving access improvements including signage, then said written notice shall be provided by the Churchill County road department.

2. All reimbursements shall be made to the property owner(s) of record of the improving parcel(s) as shown on the current assessor's tax roll. This condition shall be waived in favor of the developer if written, recorded agreements between the developer and subsequent first purchasers of affected properties are filed with the Churchill County recorder's office.
3. It shall be the obligation of the property owners and/or developers to keep their addresses current with the Churchill County planning department. Reimbursements shall be mailed by certified mail to the last property owner/developer of record as shown on the current assessor's tax roll. Neither Churchill County nor any of its agencies are responsible for the correctness of names and addresses of those eligible for refunds except as to those which have shown proof of ownership or eligibility for refund and filed their names and current addresses with the Churchill County planning department. (Bill 2007-I, 2007: Bill 2005-F § 2.2, 2005)

#### **16.12.040: TYPES OF LAND DIVISIONS:**

##### **16.12.040.1: SUBDIVISIONS:**

- A. General Provisions: The purpose of this title is to safeguard the public health, safety and general welfare by establishing certain minimum standards of design, improvement, survey and construction of land developments hereafter platted in all areas of the county in order to provide and ensure the orderly and proper growth thereof to aid in the prevention of pollution of land or water resources. It is the purpose of this title to encourage new concepts and innovations in land development to protect, enhance and preserve the county's valuable agricultural lands and related water resources, and to ensure optimum use of our natural resources.
- B. Mapping For Industrial Or Commercial Development:
  1. Pursuant to Nevada Revised Statutes 278.325, if a subdivision is proposed on land which is zoned for industrial or commercial development, neither the tentative nor the final map need show any division of the land into lots or parcels, but the streets and any other required improvements are subject to the requirements of Nevada Revised Statutes 278.010 to 278.630, inclusive, and [chapter 16.16](#), "Development Standards", of this title.
  2. A tentative map and a final map are required for industrial and commercial subdivisions.
  3. No parcel of land may be sold for residential use from a subdivision whose final map does not show a division of the land into lots.
  4. A boundary or line must not be created by a conveyance of a parcel from an industrial or commercial subdivision unless a professional land surveyor has surveyed the boundary or line and set the monuments. The surveyor shall file a record of the survey pursuant to the requirements set forth in Nevada Revised Statutes 625.340. Any conveyance of such a parcel must contain a legal description of the parcel that is independent of the record of survey.

5. Records of survey creating individual lots on industrial or commercial land with an approved tentative and recorded final map(s) shall be submitted to the planning department for review and approval prior to recording.
- C. Tentative Maps: The tentative map process in Churchill County is designed to provide a mechanism in order to divide a parcel or parcels of land into five (5) or more lots, parcels, site units or plots for the purpose of transfer or development. In order to adequately and accurately review these requests to provide recommendations, the following process has been outlined, followed by the submittal checklist. The tentative map submittal packet must include all of the following information. Submittals that do not contain all of the information will be deemed incomplete and not reviewed until the required deficiencies are completed. It is the responsibility of the applicant to supply all of the information in order for the staff and commission to make informed and proper recommendations.
1. Process: The following process has been prepared to guide the applicant through the submittal process for tentative maps within Churchill County. The steps are as follows:
    - a. Initial meeting with planning department staff to discuss the proposed tentative map, project concept and applied requirements for submittal.
    - b. Applicant prepares conceptual tentative map (preliminary tentative map). If a subdivision is proposed on land which is zoned for industrial or commercial development, the conceptual tentative map need not show any division of the land into lots or parcels, as per Nevada Revised Statutes 278.325.
    - c. Applicant reviews conceptual tentative map with the planning department and receives preliminary comments from the staff.
    - d. Following input from the staff, the applicant can move forward to prepare the tentative map and submittal application.
    - e. Upon completion of the tentative map and supporting information, the applicant can submit the application and tentative map to the planning department. Submittal should specifically address all concerns and comments that were raised by the staff during the conceptual review process.
    - f. The planning staff will review the submittal for completeness and accept or reject the application (1 week following submittal).
    - g. When the request is deemed complete the staff begins their review.
    - h. Approximately two (2) to three (3) weeks after initial submittal, staff will have a meeting with the applicant to review the request, ask for any additional information needed, and review comments from other county departments.
    - i. Additional information must be submitted to the planning staff within one week of the aforementioned meeting in order to stay in the current review cycle.
    - j. Upon completion of staff's review, a report will be drafted approximately one week prior to the commission meeting.
    - k. The request will then be placed on the agenda for the next commission meeting for review and recommendation.
    - l. Following the commission meeting, the item will be forwarded to the board for action.
  2. Map Checklist: All tentative maps shall include, at a minimum, the following information:

- a. A vicinity map showing roads, adjoining developments, places, canals, rivers and other data sufficient to locate the proposed development and show its relation to community factors;
- b. Name of subdivision;
- c. Scale; north arrow; date;
- d. Title block; legend;
- e. Name and address of developer and owner of record;
- f. Name and address of land planner, surveyor or engineer who prepared the map;
- g. Legal description defining the boundaries of the development;
- h. Section corner tie;
- i. Basis of bearings;
- j. Number of sheets;
- k. The locations, names and widths of all adjacent streets and easements;
- l. The location and names of farming operations adjacent to the subject property;
- m. Existing and proposed system of streets and roads providing access and traffic flow within the development, including existing and proposed bridges, pedestrian trails and bikeways;
- n. Existing and proposed road names;
- o. Limits of existing publicly maintained roads abutting or outside the development that will be utilized for primary or secondary access;
- p. The widths and approximate locations of all existing or proposed easements (public or private) for roads, drainage, sewers, irrigation or public utility purposes;
- q. The number, size and proposed use of all building sites, lot layout;
- r. Zoning designation;
- s. Assessor's parcel number(s);
- t. Total acreage and total number of lots;
- u. Source of water supply and proposed method of sewage disposal;
- v. Those lands that may be considered potential wetlands by the United States natural resources conservation service in their technical guide information and information regarding soils and interpretations; or those lands that may be considered potential wetlands by another state or federal agency;
- w. Numbering of all parcels or building lots;
- x. Project density - land use percentages;
- y. Location of all park spaces and open space;
- z. Noise contour lines from the most recent projections of the "Fallon Naval Air Station Air Impact Compatibility Use Zone Study";
- aa. Septic density within a square mile (transcribe a circle with a 2,979 foot radius from the center of the development);
- bb. The location and outline to scale of each existing building and improvements showing distances between structures and rights of way;
- cc. Boundaries or areas subject to flood hazard, geologic hazard, excessive depth or slope of cuts or fills, groundwater or seepage conditions, or similar hazards to public safety and the probable use of these areas;

- dd. A topographic contour map showing accurately the existing terrain within the land development, existing drainage channels, roads, culverts, underground utility lines, wells and springs, major structures, irrigation ditches, utility poles and other improvements in their correct location, drawn to a scale not smaller than one inch equals one hundred feet (1" = 100'); contour intervals shall not be greater than two feet (2') if the ground slope is less than ten percent (10%) or at intervals of five feet (5') if the slopes are greater than ten percent (10%);
  - ee. Existing property lines and boundaries of existing easements within the development with the names of the owners of record of easement exclusions, and the abutting properties;
  - ff. A typical building site showing setbacks and typical building area;
  - gg. Location, approximate grade, direction of flow and type of facility of existing and proposed drainage channels and storm drains;
  - hh. The line of high and low water on all sides abutting any lake, river, stream, reservoir, and/or any other body of water;
  - ii. Statements of intent regarding proposed deed restrictions, home associations, and other legal instruments relating to the reservation, maintenance and liability of any common area, park or recreation areas;
  - jj. Each phase shall be delineated and a proposed schedule of development with proposed schedules for the construction of roads, bridges, secondary access and utilities noted;
  - kk. Amount of surface water rights as determined by Truckee-Carson irrigation district;
  - ll. Water right dedication note:  
*Water Right Dedication Requirements of the Churchill County Code will be met concurrently with recordation of final maps.;*
  - mm. Statement of intent regarding the dedication of water rights to serve the subdivision;
  - nn. Any other information the county specifically requests.
3. Studies, Reports And Supplemental Information:
- a. Traffic study (applicable if over 80 ADT per section [16.16.010.8](#) of this title);
  - b. Potential risks and proposed mitigation measures to address failures in irrigation facilities;
  - c. Preliminary grading plan;
  - d. Erosion/dust control plan (if applicable);
  - e. A letter of review from the Truckee-Carson irrigation district or the agency having jurisdiction over irrigation waters in the area.
4. Time Line: A tentative map will expire four (4) years after approval by the board unless a final map is presented to the board prior to the expiration date of the tentative map. The map may be for one phase or the entire project. Failure to present a final map terminates all proceedings regarding the tentative map, requiring an entirely new tentative map approval.
- D. Final Maps:
- 1. Time Period For Submittal: The final map, prepared in accordance with the tentative map for the entire subdivision, or the first of a series of final maps covering a portion of the approved tentative map of a subdivision, must be presented to the board within four (4) years after the approval or conditional approval of the tentative map of the development.

Failure to do so terminates all proceedings, requiring an entirely new tentative plat approval. Each subsequent final map shall be presented to the board within two (2) years of the date the previous map was recorded. The board may extend the period for presentation of any final subdivision map for not more than two (2) years after the expiration of the initial two (2) year period for presenting a successive final map has expired.

Partial final maps covering only a portion of the approved tentative map shall be given a separate number and all of the requirements required for approval of a full final map shall apply to an approval for a partial final map and the agreement required of the developer shall provide for the construction of such improvements as may be necessary to constitute a logical and orderly development of the whole land development by units.

If a subdivision is proposed on land which is zoned for industrial or commercial development, the final map need not show any division of the land into lots or parcels, as per Nevada Revised Statutes 278.325.

2. Application Fees: All applicable fees shall be fully paid at the time of filing the map with the planning department for review.
3. Required Information: Every final map shall closely conform to the approved tentative map and shall comply with Nevada Revised Statutes 278.360 through 278.460 and shall also show at a minimum, all the following information:
  - a. Sufficient linear, angular, and radial data to determine the bearings and lengths of the boundary lines of the land development and the boundary lines of each and every building site or parcel which is a part thereof.
  - b. Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication, and the notarial seals required by law and this title.
  - c. The basis of bearing.
  - d. All easements required to be dedicated for acceptance and their particular use shall be shown.
  - e. The final map shall show easements not disclosed by the records in the office of the county recorder and found by the surveyor or engineer to be existing in the development prior to the date of filing for record of the final map, naming the party or parties using said easement and describing the specific purpose for which the easement is being used.
  - f. The final map shall show easements evidenced by the records in the office of the county recorder prior to the date of filing for record of the final map, by the volume and page of the conveyance which established said easement and the name also of the grantee in said conveyance who or which reserved said easement.
  - g. If any portion of the land within the boundaries of the final map is subject to inundation, storm flow conditions, geologic hazard or other hazard, the land so affected shall be clearly marked by a prominent note on each sheet.
  - h. Each building site must be shown in its entirety on one sheet of the final map and may not be divided between sheets.
  - i. Each lot must be numbered or lettered.
  - j. Each street must be named.

- k. The exterior boundary of the land included within the subdivision must be indicated by graphic border; all existing farming operations abutting the exterior boundary must be identified on the final map and a buffer separating the proposed lots from the farming operations shall be delineated on the final map.
  - l. The final map must show:
    - (1) The definite location of the subdivision, particularly its relation to surrounding surveys.
    - (2) The area of each lot and total area of the land in the subdivision in the following manner:
      - (A) In acres, calculated to the nearest one-hundredth ( $\frac{1}{100}$ ) of an acre, if the area is two (2) acres or more; or
      - (B) In square feet if the area is less than two (2) acres.
  - m. The final map must also satisfy any additional survey and map requirements, including the delineation of Nevada state plane coordinates established pursuant to chapter 327 of Nevada Revised Statutes, for any corner of any subdivision or any other point as required by the county.
  - n. If applicable, location and size of permanent identification signs at the entrance to the subdivision or residential development according to subsection [16.16.020.6B2g\(6\)\(B\)](#) of this title.
4. Certificates: The following certificates and acknowledgments shall appear on the final map and may be combined when appropriate. A copy and the appropriate wording for each certificate is available from the planning department.
- a. A certificate signed and acknowledged by all record owners consenting to the preparation and recordation of the map;
  - b. A certificate signed and acknowledged as above, offering for dedication for certain specified public uses those certain parcels of land which the parties desire so to dedicate;
  - c. A certificate by the surveyor responsible for the survey and final map, giving date of the survey and stating that the survey was made by him or under his direction, and that the survey is true and complete as shown and bearing his registration number and seal;
  - d. A certificate of the county engineer stating that he has examined the final map, that all provisions of the law have been met and that he is satisfied with the map as being technically correct;
  - e. The certificate of the county recorder that the map is acceptable by him for recording in his office;
  - f. The certificate of the county tax receiver that there are no liens against any of the land in the land development for unpaid taxes of state, county, city or local taxes or special assessments except those that are not yet payable; in the event of assessments or liens, a certificate from the board acknowledging bond for amount of lien and/or assessment is necessary;
  - g. A certificate for execution by the county clerk stating that the county has officially approved the map and accepted (or deferred) on behalf of the public any parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication;



- h. A certificate of the commission that the map conforms to the approved tentative map and all conditions imposed upon such approval have been satisfied;
  - i. Proper certificates of a notary public authorized to do business in the state as required;
  - j. Certificate of appropriate health official indicating a proper and adequate sewage disposal system and domestic water supply system.
5. Supplementary Material: A final map presented for recording must include:
- a. Title Report: A report from a title company in which the title company certifies that it has issued a guarantee for the benefit of the local government that lists the names of:
    - (1) Each owner of record of the land to be divided;
    - (2) Each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust;
  - b. Guarantee: The guarantee accompanying said final map must also show that there are no liens of record against the parcels or any part thereof for delinquent state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments;
  - c. Written Consent: The written consent of each holder of record of a security interest listed pursuant to subsection C5a(2) of this section, to the preparation and recordation of the final map. A holder of record may consent by signing:
    - (1) Deeds for easements or rights of way required for road, drainage or other purposes which have not been dedicated on the final map;
    - (2) Copies of any deed restrictions, reciprocal restrictions and articles of incorporation of a home association if the same is a part thereof;
    - (3) An agreement dedicating sufficient water rights and applicable facilities to serve the development depicted on the final map;
    - (4) An agreement as outlined in this chapter to complete all of such improvements prior to the date fixed by the county engineer and specified in the agreement if, at the time the final map of the land development is considered for approval, any of the improvements required by this title have not been completed.
6. Required Improvements: All subdivisions shall comply with the development standards of this title.
7. Single Final Map: Where a commercial or industrial subdivision is proposed pursuant to Nevada Revised Statutes 278.325, and the subdivider desires to record a single final map, the board may approve the map and allow recording of the final map subject to the following:
- a. A tentative map is submitted indicating the proposed development phasing, including a general description of improvements, on and off site, to be constructed with each development phase.
  - b. Improvement plans are to be submitted and approved for the entire project site.
  - c. A security agreement shall be prepared and approved subsequent to the filing of the final map. In addition to the standard provisions, the plan must provide a detailed description of on and off site improvements to be provided prior to the issuance of a building permit within a given development phase.
  - d. No building permit will be issued on the site until any and all required improvements are constructed or secured.

- e. Records of survey creating individual lots shall be reviewed by the planning department prior to recording. (Bill 2012-F, 2012: Bill 2010-G, 2010: Bill 2007-I, 2007: Bill 2006-G, 2006: Bill 2005-F § 2.2, 2005)

#### **16.12.040.2: PARCEL MAPS; MAP OF DIVISION INTO LARGE PARCELS:**

The parcel map process in Churchill County is designed to provide an orderly mechanism to divide a parcel or parcels of land into four (4) or less lots, parcels, site units or plots for the purpose of transfer or development.

##### **A. Parcel Maps:**

1. Required Information: All parcel maps filed shall be based upon a current field survey and conducted in conformance with the Nevada administrative code 625.010 and shall contain at a minimum, all of the following information:
  - a. Title block;
  - b. Owner name and address;
  - c. APN;
  - d. Vicinity map;
  - e. Parcel area and parcel width;
  - f. Statement of scale; graphic scale; north arrow;
  - g. Zoning;
  - h. Basis of bearings;
  - i. Bearings; distances; curve data;
  - j. Section corner tie;
  - k. Adjacent property owners; all existing farming operations abutting the exterior boundary must be identified on the parcel map and a buffer separating the proposed parcels from the farming operations shall be delineated;
  - l. Parcel designation;
  - m. Parcels that are of common ownership but are not made a part of the parceling process shall be clearly defined;
  - n. Road names;
  - o. Approximate road traveled way; road turnaround if required;
  - p. Floodway/flood zone boundary;
  - q. Those lands that may be considered potential wetlands by the United States natural resources conservation service in their technical guide information and information regarding soils and interpretations;
  - r. Total water righted acreage;
  - s. Clear definition of amount of water righted areas, not location, as calculated by Truckee-Carson irrigation district. If no ground is water righted, a statement to that effect;
  - t. Water right agreement number;
  - u. Proposed irrigation and drainage easements;
  - v. Existing roadways, easements and supporting documentation;
  - w. Proposed roadways (with approved name) and easements;
  - x. Existing and proposed bridges;
  - y. NDOT encroachment permit;

- z. Noise contour lines from the most recent projections of the "Fallon Naval Air Station Air Impact Compatibility Use Zone Study" and the certificate informing purchasers of the AICUZ;
- aa. Existing improvements (dwelling units, accessory buildings, well and septic facilities and leach fields);
- bb. Signatures from the following agencies or officers:
  - (1) Truckee-Carson irrigation district,
  - (2) CC Communications,
  - (3) NV Energy,
  - (4) County road department,
  - (5) County fire department,
  - (6) Southwest Gas Corporation;
- cc. Certificates from the following:
  - (1) Planning commission,
  - (2) Board of county commissioners,
  - (3) County clerk-treasurer.

A copy of the certificate with the appropriate wording is available from the planning department;

- dd. Jurats required by statute and the following jurats and notes:
  - (1) A jurat indicating that Nevada is an open range state and it is the responsibility of property owners to fence out livestock. Said jurat shall be in substantially the following form:

*The undersigned, the owner of the real property depicted herein, warrants that all purchasers, prior to the consummation of any sale of the property shown herein, have been or will be informed that pursuant to NRS 569.440 and NRS 569.450, Nevada is an open-range state and it is the responsibility of property owners to fence out livestock.*
  - (2) A certificate stating that all purchasers shall be informed prior to the consummation of any sale of the provisions of Nevada Revised Statutes 40.130 and provisions in this code, regarding the right to farm.
  - (3) Proper certificates of a notary public authorized to do business in the state as required.
  - (4) A jurat for the county clerk-treasurer certifying that there are no liens against any of the lands in the land development for unpaid taxes of the state or county or special assessments, and that all taxes for the current tax year are paid in full.
  - (5) A note stating that acceptance by Churchill County of this parcel map constitutes acceptance of all easements depicted in said map, including those underlying easements associated with the designated roads. Roadways designated as public roads as shown on this map will not be accepted by the county or be eligible for county maintenance until said roads are improved (at no cost to the county) to maximum county specifications and approved by the board of county commissioners for acceptance into the county's road maintenance system.

- (6) A note stating that acceptance by Churchill County of the parcel map is not a commitment that any or all of the lots are eligible for a county building permit.
- (7) Water right dedication certificate.
- (8) Road note.
- (9) Surveyor's certificate and county surveyor's certificate.
- (10) Signatures from all utility companies.
- (11) TCID subdivision policy note.
- (12) TCID note regarding water rights.
- (13) Recorder's certificate.
- (14) Health division certificate.
- (15) Title certificate.
- (16) A note stating that, in accordance with Nevada Revised Statutes 247 and 239, to obtain an official copy of this map, contact the Churchill County recorder.
- (17) Speed limit jurat, if applicable.

A copy of all notes, jurats and certificates with appropriate wording is available from the planning department.

2. Supplementary Material: A parcel map presented for recording must include:

- a. A report from a title company in which the title company certifies that it has issued a guarantee for the benefit of the local government that lists the names of:
  - (1) Each owner of record of the land to be divided;
  - (2) Each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust;

The guarantee accompanying said parcel map must also show that there are no liens of record against the parcels or any part thereof for delinquent state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments;

- b. The written consent of each holder of record of a security interest listed pursuant to subsection A2a(2) of this section, to the preparation and recordation of the final map. A holder of record may consent by signing:
  - (1) Deeds for easements or rights of way required for road, drainage or other purposes which have not been dedicated on the final map.

3. Requirements For Recordation:

- a. Unless the time is extended the land divider shall record a parcel map within one year after the date of approval or conditional approval by the governing body, otherwise all proceedings concerning the land division are terminated.
- b. The governing body may grant one extension of not more than one year provided the developer can show just cause for the extension.
- c. All conditions of parcel map approval must be fulfilled prior to recordation unless an agreement is entered into and a sufficient performance bond or security to complete all required improvements is posted with the county.

4. Required Improvements:

- a. Roads And Bridges:
  - (1) Each parcel created must be provided with roads and bridges as set forth in the development standards.

Parcels created by a parcel map that are twenty (20) acres in size or less shall be provided with paved roads as specified in the development standards. Parcels created that are more than twenty (20) acres in size shall be provided with grade gravel roads built according to the development standards unless the board of county commissioners requires the road to be built to paved standards in the interest of public health and safety.

- (2) Roadway easements shall be a minimum of sixty feet (60') in total width. Where a roadway easement is provided on both sides of a property line a minimum of thirty feet (30') measured from the property line to the edge of the easement shall be provided on all parcels being created. Additional easement width may be required to accommodate TCID easements or other circumstances.
  - (3) Roadway easements for future roads must be provided to all parcels of land under the same or different ownership that have not been divided to their fullest divisional potential under the existing zoning.
  - (4) Proposed road easements to a development, including secondary access, must be provided to the development from the nearest existing, publicly maintained road.
  - (5) Paved roads shall be provided back to the nearest publicly maintained road and shall be constructed through or to the parcels created, as determined by Churchill County, with an adequate paved turnaround approved by the road department.
  - (6) Road names and suffixes shall be designated by the developer, subject to approval of the planning department and in accordance with the following general policy, shall:
    - (A) Be short (under 12 letters if possible) and preferably in one word;
    - (B) Have a simple spelling and easy pronunciation;
    - (C) Avoid prefixes such as "north" and "south", "east" and "west", "upper" and "lower", etc.;
    - (D) Be related to the type and importance of the street (e.g., the suffix "boulevard" should not be attached to the name of a minor residential street);
    - (E) Avoid the use of numbers or letters as street names;
    - (F) Not be incongruous, offensive or geographically misleading;
    - (G) Not be repetitive or similar in sound and character;
    - (H) Have a single name for a street having a continuous alignment;
    - (I) When to be connected in the future into a continuous alignment, or extended, bear the same name as the existing street.
  - (7) If roads are to be constructed, a geotechnical investigation, a drainage report, and a paving schedule and phasing plan performed by a professional engineer must be submitted to the planning department with the road construction plans.
  - (8) If a parcel map is submitted that meets the qualifying criteria for a minimum access road or unpaved road, the parcel map can be processed provided that the required maintenance document as outlined in subsection [16.16.010.7B](#) of this title is submitted with the map.
- b. Water And Sewer: Adequate water resources and sewer facilities are required for all parcel maps. Proposed provision of these services must be clearly outlined on all parcel maps.

5. Time Line:

- a. A parcel map must be recorded within one year of approval by the board. The board may grant a onetime one year extension. A longer time for extension may be provided in an agreement with the board. Failure to record the parcel map within the time frame terminates all proceedings, requiring an entirely new parcel map approval.
- b. The first parcel map in a series of second and subsequent parcel maps must be presented to the board within four (4) years of board approval of the tentative map. Failure to meet this deadline shall terminate all proceedings of the tentative map. Subsequent parcel map(s) shall be recorded within two (2) years of recordation of the prior parcel map.

B. Second Or Subsequent Parcel Map:

1. When Permitted: Second and subsequent parceling shall only be permitted in the following circumstances:
  - a. On land development where a tentative map has been approved by the county and at least one final map has been recorded prior to August 2003. This shall include developments where the master plan was approved and a tentative map for at least two (2) phases of the development have had final maps recorded on them.
  - b. Cluster developments.
  - c. Agricultural or residential development where each parcel created is no less than five (5) acres in area.

A tentative map shall be required prior to filing a second and subsequent parcel map if six (6) or more parcels will be created in the land division.

2. Required Improvements:

a. Roads And Bridges:

- (1) Each parcel created must be provided with roads and bridges as set forth in the development standards.

Parcels created by a parcel map that are twenty (20) acres in size or less shall be provided with paved roads as specified in the development standards. Parcels created that are more than twenty (20) acres in size shall be provided with grade gravel roads built according to the development standards unless the board of county commissioners requires the road to be built to paved standards in the interest of public health and safety.

- (2) Roadway easements shall be a minimum of sixty feet (60') in total width. Where a roadway easement is provided on both sides of a property line a minimum of thirty feet (30') measured from the property line to the edge of the easement shall be provided on all parcels being created. Additional easement width may be required to accommodate TCID easements or other circumstances.
- (3) Roadway easements for future roads must be provided to all parcels of land under the same or different ownership that have not been divided to their fullest divisional potential under the existing zoning.
- (4) Proposed road easements to a development, including secondary access, must be provided to the development from the nearest existing publicly maintained road.

- (5) Paved roads shall be provided back to the nearest publicly maintained road and shall be constructed to the parcels created with an adequate paved turnaround approved by the road department.
  - (6) Street names and suffixes shall be designated by the developer, subject to approval of the planning department and in accordance with the following general policy shall:
    - (A) Be short (under 12 letters if possible) and preferably in one word;
    - (B) Have a simple spelling and easy pronunciation;
    - (C) Avoid prefixes such as "north" and "south", "east" and "west", "upper" and "lower", etc.;
    - (D) Be related to the type and importance of the street (e.g., the suffix "boulevard" should not be attached to the name of a minor residential street);
    - (E) Avoid the use of numbers or letters as street names;
    - (F) Not be incongruous, offensive or geographically misleading;
    - (G) Not be repetitive or similar in sound and character;
    - (H) Have a single name for a street having a continuous alignment;
    - (I) When to be connected in the future into a continuous alignment, or extended, bear the same name as the existing street.
  - (7) If roads are to be constructed, a geotechnical investigation, a drainage report, and a paving schedule and phasing plan performed by a professional engineer must be submitted to the planning department with the road construction plans.
  - (8) Parcel maps that do not meet the minimum access road requirements must comply with this code's road requirements. If extenuating circumstances and practical difficulties exist so that the property owner cannot meet the literal requirements of the code, a variance may be applied for. The applicant must demonstrate practical difficulties and show insignificant public benefit.
- b. Water And Sewer: Adequate water resources and sewer facilities are required for all parcel maps. Proposed provision of these services must be clearly outlined on all parcel maps.
- C. Map Of Division Into Large Parcels: A map or division into large parcels shall be filed in accordance with all provisions of a parcel map application and shall be subject to the same requirements for recordation. A map of division into large parcels is the creation of any number of land units from the same parcel where each land unit created is forty (40) acres or more; or one-sixteenth ( $\frac{1}{16}$ ) of a section as described by a government land survey.
- 1. Required Improvements:
    - a. Roads And Bridges:
      - (1) All land units created which consist of more than twenty (20) acres shall be provided with grade gravel roads constructed to Churchill County design standard specifications, unless the board of county commissioners determines that in the interest of public health and safety more stringent requirements are necessary. Grade gravel roads shall be provided back to the nearest publicly maintained road and shall be constructed to the parcels created with an adequate turnaround approved by the road department.
      - (2) Roadway easements shall be a minimum of sixty feet (60') in total width. Where a roadway easement is provided on both sides of a property line a minimum of thirty

feet (30') measured from the property line to the edge of the easement shall be provided on all parcels being created. Additional easement width may be required to accommodate TCID easements or other circumstances.

(3) Roadway easements for future roads must be provided to all parcels of land under the same or different ownership, that have not been divided to their fullest divisional potential under the existing zoning.

(4) All bridges shall be constructed to Churchill County design standards.

(5) A geotechnical investigation, a drainage report, and a paving schedule and phasing plan performed by a professional engineer must be submitted to the planning department with the road construction plans.

(6) Road names and suffixes shall be designated by the developer, subject to approval of the planning department and in accordance with subsection A4a(6) of this section.

b. Water And Sewer: Adequate water resources and sewer facilities are required for all parcel maps. Proposed provision of these services must be clearly outlined on all parcel maps. (Bill 2010-G, 2010: Bill 2007-I, 2007: Bill 2006-G, 2006: Bill 2005-F § 2.2, 2005)

### **16.12.040.3: PLANNED UNIT DEVELOPMENTS:**

The purpose of a PUD is to encourage more efficient use of the land and public and private services; to encourage flexibility to promote the most appropriate and compatible use; to facilitate adequate and economical provision of streets and utilities; and to preserve the agricultural lands and open space areas of our community.

A. PUD Criteria: Planned unit developments can be used as a development alternative when the following criteria are met:

1. For residential PUDs, the project is within the urbanizing area of the county as described in the Churchill County master plan;
2. The project will provide water and sewer services;
3. The project is consistent with the master plan in the provision for potential sites for parks, schools, and utility treatment facilities;
4. The proposed development is consistent with the transportation plan in the identification of appropriate improvements.

B. Approval Requirements And Required Findings: In approving a PUD, the planning commission and the county commissioners shall find the following:

1. Growth and/or other development factors in the community support a change in the land use.
2. The change in land use represents orderly development, and that adequate services and infrastructure to support the proposed land use are available in the area.
3. The change in land use provides for an appropriate use of the land.
4. The proposed land use is in substantial conformance with the master plan and other adopted plans and policies.

C. General Provisions:

1. Intent: The intent of the PUD ordinance is to provide for well designed developments that creatively utilize the physical features of a parcel of land and include design elements that protect surrounding properties, and provide features that mitigate potential impacts



caused by development. Both mixed uses and higher densities than those designated in the underlying zoning district are permissible in a PUD. However, the type, intensity and location of proposed land uses must be justified and offset with design elements that demonstrate compliance with the recreation and open space elements of the master plan and provide open spaces throughout the development that create an atmosphere of healthful, rural living such as common open space and large lots.

2. General Development Provisions:

- a. A PUD is a specialized form of subdivision. A proposed PUD shall therefore conform to all subdivision requirements unless varied by the provisions of this chapter.
- b. The minimum project size shall be five (5) acres. The minimum size requirement may be reduced if justified by the developer and supported by the commission.
- c. Buffering and setbacks for all planned unit developments will be based upon and further evaluated by the impacts to the adjacent properties. Exterior project setbacks and buffering will be at a minimum the underlying zoning standards of the site. Interior setbacks shall be consistent with the standards of the highest density located within the development. Adequate buffering shall be provided to existing agricultural operations adjacent to the development.
- d. Planned unit developments may be proposed in the E-1, R-1, R-2, C-1, C-2 and I zoning districts provided that the type and intensity of the use is justified and offset with appropriate design elements and the following criteria are met:
  - (1) In the E-1 zoning district residential uses must be the predominant land use. Commercial uses shall not exceed five percent (5%) of the gross project area. The overall density of the residential component of the PUD may not exceed 3.2 units an acre unless the commission determines that the development provides benefits to the community such as protection and access to the Carson River corridor; or protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development. The commission may allow up to five (5) units per acre should it determine that the benefits to the community warrant an increase in density.
  - (2) In the R-1 and R-2 zoning districts residential uses must be the predominant land use. Commercial uses shall not exceed twenty percent (20%) of the gross project area. Density may not exceed five (5) units an acre unless the commission determines that the development provides benefits to the community such as protection and access to the Carson River corridor; protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development. The commission may allow up to eight (8) units per acre should it determine that the benefits to the community warrant an increase in density.
  - (3) In the C-1 and C-2 zoning districts commercial uses must be the predominant land use. Residential uses shall not exceed five percent (5%) of the gross project area. Within the residential area residential density may not exceed eight (8) units an acre. The residential component must comply with all open space requirements and standards of a residential PUD.

- (4) In the I industrial zoning district industrial and commercial uses must be the predominant land use. Residential uses shall not exceed five percent (5%) of the gross project area. Within the residential area residential density may not exceed an overall density of four (4) units an acre. The residential component must comply with all open space requirements and standards of a residential PUD.
- (5) Type and intensity of land uses shall be incorporated into and approved as part of the PUD application process. Additional rezoning applications within a PUD are not required. Density and open space requirements of the residential components may be met by demonstrating community benefit to the commission such as protection of agriculture through the transfer of development rights from active agricultural lands or continuance of agricultural production within the development or protection of the floodplain.
- e. If a panel of experts is needed to review the project, the applicant shall be responsible for all costs incurred.
- D. Planned Unit Development Standards: Open space within a PUD, whether it is designated private or public is meant to primarily benefit the people living in the development.
- 1. Open Space Requirements:
  - a. Residential PUDs: For exclusively residential projects, and the residential components of industrial and commercial PUDs, except as provided below, a minimum of twenty percent (20%) of the project site must be retained in common open space that must be improved in a parklike setting with active recreational areas.
    - (1) A single-family residential project may be exempted from providing fifteen percent (15%) of the twenty percent (20%) required common open space if the project utilizes transfer of development rights from lands protected through conservation easements.
    - (2) A residential project may be exempted from providing fifteen percent (15%) of the required common open space if the project provides open space for a community or neighborhood park as designated in the master plan recreation element and recommended by the parks and recreation department.
  - b. Commercial And Industrial PUDs:
    - (1) Twenty percent (20%) of the project site to be developed for industrial and commercial uses must be devoted to common open space improved in a parklike setting with active recreational areas. Fifty percent (50%) of this requirement may be satisfied by some or all of the following:
      - (A) Protection of agriculture and open space through the transfer of development rights;
      - (B) A payment in lieu for the development of community or regional parks that will benefit the residents of the county;
      - (C) Protection of the floodplain by setting aside unimproved land that is located within the 100-year floodplain.
    - (2) The residential component of any commercial or industrial PUD must meet all the same requirements for open space and density of a residential PUD.
  - c. Open Space Standards:

- (1) Common Open Space: Where possible, on site recreation areas should be linked with any appropriate transportation, bicycle, open space, trails or other similar approved plan. When the property is on a trail or biking lane or path designated by an adopted plan, the trail or separated bike path shall be provided and that area developed for the trail or separated bike path may be counted as part of the required open space, even if the trail or bike path is dedicated to the county.

Open space areas that enhance circulation within a site, promote pedestrian use and safety, and improve a site's aesthetic qualities are expected to satisfy the following criteria:

- (A) Open space should be designed to provide a mix of active and passive activity areas. Small pocket areas should be avoided whenever possible and combined into one aggregate area which includes amenities.
  - (B) Open space areas should be accessible to all property owners within the development and connected by a comprehensive on site pedestrian circulation system.
  - (C) Open space areas, including plazas and courtyards, should be designed, located and landscaped to take advantage of solar orientation, maximize water conservation measures and afford summer shade and winter sunshine.
  - (D) Open space shall consist of connected, contiguous areas that are greater than or equal to two hundred (200) square feet with widths no smaller than ten feet (10') and must be within the development boundaries. Open space shall not include the following: required street landscaping, drives or driveways, streets and sidewalks, parking lots or bays and loading areas, retention ponds, canals, ditches and drains, and utility or service areas. Perimeter landscaping and entranceways may not be included in the open space calculation.
- (2) Types Of Open Space:
- (A) Common open space may be comprised of one or more of the following and shall be accessible to all the living units it serves:
    - (i) Courtyard.
    - (ii) Large lawn area.
    - (iii) Playground.
    - (iv) Tennis court.
    - (v) Basketball court.
    - (vi) Swimming pool.
    - (vii) Similar outdoor recreation facilities as approved by the commission.
  - (B) Community benefit open space:
    - (i) Public access to the Carson River.
    - (ii) Floodplain protection.
    - (iii) Wildlife habitat.
    - (iv) Designated wetlands.
    - (v) Irrigated agricultural fields in production within the development.
    - (vi) Provision of transfer of development right (TDR) certificates.

2. Streets: Streets within the development may be public or private, constructed to Churchill County specifications in accordance with "Standard Specifications For Public Works Construction" ("Orange Book"). All specifications and standard details are to be obtained through the Churchill County road department. All streets are to be inspected and approved by the Churchill County road department.

When streets are proposed to be privately maintained the developer shall present to the board the mechanism to be established that will guarantee that adequate funding will be provided or collected to ensure private maintenance of the streets for the life of the development. The board shall determine if privately maintained streets are permissible.

3. Residential Units: Residential units within the development may consist of attached or detached single-family units, multi-family units, including, but not limited to, apartments, townhouses, cluster units or condominiums, or commercial uses approved by the commission.
  4. Drainage: Drainage shall be designed pursuant to the Churchill County design standards. The drainage/design must accommodate any potential flooding from failure of irrigation facilities.
  5. Lighting: Lighting for the project shall be designed in accordance with recommendations from the county engineer and road department. The developer must propose a special assessment district (SAD) or like mechanism whereby the maintenance of and payment for lighting shall be the responsibility of the residents.
  6. Public Facilities: All public facilities, sewer storm drainage, etc., shall be designed in accordance with Churchill County standards.
- E. Application Process:
1. Initial meeting with planning staff to discuss the planned unit development project concept and requirements for submittal. (Establish if there is an actual project, and if a PUD is the best alternative.)
  2. Applicant prepares conceptual planned unit development application and required supporting information in accordance with the conceptual planned unit development submittal requirements and checklist.
  3. Conceptual plan is discussed in general terms with the planning commission at a workshop.
  4. Applicant submits conceptual planned unit development application and required supporting information to the planning department.
  5. Planning staff reviews the application for completeness and either deems the application complete or incomplete (1 week after submittal).
  6. If application is deemed complete the staff initially reviews the submittal to identify key issues and general information regarding the proposal and drafts a summary for the planning commission.
  7. The planned unit development conceptual plan along with supporting material and the staff summary is then presented to the planning commission at a public hearing for discussion only. The applicant is required to present the concept and material during this hearing.

8. Following input from the planning commission on the conceptual planned unit development application the applicant can move forward to prepare the planned unit development submittal application.
  9.
    - a. Upon completion of the planned unit development application and supporting information the applicant can submit to the planning department. Submittal should specifically address all concerns and comments that were raised by the staff and planning commission during the conceptual review process.
    - b. If the planned unit development is of a size and complexity that the county determines warrants the services of specialized and skilled professionals outside the employ of the county, the developer shall deposit with the county an amount to be determined up to fifty thousand dollars (\$50,000.00) at the time the application for a planned unit development is filed. If the deposit is required, no permit shall be issued until the deposit is lodged with the county. If the special use permit application is denied, the outstanding balance of the deposit shall be returned to applicant after the time for filing appeals and petitions for judicial review have expired. If the special use permit is granted, the deposit shall be retained and utilized by the county for services provided by specialized or skilled professionals retained by the county to monitor compliance with the conditions of the special use permit. At the time the special use permit is granted, applicant, as a condition of the special use permit, may be required to deposit additional funds with the county to bring the balance of the deposit back up to fifty thousand dollars (\$50,000.00).
  10. The planning staff will review the submittal for completeness and accept or reject the application (1 week following submittal).
  11. When the request is deemed complete the staff begins review.
  12. Approximately two (2) to three (3) weeks after initial submittal, staff will have a meeting with the applicant to review the request, and ask for any additional information needed and review comments from other county departments.
  13. Upon completion of staff review the request will then be placed on the agenda for the next planning commission meeting for review and recommendation.
  14. Following the planning commission meeting the item will be forwarded to the county commission for action.
  15. Following approval of the planned unit development application the applicant may proceed with preparation of a tentative map(s). Tentative maps must be prepared in accordance with requirements of a subdivision tentative map. Where a tentative map will be filed simultaneously with a PUD application the applicant must meet with staff following the public hearing on the conceptual map to determine development standards and design elements. For this review applicant must request placement on the staff monthly meeting agenda (fourth Thursday of every month at 10:00 A.M.).
- F. Application Requirements:
1. Conceptual Plan Application Requirements:
    - a. Site Description:
      - (1) Description of property and location.
      - (2) Description of land uses surrounding the property within one mile.

- (3) Describe the proposed project design elements and property characteristics that make the property eligible for a PUD.
- b. Project Description:
  - (1) Describe the project elements.
  - (2) Proposed land uses.
  - (3) Proposed densities.
  - (4) Describe how the proposed densities will compare to existing surrounding area.
  - (5) Describe mitigation measures employed to ensure that project is not detrimental to surrounding area.
  - (6) Describe access.
  - (7) Discuss infrastructure requirements and how project will be serviced.
  - (8) Describe proposed effects on public services.
  - (9) Discuss drainage of the project and how it will be addressed.
  - (10) Describe proposed open space areas.
  - (11) Potential public sites and services, dedication.
  - (12) Describe proposed project phasing.
- c. Site Plan: The site plan area shall be prepared to the following scales: for smaller sites (less than 10 acres) one inch equals forty feet (1" = 40'); for sites in excess of ten (10) acres the site plans will be prepared at one inch equals one hundred feet (1" = 100'). The map should include sufficient information to describe the development and will include at a minimum the following:
  - (1) Parcel number.
  - (2) Total acreage.
  - (3) North arrow.
  - (4) Scale.
  - (5) Existing zoning.
  - (6) Existing master plan.
  - (7) Proposed densities.
  - (8) Proposed access.
  - (9) Proposed location of parks and open space.
  - (10) Location of flood designations.
  - (11) Existing structures.
  - (12) Adjacent zoning designations and land uses within three hundred feet (300').
- 2. Planned Unit Development Application Requirements: In order to adequately evaluate these PUD submittal requests, the following items are to be included as part of the application and supporting information for planned unit developments. While some items on the following list were included in the conceptual planned unit development application, these items are expected to be addressed in more detail as a part of this application. (Failure to provide all of the listed information could result in an incomplete submittal packet.)
  - a. Site Description:
    - (1) Description of property and location.
    - (2) Description of land uses surrounding the property within one mile.

- (3) Describe the proposed design elements and property characteristics that make the property eligible for a PUD.
- b. Project Narrative:
- (1) Describe the project elements.
  - (2) Proposed land uses.
  - (3) Proposed densities.
  - (4) Describe how the proposed densities will compare to existing surrounding area.
  - (5) Describe mitigation measures employed to ensure that project is not detrimental to surrounding area.
  - (6) Describe access.
  - (7) Discuss infrastructure requirements and how project will be serviced.
  - (8) Describe expected effects on public services.
  - (9) Describe the open space areas.
  - (10) Potential public sites and services, dedication.
  - (11) List and explain findings for this project pursuant to this code.
  - (12) Existing zoning and master plan designation.
  - (13) Proposed CC&Rs.
  - (14) Adjacent zoning designations within three hundred feet (300').
- c. Site Plan: The site plan area shall be prepared to the following scales: for smaller sites (less than 10 acres) one inch equals forty feet (1" = 40'); for sites in excess of ten (10) acres the site plans will be prepared at one inch equals one hundred feet (1" = 100') with five foot (5') contour intervals. The map will include at a minimum the following:
- (1) Name of project, developers and engineer preparing plan.
  - (2) Location and size of the site - total acreage.
  - (3) Legal description.
  - (4) Vicinity map.
  - (5) Identify proposed land uses and densities (pods or neighborhoods).
  - (6) Location and size of any parks or open space (ownership/proposed maintenance).
  - (7) Proposed building elevations.
  - (8) Show adjacent land uses, zoning and ownership.
  - (9) North arrow.
  - (10) Scale.
  - (11) Existing structures.
  - (12) Exterior setbacks and proposed buffers.
  - (13) Areas not a part.
- d. Reports:
- (1) Preliminary drainage report.
  - (2) Soils report.
  - (3) Those lands that may be considered potential wetlands by the United States natural resources conservation service in their technical guide information and information regarding soils and interpretations.
  - (4) Traffic study per section [16.16.010.8](#) of this title.
  - (5) Potential risks and proposed mitigation measures to address failures in irrigation facilities.

- e. Supplemental Information: Supplemental information to be included in narrative or as exhibits:
  - (1) General infrastructure plan.
  - (2) Phasing of the project.
- 3. Planned Unit Development Tentative Map Application: PUD tentative maps shall be submitted in accordance with requirements of a tentative subdivision. The first tentative map either depicting the total development or a portion of the development must be submitted to the board within three (3) years of the PUD application approval unless an extended time line is specifically agreed upon during the PUD approval process. One extension of no longer than two (2) years may be requested by the developer and approval may be granted by the board through a development agreement.
- 4. Planned Unit Development Final Map Application: PUD final maps shall be submitted in accordance with requirements of a subdivision map. (Bill 2012-F, 2012: Bill 2010-G, 2010: Bill 2007-I, 2007: Bill 2006-G, 2006: Bill 2005-F § 2.2, 2005)

**16.12.040.4: CLUSTER DEVELOPMENTS:**

- A. Purpose: The purpose of a cluster development is to provide the agricultural community an alternative to taking land out of production or irrigation through land division. Clustered developments provide a mechanism to preserve agricultural lands and open space by allowing the agricultural community to utilize the fullest divisional potential of their land (a parcel, or adjoining parcels under the same ownership) by either:
  - 1. Locating housing in clustered areas on a parcel, which can be readily served by emergency services, utilities, etc., and designating the remainder of the parcel as an agricultural easement or open space; or
  - 2. Locating housing on an adjoining parcel under the same ownership, which can be readily served by emergency services, utilities, etc., and transferring the development rights provided by a clustered development to less productive land, thereby providing the agricultural community an alternative to taking land out of production or irrigation. The parcel from which the development rights have been transferred shall be designated as an agricultural reservation or conservation easement. (Bill 2015-D, 2015)
- B. Requirements:
  - 1. The minimum parcel size for clustered lots is one acre if individual wells and septic tanks are to be provided. Parcel sizes may be reduced if provisions are made for connection to a community water and sewer system. Individual parcels are not to exceed two (2) net acres. Individual parcels may be water righted.
  - 2. The number of clustered lots created for the project may not exceed the density requirements for the underlying zoning district. The clustered development in the project may be under different ownership than the conservation easement parcel. The number of lots created within the cluster development may not exceed the fullest divisional potential of the project. (For example, if the total project has 120 acres in the A-5 zoning district the total number of lots created within the cluster may not exceed 24 buildable lots.) If an adjoining parcel is to be used for the residential lots the full developmental rights of the



parcel to be placed under the conservation easement may be transferred to the adjoining parcel.

3. Where an agricultural easement is being created, agricultural buildings including one single-family residence used by the owner/operator of the farm may be included on each agricultural reservation. Such single-family residence may be in addition to the fullest divisional potential of the property.
4. The parcels designated as an agricultural reservation, open space or conservation easement are restricted to ranching, farming, recreational or agricultural open space as designated and cannot be developed for any other use. These parcels shall be further restricted by including Churchill County in a deed restriction on the land or an open space or conservation easement in favor of the county.

C. Procedure/Process:

1. A tentative map must be submitted for any cluster developments creating six (6) or more lots in the cluster. A draft agricultural reservation deed or conservation easement deed initialed by the applicant/landowner is required at the time of tentative map submittal.
2. Following approval of the tentative map, second and subsequent parcel maps may be filed per the submittal and review procedure outlined above.
3. A signed agricultural reservation deed approved by the district attorney's office must be submitted with the first parcel map.

D. Required Improvements:

1. Roads:
  - a. All roadways shall be constructed to Churchill County specifications in accordance with "Standard Specifications For Public Works Construction" ("Orange Book"). All specifications and standard details are to be obtained through the Churchill County road department. All roads are to be inspected and approved by the Churchill County road department in order to accommodate local conditions and shall incorporate provision for adequate drainage and bridges where deemed necessary.
  - b. Road names and suffixes shall be designated by the developer, subject to approval of the planning department and in accordance with section [16.16.010.7A16](#) of this title.
  - c. All roads constructed under the provisions of this chapter shall be constructed to intersect with the nearest public road. As used in this subsection, "public road" means a road which is maintained by any public authority.
2. Bridges: All bridges and culverts shall be constructed in accordance with provisions outlined in the Churchill County specifications in accordance with "Standard Specifications For Public Works Construction" ("Orange Book"). All specifications and standard details are to be obtained through the Churchill County road department. All bridges are to be inspected and approved by the Churchill County road department.
3. Water And Sewer: Adequate water and sewer facilities shall be provided for all cluster developments. (Bill 2015-D, 2015: Bill 2010-G, 2010: Bill 2007-I, 2007: Bill 2006-G, 2006: Bill 2005-F § 2.2, 2005)

**16.12.040.5: BOUNDARY LINE ADJUSTMENT/RECORD OF SURVEY:**

This section includes administrative procedures for boundary line adjustments/record of survey.

Each of the aforementioned elements is described generally, followed by specific procedures and application requirements.

**A. Boundary Line Adjustment:**

1. Generally: The granting of a boundary line adjustment may be only accomplished between two (2) adjacent landowners in the manner set forth hereinafter.
2. Procedure: The adjustment of the boundary line between abutting parcels or the transfer of land between two (2) owners of abutting parcels may be approved by the planning department without conditions or further administrative proceedings when:
  - a. The adjustment does not create a nonconforming parcel relative to its respective zoning;
  - b. If the parcels are nonconforming, neither parcel's nonconformance be increased thereby;
  - c. No new parcels are created;
  - d. The map meets the formal requirements of Nevada Revised Statutes 278.5693;
  - e. The map is not in conflict with the provisions of this title; and
  - f. The map is submitted to the planning department with the applicable application and filing fee.
3. Exclusions: An adjustment of the boundary line between abutting parcels or the transfer of land between two (2) owners of abutting parcels may be disapproved if it reduces the size of a nonconforming parcel or results in the creation of a nonconforming parcel. In cases where both abutting parcels have been developed, and where the boundary line adjustment will not change the character of the surrounding neighborhood and meets the spirit of the zoning ordinance a variance of area may be granted by the planning commission in accordance with this title.

An adjustment of the boundary line between abutting parcels or the transfer of land between two (2) owners of abutting parcels may be disapproved if it does not contain adequate access, utility, water conveyance and drainage easements to serve the resulting parcels.

**B. Record Of Survey And Recording Maps:** After making a survey in conformity with the practices of land surveying, the licensed land surveyor shall, within ninety (90) days (after the establishment of points or lines), file, with the county recorder in the county in which the survey was made, a map of such survey relating to land boundaries and property lines.

**1. Requirements:**

- a. "Record of survey" shall be a map legibly drawn in waterproof ink on tracing cloth, or produced by the use of other materials of a permanent nature, generally used for such purposes in the engineering profession; the size is to be twenty four inches by thirty two inches (24" x 32").
- b. "Record of survey" shall show:
  - (1) All monuments found, set, reset, or replaced, describing their kind, size and location, and giving other data relating thereto;
  - (2) Bearing or witness monuments, basis of bearings, bearing and length of lines, scale of map;

- (3) Name and legal description of the tract in which the survey is located and ties to adjoining tracts;
  - (4) Tie to coast and geodetic survey control system, if points of the system are established in the area in which the survey is made;
  - (5) Memorandum of oaths, if any;
  - (6) Signature and seal of surveyor;
  - (7) Dates of survey;
  - (8) Name of the person or persons for whom the survey is made;
  - (9) Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown.
- c. Where a commercial or industrial subdivision is proposed pursuant to Nevada Revised Statutes 278.325, a tentative map was approved by the board of county commissioners, and a final map was recorded, records of survey creating individual lots shall be filed with the planning department for review prior to recording.
2. Prohibition And Penalty: It is unlawful for any person to fail to file with the county recorder a "record of survey" within ninety (90) days after the establishment of points or lines. Any person found to have violated this provision is guilty of a gross misdemeanor. (Bill 2012-F, 2012: Bill 2006-G, 2006: Bill 2005-F § 2.2, 2005)

**16.12.040.6: REVOCATION AND REVERSION TO ACREAGE:**

- A. Revocation of a final subdivision map shall be made in accordance with state law, provided that no building sites have been sold within the development and no improvements required by this title have been made within two (2) years from the date of recordation. Requests for revocation shall be made to the planning commission who shall advise the board of county commissioners whether or not to hold a public hearing on the matter.
- B. Revocation of a parcel map shall follow the same provisions as revocation of a final subdivision map.
- C. Reversions to acreage for final subdivision maps or parcel maps shall be subject to planning commission review and of county commissioners' approval.
- D. Maps filed for the purpose of showing as acreage lands previously divided into numbered or lettered parcels shall be conspicuously marked under the title "The purpose of this map is to revert to acreage".
- E. Reversion to acreage of parcels created by deed shall follow the provisions of a boundary line adjustment/record of survey. (Bill 2005-F § 2.2, 2005)