

LYON COUNTY



TITLE 15

LAND USE AND DEVELOPMENT CODE

LAND DIVISION REGULATIONS

CHAPTERS 15.600 – 15.607

January 21, 2016 Ordinance Draft

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1 **Chapter 15.600 General Land Division Provisions**

2

3 **15.600.01 Purpose**

4 The purposes of this chapter are:

5

6 A. To safeguard the public health, safety, and general welfare by establishing certain standards of
7 design, improvement, survey and construction of land developments hereafter platted in all areas of the
8 county;

9

10 B. To provide and ensure the orderly and proper growth thereof;

11

12 C. To aid in the prevention of pollution of land or water resources;

13

14 D. To encourage new concepts and innovations in the arrangement of building sites;

15

16 E. To protect, enhance and preserve the county's vast and valuable agricultural land; and

17

18 F. To provide for the continued protection and beneficial use of all waters appurtenant to lands within
19 Lyon County.

20

21 **15.600.02 Scope of Provisions**

22 A. It is unlawful for any individual, firm, association, syndicate, copartnership, trust or any other legal
23 entity, as a principal, agent or otherwise, to reserve, offer to reserve, to sell, to offer to sell, to contract to
24 sell or lease or transfer any division of land or any part thereof in the county unless and until all the
25 requirements hereinafter provided have been performed or guaranteed by bond or other surety
26 satisfactory to the county.

27

28 B. All "condominiums", "cooperatives" or "townhouses", "commercial" and "industrial" type developments
29 shall be subject to the full requirements of this title as pertinent.

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15.600.03 Planned Unit Developments

All planned unit land developments hereinafter platted and improved within the county shall be characterized by a complete planning approach in the tentative map stage. Planned Unit Developments shall be platted concurrent with the planned unit development procedures and requirements of 15.349.

15.600.04 Public Notice and Review

All land divisions, adjustments, amendments, and modifications subject to review under this title shall be open to inspection and comment by the public and subject to the public notice and review requirements outlined in this title.

15.600.05 Mandatory Water Rights Dedication or Relinquishment Requirements

All maps of land division, including parcel maps, subdivision maps and maps of division of land into large parcels, must dedicate or relinquish water rights as follows:

1. If the land encompassed by any map of land division is not within the existing boundaries of a public water system as defined in NRS 445A and the newly created parcels are to be served by domestic well:
 - a. The land divider shall relinquish to the state engineer water rights necessary to ensure an adequate water supply for domestic use of the newly created parcels from within the water basin in which the parcel is located; and
 - b. The land divider shall bear all costs associated with such relinquishment; and
 - c. For purposes of this section, valid underground water rights in the amount of 2.0 acre-feet per year shall be relinquished for each new parcel created by the land division; and
 - d. No map of land division shall be recorded until the requirements of this section have been satisfied.
2. If the land encompassed by any map of land division is within the boundaries of, or will be served by a public water system as defined in NRS 445A:
 - a. The dedication or relinquishment of water rights necessary to ensure an adequate supply for the domestic use of the newly created parcels shall follow the rules and requirements of that system, or a written statement from the water system that no dedication or relinquishment requirement exists, or that dedication or relinquishment requirements have been satisfied, must be submitted before a map may be recorded; and
 - b. The land divider shall bear all costs associated with such relinquishment; and

- 1 c. For the purpose of this section, necessary water rights required shall be determined by the
- 2 rules and requirements of the water system.
- 3 3. If a land division map is created on land subject to a conservation or agricultural easement
- 4 meeting the requirements of section 170(h) of the Internal Revenue Code, the requirements for
- 5 dedication or relinquishment of water rights enumerated in paragraphs 1 and 2 above may be
- 6 waived by the board for those portions of the land division map subject to the easement when the
- 7 following findings can be made:
 - 8 a. The conservation or agricultural easement creates a perpetual restriction on development
 - 9 of the parcel(s) for residential use; and
 - 10 b. The conservation or agricultural easement is held by a qualified land protection
 - 11 organization; and
 - 12 c. The conservation or agricultural easement document conforms to the requirements of
 - 13 15.340.A.5.e.

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1 **Chapter 15.601 Map and Easement Modifications**

2

3 **15.601.01 Amended Maps**

4 A. Certificate of amendment. If an error or omission is found in any subdivision map, record of survey,
5 parcel map, map of division into large parcels, or reversionary map, and the correction does not change
6 or purport to change the physical location of any survey monument, property line or boundary line, the
7 error or omission may be corrected by the filing and recordation of a certificate of amendment authorized
8 by the board. The certificate of amendment shall contain the items required by NRS 278.473(2).

9

10 B. Amending map. If an error or omission is found in any recorded subdivision map, record of survey,
11 parcel map, map of division into large parcels, or reversionary map, and the correction changes or
12 purports to change the physical location of any survey monument, property line or boundary line, the
13 correction may be effected by the filing of an amended map pursuant to the procedures of this section.
14 This procedure may be utilized only to correct errors or omissions which do not result in a change of the
15 number of lots, result in significant changes to the area of any lot or the amount of land reserved or
16 dedicated for public use and improvements, or result in the removal of any covenants or restrictions
17 attached to the final approved or recorded map.

18

19 C. Procedures for amending map. The same procedures and requirements shall be applied to the
20 application for an amended map as to the original land division, except, in the case of subdivisions, only
21 those procedures for the approval and filing of a final subdivision map shall apply. The amending map
22 shall be in the format and shall contain the certificates required by NRS 278.477(2) and this title.

23

24 D. Public Notice and Review. Map amendments shall be subject to the same personal notice and
25 hearing requirements as required for an original map review.

26

27 **15.601.02 Modifications to Approved Tentative Maps**

28 A. Applicability. Whenever the owners of land or their representatives desire to modify an approved
29 tentative map or conditions of approval, an application shall be filed with the department. Those requests

1 resulting in no net change or reduction in the number of parcels, the re-design of the map involving less
2 than ten (10) percent of the total number of parcels or land area, minor clarification of a condition resulting
3 in no impact to public health or safety, or changes to map design resulting from the mapping of
4 environmental constraints or historic sites, an application for a minor modification may be filed. All other
5 requests shall constitute a major amendment.

6

7 B. Procedures for processing a minor modification or a technical correction. An application for a minor
8 modification or technical correction shall be filed with the department, on the form provided, with the
9 applicable fees. The director is the designated authority for minor modifications and technical corrections.
10 Minor modifications as defined in paragraph A above shall be subject to the personal notice requirements
11 of Chapter 15.09.04. The applicant shall be notified in writing of the decision regarding the request within
12 30 working days of the official filing date. The decision of the director may be appealed.

13

14 C. Procedures for processing a major amendment. Major amendments shall be processed in the same
15 manner as the original application for land division. With the consent of the department, the applicant may
16 incorporate the previous applications and procedures by reference, to the extent that the amendment
17 makes no material changes on the matters addressed therein. Public notice and hearing requirements
18 shall be those precedent to the approval of the original tentative map.

19

20 **15.601.03 Reversion of Maps and Lot Consolidations or Reversion of Division of Land to Acreage**

21 A. All applications for a reversion of map and lot consolidation or reversion of division of land to acreage
22 must be filed with the department on the appropriate forms and meet all applicable submittal
23 requirements. The director, or his designee, shall be the final decision maker regarding reversion of maps
24 and lot consolidations or reversion of division of land to acreage.

25

26 B. The applicant shall pay a fee as set by the board.

27

1 C. All applications for reversion of maps and lot consolidations or reversion of land to acreage must
2 comply with NRS 278.490.

3

4 D. Easements. Reversion of maps and lot consolidations or reversion of division of land to acreage does
5 not automatically eliminate any public utility, irrigation, or other private easement that may exist along a
6 lot line. It is the responsibility of the property owner(s) to resolve any and all interest of record in
7 conformance with 15.601.06.

8

9 E. All applications of reversion of maps and lot consolidation or reversion of division of land to acreage
10 must include a reversion to acreage map which contains the same survey dimensions as the previous
11 recorded map. When the lot line to be deleted was created by deed, the lot line deletion may be
12 accomplished by deed and record of survey.

13

14 F. Reversion of maps and consolidations or reversions of division of land to acreage shall be subject to
15 the personal notice requirements of 15.09.04.

16

17 G. Appeal. A decision of the director made under this section may be appealed in the manner provided
18 in Chapter 15.04.

19

20 **15.601.04 Merger and Resubdivision of Land Without Reversion to Acreage**

21 A. An owner or governing body that owns two or more contiguous parcels may merge and resubdivide
22 the land into new parcels or lots without reverting the preexisting parcels to acreage pursuant to NRS
23 278.490.

24

25 B. Streets and easements will remain in effect after the merger and resubdivision of land, unless
26 abandoned in accordance with the provisions of 15.601.06 and NRS.

27

1 C. All applications of a merger and resubdivision of land must be filed with the department on the
2 appropriate forms meeting all applicable submittal requirements.

3

4 D. The applicant shall pay a fee as set by the board.

5

6 E. All applicants for merger and resubdivision of land must comply with NRS 278.4925, 278.4955,
7 278.496 and 278.4965.

8

9 F. All applications for merger and resubdivision of land, whether created by a map or deed, must follow
10 the same county approval process as would be required for a division of land based on the number of lots
11 to be created.

12

13 **15.601.05 Vacation or Abandonment of Street or Easement**

14 Any abutting property owner desiring the vacation or abandonment of any street or easement or portion
15 thereof shall file a petition in writing with the department. The petition for vacation or abandonment of the
16 street or easement shall be processed in accordance with the procedures set forth in NRS 278.480. A
17 vacation or abandonment of a street easement may be approved in conjunction with the approval of a
18 tentative map pursuant to NRS 278.349. The board may initiate the vacation or abandonment of a street
19 or easement by resolution.

20

21 **15.601.06 Administrative Vacation or Abandonment of Public Utility Easements**

22 A. Purpose. For the purposes of this section, a public utility easement is an easement owned or
23 controlled by public or private utility, and which runs in favor of such utility. Pursuant to NRS 278.480(11)
24 and through the use of the procedure contained in this section, the director, or his designee, is authorized
25 to take final action on the vacation or abandonment of a public utility easement subject to the procedures
26 set forth below.

27

28 B. General procedure. The owner of property who seeks abandonment of a public utility easement
29 involving his property shall file an application with the department on the forms provided by the

1 department. The applicant shall pay a fee as set by the board. The applicant shall provide written
2 verification that all public utility or video service providers have approved the application. The application
3 shall also include a legal description and exhibit prepared and signed a Nevada licensed land surveyor,
4 unless the county engineer waives the requirements of retaining a state licensed surveyor for the
5 preparation of the documents. The director shall provide all conditions of approval to the applicant in
6 writing within 45 days of receiving an application.

7
8 C. Decision. The director, or his designee, may issue a written order abandoning a public utility
9 easement after:

- 10 1. Receiving a complete application;
- 11 2. Providing notice to each owner of property abutting the easement to be abandoned in
12 conformance with the procedures set forth in Chapter 15.09. Property owners shall be given ten (10)
13 days to respond;
- 14 3. Obtaining written approval from all public utility or video service providers indicating that they no
15 longer request the reservation of the easement(s). Written approval shall consist of a legal description
16 sufficient to identify the easement being abandoned and the notarized signatures of all parties holding
17 an interest in the easement. If there is an associated map or record of survey, the acknowledgement
18 of relinquishment shall be provided on the map or record of survey.
- 19 4. Verification that the applicant has fulfilled all prescribed conditions, and;
- 20 5. A determination that the subject public utility easement is no longer necessary or useful to Lyon
21 County and that the public will not be materially injured by the proposed vacation.

22
23 D. Appeal. A decision of the director made under this section may be applied in the manner provide for
24 in chapter 10.04.

25

1 **Chapter 15.602 Boundary Line Adjustment**

2

3 **15.602.01 Applicability**

4 This chapter applies to an adjustment of the boundary line between two abutting parcels or the transfer of
5 land between two owners of abutting parcels.

6

7 **15.602.02 Exclusions**

8 A. An adjustment of the boundary line between abutting parcels or the transfer of land between two
9 owners of abutting parcels may not be approved if it reduces the size of a non-conforming parcel,
10 increases a non-conformity, or results in the creation of a non-conforming condition or parcel.

11

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

15

16 **15.602.03 Procedures for Boundary Line Adjustment**

17 A. All applications for a boundary line adjustment must be filed with the department on the appropriate
18 forms and meet all applicable submittal requirements. The applicant shall pay a fee(s) as set by the
19 board. The director, or his designee, shall be the final decision maker regarding boundary line
20 adjustments.

21

22 B. The applicant shall prove that there are no delinquent taxes or assessments on the parcels involved
23 in the boundary line adjustment.

24

25 C. Contents of boundary line adjustments. Every map for boundary line adjustments shall show, at a
26 minimum, the information required by NRS 278.469 and NRS 278.5693.

27

28 D. Applicants for boundary line adjustments shall submit a metes and bounds description, the
29 appropriate number of printed and electronic record of survey maps of said parcels showing lot line

1 dimensions, adjacent streets, north arrow, and the locations of all structures, wells, septic tanks, and
2 leach fields. A record of survey is defined in NRS 278.469 and NRS 278.5693.3. A record of survey and
3 additional materials must be signed and stamped by a Nevada registered land surveyor complying with
4 NRS 278.461(3c), 278.469, 278.5693 and 278.5695.4.

5
6 E. Processing by department. The department shall distribute copies of the boundary line adjustment
7 map and any accompanying materials for review by the county engineer, county surveyor and county
8 agencies as applicable to the map. The department will review the application and boundary line
9 adjustment map for compliance with NRS 278.469, NRS 278.5693, this title, and the comments by other
10 reviewing agencies.

11
12 C. Decision. The director, or his designee, may make a decision regarding a boundary line adjustment
13 after:

- 14 1. Receiving a complete application;
- 15 2. Verifying that there are no delinquent taxes or assessments on the parcels involved in the
16 boundary line adjustment; and
- 17 3. Providing notice in conformance with the procedures set forth in Chapter 15.09. Property owners
18 shall be given ten (10) days to respond;

19
20 **15.602.04 Standards for Approval**

21 A. The adjustment of the boundary line between abutting parcels or the transfer of land between two
22 owners of abutting parcels shall be approved without conditions or further administrative proceedings
23 when:

- 24 1. It does not result in the creation or reduction in size of non-conforming lots;
- 25 2. The map meets the formal requirements of NRS 278.469 and NRS 278.5693;
- 26 3. The map is not in conflict with the provisions of this title and NRS 278.010 to 278.630, inclusive.

1 B. If the proposed configuration is to accommodate new residential, commercial or industrial
2 development, the director, or his designee, may require, prior to approval and recordation of the map, that
3 public facilities and improvements be constructed, in the manner and at the same level as if parcel map
4 approval had been sought.

5
6 C. Appeal. A decision of the director made under this section may be appealed in the manner provided
7 in Chapter 15.04.

8
9 **15.602.05 Public Notice and Review**

10 An application for a boundary line adjustment under this chapter shall be subject to the personal notice
11 requirements of Chapter 15.09.04 of this title.

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- 1 Chapter 15.603 – Reserved
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- 3 Chapter 15.604 – Reserved
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1 **Chapter 15.605 Division of Land Into Large Parcels**

2

3 **15.605.01 General Procedures**

4 Except as otherwise provided for in this section, all applications for division of land into large parcels shall
5 be processed in two stages:

- 6 1. Application for tentative map for division of land into large parcels, and
- 7 2. Application for final map for division of land into large parcels.

8

9 **15.605.02 Applicability**

10 All owners of land or their authorized representatives who propose to divide any land or portion thereof,
11 vacant or improved, for transfer or development into lots or parcels, each of which is at least: 1) one-
12 sixteenth (1/16) of a section as described by government land office survey; or 2) 40 acres in area,
13 including roads and easements, shall file an application for approval of a tentative map of division into
14 large parcels; provided that, the provisions of this chapter shall not apply to the proposed division of land
15 where each lot is at least one section or 640 acres, or where the division of land conforms to the
16 provisions of NRS 278.320, paragraph 4, division of land for agricultural purposes.

17

18 **15.605.03 Procedures for Tentative Maps for Division of Land Into Large Parcels**

19 A. Application. The landowner or his authorized representative shall submit a complete tentative map
20 application with the department in accordance with the established and published application and
21 submittal schedule.

22

23 B. Contents of Tentative Map for Division of Land into Large Parcels. Every tentative map for division of
24 land into large parcels shall show, at minimum, the information required by NRS 278.471 through
25 278.4713, inclusive.

26

27 C. Processing by Department. The department shall distribute copies of the tentative map and
28 accompanying materials to all agencies charged by statute. The department shall schedule the
29 application for public hearing and file reports with the commission and subsequently with the board.

1
2 D. Hearing Notice and Procedure. Notice of the hearings before the commission and the board shall be
3 provided in accordance with 15.09.

4
5 E. Planning Commission Action. Within 60 days after the official filing date, unless the time is extended
6 by mutual consent of the applicant and the commission, the commission shall, following a public hearing,
7 shall recommend approval, conditional approval or denial of the tentative map of division into large
8 parcels by a majority vote of the members present. The commission shall set forth findings and reasons
9 for its decisions in accordance with the criteria identified in section 15.605.04 below.

10
11 F. Decision by Board. Within 30 days after receipt of the commission's recommendation, unless the time
12 is extended by mutual consent of the applicant and the board, the board shall conduct a public hearing,
13 and approve, conditionally approve or disapprove the tentative map of division into large parcels. The
14 review and decision of the board shall conform to the provisions of chapter 15.07 and include findings and
15 reasons for its decision in accordance with the criteria identified in chapter 15.605.04.

16

17 **15.605.04 Findings for Tentative Map for Division of Land Into Large Parcels**

18 The commission and the board, in rendering a decision on the tentative map, shall base the
19 recommendation for approval or approval (respectively) on finding in the affirmative of the following:

20

21 A. The tentative map meets the formal requirements of this Chapter and NRS.

22

23 B. The tentative map secures adequate access for subsequent purchasers.

24

25 C. Where applicable, the tentative map secures the ability to irrigate and drain each parcel, consistent
26 with the water rights appurtenant, and that the rights of downstream users are secured and not impaired.

27

1 D. The location and width of easements for roads and public utilities are adequate for the area to be
2 divided.

3

4 E. The location and width of easements for drainage and irrigation purposes are adequate for the area
5 to be divided.

6

7 F. There are no delinquent taxes or assessments on the land to be divided.

8

9 **15.605.05 Duration, Extension and Amendment of Tentative Map of Division Into Large Parcels**

10 A. Time for Submission of Final Map. Unless the time is extended by the board in the manner set forth in
11 paragraph B, the final map shall be filed within one (1) year from the date of approval of the tentative map
12 by the board or the date that the requirement of its filing was extended pursuant to paragraph B, below.

13

14 B. Extension of Tentative Map. The board may extend the period for presentation of any final map of
15 division into large parcels for not more than one (1) additional year after the expiration of the initial one-
16 year period for presenting the final map, upon application to the department. The extension shall be
17 consistent with any applicable policies of the master plan and may include conditions requiring
18 compliance with the current provisions of Title 15. Extension requests shall be filed within the time
19 provided in Chapter 15.12. If a party is aggrieved by the decision of the board concerning an application
20 for extension, the party may appeal such determination in accordance with the provisions of Chapter
21 15.12.

22

23 C. Amendment of Tentative Map. At any time after tentative map approval, and before the time required
24 for presentation of a final map, the applicant may request amendment to the approval or conditional
25 approval of the tentative map. The director may approve minor tentative map amendments, subject to
26 appeal to the commission in accordance with Chapter 15.04. Major amendments shall be determined in
27 accordance with the procedure for original approval of the tentative map under this Chapter. Additional
28 conditions which are reasonably related to the proposed amendment may be attached to approval of the

1 tentative map amendment. An applicant who is unwilling to accept conditions attached to the proposed
2 amendment may withdraw the amendment. Action on the application for amendment of the tentative map
3 shall not extend the period for presenting a final map, unless a request for extension pursuant to
4 paragraph B is approved.

5

6 **15.605.06 Final Land Division Map Procedure**

7 A. Application Requirements. Final land division map shall be filed with the department on a form
8 provided by the department. The board shall be the final decision maker for approval of the final map.

9

10 B. Action by Board.

11 1. Unless the time period is extended by a mutual consent of the developer and the board, the
12 board shall approve, conditionally approve or disapprove the final map within 60 days of the official
13 filing date.

14 2. If the board does not approve, approve with conditions or disapprove the final map within 60
15 days, the final map shall be deemed approved unconditionally.

16 3. The board shall approve the map only upon findings as follows:

17 a. The final map conforms in every respect with the approved tentative map.

18 b. All conditions established upon approval of the tentative map have been satisfied.

19 c. The final map conforms to all county ordinances applicable at the time of the hearing on the
20 final map.

21 d. All necessary certificates required by state law or by this title have been presented with the
22 application for approval of the final map.

23 4. If the map is disapproved, the board shall also provide the applicant with a written statement of
24 what changes would be necessary to render the map acceptable.

25 5. The board shall, at the time of approval of the final map, accept or reject any or all offers of
26 dedication.

27

1 C. Appeal. The board's action to deny the final land division map may be appealed in accordance with
2 the procedures of Chapter 15.12.

3

4 **15.605.07 Final Land Division Map Content**

5 A. Contents of Final Map. Every final map shall include all data required for the tentative map and all
6 changes required as conditions of tentative map approval, and shall contain contents required by NRS
7 278.472, and the following information:

- 8 1. All lots by number and actual acreage of each lot.
- 9 2. All roads or easements of access which exist and which the owner intends to offer for dedication,
10 all roads or easements or access which are shown on the applicable master plan, and all roads or
11 easements of access which are specifically required by the tentative approval.
- 12 3. Any easements for public utilities which exist or are proposed.
- 13 4. Any existing easements for irrigation or drainage, and any normally continuously flowing
14 watercourses of any conveyance ditches or other irrigation water structure within the proposed land
15 division map. The land division map must also provide typical channel cross sections with
16 dimensions, centerline, average slope through the property and designed flow capacity of
17 conveyance structures and arrows indicating direction of irrigation flow.
- 18 5. An offer or offers to dedicate the utility and right-of-way easements.

19

20 B. Final Map Certificates. The following certificates shall appear on the final map and shall be combined
21 when appropriate:

- 22 1. A certificate signed and acknowledged by the owner of land consenting to the dedication of the
23 roads and granting of the easements.
- 24 2. A certificate of the director and the public works director certifying the following:
 - 25 a. That the map conforms to the approved tentative land division map, that and all conditions
26 imposed upon such approval have been satisfied.

1 b. That all the improvements have been installed in accordance with the requirements of these
2 regulations, or adequate assurances have been provided that improvements will be completed
3 and maintained in accordance with this development code.

4 c. That the County has accepted or deferred any land offered for dedication for public use in
5 conformity with the terms of the offer of dedication.

6 3. If the property includes, impacts, or is adjacent to an irrigation or drainage ditch, a certificate of the
7 Irrigation District stating that all irrigation water conveyance facilities and associated access and
8 maintenance easements or rights-of-way are depicted on the map and that all required improvements
9 have been completed.

11 **15.605.08 Effect of Approval**

12 No vested rights shall accrue to the owner or developer of any division of land into large parcels by
13 reason of the approval of a tentative or final map for division into large parcels approval until the actual
14 signing of the final map by all parties required to sign the map. All requirements, conditions or regulations
15 adopted by the county applicable to the division of land shall be deemed a condition for any division prior
16 to the time of signing of the final map. Where the county has required the installation of improvements
17 prior to signing of the final map, and improvements have, in fact, been completed, the applicant may be
18 required to comply with the local laws and regulations in effect at the time when the final map is
19 considered for approval only if such compliance is necessary to prevent a substantial risk of injury to the
20 public health, safety and general welfare.

22 **15.605.09 Recording**

23 A. Recording of the Map. The director shall file the official final map with the county recorder within 15
24 working days of the date of the director's approval of the final land division map.

26 B. Effect of Recording. Recording of the final map operates as a continuing:

- 27 1. Offer to dedicate for public roads the areas shown as proposed roads or easements of access,
28 which the county may accept in whole or in part at any time or from time to time.

1 2. Offer to grant the easements shown for public utilities, which any public utility may similarly
2 accept without excluding any other public utility whose presence is physically compatible.

3

4 C. Conveyances. After a map has been filed with the county recorder, any lot shown thereon may be
5 conveyed by reference to the map, without further description.

6

DRAFT

1 **Chapter 15.606 Parcel Maps**

2

3 **15.606.01 Purpose**

4 The purpose of this Chapter is to prescribe the requirements for, and waiver of, parcel maps.

5

6 **15.606.02 Parcel Map Required**

7 A parcel map shall be required as set forth in this section.

8

9 A. Parcel Map Required. A parcel map shall be required for all subdivisions, merger and re-subdivision
10 of existing lots, and common-interest communities consisting of four (4) or fewer units, except as provided
11 in this section.

12

13 B. Exempt Divisions. A parcel map is not required when the division is for the express purpose of:

- 14 1. The creation or realignment of a public right-of-way by a public agency;
- 15 2. The creation or realignment of an easement;
- 16 3. An adjustment of the boundary line between two (2) abutting parcels or the transfer of land
17 between two owners of abutting parcels which does not result in the creation of any additional
18 parcels;
- 19 4. The purchase, transfer or development of space within an apartment building or an industrial or
20 commercial building; or
- 21 5. Carrying out an order of any court of dividing land as a result of an operation of law;
- 22 6. Creation of cemetery plots;
- 23 7. A division of land for agricultural purposes in conformance with NRS 278.320, paragraph 5.

24

25 C. Exempt Transactions. A parcel map is not required for any of the following transactions involving
26 land:

- 27 1. The creation of a lien, mortgage, deed of trust, or any other security instrument;
- 28 2. The creation of a security or unit of interest in any investment trust regulated under the laws of
29 this state or any other interest in an investment entity;

- 1 3. Conveying an interest in oil, gas, minerals or building materials which are severed from the
- 2 surface ownership of real property;
- 3 4. Conveying an interest in land acquired by the Department of Transportation pursuant to Chapter
- 4 408 of NRS; or
- 5 5. Filing a certificate of amendment.

6

7 D. Waiver. A parcel map may be waived pursuant to 15.606.16, Waiver of Parcel Map.

8 The following land divisions are eligible for consideration of a waiver:

- 9 1. Creation of sites for utility services, such as well sites, pump stations, transformer boxes, as long
- 10 as the utility is a regulated utility or operated by a government entity. A waiver will require
- 11 conformance with 15.606.17, Document Required if Parcel Map Waived.

12

13 E. Separate Lots. When two (2) or more separate lots, parcels, sites, units or plots of land are

14 purchased, they remain separate for the purposes of this article.

15

16 F. Conveyance. When lots, parcels, sites, units or plots are resold or conveyed, they are exempt from

17 the provisions of this article until further divided.

18

19 **15.606.03 Survey Required**

20 A parcel map shall be based on a survey made for that purpose, unless this requirement is waived by the

21 county surveyor within 45 days of the submittal of an application for the waiver, unless this time is

22 extended by mutual consent. The requirement of a survey may be waived if, in the judgment of the county

23 surveyor, a survey is not required to accomplish the purposes of this article. Failure of the county

24 surveyor to act on the waiver request within the time prescribed in this section shall result in approval of

25 the waiver.

26

1 **15.606.04 Submittal of Tentative Parcel Map**

2 A tentative parcel map must be submitted to the department for the purpose of review prior to or
3 concurrent with the final parcel map. Every tentative parcel map shall be prepared by a Nevada licensed
4 professional land surveyor and shall contain the following data:

5
6 A. Existing Parcels. Boundary lines and dimensions of the parcel being divided, regulatory zone
7 designation, and date of creation of the parcel being proposed to be subdivided.

8
9 B. Pre-Existing Parcels. Pre-existing, contiguous parcels, held under the same ownership, may be
10 merged into a single parcel with a simultaneous resubdivision of that parcel as proposed in the tentative
11 parcel map.

12
13 C. Proposed Parcels. Proposed division lines using solid lines with dimensions of each parcel being
14 created and required setbacks of each parcel being created that meet the requirements of this chapter
15 using lines that are not solid.

16
17 D. Area. The area of the original parcel and of each proposed new parcel.

18
19 E. Rights-of-Way. Names, locations and widths of all streets, alleys or rights-of-way adjoining the
20 property showing relationships to the streets in the proposed parcel map.

21
22 F. Easements. The dimensions and approximate location of all existing or proposed road easements,
23 sight triangles easements that preserve safe sighting at street intersections, slope and curve easements,
24 conservation easements, open space easements, recreation or trail easements, drainage easements,
25 sewer easements, irrigation ditch easements, or public utility easements, whether for public or private
26 purposes.

27

- 1 G. Slope. A general indication of the slope of the land using contour intervals of no greater than two (2)
2 feet where slopes are less than ten (10) percent, and no greater than five (5) feet where slopes exceed
3 ten (10) percent.
4
- 5 H. North Point and Scale. North arrow and scale of drawing.
6
- 7 I. Street Names. All street names, denoting if they are existing or proposed.
8
- 9 J. Parcel Data. Parcel designation and a graphic border around the proposed division. The area of each
10 parcel and lot, and the total area of land to be divided. If the area is two (2) acres or more, the area shall
11 be calculated to the nearest one-hundredth of an acre. If the area is less than two (2) acres, then the area
12 shall be calculated in square feet.
13
- 14 K. Monuments. All monuments found, set, re-set, replaced or removed, describing their size and location
15 and other data.
16
- 17 L. Bearings. Bearing or witness monuments, basis of bearings, bearing and length of lines, and scale of
18 map.
19
- 20 M. Legal Designation. The name and legal designation of the tract or grant in which the survey is located
21 and any ties to adjoining tracts.
22
- 23 N. Date of Survey. The date of the survey.
24
- 25 O. Owners. The owner or owners of the land to be divided.
26
- 27 P. Vicinity Map. A vicinity map of the location of the map.
28

1 Q. Other Data. Any other data necessary for the intelligent interpretation of the various items and
2 locations of the points, lines, area shown and required yards.

3

4 **15.606.05 Data to Accompany Tentative Parcel Map**

5 The following data shall accompany a tentative parcel map:

6

7 A. Owner. Name, legal address and telephone number of the owner of the land. In addition, an affidavit
8 from the legal owner of the land acknowledging that a tentative parcel map is being prepared with his
9 permission. If the subdivider of the land is different from the owner of the land, the name, legal address
10 and telephone number of that person shall also be included.

11

12 B. Preparer. Name, address and telephone number of the person who prepared the map.

13

14 C. Legal Description. Legal description of original parcel. It is sufficient to give the county recorder's
15 book and page of deed or document and the county assessor's parcel number.

16

17 D. Zoning designation for each parcel.

18

19 E. Proposed Use. Proposed use of each parcel.

20

21 F. Water Supply and Sewage. Source of water supply and proposed method of sewage disposal for
22 each parcel.

23

24 G. Survey Computations. A copy of all survey computations.

25

26 H. Existing Structures. If applicable, a map showing all structures located on the property and their
27 distances from the proposed property lines and each other, and all septic and well locations.

28

15.606.06 Form of Tentative Parcel Map

The tentative parcel map shall be legibly drawn in permanent black ink on material of a permanent nature generally used for such purposes in the engineering profession. The size of each sheet must be 24 by 32 inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the 24 inch dimension.

15.606.07 Tentative Parcel Map Review Procedures

The review procedures for tentative parcel maps shall be as set forth in this section.

A. Filing. The subdivider shall file with the department a complete application and the required supporting materials as outlined in the application packet. The subdivider shall pay the required fees upon acceptance of a complete application.

B. Application Review. The department will review the submitted packet and accept or reject the application as complete within three (3) working days after the published application submittal date. If the application is complete, the department shall distribute the parcel map application to the commission

C. Action Required by the Planning Commission. If the application is determined to be complete, the commission shall approve, conditionally approve, or disapprove the tentative parcel map within 60 days of the date that the application is determined to be complete, unless the time limit is extended in writing by the mutual consent of the subdivider and the commission. Failure of the commission to take action within the time prescribed in this section shall result in approval of the parcel map.

D. Notice of Property Owners by Mail of Submittal of Tentative Parcel Map. Notice shall be provided to the following persons in accordance with chapter 15.09 within ten (10) days of the meeting of the commission, setting forth the time, place, purpose of hearing, and map or physical description of the land involved:

1. All owners of real property that are the subject of the tentative parcel map application;

- 1 2. Advisory boards created by the board for the area in which the property that is the subject of the
- 2 tentative parcel map application is located;
- 3 3. All owners of real property within 300 feet of the property which is the subject of the tentative
- 4 parcel map application;
- 5 4. All tenants of any mobile home or manufactured home park that is located within 300 feet of the
- 6 property which is the subject of the tentative parcel map application; and
- 7 5. All general improvement districts (GID) for the area in which the property that is the subject of the
- 8 tentative parcel map application is located.

9

10 E. Notice of Property Owners by Electronic Means. If requested by a party pursuant to subsection D

11 above and if receipt can be verified, an electronic notice must be provided at least ten (10) days before

12 the meeting, setting forth the time, place, purpose of hearing, and map or physical description of the land

13 involved.

14

15 F. Number of Notices. If the number of notices sent pursuant to this section does not identify 30 or more

16 separate property owners, the county shall send out additional notices to achieve a total of at least 30

17 separate property owners. These notices shall be sent to owners of real property that are closest to the

18 property in question, not including those owners provided notice pursuant to Subsection D above.

19

20 G. Compliance with Noticing Requirements. Owners of all real property to be noticed pursuant to this

21 section shall be those owners identified on the latest county assessor's ownership maps and records.

22 Such notice is complied with when notice is sent to the last known addresses of such real property

23 owners as identified in the latest county assessor's records. Any person who attends the public hearing

24 shall be considered to be legally noticed unless those persons can provide evidence that they were not

25 notified according to the provisions of this section.

26

27 H. Contents of Notice. Such notice as required by this section shall describe the proposed tentative

28 parcel map's location and number of new lots to be created, describe the closing date for providing public

1 comment to the commission, and describe the content of public comment allowed to be considered by the
2 commission in making a decision.

3

4 I. Review Criteria. Prior to approving a tentative parcel map, the commission shall determine that the
5 following are or will be adequately provided for:

6 1. General improvement considerations for all parcel maps including, but not limited to:

7 a. Environmental and health laws and regulations concerning water and air pollution, the
8 disposal of solid waste, facilities to supply water, community or public sewage disposal and,
9 where applicable, individual systems for sewage disposal;

10 b. The availability of water which meets applicable health standards and is sufficient for the
11 reasonably foreseeable needs of the subdivision;

12 c. Conformity with the zoning ordinances and master plan;

13 d. General conformity with the governing body's master plan of streets and highways;

14 e. Physical characteristics of the land such as floodplain, slope and soil;

15 f. The recommendations and comments of those entities reviewing the tentative parcel map
16 pursuant to NRS 278.330 and 278.348, inclusive;

17 g. The availability and accessibility of fire protection including, but not limited to, the availability
18 and accessibility of water and services for the prevention and containment of fires including fires
19 in wild lands;

20 2. Where an applicant proposes to create parcels of less than one (1) acre, the commission may
21 require additional improvements which are reasonably necessary and consistent with the use of the
22 land if it is developed as proposed.

23

24 3. For a second or subsequent parcel map with respect to a single parcel or a contiguous tract of
25 land under the same ownership, the commission may require any reasonable improvement up to
26 those required for subdivisions.

27

1 J. Conditions. An approval of any tentative parcel map may be subject to conditions relating to the items
2 specified in subsection I above, Review Criteria, as are reasonably necessary.

3

4 K. Notice of Action. The applicant shall be notified in writing of the decision of the commission. If the
5 tentative parcel map is conditionally approved, the notice of decision shall contain a statement of all
6 conditions imposed. If the tentative parcel map is disapproved, a statement of the reasons for such
7 disapproval shall be included.

8

9 L. Appeal. The applicant may appeal any conditions imposed on the tentative parcel map or a
10 disapproval of the parcel map to the board as set forth in Chapter 15.11.

11

12 M. No Guarantee of Final Map Approval. Approval or conditional approval of a tentative parcel map
13 imposes no obligation on the part of the director, or the board to approve the final parcel map or to accept
14 any public dedication shown on the tentative or final parcel map.

15

16 N. Cessation of Further Action. Failure to submit a complete final parcel map and pay the required fees
17 within the two (2) year time period shall cease any further action on the map and shall render the tentative
18 map as expired.

19

20 **15.606.08 Submittal of Final Parcel Map**

21 After approval or conditional approval of the tentative parcel map, the applicant may submit a final parcel
22 map for review.

23

24 **15.606.09 Form of Final Parcel Map**

25 The final parcel map shall be legibly drawn in permanent black ink on tracing cloth or produced by the use
26 of other materials of a permanent nature generally used for such purpose in the engineering profession.

27 The size of each sheet must be 24 by 32 inches. A marginal line must be drawn completely around each
28 sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2)
29 inches at the left edge along the 24 inch dimension.

1

2 15.606.10 Contents of Final Parcel Map

3 In addition to the information required by Section 15.606.04, the following information must be shown on
4 the final parcel map:

5

6 A. Monuments. All monuments found, set, reset, replaced or removed, describing their kind, location and
7 giving other data relating thereto;

8

9 B. Oaths. A memorandum of oaths;

10

11 C. Surveyor. The signature of the Nevada licensed surveyor;

12

13 D. Owners. The signature of the owner or owners of the land to be divided;

14

15 E. Easements and Dedications. Any easements granted or dedications made including, but not limited
16 to, community water and wastewater systems; and

17

18 F. Survey. Name of the person or persons for whom the survey on which the map is based was made.

19

20 15.606.11 Review Procedures for Final Parcel Map

21 The review procedures for final parcel maps shall be as set forth in this section.

22

23 A. Filing. The subdivider shall file with the department and county engineer a final parcel map and the
24 required supporting materials showing that all conditions imposed by the commission have been met
25 within 22 months from the date of approval of the tentative parcel map. The subdivider shall pay the
26 required fees upon the filing of the final parcel map.

27

28 B. Application Review. The department and county engineer will review the submitted final parcel map
29 and supporting materials and recommend to the director acceptance or rejection of the map as complete

1 within 14 working days after submittal, unless the time limit is extended in writing by the mutual consent of
2 the subdivider and the director.

3

4 C. Action Required by Director. Within 25 working days of submittal of the final parcel map application,
5 the director shall determine whether the conditions placed on the tentative parcel map approval have
6 been met. The final parcel map application shall be considered incomplete if the director cannot make a
7 determination that all of the tentative map conditions have been met. If the final parcel map is determined
8 to be complete, the director shall approve or disapprove the map within 30 working days of the submittal
9 date, unless the time limit is extended in writing by the mutual consent of the subdivider and the director.

10

11 D. Review Criteria. Prior to approving a final parcel map, the director shall determine that the following
12 have been met:

13

14 1. Completion of all conditions imposed on the subdivision prior to approval of the final parcel map
15 or, in the alternative, acceptance by the director of a satisfactory guarantee of completion and faithful
16 performance of all conditions. The amount of the guarantee shall be in a sum which, in the opinion of
17 the county engineer, equals 150 percent of the cost of performance of the conditions. If a subdivider
18 fails to perform any condition within the time specified, the board, upon recommendation of the county
19 engineer, may cause the guarantee to be forfeited in an amount necessary to finish the uncompleted
20 portion of the work. If a security was previously posted to guarantee completion of improvements for
21 two (2) or more contiguous parcels and those improvements will not be completed because of a
22 merger and subsequent re-subdivision pursuant to this article, a credit on a pro-rata basis of the
23 security posted by the owner shall be credited toward the financial assurance required for the parcel
24 map re-subdivision.

25 2. Completion of all certificates and statements required by 15.606.10.

26

27 E. Notice of Action. The applicant shall be notified in writing of the decision of the director. If the final
28 parcel map is disapproved, a statement of the reasons for such disapproval shall be included.

1
2 F. Appeal. The applicant may appeal a disapproval of the final parcel map to the board as set forth in
3 Chapter 15.11.

4

5 **15.606.12 Appeals**

6 All appeals regarding tentative and final parcel maps shall be made as provided in this section.

7

8 A. Process for Tentative Parcel Map. For 30 days following the notification of the decision, a decision of
9 the commission may be appealed to the board.

10 1. The statement of appeal shall be filed with the department, set forth the particular actions or
11 conditions appealed, the reasons for the appeal, and shall be accompanied by all supporting
12 documentation.

13 2. The department shall set an appeal hearing before the board within 30 days of receipt of a
14 complete statement of appeal.

15 3. If the board fails to render a decision after 60 days of the scheduled appeal hearing, the appeal
16 shall be deemed to have been decided in favor of the appellant.

17

18 B. Process for Final Parcel Map. For 15 days following the notification of the decision, a decision of the
19 director to deny a final parcel map may be appealed to the board.

20 1. The statement of appeal shall be filed with the department, set forth the particular actions or
21 conditions appealed, the reasons for the appeal, and shall be accompanied by all supporting
22 documentation.

23 2. The department shall set an appeal hearing before the board within 30 days of receipt of a
24 complete statement of appeal.

25 3. If the board fails to render a decision after 60 days of the scheduled appeal hearing, the appeal
26 shall be deemed to have been decided in favor of the appellant.

27

28 C. Final Action on Appeal. The board shall take action on the appeal within the time prescribed above.

1 1. The board may impose additional conditions on the parcel map, provided the conditions are
2 related to the review criteria in 15.606.07

3 2. Any disapproval or conditional approval must include a statement of the reason for that action
4 and must be acted upon by an affirmative vote of a majority of the full membership of the board. In
5 the case of a tie vote due to the absence of a member, the appeal shall be continued to a future
6 meeting unless requested otherwise by the appellant.

7
8 D. Notice of Final Action. Within ten (10) days of the final action, the director of shall report to the
9 applicant concerning the decision of the board. Such report shall contain, at a minimum, any additional
10 conditions placed upon the parcel map, the statement of the reason for the final action, and a statement
11 that the board's decision is final for the purpose of judicial review.

12
13 **15.606.13 Certificates and Statements**

14 Language satisfying the intent of the following certificates and statements shall appear on a parcel map
15 before it can be filed for record. Final parcel maps that have been approved for recordation prior to the
16 date of adoption of this title, but which have not been recorded, shall not be required to comply with this
17 section.

18
19 A. Certificate of Director. A certificate for execution by the director stating that the map has been
20 approved for subdivision purposes and accepted or rejected on behalf of the public any parcel of land, or
21 portion of a parcel, offered for dedication for public use in conformity with the terms of the offer of
22 dedication. If the final parcel map includes a merger of pre-existing lots and the re-subdivision of those
23 lots, the certificate shall acknowledge that any public streets, easements or utility easements that will not
24 remain were abandoned pursuant to Chapter 15.601.

25
26 B. Summary Statement of Conditions Required. A summary statement of the conditions imposed by the
27 commission.

1 C. Certificate of Surveyor. A certificate by the Nevada licensed surveyor responsible for the parcel map
2 giving the date of survey on which the map is based, and stating that the survey was made by him or
3 under his direction and setting forth the name of the owner who authorized him to make the survey, and
4 that the parcel map is true and complete as shown. This certificate shall also state:

- 5 1. That the monuments are of the character and occupy the position indicated or that they will be set
6 in such positions and at such time as is agreed upon under the provisions of Chapter 278 of NRS;
- 7 2. That the monuments are or will be sufficient to enable the survey to be retraced; and
- 8 3. The completion date.

9

10 D. Certificate of Record Title Owner. A certificate signed and acknowledged by all persons having any
11 record title in the land subdivided, evidencing their grant or permanent easements for utility installations
12 and access, as designated on the map.

13

14 E. Certificate of Public Utilities Concerning Easements. A statement acknowledging such easements,
15 signed by each public utility company or agency in whose favor the easements are created or whose
16 utility services are to be required for the platted parcels. It is the responsibility of the applicant to obtain
17 acknowledgement of serving utility companies as to location of any utility easements which are to be
18 shown on the parcel map.

19

20 F. Statement from County Treasurer. A written statement by the county treasurer indicating that all
21 property taxes on the land have been paid for the period identified in NRS 278.

22

23 G. Guarantee of Title. A subdivision guarantee of title, in a form acceptable to the county engineer and
24 district attorney, issued by a competent title company to and for the benefit and protection of the county.
25 Said guarantee of title shall be continued complete up to the instant of filing the final map with the county
26 recorder, guaranteeing that the names of all persons whose consent is necessary to pass a clear title to
27 the land being subdivided, and all public easements being offered for dedication, and all

1 acknowledgements thereto, appear on the proper statements and are correctly shown on the map, both
2 as to contents as to the making thereof and affidavits of dedication where necessary.

3

4 H. Certificate of the County Utility Department or Other Utility Concerning Water Right Dedications. A
5 certificate for execution by the county utilities director or other applicable authorized utility representative
6 stating that the provisions of Chapter 15.110 of this title related to the dedication of water resources have
7 been satisfied.

8

9 I. Certificate of any holder of a security interest in the land to be divided.

10

11 **15.606.14 Recordation**

12 The approved parcel map with the certificates and statements set forth in 15.806.13 and the required
13 filing fee advanced by the owner shall be transmitted to the county recorder by the county engineer for
14 recording and filing. The land division is complete when the approved parcel map with its required
15 certificates and statements have been filed in the office of the county recorder within two (2) years from
16 the date of approval of the tentative map. There shall be no extension of this time period. The recordation
17 time shall be extended as a part of the two (2) year time period set forth in this section should an appeal
18 be filed until the date of the board action on the appeal plus an additional ten (10) days.

19

20 **15.606.15 Expiration Date**

21 Failure of the applicant to record an approved parcel map within two (2) years from the date of approval
22 of the tentative parcel map requires that all proceedings on the parcel map terminate, and a new
23 application shall be required. There shall be no extension of this time frame. The expiration date shall be
24 extended as part of the two (2) year time period set forth in this section should an appeal be filed until the
25 date of the board action on the appeal plus an additional ten (10) days.

26

27 **15.606.16 Waiver of Parcel Map**

28 The requirement for filing a parcel map for divisions of land into four (4) or less parcels may be waived by
29 the commission, if it finds all the following:

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25

A. Conformity with Laws. That the proposed division of land complies with Chapter 278 of NRS and this title;

B. Conformity with Regulations. That the proposed division of land conforms to state and county requirements as to area, improvement and design, and flood water drainage control;

C. Environmental Effects. That the proposed division of land will not have an adverse effect on the environment;

D. Conformity with Master Plan. That the proposed division of land conforms to the Lyon County Comprehensive Master Plan, including community plans and any specific plans adopted by the county;

E. Change in Nonconformity. That no existing nonconformity with the other divisions in this title will be increased;

F. Conformity with Other Ordinances. That the proposed division of land complies with all other county ordinances;

G. Lack of Need. That unusual circumstances exist so that a parcel map is not necessary to insure proper legal description of property, location of property lines and monumenting of property lines; and

H. Facilities. That appropriate improved public roads, adequate sanitary disposal facilities, and adequate water supplies are available.

1 **15.606.17 Document Required if Parcel Map Waived**

2 If the requirement for a parcel map is waived by the commission, said requirement having been waived
3 within 60 days of the date of the request to waive the tentative map requirement, the applicant shall
4 comply with the provisions of this section.

5
6 A. Document Recordation. The county surveyor may require the applicant to prepare and record a
7 document which contains:

- 8 1. A legal description of all parts based on a system of rectangular surveys;
9 2. A provision for the dedication or reservation of any road right-of-way or easement; and
10 3. The approval of the authority which granted the waiver.

11
12 B. Description of Metes and Bounds. The county surveyor shall require a description of metes and
13 bounds if necessary to describe the parcel division. The description shall be prepared by a Nevada
14 licensed professional land surveyor with a signature and stamp.

15
16 C. Waiver. The person preparing the document shall include the following statement:

17
18 *"This document was prepared from existing information (identifying it and stating where filed and*
19 *recorded) and the undersigned assumes no responsibility for the existence of monuments or*
20 *correctness of other information shown on or copied from any prior documents."*

21
22 D. Statement Indicating That No Property Taxes Delinquent. A document recorded pursuant to this
23 section shall be accompanied by a written statement by the county treasurer indicating that all property
24 taxes on the land have been paid pursuant to NRS 278.

Chapter 15.607 Subdivision Application Procedure and Approval Process**15.607.01 General Requirements**

A. General Procedures. All subdivision applications shall be processed in two stages:

1. Application for tentative map approval; and
2. Application for final map approval.

The director shall be the designated official. The board shall be the final decision maker for purposes of tentative subdivision maps; the director shall be the final decision maker for purposes of final subdivision maps, except as otherwise provided.

B. Pre-application Conference. Before preparing the tentative subdivision map, the subdivider shall file a preliminary review application with the department to discuss the procedure for approval of a tentative subdivision map and the requirements as to the general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services, including schools.

C. Applicability. All owners of land or their authorized representatives who propose to divide any land or portion thereof, vacant or unimproved, for transfer or development into five or more lots, parcels, sites, units or plots, or to create a commercial subdivision, pursuant to NRS 278.325, shall file an application for approval of a tentative subdivision map.

Unless a method of disposition is adopted for the purpose of evading this chapter or would have the effect of evading this chapter, the provisions of this part shall not apply to:

1. A division of land into large parcels which creates lots, parcels, sites, units or plots of land, each of which comprises 40 nominal acres or more of land including roads and roadway easements, and is subject to chapter 15.605;
2. Any division of land which is ordered by any court in this state or created by operation of law;

1 3. A lien, mortgage, deed of trust or any other security instrument, provided, however, that creation
2 or foreclosure of such an instrument on a portion of a larger parcel shall not result in the division of
3 the larger parcel;

4 4. A security or unit of interest in any investment trust regulated under the laws of the state or any
5 other interest in an investment entity;

6 5. Cemetery lots; or

7 6. An interest in oil, gas, minerals or building materials which are now or hereafter severed from the
8 surface ownership of the real property.

9
10 **15.607.02 Tentative Subdivision Map Procedures**

11 A. Application. The landowner or his authorized representative shall tender a complete tentative map
12 application with the department in accordance with the established and published submittal schedule. The
13 application shall contain the following items:

14 1. A Subdivision Feasibility Analysis containing the following components:

15 a. Water Availability: Information as to how domestic water service will be provided including
16 status and source of required water rights, and availability of water that meets applicable health
17 standards and is sufficient in quantity for the reasonably foreseeable needs required for the land
18 development and proposed land use, and a written statement of the ability and willingness of a
19 water utility to provide water service to the proposed development.

20 b. Electricity Availability: Name of the utility company that will serve the area and a written
21 statement of the ability and willingness of such company to provide electrical power to the
22 proposed development.

23 c. Telephone Availability: Name of the telephone company that will serve the area and a written
24 statement of the ability and willingness of such company to provide telephone service to the
25 proposed development.

26 d. Natural Gas Availability: Name of utility company that will serve the area and a written
27 statement of the ability and willingness of such company to provide natural gas service to the
28 proposed development.

- 1 e. Sewage Disposal: Information as to how sewage disposal will be provided and a written
2 statement of the ability and willingness of any applicable utility to provide sewage disposal service
3 to the proposed development, or evidence that on-site sewage disposal is possible based on an
4 analysis of the soils, groundwater levels, and sub-surface geologic conditions.
- 5 f. Fire Protection: Provide information regarding the fire district within which the proposed
6 development is located and distance from the nearest firefighting equipment. Identify the
7 availability and accessibility of fire protection, including, but not limited to, the availability and
8 accessibility of water and services for the prevention and containment of fires, including wildland
9 fires.
- 10 g. Schools: Proximity to existing schools and school bus service, if such service is operating
11 within the vicinity of the proposed development.
- 12 h. Parks And Recreational Areas: Parks and recreational facilities in the general area of the
13 proposed development; distance and access to such facilities.
- 14 i. Commercial And Shopping Areas: Distance and access to the closest commercial and
15 shopping facilities from the proposed development.
- 16 j. Road Construction and Maintenance: Proposed maintenance plan for both access roads and
17 roads within the subdivision; general timetable for construction of such roads; plan for
18 maintenance until public maintenance is secured; type of anticipated public maintenance - state,
19 county, city or general improvement district.
- 20 k. Restrictive Covenants: Proposed restrictive covenants applicable to the subdivision or
21 development.
- 22 l. Adjacent Ownership and Use: Present legal owner of properties adjacent to the proposed
23 subdivision; and present use and zoning of all adjacent properties.
- 24 m. Traffic Impacts: Identify all roads, streets and highways that will be affected by the
25 development. Identify the effect of the proposed subdivision on existing public roads and streets
26 and the need for new roads, streets or highways to serve the subdivision. Provide a traffic study
27 prepared by a Nevada licensed traffic engineer if the subdivision will meet or exceed 80 peak
28 hour vehicle trips or 500 average daily vehicle trips.

- 1 n. Drainage Study and Stormwater Impact Analysis: Identify existing natural and constructed
- 2 stormwater structures, proposed stormwater management concepts and general impacts from
- 3 and on surrounding property.
- 4 o. Solid Waste Disposal: Identify the availability of solid waste disposal.
- 5 p. Soils Report, Geotechnical Analysis, and Land Capability Analysis: Identify the physical
- 6 characteristics of the land such as floodplain, slope, vegetation and soil.
- 7 2. A description of all contiguous holdings of the owner, including land in the same ownership with
- 8 indication of the portion of the property which is to be subdivided;
- 9 3. The number of copies of the tentative subdivision map, with contents as prescribed in the
- 10 application form;
- 11 4. A certificate from the county treasurer stating that no taxes or assessments are delinquent;
- 12 5. A statement as to whether the subdivision is to be developed in phases;
- 13 6. Written evidence indicating that all applicable fees and application materials have been submitted
- 14 to the Nevada Division of Environmental Protection, Water Quality Division;
- 15 7. Copies of all applicable “will serve” letters;
- 16 8. Copies of all applicable special studies and reports;
- 17 9. Other information necessary for review of the tentative subdivision map required by the director.
- 18
- 19 B. Contents of Tentative Subdivision Map. Every tentative subdivision map shall show, at minimum, the
- 20 following data and information:
- 21 1. List of the names, addresses and telephone numbers of the owners of record, subdivider and the
- 22 engineer or surveyor preparing the map;
- 23 2. List of the names, addresses and telephone numbers of public utility companies which will serve
- 24 the subject property, including water supply and method of sewage disposal;
- 25 3. A north point, scale, date, boundary line and dimensions of the project. The direction of the north
- 26 arrow should be shown pointing towards the top or right hand side of the map;
- 27 4. Show the entire assessor’s parcel, identify any remainder portion, and any contiguous properties
- 28 under common ownership (whole or partial ownership);

- 1 5. Legal description of the land included within the tentative subdivision map sufficient to define the
2 boundaries of the map. Note: A portion of a section is not sufficient. If the boundary is by metes and
3 bounds, that description shall be on the tentative map;
- 4 6. The parcel layout, the approximate dimensions of each lot, where pads are proposed for building
5 sites, the approximate pad elevation, the elevations of all adjacent parcels, the top and toe of cut and
6 fill slopes to scale, preliminary design and approximate finish of all grading, and a number for each
7 parcel utilizing consecutive numbers. Any portion of property in common contiguous ownership not
8 included in the map shall be labeled as a remainder parcel;
- 9 7. In tabular form, indicate the approximate acreage, the number of lots, proposed density, existing
10 and proposed zoning and master plan designations, proposed use of lots, number of lineal feet of
11 new streets, and acreage of any remainder parcels;
- 12 8. Zoning and master plan designations and land uses of adjoining properties, including across any
13 rights-of-way. Indicate distance from property line to any off-site structures that are within 25 feet of
14 property line;
- 15 9. Note and dimensions of all existing structures, indicating the use of each structure and whether
16 structure is to remain or to be removed. In addition, show all parking facilities and driveways;
- 17 10. The street, approximate gradient or centerline profile for each proposed highway, street
18 easement and drainage improvement shown of the tentative subdivision map;
- 19 11. Note the width and approximate locations of all existing and proposed easements or rights-of-
20 way, including any proposed to be abandoned as part of the subdivision map whether for public or
21 private roads, drainage, sewers, or flood control purposes, shown by dashed lines. Overhead utility
22 lines on peripheral streets shall also be indicated. Existing easements shall show the name of the
23 easement holder, purpose of easement, and legal reference (official records) for the easement. If an
24 easement is blanket or intermittent in nature, a note to this effect shall be placed on the tentative
25 map;
- 26 12. Note of the approximate radius of all centerline curves on highways, streets or ways;
- 27 13. The locations of all areas subject to inundation or flood hazard and the locations, width, and
28 directions of flow of all watercourses and flood control areas within and adjacent to the property

- 1 involved. Include community panel number, date of the Flood Insurance Rate Map (FIRM) index map,
2 and the method for handling storm water;
- 3 14. Locate, by distance from existing and proposed property lines and other above ground structures,
4 the placement on the property of all existing structures and other manmade features including
5 buildings, utility poles, fences, driveways, signs, existing wells, sewers, septic systems (including
6 leach lines), culverts, bridges, drain pipes, fire hydrants and sand, gravel or other excavations within
7 the subdivision. Indicate which existing structures and uses will remain and which will be removed;
- 8 15. The tentative subdivision map must show contour of land at intervals of not more than two (2) feet
9 if the general slope of the land is less than the ten (10) percent and five (5) feet for all other areas.
10 This shall include an area of not less than 100 feet surrounding the tentative subdivision map.
11 Indicate contour interval and the source and date the contours were compiled;
- 12 16. Vicinity map of the area showing the proposed subdivision map in relation to any established
13 roads or other landmarks so that the site can be easily located. Indicate the proposed access route to
14 the site from the nearest public maintained road;
- 15 17. On a subdivision map consisting of a condominium project or a planned development, the
16 tentative subdivision map shall show, by dashed lines, the approximate location from all existing and
17 proposed property lines and building envelopes and other structures to be erected;
- 18 18. The identity and location of any existing or proposed drainage conveyance ditches, or other
19 irrigation water conveyance structure within or adjacent to the proposed subdivision. The subdivision
20 map shall also provide dimensioned typical channel cross sections with centerline, average slope
21 through the property, arrows indicating direction of irrigation flow, and design flow capacity of
22 conveyance structures. If the proposed subdivision includes water impoundment there must be
23 identification of the source of water and documentation of the state engineer's approval for the water
24 rights.
- 25
- 26 B. Processing by Director. The director or his designee will distribute copies of the tentative subdivision
27 map and accompanying materials to all agencies charged by statute. The director will determine within
28 three (3) working days whether the application for a tentative subdivision map is complete, and notify the

1 applicant, in writing, of his finding. If complete, and applicable fees are tendered and collected, the
2 director will file his report with the commission and schedule the application for public hearing.

3

4 C. Hearing Notice and Procedure. Notice of the hearings before the commission and the board shall be
5 provided in accordance with chapters 15.09 and 15.10. In addition to the notice otherwise required, notice
6 shall be given to any conveyance ditch users adjacent to or downstream of the proposed map. The ditch
7 users to be notified shall be determined from the list of water right owners compiled by the Federal Water
8 Master's Office, or for those conveyance facilities not covered by the Alpine Decree from the list of water
9 right owners maintained by the state engineer. Hearings shall be held in accordance with the procedures
10 established in chapters 15.06 and 15.07.

11

12 D. Planning Commission Recommendation. Within 60 days after the official filing date, the commission
13 shall hear the application and recommend to the board approval, conditional approval or disapproval of
14 the tentative subdivision map in accordance with the procedures established in chapter 15.06, unless the
15 time period is extended by mutual consent of the applicant and the commission. The commission shall set
16 forth findings and reasons for its decision in accordance with the criteria identified in chapter 15.607.03.

17

18 E. Decision by Board. Within 30 days after receipt of the commission's recommendation, unless the time
19 is extended by mutual consent of the applicant and the board, the board shall conduct a public hearing,
20 and approve, conditionally approve or disapprove the tentative subdivision map. The review and decision
21 of the board shall conform to the provisions of chapter 15.07 and include findings and reasons for its
22 decision in accordance with the criteria identified in chapter 15.607.03.

23

24 **15.607.03 Tentative Subdivision Map Findings**

25 A. The commission in making its recommendation and the board in rendering a decision on the tentative
26 subdivision map shall base its decision on the requirements of NRS and make affirmative findings on the
27 following factors, taking into account the recommendations of reviewing agencies:

- 1 1. The property to be subdivided is zoned for the intended uses and the density and design of the
2 subdivision conforms to the requirements of the zoning regulations contained in this code;
- 3 2. If planned development is proposed, the tentative subdivision map conforms to the density
4 requirements, lot dimension standards and other regulations applicable to planned developments;
- 5 3. The tentative subdivision map conforms to public facilities and improvement standards contained
6 in the development code;
- 7 4. The tentative subdivision map conforms to the improvement and design standards contained in
8 the development code and adopted design criteria and improvement standards;
- 9 5. If applicable, that a phasing plan has been submitted and is deemed acceptable;
- 10 6. The approval contains terms that plan for the possibility of abandonment or termination of the
11 project;
- 12 7. There are no delinquent taxes or assessments on the land to be subdivided, as certified by the
13 county treasurer;
- 14 8. The project is not located within an identified archeological or cultural study area, as recognized
15 by the county. If the project is located in a study area, an archeological resource reconnaissance has
16 been performed on the site by a qualified archeologist and any identified resources have been
17 avoided or mitigated to the extent possible per the findings in the report.
- 18 9. The project complies with all environmental and health laws and regulations concerning water
19 and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage
20 disposal and, where applicable, individual systems for sewage disposal;
- 21 10. The availability of water which meets applicable health standards and is sufficient in quantity for
22 the reasonably foreseeable needs of the subdivision;
- 23 11. There is adequate access and availability to public services such as schools, police protection,
24 transportation, recreation and parks;
- 25 12. The project is in general conformity with the Lyon County Comprehensive Master Plan, the local
26 community plan, if adopted, and the master plan of streets and highways;
- 27 13. The project will have no adverse impacts, or provides adequate mitigation of adverse impacts, to
28 existing public streets;

1 14. The physical characteristics of the land such as floodplain, slope and soil have been addressed
2 and provisions to limit adverse impacts of development on the environment have been incorporated;

3 15. The project demonstrates availability and accessibility of fire protection services, including, but
4 not limited to, the availability and accessibility of water and services for the prevention and
5 containment of fires, including fires in wild lands.
6

7 **15.607.04 Conditions and Phasing of Maps**

8 In addition to all other conditions that may be recommended by the commission and required by the
9 board pursuant to chapter 15.07 in reviewing a tentative subdivision map, the following actions may be
10 taken:
11

12 A. Except as otherwise provided, as a condition of tentative subdivision map approval, the commission
13 may recommend and the board may require that the subdivider install and dedicate to the county all
14 public improvements, whether on-site or off-site, prior to the signing of the final subdivision map by the
15 chairman of the commission. In lieu of such requirement, the board shall require that the subdivider
16 provide adequate assurances for completion and maintenance of improvements.
17

18 B. The commission may recommend and the board may require as a condition of tentative subdivision
19 map approval that the subdivider divide the subdivision into two or more phases, provided as follows:

20 1. Each phase must be designed to meet the public facilities and improvement standards
21 independently and as part of the overall design.

22 2. The final map must be approved and recorded for the initial phase within four (4) years of
23 tentative subdivision map approval, and the final map for each subsequent phase must be approved
24 and recorded within two (2) years following recording of the final map for the previous phase. The
25 board may grant a single extension of two (2) years for final map approval for each phase.

26 3. All phases must be completed, and all final maps approved and recorded, within ten (10) years of
27 the date of initial subdivision map approval by the board.

1 4. Amendment of the approval to permit development beyond the initial ten (10) year period will
2 require submission and approval of a new tentative subdivision map application, and the approval
3 may be conditioned on compliance with statutes, codes, design standards, fees and capital
4 improvements plans current at the time of application for such amendment.

5 5. The board and the applicant may enter and adopt a development agreement, pursuant to chapter
6 15.150, to implement the provisions of this chapter.

7
8 C. Where a commercial subdivision is proposed pursuant to NRS, and the subdivider desires to record a
9 single final map without the completion or securing of improvements, the board may approve the map and
10 allow recording of the final map subject to the following:

11 1. A conceptual development phasing plan is submitted concurrently with the tentative map
12 indicating the proposed development phasing, including a general description of improvements, on-
13 site and off-site to be constructed with each development phase.

14 2. Improvement plans are to be submitted and approved for the entire project site. The improvement
15 plans shall be subject to modification, based on changes to this title or the county design criteria and
16 improvement standards as they relate to public health and safety.

17 3. A security agreement shall be prepared and approved subsequent to the filing of the final map,
18 consistent with this title. In addition to the standard provisions, the plan must provide a detailed
19 description of on-site and off-site improvements to be provided prior to the issuance of a building
20 permit within a given development phase.

21 4. No building permit will be issued on the site until any and all required improvements are
22 constructed or secured, and provided that those improvements required for fire protection and
23 emergency access are in place.

24
25 **15.607.05 Duration, Extension, and Amendment of Tentative Subdivision Map**

26 A. The subdivider shall present to the board a final subdivision map, prepared in accordance with the
27 tentative subdivision map. The map shall cover the entire area for which the tentative subdivision map
28 was approved, or one of a series of final subdivision maps, each covering one or more phases of the

1 approved tentative subdivision map. Unless a longer time is provided in a development agreement or an
2 agreement pursuant to NRS 278.350, the final map covering the entire subdivision or the first of a series
3 of final maps covering a portion of the approved tentative map shall be recorded within four (4) years after
4 the date of approval of tentative subdivision map by the board, or if the subdivider elects to present a
5 successive map in a series of final maps, the subdivider shall present, on or before the second
6 anniversary of the date on which the subdivider presented the first in the series of final maps, the next
7 final map covering a portion or the entire area of the approved tentative map.

8
9 B. The board may extend the period for presentation of final successive subdivision map covering a
10 portion of the approved tentative map for not more than two (2) years after the expiration of the two-year
11 period for presenting the successive final subdivision map. If the subdivider is presenting in a timely
12 manner a series of final maps, each covering a portion of the approved tentative map, no requirements
13 other than those imposed on each of the final maps in the series may be placed on the map when an
14 extension of time is granted unless the requirement is directly attributable to a change in applicable laws
15 which affect the public health, safety or welfare. Extension applications must be accompanied by the
16 applicable fee and written statement of justification, and must be filed 45 days prior to the expiration of the
17 final map.

18
19 C. At any time after tentative subdivision map approval, and before the time required for presentation of
20 a final subdivision map, the subdivider may request amendment to the approval or conditional approval of
21 the tentative subdivision map. The director may approve minor tentative subdivision map amendments in
22 accordance with Chapter 15.11.04, subject to appeal to the commission, in accordance with chapter
23 15.11.02. Major amendments shall be determined in accordance with the procedures for original approval
24 of the tentative subdivision map under this chapter. Additional conditions may be attached to approval of
25 the tentative subdivision map amendment which are reasonably related to the proposed amendment. A
26 subdivider who is unwilling to accept conditions attached to the proposed amendment may withdraw the
27 amendment. Action on the application for amendment of the tentative subdivision map shall not stay the

1 period for presenting the final subdivision map, unless a request for extension pursuant to paragraph B is
2 approved.

3

4 **15.607.06 Procedures for Final Subdivision Map**

5 A. Application Requirements. Following approval of the tentative subdivision map, a subdivider who
6 wishes to proceed with the subdivision shall file with the department an application for final approval and
7 recordation of the final subdivision map. The application shall be prepared on a form provided by the
8 department. The board shall be the final decision maker for approval of a final subdivision map.

9

10 The application shall contain the following information:

- 11 1. The original signed mylar, at least five (5) printed copies and at least one (1) electronic copy of
12 the final subdivision map in the form required by paragraph B, containing all required certificates and
13 acknowledgments required by paragraph C, one (1) copy of the closure calculations, all documents
14 required as conditions of tentative map approval, and the fee(s) set by the board;
- 15 2. A certificate from the county treasurer stating that taxes and assessments are paid in full;
- 16 3. Improvement plans approved by the county engineer, and other agencies required to approve the
17 construction plan along with either a signed executed improvement agreement or a certificate of
18 satisfactory completion issued by the county engineer;
- 19 4. Written documentation that all conditions of the tentative map have been met;
- 20 5. Other items listed on the application form.

21

22 B. The final map shall be clearly and legibly drawn in permanent black ink on material of a permanent
23 nature generally used for such purposes in the engineering profession, including affidavits, certificates
24 and acknowledgments. Each sheet shall be 24 inches by 32 inches in size. A margin line shall be drawn
25 completely around each sheet showing an entirely blank margin of one (1) inch at the bottom, top and
26 right and two (2) inches on the left edge on the 24 inch dimension. The scale of the map shall be not less
27 than one (1) inch equals 100 feet (1" = 100'). The particular number of the sheet and the total number of
28 sheets comprising the map shall be so stated on each of the sheets and the number in relation to each

1 adjoining sheet shall be clearly shown. The title sheet shall contain the location of the property being
2 divided with references to maps that have been previously recorded or by reference to the plat of the
3 United States survey. The final map shall be provided in a format compatible with the geographic
4 information system (GIS) maintained by the county. The contents are as follows:

5 1. Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication, and the
6 notarial seals required by law and this title. These may be placed thereon with colored ink or by
7 photographic reproduction. If more than three (3) sheets are used, a key diagram shall be included.

8 2. The scale on each sheet containing a map. The basis of bearing shall be that approved by the
9 county engineer and shall be required on one sheet only.

10 3. All easements that are required to be offered for dedication of acceptance and their particular
11 use.

12 4. Every final map shall closely conform to the approved tentative map and shall also show all data
13 required for the tentative map except contour lines, position of buildings, relationship to streets and
14 highways beyond the area shown on the map and the proposed use of building sites and shall
15 contain, in addition, the following data: sufficient linear, angular and radial data to determine the
16 bearings and lengths of boundary lines of the land development and boundary lines of each and
17 every building site or parcel which is a part thereof.

18 5. Easements not disclosed by the records in the office of the county recorder and found by the
19 surveyor or engineer to be existing in the development prior to the date of filing for record of the final
20 map, naming the party or parties using said easement and describing the specific purpose for which
21 the easement is being used.

22 6. Easements evidenced by records in the office of the county recorder prior to the date of filing for
23 record of the final map, by the volume and page of the conveyance which established said easement
24 and the name of the grantee in said conveyance who or which reserved said easement.

25 7. Easements, rights of way and other property interests necessary to implement and maintain any
26 water conveyance and delivery system required by any rule or regulation of the Walker River
27 irrigation district or the U.S. water master for the Carson River.

1 8. The exterior boundary of the land included within the land development shall be highlighted by a
2 border making all delineations covered by it readily discernible on reproductions or prints of the
3 original.

4 9. Each county boundary and government land survey line crossing or adjoining the subdivision with
5 adequate ties to monuments set or found within the same.

6 10. If any portion of the land within the boundaries of the final map is subject to inundation, storm flow
7 conditions, geologic hazard or other hazard, the land so affected shall be clearly marked by a
8 prominent note on each sheet. The map shall show the line of high water in case the development is
9 adjacent to a stream, lake or reservoir and/or areas subject to inundation by water.

10 11. The monument line and boundary of each street, including the width of the portion of any
11 fractional street being dedicated, the width of existing road rights of way when available from public
12 records and the widths on each side of the adjacent streets as determined from public records.
13 Whenever the engineer has established either the centerline or monument line of the street and such
14 information is made a public record, this location and data shall be shown on the final map.

15 12. Building sites.

16 a. Numbers shall begin with the number 1 and continue consecutively with no omissions or
17 duplications; except, that multiple-unit development numbering of building sites shall begin where
18 the numbering of previous building sites stopped.

19 b. Each building site must be shown in its entirety on one (1) sheet of the final map and may not
20 be divided between sheets.

21 c. No ditto marks shall be used in the dimensions and data.

22 d. Building site area, if shown, shall be a net figure.

23 13. Block numbers shall begin with the letter A, continuing consecutively without omission or
24 duplication throughout the tract. Lots shall be numbered consecutively for each block. The numbers
25 or letters shall be solid and of sufficient size and thickness to stand out, shall be so placed as not to
26 obliterate any figure and shall not be enclosed in any design. Each block, in its entirety, shall be
27 shown on one (1) sheet. Where adjoining blocks appear on separate sheets, the street adjoining both
28 blocks shall be shown on both sheets complete with monument line and property line data.

1 14. The final map shall particularly define, delineate and designate all building sites intended for
2 private purposes, all parcels offered for dedication for any purpose, public or private, common area
3 and private street, with all dimensions, boundaries and courses clearly defined. Parcels offered for
4 dedication but not accepted shall be so designated and streets offered but not accepted for
5 dedication shall be designated "Not a Public Street".

6 15. Maps filed for the purpose of showing, as acreage, lands previously divided into numbered or
7 lettered parcels shall be conspicuously marked under the title "the purpose of this map is to `Revert to
8 Acreage".

9 16. Wherever the land development is contained within the boundaries of more than one district for
10 which separate taxes are levied, the boundaries of such districts shall be located and shown
11 accurately on the final map.

12 17. Each sheet shall show the subdivision tract number assigned by the county recorder; each sheet
13 may show the subdivision tract name and unit number.

14 18. A reference to any private covenants, conditions and records to be recorded with the map;

15 19. A signed statement indicating a petition of annexation into any special taxing district, if the subject
16 property is so located.

17 20. Other items listed on the application or required by conditions of approval.

18 21. The final subdivision map must be reviewed and endorsed by the following county department
19 heads and fire district representatives prior to final review for acceptance by the county. Fire districts
20 that want to participate in the review process must pass a resolution stating that the district will be
21 part of the review process and submit a copy of the resolution to the department. A jurat for
22 endorsements must be placed on the final map. The jurat shall read as follows:

23
24 *Lyon County and Fire District Review*

25
26 *The undersigned Lyon County department heads and local fire district hereby certify that the final*
27 *subdivision map has been reviewed by each department or local fire district for all improvements*
28 *thereof.*

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Director

Road Department Director

County Engineer

*Local Fire District Representative
(If applicable)*

Lyon County Assessor

*Lyon County Utilities Director
(If applicable)*

C. Final subdivision Map Certificates. The following certificates and acknowledgments shall appear on the final subdivision map and shall be combined when appropriate:

1. A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the map;
2. 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 dedicated;

- 1 3. A certificate of title indicating:
 - 2 a. That each person signing the final subdivision map owns a record of interest in the land and
 - 3 that all the owners of record of the land have signed the final subdivision map;
 - 4 b. Listing of any lien or mortgage holders of record, if any. If there are no lien or mortgage
 - 5 holders of record, the fact that there are none shall be stated in the certificate;
 - 6 c. The certificate of title shall be signed and dated by an officer of the title company responsible
 - 7 for the statements contained within said title certificate;
- 8 4. A certificate by the Nevada licensed surveyor responsible for the survey and final subdivision
- 9 map as prescribed by state law;
- 10 5. A certificate by the county engineer stating that he has examined the final subdivision map, that
- 11 he is satisfied that the map is technically correct, and that subdivider has complied with one of the
- 12 following alternatives:
 - 13 a. All the improvements have been installed in accordance with the requirements of these
 - 14 regulations; or
 - 15 b. Adequate assurances have been provided that improvements will be completed and
 - 16 maintained in accordance with chapter 15.110;
- 17 6. A certificate by the health division of the department of human resources indicating that the final
- 18 subdivision map is approved concerning sewage disposal, water pollution, water quality and water
- 19 supply facilities;
- 20 7. A certificate by the division of water resources of the state department of conservation and
- 21 natural resources showing that the final subdivision map is approved concerning water quality and
- 22 any other matters in its jurisdiction;
- 23 8. A certificate of the director that the map conforms to the approved tentative subdivision map and
- 24 all conditions imposed upon such approval have been satisfied;
- 25 9. A certificate for execution by the county clerk stating that the county has approved the map and
- 26 accepted (or deferred) on behalf of the public the parcels of land offered for dedication for public use
- 27 in conformity with the terms of the offer of dedication;
- 28 10. A certificate by the appropriate public utilities accepting the designated easements;

1 11. Proper certificates of a notary public as required;

2 12. A certificate for execution by the county recorder concerning the appropriate recording data
3 required by NRS § 278.460.

4 13. If the property includes, impacts, or is adjacent to a conveyance ditch, a letter to the director by
5 the water conveyance advisory committee stating that all irrigation water conveyance facilities and
6 associated access and maintenance easements or rights-of-way are depicted on the map;

7 14. A certificate granting rights-of-way for water conveyance and maintenance. The grant of the right-
8 of-way shall run to the benefit of all persons entitled to the use of the conveyance ditch under the
9 Alpine Decree or other court decree and their successors in interest or to any ditch company or
10 similar entity having an interest in or responsibility for the water conveyance ditch and associated
11 structures;

12 15. Other certificates as may be required.

13
14 E. Action by the Board.

15 1. Prior to its expiration and not less than 60 days prior to the presentation of a final subdivision map
16 to and consideration of action on the final map by the board, the subdivider shall submit the
17 application for a final map to the department.

18 2. Unless the time period is extended by a mutual consent of the developer and the board, the
19 board shall render a decision on the application for final subdivision map approval within 60 days
20 following the determination that the final map application is complete, except as follows:

21 a. If any errors or omissions are found on the prints of the final map submitted to the county, the
22 map shall be returned to the subdivider or his engineer for correction and shall not be submitted
23 for board approval until such errors and omissions are corrected.

24 b. The corrected final map shall be required to be resubmitted to the department and the time
25 period for board action set forth in 2 above shall be reset.

26 3. The board shall refuse any final map approval when a report of error is made and shall continue
27 to refuse to approve until all deficiencies are resolved.

28 4. The board shall approve the map only if it is found that:

- 1 a. The map conforms in every respect with the approved tentative subdivision map, as
2 amended;
- 3 b. All conditions established upon approval of the tentative subdivision map, as amended, have
4 been satisfied;
- 5 c. The final subdivision map conforms with all county ordinances applicable at the time of the
6 decision on the final subdivision map;
- 7 d. All required improvements have been installed as certified by the county engineer, or
8 sufficient assurances for completion and maintenance of improvements have been made
9 pursuant to this development code;
- 10 e. All necessary certificates required by state law or by the development code have been
11 presented with the application of approval of the final subdivision map;
- 12 4. The board shall, at the time of approval of the final subdivision map, accept or reject any or all
13 offers of dedication.

14
15 C. Appeal. The board's action to deny the final subdivision map may be appealed in accordance with the
16 procedures of Chapter 15.12.

17
18 **15.607.07 Effect of Approval**

19 No vested right shall accrue to the owner, subdivider or developer of any subdivision by reason of
20 tentative or final subdivision map approval until the actual signing of the final subdivision map by all
21 parties required to sign the map. All requirements, conditions, or regulations adopted by the county
22 applicable to the subdivision or on all subdivisions generally shall be deemed a condition for any
23 subdivision prior to the time of signing of the final subdivision map by the county engineer. Where the
24 county has required the installation of improvements prior to signing of the final subdivision map, and
25 improvements have, in fact, been completed, the subdivider may be required to comply with the local
26 laws and regulations in effect at the time when the final subdivision map is considered for approval only if
27 the commission makes a finding on the record that such compliance is necessary to prevent a substantial
28 risk of injury to the public health, safety and general welfare.

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15.607.08 Signing and Recordation of Final Subdivision Map

A. Signing of Map.

1. When an improvement agreement and security are required, the county engineer shall endorse approval of the map only after security has been provided and all conditions of the map have been satisfied.

2. When installation of improvements is required, the county engineer shall endorse approval on the map only after all conditions of the map have been satisfied and upon issuance of a notice of completion.

3. The county engineer shall sign the map only after determination in cooperation with any utility providing water service to the subdivision or accepting improvements for maintenance that the map is in compliance with the county code relating to the dedication of facilities, water rights and rights-of-way.

B. Recording of the Map. It shall be the responsibility of the department to file the original map with the county clerk for signing and submission to the county recorder within 15 working days of the date of approval of the final subdivision map by the board. Simultaneously with the filing of the map the department shall cause to be recorded such other legal documents as may be required to be recorded by the county.

15.607.09 Reversion of Final Subdivision Map

A final subdivision map which has been recorded may be revoked pursuant to chapter 15.13, and the subdivision reverted to acreage, pursuant to chapters 15.603 and 15.604, where applicable, in the event that the subdivider or his successor in interest fails to complete improvements as required by the subdivision improvement agreement, development agreement or as otherwise provided by law. The proceeding may be initiated by either the owner or the county. At the initiation of proceedings to revoke or revert to acreage, the county shall record a document with the county clerk and recorder's office giving notice thereof. If final subdivision approval is revoked or the property reverted to acreage, the board order to that effect will be recorded with the county clerk and recorder's offices, the subdivision will no longer be

1 valid and further sale or development of lots or parcels within the revoked subdivision shall be prohibited
2 without approved division of land pursuant to this development code.

3

4 **15.607.10 Procedures For Planned Development Applications**

5 Whenever an application for planned unit development proposes the division of land into five (5) or more
6 parts, the applicant shall include with such application a tentative subdivision map, to be processed in
7 accordance with the provisions of chapter 15.349 and this chapter. Consideration of the tentative
8 subdivision map shall be reviewed in conjunction with the application for planned unit development
9 approval, and approval of the tentative subdivision map shall be conditioned upon final approval of the
10 planned unit development.

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