

Division Four: Subdivision Regulations

CHAPTER 400

TITLE AND CONTENTS

SECTION:

17.400.00 Title
17.400.05 Contents

Section 17.400.00 Title. Division Four of Title 17 is entitled “Subdivision Regulations”.

Section 17.400.05 Contents. Division Four of Title 17 consists of the following Chapters:

Chapter 400 Title and Contents
Chapter 402 General Provisions
Chapter 404 Parcel Maps
Chapter 406 Tentative Subdivision Maps
Chapter 408 Final Subdivision Maps
Chapter 410 (reserved - Planned Unit Developments)
Chapter 412 Division of Land into Large Parcels
Chapter 414 Reversion to Acreage
Chapter 416 Boundary Line Adjustment
Chapter 418 Amendments of Maps, Plats and Surveys

CHAPTER 402

GENERAL PROVISIONS

SECTIONS:

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Section 17.402.00 Purpose. The purpose of Chapter 402, General Provisions, is to establish general provisions which shall apply throughout Division Four of the Development Code.

Section 17.402.05 Applicability. Whenever any division of land is proposed, before any contract is made for the sale of any part of the property, and before any permit for the erection of a structure in the proposed division is granted, the property owner, or his authorized agent, must apply for and secure approval of the proposed division of land in accordance with the regulations and procedures established by Division Four. For the purposes of this section, land proposed to be divided must be classed as follows:

- A. Subdivision map, five or more parcels;
- B. Parcel map, four parcels or fewer;
- C. Division of land into large parcels map, parcels of forty acres or more.

Section 17.402.10 Required Mapping. All divisions of land in Pershing County shall be recorded with a final map, parcel map or division of land into large parcels map.

Section 17.402.15 Compliance. All divisions of land created by any means must comply with the provisions of this Development Code and the Pershing County Master Plan.

Section 17.402.20 Jurisdiction.

- A. These subdivision regulations apply to all divisions of land located within the limits of Pershing County. All divisions of land within Pershing County shall be in accordance with the provisions of NRS 278.320 to 278.496, inclusive.
- B. Land may not be divided within the limits of the county until the subdivider or his agent:

1. Submits a map of the area to be divided to the county through its Planning and Building Department; and
2. Obtains final approval of the map from the county; and
3. The approved map is filed with the county recorder.

Section 17.402.25 Prohibited Acts. The following acts are prohibited:

- A. Subdivision by Metes and Bounds. Dividing land by metes and bounds descriptions is prohibited unless such division is allowed by an exemption as set forth in this code and/or Chapter 278 of the Nevada Revised Statutes.
- B. Selling Land Prior to Recording of Approved Map. It is unlawful for any person to contract to sell, sell or to transfer any land being divided pursuant to a subdivision map, parcel map, or division into large parcels map until the required map is approved by the County and properly recorded in the Office of the Pershing County Recorder. Any person violating this provision is guilty of a misdemeanor and is liable for a civil penalty of not more than \$300 for each lot or parcel sold or transferred.

Section 17.402.30 Exemptions. Certain parcels of land may be exempt from some or all provisions of this code and NRS 278.010 to 278.630, inclusive.

- A. Exempt divisions of land.
 1. The creation or realignment of public right-of-way by a public agency;
 2. The creation or realignment of an easement;
 3. An adjustment of the boundary line between two abutting parcels or the transfer of land between two owners of abutting parcels which does not result in the creation of any additional parcels;
 4. The purchase, transfer or development of space within an apartment building or an industrial or commercial building;
 5. Carrying out an order of any court of dividing land as a result of an operation of law;
 6. Creation of sites for utility services, such as well sites, pump stations, transformer boxes, as long as the utility is a regulated utility or operated by governmental entity;
 7. Creation of cemetery plots; or
 8. A division of land into more than ten acres that is for agricultural purposes and there is no street, road, highway opening or widening or easement of any kind involved.
- B. Exempt transactions. A map is not required for any of the following transactions involving land:

1. The creation of a lien, mortgage, deed of trust, or any other security instrument;
 2. The creation of a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in an investment entity;
 3. Conveying an interest in oil, gas, minerals or building materials which are served from the surface ownership of real property;
 4. Conveying an interest in land acquired by the Department of Transportation pursuant to Chapter 408 of NRS; or
 5. Filing a certificate of amendment.
- C. Other Requirements. If the filing of a subdivision map, parcel map or division into large parcel map is exempted by any provisions within this code or NRS 278.320 through NRS 278.4725 the County may require a record of survey or other document be filed in place of a map.

Section 17.402.35 Monument Locations. All monuments shall be located as set forth in this section.

- A. Final Monument Locations. Final monuments shall be set at:
1. Each corner of the boundary of the subdivision and at intermediate points at approximately 1,000 feet or at lesser distances if topographical conditions warrant;
 2. Intersection of centerlines of streets;
 3. Sufficient location along the center lines of streets so that the center line may be retraced; these locations may be at, or on an offset to, an angle to the center line of a street, the center of a cul-de-sac, a point which defines a curve (the beginning or end of a curve or a point of intersection of a tangent) or an intersection with a boundary of the subdivision; and
 4. A position for a corner system of rectangular surveys directly relevant to property lines and corners of the subdivision.
- B. Exceptions to Final Monument Location. If a monument required by Subsection A of this section cannot be set because of steep terrain, water, marsh or existing structures, or if it would be obliterated as a result of proposed construction, one or more reference monuments must be set. In addition to the physical requirements for a monument, the letters "RM" and "WC" must be stamped in the table, disc or cap. If only one reference monument is used, it must be set on the actual line or a prolongation thereof. Otherwise, at least two reference monuments must be set. These monuments shall be deemed final monuments.

Section 17.402.40 Monument Identification. All monuments set as required herein shall be permanently marked or tagged with the letters "PLS" followed by the professional land

surveyor's registration number that set the monument. All monuments shall be subject to inspection by the County Engineer.

Section 17.402.45 Monument Physical Requirements. All monuments shall meet the physical requirements as set forth in this section.

- A. General Final Monument Requirements. The final monument shall, except as otherwise provided in Subsections B and C of this section, consist of a nonferrous tablet, disc or cap securely attached to the top of a metallic shaft solidly imbedded in the ground, with a minimum diameter of 5/8 of an inch and a length adequate to resist removal.
- B. Final Monuments in Paved Areas. A final monument required by Section 17.402.35 which falls into a paved area shall consist of a well lid placed so that the top of the tablet, disc or cap of the monument is not less than four inches below the surface of the pavement.
- C. Final Monuments on Bedrock or Concrete. If a monument required by Section 17.402.35 falls on solid bedrock or on a concrete or stone roadway, curb, gutter or walk, a double nonferrous metal tablet, disc or cap shall be securely anchored in the rock or concrete.

Section 17.402.50 Allocation of Water Rights. Water rights may be required to be dedicated in any area for which the State determines water rights are over-allocated.

CHAPTER 404

PARCEL MAPS

SECTIONS:

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Section 17.404.00 Purpose. The purpose of Chapter 404, Parcel Maps, is to establish the regulations and procedures for parcel maps and the waiver of parcel maps.

Section 17.404.05 Applicability. A parcel map shall be required as set forth in this section.

- A. **Parcel Map Required.** A parcel map shall be required for all subdivisions, merger and re-subdivision of existing lots, and common-interest communities consisting of four units or less, except as otherwise provided in this section.
- B. **Exempt Divisions.** A parcel map is not required when the division is for the express purpose of:
1. The creation or realignment of a public right-of-way by a public agency.
 2. The creation or realignment of an easement.
 3. An adjustment of the boundary line between two abutting parcels or the transfer of land between two owners of abutting parcels, which does not result in the creation of any additional parcels, if such an adjustment is approved pursuant to NRS 278.5692 and is made in compliance with the provisions of NRS 278.5693.
 4. The purchase, transfer or development of space within an apartment building or an industrial or commercial building.

5. Carrying out an order of any court or dividing land as a result of an operation of law.
 6. The creation of cemetery lots.
- C. Exempt Transactions. A parcel map is not required for any of the following transactions involving land:
1. The creation of a lien, mortgage, deed of trust or any other security instrument.
 2. The creation of a security or unit of interest in any investment trust regulated under the laws of this State or any other interest in an investment entity.
 3. Conveying an interest in oil, gas, minerals or building materials, which is severed from the surface ownership of real property.
 4. Conveying an interest in land acquired by the Department of Transportation pursuant to NRS Chapter 408.
 5. Filing a certificate of amendment pursuant to NRS 278.473.
- D. Waiver. A parcel map may be waived pursuant to Section 17.404.70, Waiver of Parcel Map.

Section 17.404.10 General Provisions.

- A. Parcel maps shall comply with the provisions of the Development Code, NRS 278 and other applicable local, state and federal regulations.
- B. The applicant for a parcel map shall be responsible for the payment of all fees associated with the processing, review and recordation of the map and accompanying materials. These fees may include, but are not limited to: the application and recordation fees established by the county and the review fees of the county surveyor and other entities.
- C. Except as otherwise provided by Section 17.404.75, a parcel map shall be based on a survey completed for that purpose. The survey shall be completed by a professional land surveyor. Additionally, the map shall be prepared by such surveyor.
- D. When two or more separate lots, parcels, sites, units or plots of land are purchased, they remain separate for the purposes of this chapter. When the lots, parcels, sites, units or plots are resold or conveyed they are exempt from the provisions of this chapter until further divided.
- E. Stationing shall be indicated for all geographic features shown on the map, including but not limited to: boundary lines, centerlines, and monuments. The length and bearing shall be indicated for lines. The radius, central angle, length of curve, and tangent length shall be indicated for curves. Information provided shall be accurate to the nearest one-hundredth foot for distances and to the nearest second for angles.

- F. The map shall show all survey and mathematical data necessary to locate monuments and to locate and retrace all interior and exterior boundary lines as shown on the map.

Section 17.404.15 Form. Parcel maps shall be prepared in the following form:

- A. Each sheet shall be 24 inches by 32 inches in size. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch at the top, bottom and right edges, and of two inches at the left edge along the 24-inch dimension. The scale of each sheet shall be large enough to show all required contents clearly.
- B. Paper copies of a parcel map shall be prepared on durable paper with permanent black ink.
- C. The record copy of a parcel map shall be clearly and legibly drawn in permanent black ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession. Affidavits, certificates and acknowledgments shall be legibly stamped or printed upon the map with permanent black ink.

Section 17.404.20 Required Contents. Parcel maps shall contain adequate information to allow the Planning Commission and Board of County Commissioners to make the findings required by Section 17.404.35. The following information, at a minimum, shall be shown on a parcel map, or on accompanying materials when applicable:

- A. Information Required on Map. The following information shall be shown on a parcel map:
 - 1. Title block, which contains the following information: title of "Parcel Map", the property owner(s), and a legal description of the property to be divided.
 - 2. Name and contact information of the surveying firm responsible for preparing the map.
 - 3. Vicinity map showing the location of the subject property in relation to the surrounding area with major roadways indicated.
 - 4. North arrow.
 - 5. Scale (numeric and bar).
 - 6. The name and legal designation of the tract or grant in which the survey is located and any ties to adjoining tracts.
 - 7. The basis-of-bearing of the map, which shall include: the survey control points used for horizontal control with a description, coordinates for each point, and a statement identifying the basis-of-bearing and the coordinate system utilized.
 - 8. Coordinates for, at a minimum, the basis of bearing and any section corners shown on the map. Coordinates shall be provided in the NAD 1983 Nevada West State Plane coordinate system.

9. The boundary lines of the property proposed to be subdivided, including dimensions and bearings, and the area of the property. The boundary lines of the proposed lots, including dimensions and bearings, and the area of the proposed lots.

Area shall be measured in acres, to the nearest one-hundredth of an acre, for lots greater than two acres and measured in square feet for lots less than two acres.

10. All monuments which are found, set, reset, replaced or removed and a description providing the type, size and location of each monument and any other necessary information.
11. All existing and proposed easements for public or private purposes with dimensions and type indicated. Easements shown shall include, but are not limited to, those for: roads, public utilities, drainage, irrigation, trails and conservation.
12. Existing and proposed rights-of-way with dimensions indicated.
13. Existing and proposed street names.
14. Ownership information for adjacent parcels.
15. A statement indicating any easements granted or dedications made.
16. The certificates required by Section 17.404.55.
17. Any additional information or materials as deemed necessary by the Planning Director for review of the parcel map.

B. Accompanying Information. The following information shall accompany a parcel map:

1. The name and contact information of the applicant, property owner(s), and surveyor responsible for preparing the map.
2. The land use designation of the property and adjacent areas, and the existing and proposed land uses of the property and adjacent areas.
3. The proposed methods for providing: legal access, roads, storm drainage, water supply, sewage disposal, electricity, telecommunications and solid waste disposal.
4. Information regarding the flooding potential of the subject property. If it is determined that a flood hazard exists, a map shall be included which indicates the subject property and the location and flood elevation of the 100-year floodplain as shown on the Federal Emergency Management Agency's flood maps, a Nevada registered engineer's hydrologic analysis, or other recognized method. Such map shall clearly indicate any portions of the subject property or surrounding areas which are subject flooding.

5. A preliminary title report, prepared by a title company, with an effective date of no more than 120 days prior to the application submittal date. The title report shall include the following information:
 - a. Name and address of each property owner or holder of a security interest of the subject property
 - b. Legal description of the property
 - c. Description of all easements and deed restrictions
 - d. Description of all liens against the property
 - e. Any covenants, conditions and restrictions that may apply

The requirement for a title report may be waived by the District Attorney if he determines that other adequate property ownership information is provided.

6. An affidavit of ownership, signed and notarized by all legal owners of the subject property.
7. A written statement from the Pershing County Treasurer's office stating that all property taxes due on the property for the current fiscal quarter have been paid.
8. Will-serve letters from all utility and service providers that will provide service to the proposed development, if applicable.
9. A report providing all survey computations.
10. Any additional information or materials as deemed necessary by the Planning Director for review of the parcel map.

Section 17.404.25 Submittal Procedures and Requirements. The parcel map process may be initiated by an owner of real property or their authorized representative in conformance with the requirements of this section. The following items shall be submitted to the Planning Department to begin review of a parcel map:

1. Completed application on forms furnished by the Planning Department;
2. Paper copies of the parcel map and accompanying materials, of the size and number required by the Planning Director;
3. Payment of all required fees associated with the processing and review of the parcel map, as established by the county and other entities that shall review the map;
4. Any additional information or materials as deemed necessary by the Planning Director for review of the parcel map.

Review of a parcel map shall not begin until the submitted materials are deemed complete by the Planning Director.

Section 17.404.30 Review Procedures. Parcel maps shall be reviewed in accordance with this section. ("Application" as used in this section, is defined as the materials required by 17.404.25)

- A. Review for Completeness. Upon receipt of an application, the Planning Director shall have 10 working days to review the submitted materials and accept or reject the application as complete. If an application is found to be incomplete it shall be returned to the applicant and/or the applicant shall be notified of any additional information needed. Once an application has been determined complete, it shall be scheduled to be heard by the Planning Commission.
- B. Review by County. Following acceptance of a complete application, the materials shall be reviewed by the Planning Director and County Surveyor. The application shall be reviewed to check for errors, ensure accuracy and ensure compliance with the Development Code, NRS 278 and other applicable regulations. If it is determined that there are deficiencies with the application, corrections or changes may be required. The surveyor responsible for the preparation of the map and/or the applicant shall be notified of any required corrections or changes. The parcel map shall be revised to reflect any corrections or changes required. The parcel map shall be revised and re-reviewed as necessary until approved by the Planning Director and County Surveyor.

The Planning Director may cause the application to be reviewed by other entities, as deemed necessary. Such entities may include but are not limited to the County Engineer, Road Department, Fire Department, utility providers, etc.

- C. Required Review by Other Entities. A copy of the application shall be forwarded by the Planning Director to the following entities for review:
 - 1. Pursuant to NRS 278.461, a copy of the application shall be forwarded to the State Division of Water Resources when the property to be divided is within or partially within a designated basin for which an order has been issued requiring approval of parcel maps by the Division of Water Resources, as established by the State Engineer; and the proposed parcels will be served by domestic wells.
- D. Planning Commission Public Hearing and Action. After the acceptance of a complete application, the Planning Commission shall hold a public hearing to review the application and take action to recommend approval, conditional approval or denial of the application to Board of County Commissioners. Action taken by the Planning Commission shall be based upon findings made pursuant to Section 17.404.35. A statement regarding these findings shall be included with action taken.

After action is taken by the Planning Commission, the Planning Department staff shall prepare a written report detailing the recommendation and findings of the Planning Commission and shall forward the report to the Board of County Commissioners.

- E. Board of County Commissioners Public Hearing and Action. Within 60 days after the acceptance of a complete application, the Board of County Commissioners shall hold a public hearing to review the application and take action to approve, conditionally approve, or deny the application. In its deliberation, the Board shall review the recommendation and findings of the Planning Commission. Action taken by the Board of County Commissioners shall be based upon findings made pursuant to Section 17.404.35. A statement regarding these findings shall be included with action taken.
- F. Time Limits. If action is not taken on a parcel map by the Planning Commission or Board of Commissioners within the time limits established by this section, the map shall

be deemed approved as submitted. The time limits established in this section may be extended by mutual agreement of the applicant and the Planning Commission or Board of County Commissioners, as applicable.

Section 17.404.35 Findings. Prior to taking action to recommend approval or to approve a parcel map, the Planning Commission and the Board of County Commissioners shall determine, to the best of their ability, that all of the findings listed in this section are true.

If it is determined that one or more of the findings listed in this section have not been adequately accounted for, action may be taken to conditionally approve or to deny a parcel map, based on such findings.

A statement of the determination made by the Planning Commission or Board of County Commissioners regarding these findings shall be included with action taken.

Findings.

- A. The proposed development will not be detrimental to the health, safety, and welfare of the public.
- B. The proposed development is consistent with the goals, policies, and objectives of the Pershing County Master Plan.
- C. The proposed development is in compliance with the Development Code and all other applicable county, state and federal regulations. Specifically the proposed development is in compliance with applicable environmental and health regulations concerning water and air pollution, water supply, sewage disposal and the disposal of solid waste.
- D. There is water available to serve the proposed development which meets applicable health standards and is sufficient in quantity to meet the reasonably foreseeable needs of the development.
- E. Utilities and services, including but not limited to provisions for water supply, sewage disposal, storm drainage, electric service, solid waste disposal and telecommunications, are currently or will be available, accessible and adequate to serve the proposed development.
- F. The proposed development will not be detrimental to existing transportation infrastructure or the safe use of such infrastructure, including but not limited to streets, highways, sidewalks, bike paths and traffic control components. Provision has been made for safe and adequate transportation infrastructure to, from and within the proposed development.
- G. Fire protection is available, accessible and adequate to provide prevention and containment of fires, including fires in wild lands. Additionally, water is available, accessible and adequate for fire protection.
- H. Public services such as schools, police protection, transportation, recreation, and parks are available, accessible and adequate to serve the proposed development.

- I. The proposed development will not be detrimental to any existing public utilities, services or infrastructure listed in this section or otherwise, and will not have a negative impact on the level of service currently being provided to residents of the county.
- J. Public access to public lands adjacent to the proposed development is or will be available.
- K. After considering the physical characteristics of the land such as flood plains, slopes, soils and watercourses and any potential hazards such as flooding, erosion and geologic faults, the site of the proposed development has been determined suitable.
- L. The proposed use will not be detrimental to other properties in the area, their use, or improvements upon them, or to the character of the surrounding area.
- M. The proposed development will not be detrimental or have a negative impact on the existing natural storm drainage system.
- N. The proposed development will not cause substantial environmental damage or cause substantial injury to any endangered plant life, wildlife, or their habitat.
- O. The recommendations and comments of other entities required to review the map have been considered and accounted for.

Section 17.404.40 Public Improvement Requirements. Public improvements shall be provided to new development created by a parcel map in accordance with the provisions of this section.

- A. The County may require public improvements in accordance with the provisions of this section to support the new development and to meet the requirements of Section 17.404.35. The requirement of public improvements by the County shall be in compliance with applicable regulations and shall be consistent with the provisions of the Master Plan.
- B. For the purposes of this section, parcel maps shall be divided into two categories: initial parcel maps and subsequent parcel maps. An initial parcel map is defined as, the first parcel map which affects a single parcel or contiguous tract of land under the same ownership. A subsequent parcel map is defined as, a second or subsequent parcel map which affects a single parcel or a contiguous tract of land under the same ownership.
- C. Improvement Requirements for Initial Parcel Maps.
 - 1. The County may require grading of rights-of-way or access easements if deemed reasonably necessary. If the County determines that the existing conditions of the subject property and surrounding areas necessitate storm drainage improvements, the County may require such improvements in accordance with the applicable provisions of Chapter 17.501, as reasonably necessary.
 - 2. If the County anticipates, based upon the land use designation of the subject property and the information provided in the application, that the proposed parcels will be used for residential, commercial or industrial purposes, the County may require: provision of legal access from an existing public road to the subject

property and each new lot, road construction, provisions for water supply, and/or provisions for sewage disposal, when consistent with the existing public improvements of similarly zoned land which is within 660 feet of the subject property. Such requirements shall be made pursuant to Table 17.501.15-1 and Chapter 17.501.

3. If the proposed parcels are less than one acre in size, the County may require any additional improvements, pursuant to Table 17.501.15-1 and Chapter 17.501, which are deemed reasonably necessary if the subject property is developed as proposed.
- D. Improvement Requirements for Subsequent Parcel Maps. Public improvements shall be required as established by Table 17.501.15-1 and Chapter 17.501, Public Improvement Requirements for New Development. The County may require any additional public improvements as deemed reasonably necessary to support the new development and to meet the requirements of Section 17.404.35.
- E. When new development created by a parcel map includes the construction of public improvements the following shall be complied with:
1. The applicant shall submit and receive approval of improvement plans for the public improvements, pursuant to Chapter 17.618, Improvement Plans.
 2. Public improvements shall be constructed to County standards, as established by Division Five, Development Regulations.
 3. Public improvements shall be constructed, inspected and bonded in accordance with Chapter 17.620, Construction, Inspection and Bonding of Public Improvements.

The County shall not take action to approve a parcel map which includes the construction of public improvements unless the provisions of this subsection have been complied with or the provisions of this subsection are required as conditions of approval.

Section 17.404.45 Notice of Public Hearings. Notice of all public hearings required by this chapter shall be given in accordance with the provisions of Chapter 17.708, Noticing.

Section 17.404.50 Appeal. Any person who is aggrieved by a decision of the Regional Planning Commission, the Board of County Commissioners, the Planning Director, a member of the Planning Department staff, or any other person appointed or employed by the county who is authorized to make administrative decisions regarding the use of land, may appeal such decision pursuant to Chapter 17.710, Appeals.

Section 17.404.55 Certificates. The following certificates shall appear on a parcel map before it may be recorded:

- A. Certificate of Board of County Commissioners Approval. A certificate signed by the County Clerk which states that the map has been approved by the Board of County Commissioners and provides the date of approval.

If applicable, the certificate shall also state that the Board of County Commissioners has accepted or rejected on behalf of the public any parcel or portion of a parcel of land, offered for dedication for public use. If the parcel map includes a merger of pre-existing lots, the certificate shall acknowledge that any public streets or easements that will not remain were abandoned pursuant to PCDC Chapter 17.604, Vacations and Abandonments.

- B. Certificate of Preparing Surveyor. A certificate signed and stamped by the surveyor responsible for the preparation of the parcel map. The certificate shall be in the following form:

Surveyor's Certificate

I, _____ (Name of Surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my direct supervision at the instance of _____ (Owner, Trustee, etc).
2. The lands surveyed lie within _____
(Section, Township, Range and Meridian)
and the survey was completed on _____ (date).
3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the Pershing County Board of Commissioners gave its final approval.
4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(OR)

4. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by _____ (a specific date) and an appropriate financial guarantee will be posted with Pershing County before recordation to ensure the installation of the monuments.

_____ License Number and Stamp: _____
(Name of Surveyor)

- C. Certificate of Property Owner(s). A certificate signed by each legal owner of the property to be divided. This certificate shall state:

1. The person(s) signing the certificate are legal owners of the property to be divided and consent to the preparation and recordation of the parcel map;
2. The map is in compliance with the Pershing County Development Code, NRS 278.010 to 278.630 inclusive, and other applicable local and state regulations;

3. The legal owner(s) grant and offer for dedication all easements and rights-of way as designated on the map for the construction and maintenance of roads, public utilities, irrigation, etc.

This certificate shall be accompanied by a notary public certificate attesting to the signatures of the legal owner(s). There shall be a separate notary public certificate, signature, and stamp for each legal owner signature.

- D. Certificate of County Surveyor. A certificate signed and stamped by the County Surveyor, stating that they have reviewed the map and found it to be technically correct.
- E. Tax Certificate. A certificate signed by the County Treasurer indicating that all property taxes due on the land being divided for the fiscal year have been paid.
- F. Public Utilities Certificates. If applicable, a certificate signed by any public utility providers whose utility services have been required for the new parcels and/or have had easements created in their favor. The certificate shall state the provider's agreement to serve the new parcels and/or the provider's acknowledgement of easements. There shall be a separate certificate for each utility provider. It is the responsibility of the applicant to obtain the signatures of any public utility providers.
- G. State Division of Water Resources Certificate. If applicable pursuant to NRS 278.461, a certificate completed by the Nevada Division of Water Resources stating that the map is approved concerning the quantity of water available.

Section 17.404.60 Recordation Procedures. The approved parcel map shall be recorded in the County Recorder's office within one year after the date the map is approved by the Board of County Commissioners. The recordation procedures are as follows:

- A. Map Submittal. A record copy of the final parcel map shall be submitted to the Planning Department for recordation. The final map shall be printed in permanent black ink on mylar of a minimum thickness of three mil, or printed as otherwise permitted by Section 17.404.15. The map shall be in its final form, as approved by the Board of County Commissioners, and shall show all required corrections and changes. If applicable, information shall be provided on the map or on accompanying materials which verify that all conditions of approval have been complied with. All certificates on the map, except those that must be completed by the County, shall be completed at the time of submittal. It is the responsibility of the applicant to have these certificates completed.
- B. Fees. The applicant is responsible for payment of a recording fee, determined by the County Recorder's office. When submitted, the final map shall be accompanied by payment for the recording fee.
- C. Review. Upon receipt of the final map and any accompanying information, the Planning Department staff shall review the map and materials and determine if all required corrections and changes have been made and all required conditions have been met.

If it is determined that there are corrections that have not been made or conditions that have not been met, the map shall be returned to the applicant and/or the applicant shall be notified of the determination of the Planning Department staff, the reasons for such a

determination and any actions which must be taken before the parcel map may be recorded.

Upon determining that all required corrections have been made and all conditions have been met, the Planning Department staff shall forward the map to the appropriate parties for completion of the Certificate of the Board of Commissioners, Certificate of the County Surveyor, the Tax Certificate, and any other required certificates.

- D. Recordation. Upon completion of all certificates, the Planning Department staff shall forward the map to the County Recorder's office for recording. The subdivision of the property shall be deemed complete when the final map has been recorded.

Section 17.404.65 Expiration of Approved Map. If an approved parcel map is not recorded within one year from the date of approval by the Board of County Commissioners, the parcel map shall expire. Upon the expiration of an approved parcel map, the applicant must resubmit the parcel map for review, as well as submit a new application and payment of review fees, to continue proceedings on the map. The map shall be re-reviewed pursuant to the requirements of this chapter as if it were a new map.

Section 17.404.70 Waiver of Parcel Map. If unusual circumstances exist, the Board of Commissioners may waive the requirement for a parcel map. Before waiving the requirement for a parcel map, a determination must be made by the county surveyor that a survey is not required, pursuant to Section 17.404.75, Waiver of Required Survey.

To request a waiver of a parcel map, an applicant shall submit a written request to the Planning Department. The request shall provide the reason(s) the applicant feels the parcel map requirement should be waived. Additionally the request shall provide the reason(s) the applicant feels the requirement for a survey should be waived, pursuant to Section 17.404.75.

The County Surveyor shall review the request and approve or deny a waiver of the survey requirement. If the County Surveyor denies the waiver of the survey requirement, the waiver of the parcel map requirement shall also be denied. The applicant shall be notified in writing of such a determination.

If the County Surveyor approves the waiver of the survey requirement, the Planning Director shall schedule the request to be heard by the Board of County Commissioners. The Board shall review the request and approve or deny the waiver. The applicant shall be notified in writing of the determination of the Board.

If the Board of County Commissioners approves a waiver of a parcel map, the applicant shall prepare and record a waiver document pursuant to Section 17.404.80 to complete the subdivision of the property.

A request for a waiver shall be acted upon within 60 days after the date the request is submitted to the Planning Department. If the request for a waiver is not acted on within this time period, the request shall be deemed approved. This time period may be extended by a mutual agreement made in writing between the applicant and the Planning Director.

Section 17.404.75 Waiver of Required Survey. The county surveyor may waive the requirement of a survey if, in his judgment, a survey is not required to accomplish the purposes of NRS 278.010 to 278.630, inclusive.

To request a waiver of the survey requirement, an applicant shall submit a written request to the Planning Department. The request shall state the reason(s) the applicant feels the requirement for a survey should be waived. The County Surveyor shall review the request and approve or deny the waiver. The applicant shall be notified in writing of the determination of the County Surveyor.

A request for a waiver shall be acted upon within 60 days after the date the request is submitted to the Planning Department. If the request for a waiver is not acted on within this time period, the request shall be deemed approved. This time period may be extended by a mutual agreement made in writing between the applicant and the Planning Director.

Section 17.404.80 Preparation and Recordation of Waiver Document. If the requirement for a parcel map is waived by the Board of County Commissioners, the applicant shall comply with the provisions of this section.

A. Document Preparation. The applicant shall submit a waiver document, prepared by a professional land surveyor, to the Planning Department. The document shall contain the following:

1. Legal descriptions of the existing parcel and all proposed lots, based on a system of rectangular surveys.
2. Provisions for the dedication or reservation of any rights-of-way or easements.
3. A certificate signed by the Chair of the Board of County Commissioners stating that the waiver has been approved by the Board.

If applicable, the certificate shall also state that the Board of County Commissioners has accepted or rejected on behalf of the public any parcel or portion of a parcel of land, offered for dedication for public use.

4. A certificate signed by the County Treasurer indicating that all property taxes due on the land being divided for the fiscal year have been paid.
5. The notarized signature(s) of the owner(s) of the land to be divided.
6. The signature and stamp of the professional land surveyor responsible for the preparation of the document.
7. The surveyor preparing the document shall include the following statement:

“This document was prepared from existing information (identifying it and stating where filed and recorded), and the undersigned assumes no responsibility for the existence of monuments or correctness of other information shown on or copied from any such prior documents.”
8. If determined necessary by the County Surveyor, a description by metes and bounds of the parcel division.

- B. Document Recordation. Upon receipt of a waiver document, the Planning Department staff shall review the document to determine if it is complete. An incomplete document shall be returned to the applicant. Documents determined complete shall be forwarded to the County Recorder's office for recordation. The applicant is responsible for payment of the recording fee, determined by the County Recorder's office.

CHAPTER 406

TENTATIVE SUBDIVISION MAPS

SECTIONS:

17.406.00	Purpose
17.406.05	Applicability
17.406.10	General Provisions
17.406.15	Form
17.406.20	Required Contents
17.406.25	Submittal Procedures and Requirements
17.406.30	Review Procedures
17.406.35	Findings
17.406.40	Public Improvement Requirements
17.406.45	Notice of Public Hearings
17.406.50	Appeal
17.406.55	Time Limits

Section 17.406.00 Purpose. The purpose of Chapter 406, Tentative Subdivision Maps, is to establish the regulations and procedures for tentative subdivision maps.

Section 17.406.05 Applicability. A tentative subdivision map shall be required for all requests for a subdivision, merger and re-subdivision of existing lots, or a common-interest community consisting of five or more units, except for divisions of land into large parcels as established in PCDC Chapter 17.412, Divisions of Land into Large Parcels.

Section 17.406.10 General Provisions.

- A. Tentative subdivision maps shall comply the provisions of the Development Code, NRS 278 and other applicable local, state and federal regulations.
- B. The applicant for a tentative subdivision map shall be responsible for the payment of all fees associated with the processing and review of a tentative subdivision map and accompanying materials. These fees may include, but are not limited to: the application fee established by the county and the review fees of the county engineer and other entities.

Section 17.406.15 Form. Tentative subdivision maps shall be prepared in the following form:

- A. Each sheet shall be 24 inches by 32 inches in size. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch at the top, bottom and right edges, and of two inches at the left edge along the 24-inch dimension. The scale of each sheet shall be large enough to show all required contents clearly.
- B. Paper copies of a tentative subdivision map shall be prepared on durable paper with permanent black ink.

Section 17.406.20 Required Contents. Tentative subdivision maps shall indicate the conditions existing in and around the proposed subdivision, the proposed design and improvements of the development, and shall contain adequate information to allow the Planning Commission and Board of County Commissioners to make the findings required by Section 17.406.35. The following information, at a minimum, shall be shown on a tentative subdivision map, or on accompanying materials when applicable:

A. Information Required on Each Sheet. The following information shall be shown on each sheet of a tentative subdivision map:

1. North arrow.
2. Scale (numeric and bar).
3. Title block, which contains the following information: project name, property owner(s), and type of design shown on the sheet.
4. Name and contact information of engineering firm responsible for preparing the plans.
5. Name, signature, and stamp of professional engineer responsible for preparing the plans.
6. Date of map.
7. Sheet number and reference to total number of sheets.
8. A legend providing definitions and descriptions of symbols used, as needed.
9. Date of revision for revised sheets.

B. Title Sheet Information. The following information shall be shown on the title sheet of a tentative subdivision map:

1. Names and contact information of the applicant and legal owner(s) of the property, and the name, address and certificate of registration serial number of the engineer responsible for the preparation of the map.
2. Proposed name of the subdivision (not to conflict with existing recorded subdivision maps).
3. Vicinity map showing the location of the proposed development in relation to the surrounding area with major roadways indicated.
4. Legal description of the property proposed for development.
5. Index of map sheets.
6. Land use data, including the following information at a minimum: total area of the proposed development, number of lots, common area, gross density, average lot

size, largest and smallest lot size, and the percentage of the total area to be utilized for each type of land use.

7. Engineer's statement, signed and stamped by the engineer responsible for preparing the map, stating compliance with the Pershing County Development Code.

C. General Information. The following information shall be shown on a tentative subdivision map, or on accompanying materials when applicable:

1. The boundary lines of the property proposed to be subdivided, including dimensions and bearings, and the area of the property. The boundary lines of the proposed lots, including dimensions and bearings, and the area of the proposed lots.

Area shall be measured in acres, to the nearest one-hundredth of an acre, for lots greater than two acres and measured in square feet for lots less than two acres.

2. Ownership information for adjacent parcels.
3. The proposed yards for each lot and the required setbacks.
4. The block and lot designation of proposed lots. All blocks shall be lettered consecutively beginning with the letter "A". All lots shall be numbered consecutively within each block, beginning with number "1".
5. The land use designation of the property and adjacent areas, and the existing and proposed land uses of the property and adjacent areas.
6. Labeled topographic contours of the development and surrounding areas at five-foot intervals, or when in the opinion of the County Engineer topography is a major factor in the subdivision design, at two-foot intervals.
7. The location, footprint and description of existing structures within the development and in surrounding areas. Indication of whether such structures within the development will remain or be removed. For structures that will remain, the distance to property lines and to other structures shall be noted.
8. Location and area of any land to be reserved or dedicated for parks, recreation areas, common open space areas, schools or other public uses, and the proposed method of maintenance for such areas.
9. All existing and proposed easements for public or private purposes with dimensions and type indicated. Easements shown shall include, but are not limited to, those for: roads, public utilities, drainage, irrigation, trails and conservation.
10. The names, location, and dimensions of existing public and private transportation infrastructure within the proposed development and in surrounding areas,

including but not limited to: streets, rights-of-way, trails, sidewalks, cul-de-sacs and emergency access.

11. The names, location, dimensions, and details of proposed transportation infrastructure including but not limited to: streets, rights-of-way, trails, sidewalks, cul-de-sacs, emergency access and maintenance access. Details shall include at a minimum: cross-sections, approximate grade, radius of curves, and diameters of cul-de-sacs.
12. The location and dimensions of existing water system infrastructure and wells. The proposed method of water provision, including the location, dimensions and details of proposed water system infrastructure and wells.
13. The location and dimensions of existing sewer system infrastructure and septic systems. The proposed method of sewage disposal, including the location, dimensions and details of proposed sewer infrastructure or septic systems.
14. The location and dimensions of existing gas, electric and telecommunications infrastructure, including overhead utilities. The method of provision of gas, electric, telecommunications and solid waste disposal utilities and services, and the location, dimensions and details of applicable infrastructure.
15. The location, dimensions, and details of proposed parking facilities, landscaping, traffic control devices, and lighting.
16. Indication of prominent landmarks, areas of unique natural beauty, rock outcroppings, vistas, natural foliage or similar features which will be considered in the design of the development.
17. The location of snow storage areas sufficient to handle snow removed from public and private streets, if applicable.
18. Hydrological Report and Mapping. A report and mapping as necessary to provide the following at a minimum:
 - a. The location, dimensions and direction of flow of all significant hydrologic features within or near the proposed subdivision, including but not limited to: reservoirs, lakes, rivers, streams, wetlands, springs and wells.
 - b. Groundwater and seepage conditions.
 - c. A map which indicates the subject property and the location and flood elevation of the 100-year floodplain as shown on the Federal Emergency Management Agency's flood maps, a Nevada registered engineer's hydrologic analysis, or other recognized method, and showing any portions of the development or surrounding area subject to flooding. Such areas and a note stating their flooding potential shall be clearly indicated on each sheet of the tentative map.
 - d. The location and magnitude of the 10-year and 100-year storm flows entering and leaving the project site.

19. Preliminary Grading, Drainage and Erosion Control Plan. Reports and mapping as necessary to provide the following at a minimum:

- a. A preliminary grading plan, which includes: existing and proposed topographic contours, the location and details of excavations, cuts, and fills, approximate street grades, building envelopes, pad elevations and retaining walls. The plan shall include a minimum of two cross-sections of the project site depicting the proposed grading in relation to the topography of surrounding areas.
- b. A preliminary drainage plan, which includes: the existing and proposed drainage patterns, the location and details of detention and infiltration areas, and the location, dimensions and details of existing and proposed drainage infrastructure.
- c. A preliminary erosion and sedimentation control plan which indicates proposed methods and applicable details.

20. Geo-technical Report. A report and mapping as necessary to provide the following at a minimum:

- a. A soils report sufficient for use in tentative design (i.e. street sections, building pads, etc), which includes the following information: soil types, seasonal high water table, and percolation rates.
- b. All known potential hazards including, but not limited to: geologic faults, earth slide and avalanche areas or otherwise hazardous slopes.

21. Phasing Plan. A preliminary plan for the phased development of lots, if applicable, which includes a phasing map and a tentative schedule for the submittal of final maps for each phase.

D. Accompanying Information. The following information shall accompany a tentative subdivision map:

1. A preliminary title report, prepared by a title company, with an effective date of no more than 120 days prior to the application submittal date. The title report shall include the following information:
 1. Name and address of each property owner or holder of a security interest of the subject property
 2. Legal description of the property
 3. Description of all easements and deed restrictions
 4. Description of all liens against the property
 5. Any covenants, conditions and restrictions that may apply
2. An affidavit of ownership, signed and notarized by all legal owners of the subject property.

3. A written statement from the Pershing County Treasurer's office stating that all property taxes due on the property for the current fiscal quarter have been paid.
4. Will-serve letters from all utility and service providers that will provide service to the proposed development.
5. A report providing all survey computations.
6. Any additional information or materials as deemed necessary by the Planning Director for review of the tentative subdivision map.

Section 17.406.25 Submittal Procedures and Requirements. The tentative subdivision map process may be initiated by an owner of real property or their authorized representative in conformance with the requirements of this section.

- A. Conceptual Plan. The first step that shall be taken by an applicant to initiate the tentative subdivision map review process is the submission of a conceptual plan to the Planning Director. The conceptual plan shall include maps, drawings and accompanying materials, as necessary, to provide the following information: the existing topography of the area and any existing water bodies, the existing and proposed land uses of the subject property and adjacent properties, the location of existing buildings, the existing and proposed streets, the proposed lot layout, and the proposed method of water supply, sewage disposal, drainage, and provision of other utilities and services.
- B. The Planning Director shall review the conceptual plan to determine if the proposal is in conformance with the Master Plan and applicable regulations.
- C. Pre-application Meeting. Within 30 days after the submission of the conceptual plan, the Planning Director shall meet with the applicant to review the proposal and discuss any issues that may need to be addressed. Additional parties, as deemed necessary by the Planning Director, may be required to attend the meeting. These parties may include, but are not limited to, representatives of: the county road department, the county surveyor and engineer, the district attorney, utility providers, police and fire protection providers, and the local school district. At a minimum, one pre-application meeting is required prior to submittal of a tentative subdivision map.
- D. Map Submittal. Upon completion of the pre-application meeting(s), the applicant may submit a tentative subdivision map and accompanying materials to the Planning Department to begin the review process.
- E. Required materials. The following items shall be submitted to the Planning Department to begin review of a tentative subdivision map:
 1. Completed application on forms furnished by the Planning Department;
 2. Copies of the tentative subdivision map and accompanying materials, of the size and number required by the Planning Director.
 3. Payment of all required fees associated with the processing and review of the tentative subdivision map, as established by the county and other entities that shall review the map.

4. Any additional information or materials as deemed necessary by the Planning Director for review of the tentative subdivision map.

Review of a tentative subdivision map shall not begin until the submitted materials are deemed complete by the Planning Director.

Section 17.406.30 Review Procedures. Tentative subdivision maps shall be reviewed in accordance with this section. (“Application” as used in this section, is defined as the materials required by Section 17.406.25)

- A. Review for Completeness. Upon receipt of an application, the Planning Director shall have 15 working days to review the submitted materials and accept or reject the application as complete. If an application is found to be incomplete it shall be returned to the applicant and/or the applicant shall be notified of any additional information needed. Once an application has been determined complete, it shall be scheduled to be heard by the Planning Commission.
- B. Review by County. Following acceptance of a complete application, the materials shall be reviewed by the Planning Director and County Engineer. The application shall be reviewed to check for errors, ensure accuracy and ensure compliance with the Development Code, NRS 278 and other applicable regulations. If it is determined that there are deficiencies with the application, corrections or changes may be required. The surveyor or engineer responsible for the preparation of the map and/or the applicant shall be notified of any required corrections or changes. The tentative map shall be revised to reflect any required corrections or changes required. The tentative map shall be revised and re-reviewed as necessary until approved by the Planning Director and County Engineer.

The Planning Director may cause the application to be reviewed by other entities, as deemed necessary. Such entities may include but are not limited to the Road Department, Fire Department, utility providers, etc.

- C. Required Review by Other Entities. A copy of the application shall be forwarded by the Planning Director to the following entities for review:
 1. The State Division of Water Resources;
 2. The State Division of Environmental Protection;
 3. The State Public Utilities Commission, if the subdivision is subject to the provisions of NRS 704.6672;

(The state agencies listed above shall within 15 days after receipt of the application, provide written comment to the County recommending approval, conditional approval, or denial, and shall state the reasons for such recommendation.)
 4. If the proposed subdivision is located within one mile of the boundary of a city, to the Planning Commission of the city, or if there is no Planning Commission, to the City Council;

5. The board of trustees of the school district which the proposed subdivision will be located within. The board shall review the application, pursuant to NRS 278.346, and if necessary, provide a response to the Planning Department within 15 days after receipt of the application;
 6. The board of trustees of any general improvement district which the proposed subdivision or any portion of will be located within. The board may review the application and provide written comment to the Planning Department within 30 days after receipt of the application;
 7. The board of directors or any irrigation district which the proposed subdivision or any portion of will be located within. The board shall review the application and provide written comment to the Planning Department within 30 days after receipt of the application, and;
 8. The owner(s) of record of any property that is not within an irrigation district, but is served by irrigation ditch which is located within the proposed subdivision, pursuant to NRS 278.3485. The application shall be sent via certified mail. The property owner(s) shall review the application and provide written comment to the Planning Department within 30 days after receipt of the application.
- D. Planning Commission Public Hearing and Action. Within 60 days after the acceptance of a complete application, the Planning Commission shall hold a public hearing to review the application and take action to recommend approval, conditional approval or denial of the application to the Board of County Commissioners. In its deliberation, the Planning Commission shall consider the recommendations and comments of the entities that have reviewed the application pursuant to subsection C of this section. Action taken by the Planning Commission shall be based upon findings made pursuant to Section 17.406.35. A statement regarding these findings shall be included with action taken.
- After action is taken by the Planning Commission and within 60 days after the acceptance of the complete application, the Planning Department staff shall prepare a written report detailing the recommendation and findings of the Planning Commission and shall forward the report to the Board of County Commissioners.
- E. Board of County Commissioners Public Hearing and Action. Within 60 days after receipt of the written report, the Board of County Commissioners shall hold a public hearing to review the application and take action to approve, conditionally approve, or deny the application. In its deliberation, the Board shall review the recommendation and findings of the Planning Commission and the recommendations and comments of the entities which have reviewed the application pursuant to subsection C of this section. Action taken by the Board of County Commissioners shall be based upon findings made pursuant to Section 17.406.35. A statement regarding these findings shall be included with action taken.
- F. No Guarantee of Final Map Approval. A recommendation of approval or an approval of a tentative subdivision map by the Planning Commission or Board of County Commissioners imposes no obligation on the Planning Commission or Board of County Commissioners to recommend approval of or to approve the final map or accept any public dedication shown on the final map.

Section 17.406.35 Findings. Prior to taking action to recommend approval or to approve a tentative or final subdivision map, the Planning Commission and the Board of County Commissioners shall determine, to the best of their ability, that all of the findings listed in this section are true.

If it is determined that one or more of the findings listed in this section have not been adequately accounted for, action may be taken to conditionally approve or to deny a tentative or final subdivision map, based on such findings.

A statement of the determination made by the Planning Commission or Board of County Commissioners regarding these findings shall be included with action taken.

Findings.

1. The proposed development will not be detrimental to the health, safety, and welfare of the public.
2. The proposed development is consistent with the goals, policies, and objectives of the Pershing County Master Plan.
3. The proposed development is in compliance with the Development Code and all other applicable county, state and federal regulations. Specifically the proposed development is in compliance with applicable environmental and health regulations concerning water and air pollution, water supply, sewage disposal and the disposal of solid waste.
4. There is water available to serve the proposed development which meets applicable health standards and is sufficient in quantity to meet the reasonably foreseeable needs of the development.
5. Utilities and services, including but not limited to provisions for water supply, sewage disposal, storm drainage, electric service, solid waste disposal and telecommunications, are currently or will be available, accessible and adequate to serve the proposed development.
6. The proposed development will not be detrimental to existing transportation infrastructure or the safe use of such infrastructure, including but not limited to streets, highways, sidewalks, bike paths and traffic control components. Provision has been made for safe and adequate transportation infrastructure to, from and within the proposed development.
7. Fire protection is available, accessible and adequate to provide prevention and containment of fires, including fires in wild lands. Additionally, water is available, accessible and adequate for fire protection.
8. Public services such as schools, police protection, transportation, recreation, and parks are available, accessible and adequate to serve the proposed development.
9. The proposed development will not be detrimental to any existing public utilities, services or infrastructure listed in this section or otherwise, and will not have a negative impact on the level of service currently being provided to residents of the county.

10. Public access to public lands adjacent the proposed development is or will be available.
11. After considering the physical characteristics of the land such as flood plains, slopes, soils and watercourses and any potential hazards such as flooding, erosion and geologic faults, the site of the proposed development has been determined suitable.
12. The proposed use will not be detrimental to other properties in the area, their use, or improvements upon them, or to the character of the surrounding area.
13. The proposed development will not be detrimental or have a negative impact on the existing natural storm drainage system.
14. The proposed development will not cause substantial environmental damage or cause substantial injury to any endangered plant life, wildlife, or their habitat.
15. The recommendations and comments of those entities required to review the project pursuant to NRS 278.330 thru 278.3485, inclusive have been considered and accounted for.

Section 17.406.40 Public Improvement Requirements. Public improvements shall be provided to new development created by a subdivision map as required by Table 17.501.15-1 and Chapter 17.501, Public Improvement Requirements for New Development. The County may require any additional public improvements as deemed reasonably necessary to support the new development and to meet the requirements of Section 17.406.35. The requirement of public improvements by the County shall be in compliance with applicable regulations and shall be consistent with the provisions of the Master Plan.

Section 17.406.45 Notice of Public Hearings. Notice of all public hearings required by this chapter shall be given in accordance with the provisions of Chapter 17.708, Noticing.

Section 17.406.50 Appeal. Any person who is aggrieved by a decision of the Regional Planning Commission, the Board of County Commissioners, the Planning Director, a member of the Planning Department staff, or any other person appointed or employed by the county who is authorized to make administrative decisions regarding the use of land, may appeal such decision pursuant to Chapter 17.710, Appeals.

Section 17.406.55 Time Limits.

- A. If action is not taken on a tentative subdivision map by the Planning Commission or Board of Commissioners within the time limits established by Section 17.406.30, the map shall be deemed approved as submitted. The time limits established by Section 17.406.30 may be extended by a development agreement entered into by the applicant and the Planning Commission or Board of County Commissioners, as applicable, pursuant to Chapter 17.616.
- B. Within two years after the date of approval of a tentative subdivision map, the applicant shall submit for final review:
 1. A final map, prepared in accordance with the approved tentative subdivision map, for the entire tentative map area, or;

2. The first of a series of final maps, prepared in accordance with the approved tentative map, which covers a portion of the tentative map area.

The time limits established by this subsection may be extended by a development agreement entered into by the applicant and the Board of County Commissioners, pursuant to Chapter 17.616.

If the applicant fails to comply with the time limits established by this subsection, all proceedings concerning the subdivision shall terminate. The applicant must restart the review process with the submission of a tentative map and application to continue the development proposal.

- C. If the State or Federal government takes any action to protect the environment or an endangered species, and such action prohibits, stops or delays the processing of a tentative subdivision map, the time limits set forth in this chapter shall be suspended for a period not to exceed one year, pursuant to NRS 278.350.

CHAPTER 408

FINAL SUBDIVISION MAPS

SECTIONS:

17.408.00	Purpose
17.408.05	Applicability
17.408.10	General Provisions
17.408.15	Form
17.408.20	Required Contents
17.408.25	Preliminary Submittal Procedures and Requirements
17.408.30	Preliminary Review Procedures
17.408.35	Final Submittal Procedures and Requirements
17.408.40	Final Review Procedures
17.408.45	Appeal
17.408.50	Time Limits
17.408.55	Certificates
17.408.60	Recordation Procedures
17.408.65	Public Improvement Requirements

Section 17.408.00 Purpose. The purpose of Chapter 408, Final Subdivision Maps, is to establish the regulations and procedures for final subdivision maps.

Section 17.408.05 Applicability. Following approval of a tentative subdivision map, an applicant shall prepare a final map or series of final maps, which conform to the approved tentative map, in accordance with the provisions of this chapter.

Section 17.408.10 General Provisions.

- A. Final subdivision maps shall comply the provisions of the Development Code, NRS 278 and other applicable local, state and federal regulations.
- B. The applicant for a final map shall be responsible for the payment of all fees associated with the processing, review and recordation of the map and accompanying materials. These fees may include, but are not limited to: the application and recordation fees established by the county and the review fees of the county engineer and other entities.
- C. A single final map may be prepared for the entire area of the approved tentative map, or a series of final maps may be prepared, each for a portion of the tentative map area.
- D. Stationing shall be indicated for all geographic features shown on the map, including but not limited to: boundary lines, centerlines, and monuments. The length and bearing shall be indicated for lines. The radius, central angle, length of curve, and tangent length shall be indicated for curves. Information provided shall be accurate to the nearest one-hundredth foot for distances and to the nearest second for angles.

- E. The final map shall show all survey and mathematical data necessary to locate monuments and to locate and retrace all interior and exterior boundary lines as shown on the map.

Section 17.408.15 Form. Final subdivision maps shall be prepared in the following form:

- A. Each sheet shall be 24 inches by 32 inches in size. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch at the top, bottom and right edges, and of two inches at the left edge along the 24-inch dimension. The scale of each sheet shall be large enough to show all required contents clearly.
- B. Paper copies of a final subdivision map shall be prepared on durable paper with permanent black ink.
- C. The record copy of a final subdivision map shall be clearly and legibly drawn in permanent black ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession. Affidavits, certificates and acknowledgments shall be legibly stamped or printed upon the final map with permanent black ink.

Section 17.408.20 Required Contents. The following information, at a minimum, shall be shown on a final subdivision map, or on accompanying materials when applicable:

- A. Information Required on Each Sheet. The following information shall be shown on each sheet of a final map:
 - 1. North arrow.
 - 2. Scale (numeric and bar).
 - 3. Title block, which contains the following information: project name, property owner(s), and type of design shown on the sheet.
 - 4. Name and contact information of engineering firm responsible for preparing the plans.
 - 5. Date of map.
 - 6. Sheet number and reference to total number of sheets.
 - 7. Information which indicates the relationship of the sheet to adjoining sheets.
 - 8. A legend providing definitions and descriptions of symbols used, as necessary.
 - 9. Date of revision for revised sheets.
- B. Title Sheet Information. The following information shall be shown on the title sheet of a final map:

1. Names and contact information of the applicant, property owner(s), and the surveyor or engineer responsible for preparing the map.
2. Name of the subdivision, from the approved tentative map.
3. Vicinity map showing the location of the proposed development in relation to the surrounding area with major roadways indicated.
4. Legal description of the subject property.
5. Index of map sheets.
6. Certificates required by Section 17.408.55.

C. General Information. The following information shall be shown on a final map:

1. The basis-of-bearing of the map, which shall include: the survey control points used for horizontal control with a description, coordinates for each point, and a statement identifying the basis-of-bearing and the coordinate system utilized.
2. Coordinates for, at a minimum, the basis of bearing and any section corners shown on the map. Coordinates shall be provided in the NAD 1983 Nevada West State Plane coordinate system.
3. The location and description of monuments or other evidence found upon the ground and used in determining the boundaries of the subdivision.
4. The definite location and relationship of the subdivision to adjacent surveys.
5. The boundary lines of the property to be subdivided and the boundary lines of the proposed lots, with stationing and dimensions indicated.
6. The area of the property to be subdivided and each proposed lot. The area shall be indicated in acres, to the nearest one-hundredth of an acre, for lots greater than two acres and indicated in square feet for lots less than two acres.
7. The block and lot designation of proposed lots. Blocks shall be lettered consecutively beginning with the letter "A". Lots shall be numbered consecutively within each block, beginning with number "1".
8. Existing and proposed rights-of-way with street monuments, centerlines and applicable stationing, dimensions, and street names indicated.
9. All existing and proposed easements for public or private purposes with stationing, dimensions and type indicated. Easements shown shall include, but are not limited to, those for: access, public utilities, drainage, irrigation and conservation.
10. Any parcels to be reserved or dedicated for parks, recreation areas, common open space areas, schools or other public uses shall be indicated.

11. The required setbacks for each lot.
12. If any portion of the land within the boundaries of the final map is subject to flooding, inundation, storm flow conditions, geologic hazard or any other hazard, the land so affected shall be clearly indicated and noted on each sheet.

D. Accompanying Information. The following information shall accompany a final map:

1. If applicable, a phasing plan for the phased development of lots which includes a phasing map and a schedule for the submittal of final maps for each phase.
2. A report providing all survey computations.
3. Any additional information or materials as deemed necessary by the Planning Director for review of the final subdivision map.

Section 17.408.25 Preliminary Submittal Procedures and Requirements. Not less than 60 days prior to the final submittal of a final map for action by the Board of County Commissioners, the applicant shall submit the following to the Planning Department for preliminary review:

- A. Paper copies of the final map and accompanying materials, of the size and number required by the Planning Director.
- B. Payment of all required fees associated with the processing and review of the final map, as established by the county and other entities that shall review the map.
- C. Paper copies of the improvement plans for all improvements to be constructed in conjunction with the final map development area, prepared in accordance with Chapter 17.618, Improvement Plans. Other materials, including a performance bond estimate and payment of review fees, shall be included as required by Chapter 17.618.
- D. Any other materials as deemed necessary by the Planning Director for preliminary review of the final map.

Preliminary review of the final map shall not begin until the submitted materials are deemed complete by the Planning Director.

Section 17.408.30 Preliminary Review Procedures. Preliminary review of the final map shall take place in accordance with this section. Improvement plans shall be reviewed concurrently with the preliminary review of the final map, in accordance with Chapter 17.618, Improvement Plans. (“Application” as used in this section, is defined as the materials required by Section 17.408.25.)

- A. Review for Completeness. Upon receipt of an application, the Planning Director shall have 15 working days to review the submitted materials and accept or reject the application as complete. If an application is found to be incomplete it shall be returned to the applicant and/or the applicant shall be notified of any additional information needed.

- B. Review by County. Following acceptance of a complete application, the materials shall be reviewed by the Planning Director and County Engineer. The application shall be reviewed to check for errors, ensure accuracy and ensure conformance with the approved tentative map and compliance with the Development Code, NRS 278 and other applicable regulations. If it is determined that there are deficiencies with the application, corrections or changes may be required. The surveyor or engineer responsible for the preparation of the map and/or the applicant shall be notified of any required corrections or changes. The final map shall be revised to reflect any corrections or changes required. The final map shall be revised and re-reviewed as necessary until approved by the Planning Director and County Engineer.

The Planning Director may cause the application to be reviewed by other entities, as deemed necessary. Such entities may include but are not limited to the County Surveyor, the Road Department, Fire Department, etc.

- C. Required Review by Other Entities. A copy of the application shall be forwarded by the Planning Director to the following entities for review:

1. The State Division of Environmental Protection.

Section 17.408.35 Final Submittal Procedures and Requirements. Upon completion of the preliminary review and approval by the Planning Director and County Engineer, the developer may submit the final map for final review.

- A. Form. The final map shall be printed in permanent black ink on mylar of a minimum thickness of three mil, or printed as otherwise permitted by Section 17.408.15. The map shall be in its final form, as approved by the Planning Director and County Engineer, and shall show all required corrections and changes. All certificates on the map, except those that must be completed by the County, shall be completed at the time of submittal.
- B. The following items shall be submitted to the Planning Department to begin final review of the final map:
1. The record copy of the final map
 2. Paper copies of the final map, of the size and number required by the Planning Director.
 3. Any other materials as deemed necessary by the Planning Director for official review of the final map.

Final review of the final map shall not begin until the submitted materials are deemed complete by the Planning Director.

Section 17.408.40 Final Review Procedures.

- A. Review by County. Upon receipt of the final map, the Planning Department staff, and County Engineer as necessary, shall review the map and determine that all required corrections and changes have been made and all required conditions have been met.

If it is determined that there are corrections that have not been made or conditions that have not been met, the map shall be returned to the developer and/or the developer shall be notified of the determination, the reasons for such a determination and any actions which must be taken.

Upon determining that all required corrections have been made and all conditions have been met, the final map shall be scheduled to be heard at the next Board of County Commissioners meeting.

- B. Board of County Commissioners Public Hearing and Action. The Board of County Commissioners shall hold a hearing to review the final map and take action to approve, conditionally approve, or deny the map.
1. Action taken by the Board of County Commissioners shall be based upon findings made pursuant to Section 17.406.35. A statement regarding these findings shall be included with action taken.
 2. If the development proposal includes the construction of public improvements to support the new lots created by the final map, the Board of County Commissioners shall not take action to approve the final map until:
 - a. The improvement plans for the proposed public improvements have been approved by the County Engineer;
 - b. The applicant has submitted a performance bond, pursuant to Chapter 17.620 to ensure completion of public improvements.
 3. If any new lots created by a final map will be served by a centralized water system, the Board of County Commissioners shall not approve the final map unless the submitted improvement plans include plans for the installation of water meters or other devices which will measure water delivered to each water user in the development, and such plans have been approved by the County Engineer.

Section 17.408.45 Appeal. Any person who is aggrieved by a decision of the Regional Planning Commission, the Board of County Commissioners, the Planning Director, a member of the Planning Department staff, or any other person appointed or employed by the county who is authorized to make administrative decisions regarding the use of land, may appeal such decision pursuant to Chapter 17.710, Appeals.

Section 17.408.50 Time Limits.

- A. Within two years after the date of approval of a tentative subdivision map, the applicant shall submit for final review:
1. A final map, prepared in accordance with the approved tentative subdivision map, for the entire tentative map area, or;
 2. The first of a series of final maps, prepared in accordance with the approved tentative map, which covers a portion of the tentative map area

- B. If an applicant has chosen to submit a series of final maps, each successive map shall be submitted for final review within one year after the recordation date of the preceding map. The Board of County Commissioners may grant an extension to this time limit. An extension shall be no more than one year in length.
- C. If the applicant fails to comply with the time limits established by this section, all proceedings concerning the subdivision shall terminate. The applicant must restart the review process with the submission of a tentative map and application to continue the development proposal.
- D. The time limits established by this section may be extended by a development agreement entered into by the applicant and the Board of County Commissioners pursuant to Chapter 17.616.
- E. If the State or Federal government takes any action to protect the environment or an endangered species, and such action prohibits, stops or delays the processing of a final subdivision map, the time limits set forth in this chapter shall be suspended for a period not to exceed one year, pursuant to NRS 278.350.

Section 17.408.55 Certificates. The following certificates listed in the section shall appear on a final subdivision map before it may be recorded. Other certificates or statements may be required by the Planning Director, as necessary.

- A. Certificate of Preparing Surveyor. A certificate signed and stamped by the surveyor responsible for the preparation of the final map. The certificate shall be in the following form:

Surveyor's Certificate

I, _____ (Name of Surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

- 1. This plat represents the results of a survey conducted under my direct supervision at the instance of _____ (Owner, Trustee, etc).
- 2. The lands surveyed lie within _____
(Section, Township, Range and Meridian)
and the survey was completed on _____ (date).
- 3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the Pershing County Board of Commissioners gave its final approval.
- 4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(OR)

- 4. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by _____ (a specific date) and an

appropriate financial guarantee will be posted with Pershing County before recordation to ensure the installation of the monuments.

_____ License Number and Stamp: _____
(Name of Surveyor)

B. Certificate of Property Owner(s). A certificate signed by each legal owner or holder of record of a security interest in the property to be divided. This certificate shall state:

1. The person(s) signing the certificate are legal owners or holders of record of a security interest in the property to be divided and consent to the preparation and recordation of the final map;
2. The map is in compliance with NRS 278 and the Pershing County Development Code;
3. The persons(s) signing the certificate offer for dedication any rights-of way or other portions of land, as designated on the map, for public use subject to any reservations contained in the certificate;
4. The persons(s) signing the certificate grant any permanent easements, as designated on the map, for access, utilities or telecommunications;
5. The person(s) signing the certificate reserve any parcels from dedication;

The signature of each legal owner or holder of record of a security interest in the property to be divided shall be accompanied by a separate certificate completed by a notary public, in the manner provided in NRS 240.1665 or 240.167.

C. Board of County Commissioners' Certificate. A certificate signed by the County Clerk which states:

1. The final map has been approved by the Board of County Commissioners.
2. The date of approval.
3. The Board of County Commissioners has accepted or rejected on behalf of the public any parcel or portion of land offered for dedication for public use, in conformity with the terms of the offer of dedication;
4. If the final map includes a merger and re-subdivision of existing parcels, the certificate shall acknowledge that any public streets or easements that will not remain in effect after merger and re-subdivision have been vacated or abandoned pursuant to NRS 278 and PCDC Chapter 17.604.

D. County Engineer's or County Surveyor Certificate. A certificate signed and stamped by the County Engineer or County Surveyor stating:

1. He has examined the final map;
2. The map is technically correct;

3. If the monuments have not been set, that a proper performance bond has been deposited with the County guaranteeing their setting on or before a specific date.
- E. State Division of Environmental Protection Certificate. A certificate completed by the Nevada Division of Environmental Protection stating that the final map is approved concerning sewage disposal, water pollution, water quality and water supply facilities.
- F. State Division of Water Resources Certificate. A certificate completed by the Nevada Division of Water Resources stating that the final map is approved concerning the quantity of water available.
- G. Planning Director Certificate. A certificate signed by the Planning Director, or if there is no Planning Director, the County Clerk, stating that the final map conforms with the approved tentative map and all conditions of approval of the final map have been met.
- H. Tax Certificate. A certificate signed by the County Treasurer indicating that all property taxes due on the land being divided for the fiscal year have been paid.
- I. Public Utilities and Services Certificate(s). A separate certificate completed by each public utility or service provider who have had easements created in their favor or whose utilities or services have been required. A certificate shall state the provider's acknowledgment and approval of applicable easements as designated on the final map.
- J. Guarantee of Title. A subdivision guarantee of title shall be submitted with a final map, in a form acceptable to the District Attorney. The guarantee of title shall be issued by a competent title company to and for the benefit and protection of the County. The guarantee of title shall be continued and complete up to the instant of the recording of the final map.

The guarantee of title shall guarantee and certify:

1. There are no encumbrances, liens, delinquent taxes or assessments which affect or are due on the subject property.
2. The following are correct and complete and are indicated on the map as required, in certificates, statements or otherwise:
 - a. The names of each legal owner and holder of record security interest in the property to be subdivided, whose consent is necessary to pass a clear title;
 - b. Offers of dedication of rights-of way or other portions of land for public use;
 - c. Grants of easements and acknowledgements of such easements by appropriate parties.

Section 17.408.60 Recordation Procedures. Upon approval by the Board of County Commissioners, a final map shall be recorded in the County Recorder's office. The recordation procedures are as follows:

- A. Map Submittal. A record copy of the final parcel map shall be submitted to the Planning Department for recordation. The final map shall be printed in permanent black ink on mylar of a minimum thickness of three mil, or printed as otherwise permitted by Section 17.408.15. The map shall be in its final form, as approved by the Board of County Commissioners, and shall show all required corrections and changes. If applicable, information shall be provided on the map or on accompanying materials which verify that all conditions of approval have been complied with. All certificates on the map, except those that must be completed by the County, shall be completed at the time of submittal. It is the responsibility of the applicant to have these certificates completed.
- B. Fees. The applicant is responsible for payment of a recording fee, determined by the County Recorder's office. When submitted, the final map shall be accompanied by payment for the recording fee.
- C. Review. Upon receipt of the final map and any accompanying information, the Planning Department staff shall review the map and materials and determine if all required corrections and changes have been made and all required conditions have been met.

If it is determined that there are corrections that have not been made or conditions that have not been met, the map shall be returned to the applicant and/or the applicant shall be notified of the determination of the Planning Department staff, the reasons for such a determination and any actions which must be taken before the parcel map may be recorded.

Upon determining that all required corrections have been made and all conditions have been met, the Planning Department staff shall forward the map to the appropriate parties for completion of the Certificate of the Board of Commissioners, Certificate of the County Surveyor, the Tax Certificate, and any other required certificates.

- D. Recordation. Upon completion of all certificates, the Planning Department staff shall forward the map to the County Recorder's office for recording. The subdivision of the property shall be deemed complete when the final map has been recorded.

Section 17.408.65 Public Improvement Requirements. Public improvements shall be provided to new development created by a subdivision map as required by Table 17.501.15-1 and Chapter 17.501, Public Improvement Requirements for New Development. The County may require any additional public improvements as deemed reasonably necessary to support the new development and to meet the requirements of Section 17.406.35. The requirement of public improvements by the County shall be in compliance with applicable regulations and shall be consistent with the provisions of the Master Plan.

Public improvements shall be constructed to County standards, as established by Division Five, Development Regulations.

Public improvements shall be constructed, inspected and bonded in accordance with Chapter 17.620, Construction, Inspection and Bonding of Public Improvements.

CHAPTER 410

PLANNED UNIT DEVELOPMENTS

(This chapter reserved for future ordinance.)

CHAPTER 412

DIVISION OF LAND INTO LARGE PARCELS

SECTIONS:

17.412.00	Purpose
17.412.05	Applicability
17.412.10	General Provisions
17.412.15	Form
17.412.20	Required Contents
17.412.25	Submittal Procedures and Requirements
17.412.30	Review Procedures
17.412.35	Findings
17.412.40	Public Improvement Requirements
17.412.45	Appeal
17.412.50	Certificates
17.412.55	Recordation Procedures

Section 17.412.00 Purpose. The purpose of Chapter 412, Division of Land into Large Parcels, is to establish the regulations and procedures for division of land into large parcels maps.

Section 17.412.05 Applicability. The provisions of this chapter apply to the division of land when each proposed lot is at least:

- A. 1/16th of a section as described by a government land office survey, or;
- B. 40 acres in area, including roads and easements

When a proposed division of land will create parcels which are at least one section or 640 acres in area, such division is not subject to the provisions of this chapter.

Section 17.412.10 General Provisions.

- A. **Waiver of Tentative Map Requirement.** Any person who wishes to request a division of land into large parcels shall not be required to file a tentative map with the County. Requests shall be initiated by filing a final map, pursuant to the requirements of this chapter.
- B. Division into large parcels maps shall comply the provisions of the Development Code, NRS 278 and other applicable local, state and federal regulations.
- C. The applicant for a division into large parcels map shall be responsible for the payment of all fees associated with the processing, review and recordation of the map and accompanying materials. These fees may include, but are not limited to: the application and recordation fees established by the county and the review fees of the county surveyor and other entities.

- D. A division into large parcels map shall be based on a survey completed for that purpose. The survey shall be completed by a professional land surveyor. Additionally, the map shall be prepared by such surveyor.
- E. Stationing shall be indicated for all geographic features shown on the map, including but not limited to: boundary lines, centerlines, and monuments. The length and bearing shall be indicated for lines. The radius, central angle, length of curve, and tangent length shall be indicated for curves. Information provided shall be accurate to the nearest one-hundredth foot for distances and to the nearest second for angles.
- F. The map shall show all survey and mathematical data necessary to locate monuments and to locate and retrace all interior and exterior boundary lines as shown on the map.

Section 17.412.15 Form. Division into large parcels maps shall be prepared in the following form:

- A. Each sheet shall be 24 inches by 32 inches in size. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch at the top, bottom and right edges, and of two inches at the left edge along the 24-inch dimension. The scale of each sheet shall be large enough to show all required contents clearly.
- B. Paper copies of a division into large parcels map shall be prepared on durable paper with permanent black ink.
- C. The record copy of a division into large parcels map shall be clearly and legibly drawn in permanent black ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession. Affidavits, certificates and acknowledgments shall be legibly stamped or printed upon the map with permanent black ink.

Section 17.412.20 Required Contents. Division into large parcels maps shall contain adequate information to allow the Board of County Commissioners to make the findings required by Section 17.412.35. The following information, at a minimum, shall be shown on a division into large parcels map, or on accompanying materials when applicable:

- A. Information Required on Map. The following information shall be shown on the map:
 - 1. Title block, which contains the following information: title of "Map of Division into Large Parcels", the property owner(s), and a legal description of the property to be divided.
 - 2. Name and contact information of the surveying firm responsible for preparing the map.
 - 3. Vicinity map showing the location of the subject property in relation to the surrounding area with major roadways indicated.
 - 4. If a map requires multiple sheets, each sheet shall be numbered. The number of each sheet and the total number of sheets shall be indicated. The relationship of a sheet to each adjoining sheet shall be clearly indicated.

5. North arrow.
6. Scale (numeric and bar).
7. The name and legal designation of the tract or grant in which the survey is located and any ties to adjoining tracts.
8. The basis-of-bearing of the map, which shall include: the survey control points used for horizontal control with a description, coordinates for each point, and a statement identifying the basis-of-bearing and the coordinate system utilized.
9. Coordinates for, at a minimum, the basis of bearing and any section corners shown on the map. Coordinates shall be provided in the NAD 1983 Nevada West State Plane coordinate system.
10. The boundary lines of the property proposed to be divided, including dimensions and bearings, and the area of the property. The boundary lines of the proposed lots, including dimensions and bearings, and the area of the proposed lots. Area shall be indicated in acres, to the nearest one-hundredth of an acre. Each proposed lot shall be numbered.
11. All monuments which are found, set, reset, replaced or removed and a description providing the type, size and location of each monument and any other necessary information.
12. All existing and proposed easements for public or private purposes with dimensions and type indicated. Easements shown shall include, but are not limited to, those for: roads, public utilities, drainage, irrigation, trails, conservation and normally continuously flowing watercourses.
13. Existing and proposed rights-of-way with dimensions and street names indicated.
14. A statement indicating any easements granted or dedications made.
15. The certificates required by Section 17.412.50.
16. Any additional information or materials as deemed necessary by the Planning Director for review of the map.

B. Accompanying Information. The following information shall accompany the map:

1. The name and contact information of the applicant, property owner(s), and surveyor responsible for preparing the map.
2. The land use designation of the property and adjacent areas, and the existing and proposed land uses of the property and adjacent areas.
3. A description of the topography of the property.

4. The proposed method of providing: legal access, roads, storm drainage, water supply, sewage disposal, electricity, telecommunications and solid waste disposal.
5. Information regarding the flooding potential of the subject property. If it is determined that a flood hazard exists, a map shall be included which indicates the subject property and the location and flood elevation of the 100-year floodplain as shown on the Federal Emergency Management Agency's flood maps, a Nevada registered engineer's hydrologic analysis, or other recognized method. Such map shall clearly indicate any portions of the subject property or surrounding areas which are subject flooding.
6. A preliminary title report, prepared by a title company, with an effective date of no more than 120 days prior to the application submittal date. The title report shall include the following information:
 - a. Name and address of each property owner or holder of a security interest of the subject property
 - b. Legal description of the property
 - c. Description of all easements and deed restrictions
 - d. Description of all liens against the property
 - e. Any covenants, conditions and restrictions that may apply

The requirement for a title report may be waived by the District Attorney if he determines that other adequate property ownership information is provided.

7. An affidavit of ownership, signed and notarized by all legal owners of the subject property.
8. A written statement from the Pershing County Treasurer's office stating that all property taxes due on the property for the current fiscal quarter have been paid.
9. A report providing all survey computations.
10. Any additional information or materials as deemed necessary by the Planning Director for review of the map.

Section 17.412.25 Submittal Procedures and Requirements. The division of land into large parcels process may be initiated by an owner of real property or their authorized representative in conformance with the requirements of this section. The following items shall be submitted to the Planning Department to begin review of a division into large parcels map:

- A. Completed application on forms furnished by the Planning Department;
- B. Copies of the division into large parcels map and accompanying materials, of the size and number required by the Planning Director;
- C. Payment of all required fees associated with the processing and review of the parcel map, as established by the county and other entities that shall review the map;

- D. Any additional information or materials as deemed necessary by the Planning Director for review of the map.

Review of a division into large parcels map shall not begin until the submitted materials are deemed complete by the Planning Director.

Section 17.412.30 Review Procedures. Division into large parcels maps shall be reviewed in accordance with this section. (“Application” as used in this section, is defined as the materials required by 17.412.25)

- A. Review for Completeness. Upon receipt of an application, the Planning Director shall have 10 working days to review the submitted materials and accept or reject the application as complete. If an application is found to be incomplete it shall be returned to the applicant and/or the applicant shall be notified of any additional information needed. Once an application has been determined complete, it shall be scheduled to be heard by the Board of County Commissioners.
- B. Review by County. Following acceptance of a complete application, the materials shall be reviewed by the Planning Director and County Surveyor. The application shall be reviewed to check for errors, ensure accuracy and ensure compliance with the Development Code, NRS 278 and other applicable regulations. If it is determined that there are deficiencies with the application, corrections or changes may be required. The surveyor responsible for the preparation of the map and/or the applicant shall be notified of any required corrections or changes. The map shall be revised to reflect any corrections or changes required. The map shall be revised and re-reviewed as necessary until approved by the Planning Director and County Surveyor.

The Planning Director may cause the application to be reviewed other entities, as deemed necessary. Such entities may include but are not limited to the County Engineer, Road Department, Fire Department, utility providers, etc.

- C. Planning Commission Public Hearing and Action. Within 60 days after the acceptance of a complete application, the Planning Commission shall hold a public hearing to review the application and take action to approve, conditionally approve, or deny the application. Action taken by the Planning Commission shall be based upon findings made pursuant to Section 17.412.35. A statement regarding these findings shall be included with action taken.

If the map is disapproved, the Planning Director shall return to the applicant the map and a report which states the Planning Commission’s reason(s) for their action taken and a description of the changes necessary to render the map acceptable.

- D. Time Limits. If action is not taken on a division into large parcels map by the Planning Commission within the time limits established by this section, the map shall be deemed approved as submitted. The time limits established in this section may be extended by mutual agreement of the applicant and the Planning Commission.

Section 17.412.35 Findings. Prior to taking action to approve a division into large parcels map, the Planning Commission shall determine, to the best of their ability, that all of the findings listed in this section are true.

If it is determined that one or more of the findings listed in this section have not been adequately accounted for, action may be taken to conditionally approve or to deny a division into large parcels map, based on such findings.

A statement of the Planning Commission regarding these findings shall be included with action taken.

Findings.

- A. The proposed development will not be detrimental to the health, safety, and welfare of the public.
- B. The proposed development is consistent with the goals, policies, and objectives of the Pershing County Master Plan.
- C. The proposed development is in compliance with the Development Code and all other applicable county, state and federal regulations.
- D. Rights-of-way, easements and roads exist or will be dedicated any constructed which provided legal access from an existing public road to each new lot and are adequate for passage of emergency vehicles.
- E. Easements exist or will be dedicated for the provision of public utilities and services to the proposed lots.
- F. Access to public lands adjacent the proposed development is or will be available.

Section 17.412.40 Public Improvement Requirements. Public improvements shall be provided to new development created by a division into large parcels map in accordance with the provisions of this section.

- A. If a map creates 16 lots or more, the County shall not approve such map until:
 - 1. Access roads exist which provide legal access from an existing public road to each new lot and are adequate for use by emergency vehicles.
 - 2. The corners of each lot are set by a professional land surveyor.
- B. The provisions of subsection A may be required by the County for maps which create 15 lots or less, if deemed reasonably necessary.
- C. The requirement of public improvements by the County shall be in compliance with applicable regulations and shall be consistent with the provisions of the Master Plan.
- D. When new development created by a division into large parcels map includes the construction of public improvements the following shall be complied with:
 - 1. The applicant shall submit and receive approval of construction plans for the public improvements, pursuant to Chapter 17.618, Improvement Plans.

2. Public improvements shall be constructed to County standards, as established by Division Five, Development Regulations.
3. Public improvements shall be constructed, inspected and bonded in accordance with Chapter 17.620, Construction, Inspection and Bonding of Public Improvements.

The County shall not take action to approve a division into large parcels map which includes the construction of public improvements unless the provisions of this subsection have been complied with or the provisions of this subsection are required as conditions of approval.

Section 17.412.45 Appeal. Any person who is aggrieved by a decision of the Regional Planning Commission, the Board of County Commissioners, the Planning Director, a member of the Planning Department staff, or any other person appointed or employed by the county who is authorized to make administrative decisions regarding the use of land, may appeal such decision pursuant to Chapter 17.710, Appeals.

Section 17.412.50 Certificates. The following certificates shall appear on a division into large parcels map before it may be recorded:

- A. Certificate of Planning Commission Approval. A certificate signed by the Planning Commission Chairman which states that the map has been approved by the Planning Commission and provides the date of approval.

If applicable, the certificate shall also state that the Planning Commission has accepted or rejected on behalf of the public any parcel or portion of a parcel of land, offered for dedication for public use. If the division into large parcels map includes a merger of pre-existing lots, the certificate shall acknowledge that any public streets or easements that will not remain were abandoned pursuant to Chapter 17.604, Vacations and Abandonments.

- B. Certificate of Preparing Surveyor. A certificate signed and stamped by the surveyor responsible for the preparation of the division into large parcels map. The certificate shall be in the following form:

Surveyor's Certificate

I, _____ (Name of Surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my direct supervision at the instance of _____ (Owner, Trustee, etc).
2. The lands surveyed lie within _____
(Section, Township, Range and Meridian)

and the survey was completed on _____ (date).

3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the Pershing County Board of Commissioners gave its final approval.
4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(OR)

4. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by _____ (a specific date) and an appropriate financial guarantee will be posted with Pershing County before recordation to ensure the installation of the monuments.

(Name of Surveyor) License Number and Stamp: _____

C. Certificate of Property Owner(s). A certificate signed by each legal owner of the property to be divided. This certificate shall state:

1. The person(s) signing the certificate are legal owners of the property to be divided and consent to the preparation and recordation of the division into large parcels map;
2. The map is in compliance with the Pershing County Development Code, NRS 278.010 to 278.630 inclusive, and other applicable local and state regulations;
3. The legal owner(s) grant and offer for dedication all easements and rights-of way as designated on the map for the construction and maintenance of roads, public utilities, irrigation, etc.
4. Other information deemed necessary by the Board of County Commissioners or the Planning Director.

This certificate shall be accompanied by a notary public certificate attesting to the signatures of the legal owner(s). There shall be a separate notary public certificate, signature, and stamp for each legal owner signature.

D. Certificate of County Surveyor. A certificate signed and stamped by the County Surveyor, stating that they have reviewed the map and found it to be technically correct.

E. Tax Certificate. A certificate signed by the County Treasurer indicating that all property taxes due on the land being divided for the fiscal year have been paid.

Section 17.412.55 Recordation Procedures. A division into large parcels map shall be recorded in the County Recorder's office according to the following procedures:

- A. Map Submittal. A record copy of the final division into large parcels map shall be submitted to the Planning Department for recordation. The map shall be printed in permanent black ink on mylar of a minimum thickness of three mil, or printed as otherwise permitted by Section 17.412.15. The map shall be in its final form, as

approved by the Board of County Commissioners, and shall show all required corrections and changes. If applicable, information shall be provided on the map or on accompanying materials which verify that all conditions of approval have been complied with. All certificates on the map, except those that must be completed by the County, shall be completed at the time of submittal. It is the responsibility of the applicant to have these certificates completed.

- B. Fees. The applicant is responsible for payment of a recording fee, determined by the County Recorder's office. When submitted, the final map shall be accompanied by payment for the recording fee.
- C. Review. Upon receipt of the final map and any accompanying information, the Planning Department staff shall review the map and materials and determine if all required corrections and changes have been made and all required conditions have been met.

If it is determined that there are corrections that have not been made or conditions that have not been met, the map shall be returned to the applicant and/or the applicant shall be notified of the determination of the Planning Department staff, the reasons for such a determination, and any actions which must be taken before the map may be recorded.

Upon determining that all required corrections have been made and all conditions have been met, the Planning Department staff shall forward the map to the appropriate parties for completion of the Certificate of Board of County Commissioners Approval, the Certificate of the County Surveyor, the Tax Certificate, and any other required certificates.

- D. Recordation. Upon completion of all certificates, the Planning Department staff shall forward the map to the County Recorder's office for recording. The subdivision of the property shall be deemed complete when the final map has been recorded.

CHAPTER 414

REVERSION TO ACREAGE

SECTIONS:

17.414.00	Purpose
17.414.05	Requirement for Application
17.414.10	Submittal Requirements
17.414.15	Review Procedures
17.414.20	Form of Final Map
17.414.25	Recordation

Section 17.414.00 Purpose. The purpose of Chapter 414, Reversion to Acreage, is to establish the regulations and procedures for reversion of a recorded subdivision map, parcel map, division into large parcels map, or part thereof to acreage, or reversion of more than one map if the parcels to be reverted are contiguous, as established by NRS 278.490 to 278.4965.

Section 17.414.05 Requirement for Application. A written application to revert any subdivision map, parcel map, map of division of land into large parcels, or part thereof to acreage may be initiated by the owner of the land, the Planning Commission or the Board of County Commissioners.

Section 17.414.10 Submittal Requirements. The application shall be submitted to the Planning and Building Department accompanied by a map prepared by a licensed land surveyor of the proposed reversion and shall describe the requested changes. The surveyor's certificate must satisfy the requirements of NRS 278.4955. Information to accompany the application shall include:

- A. **Previous Agreements.** Any agreement entered into for improvements pursuant to NRS 278.380 for the original division of land should be provided. The map shall contain the same survey dimensions as the recorded map or maps.
- B. **Owner Certificates.** Certificate signed and acknowledged pursuant to NRS 240.166, 240.1665 or 240.167, by each person who is an owner of the land consenting to the preparation and recordation of the map.
- C. **Title Report.** A report from a title company which lists the names of each owner of record and each holder of a security interest if created by a deed of trust or mortgage. Signatures of all named persons shall be required before recording the map. The District Attorney may waive the title report requirement if adequate ownership is provided.
- D. **Written Consent.** The written consent of each holder of record of a security interest to the recordation of the map of reversion. The consent shall be in a separate document which shall be recorded with the map of reversion. The map shall contain a notation that a separate document has been recorded.

- E. Required Interest. A lien for taxes or special assessments or a trust interest under a bond indenture is deemed not to be an interest in land.

Section 17.414.15 Review Procedures. The complete application shall be transmitted to the Planning Commission. The Planning Commission shall review the map and approve, conditionally approve or disapprove the map of reversion to acreage within 30 days after a determination of receipt of a completed application by the Director.

- A. If the map includes the reversion of any street or easement owned by a city, a county or the state, the provisions of NRS 278.480 and Chapter 17.414 must be followed before approval of the map.

Section 17.414.20 Form of Final Map. The final map shall be clearly and legibly drawn in permanent black ink on paper or produced by the use of other materials of a permanent nature generally used for such a purpose in the engineering profession, but affidavits, certificates and acknowledgements shall be legibly stamped or printed upon the map with permanent black ink.

- A. Sheet. The size of each sheet of the map shall be 24 by 32 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch at the top, bottom and right edges, and of two inches at the left edge along the 24-inch dimension.
- B. Scale. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end.
- C. Numbering. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets and its relation to each adjoining sheet shall be clearly shown.
- D. Certificates. The following certificates shall appear on a reversion to acreage map before it may be recorded:

- 1. Certificate of Planning Commission Approval. A certificate signed by the Planning Commission Chairman which states that the map has been approved by the Planning Commission and provides the date of approval.

If applicable, the certificate shall also state that the Planning Commission has accepted or rejected on behalf of the public any parcel or portion of a parcel of land, offered for dedication for public use. If applicable, the certificate shall acknowledge that any public streets or easements that will not remain were abandoned pursuant to PCDC Chapter 17.604, Vacations and Abandonments.

- 2. Additionally, the map shall contain all of the certificates which were required on the original map which divided the land.

Section 17.414.25 Recordation. Upon approval of a map of reversion, such map shall be recorded by the Director in the Office of the County Recorder. The County Recorder shall make a written notation of the approval on each sheet of the previously recorded map affected by the later recording, if the County Recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the County Recorder shall direct an appropriate entry for the amendment.

CHAPTER 416

BOUNDARY LINE ADJUSTMENT

SECTIONS:

17.416.00	Purpose
17.416.05	Requirement for Application
17.416.10	Review Procedures
17.416.15	Record of Survey
17.416.20	Recordation

Section 17.416.00 Purpose. The purpose of Chapter 416, Boundary Line Adjustment, is to prescribe the procedures for adjusting boundary lines.

Section 17.416.05 Requirements for Application. A written application for a boundary line adjustment shall be submitted to the Planning and Building Department. The application shall be accompanied by a record of survey.

Section 17.416.10 Review Procedures. The complete application shall be transmitted to the Planning Commission. The Planning Commission shall review the application and approve, conditionally approve or disapprove the boundary line adjustment within 30 days after a determination of receipt of a completed application by the Director. The application shall not be approved unless it complies with the following:

- A. Number of Lots. No additional lots shall be created.
- B. Minimum Area. No parcel shall be created that is smaller than that allowed by the Pershing County Code.
- C. Access. No parcel shall be created that does not have road access.
- D. Encroachment. No encroachment into any public easement, right-of-way or required yard shall be allowed.
- E. Other Requirements. The application shall comply with the other requirements of the Development Code.

Section 17.416.15 Record of Survey. The Record of Survey shall be prepared by a professional land surveyor. It shall contain the elements set forth in this section.

- A. Surveyor's Certificates. A certificate by the professional surveyor who prepared the map stating that:
 - 1. The surveyor has performed a field survey of the boundaries of the affected parcels;
 - 2. That all corners and angle points of the adjusted boundary line have been set; and

3. The map is not in conflict with the provisions of the Development Code.
- B. Owner's Certificates. A certificate that is executed and acknowledged by each affected owner of the abutting parcels which states that:
1. The owner has examined the plat and approved and authorized the recordation thereof;
 2. The owner agrees to execute the required documents creating any easement which is shown;
 3. The owner agrees to execute the required documents abandoning any existing easement pursuant to Chapter 17.604, Vacations and Abandonments;
 4. All property taxes on the land for the fiscal year have been paid, and
 5. That any lender with an impound account for the payment of taxes has been notified of the adjustment of the boundary line or the transfer of the land.
- C. Certificate of Planning Commission Approval. A certificate signed by the Planning Commission Chairman which states that the map has been approved by the Planning Commission and provides the date of approval.

If applicable, the certificate shall also state that the Planning Commission has accepted or rejected on behalf of the public any parcel or portion of a parcel of land, offered for dedication for public use. If applicable, the certificate shall acknowledge that any public streets or easements that will not remain were abandoned pursuant to Chapter 17.604, Vacations and Abandonments.

Section 17.416.15 Recordation. The County Recorder shall indicate on any copy of a plot, plat, map or survey that subsequent changes to that document should be examined. The boundary line adjustment is not effective until the record of survey is recorded.

CHAPTER 418

AMENDMENT OF MAPS, PLATS AND SURVEYS

SECTIONS:

17.418.00	Purpose
17.418.05	Approval Process
17.418.10	Minor Amendment General Provisions
17.418.15	Major Amendment General Provisions
17.418.20	Major Amendment Standards
17.418.25	Major Amendment Recordation

Section 17.418.00 Purpose. The purpose of Chapter 418, Amendment of Maps, Plats and Surveys, is to prescribe the procedures that are required to amend any final subdivision map.

Section 17.418.05 Approval Process. A minor map amendment, as described in Section 17.418.10, may be approved by the County Engineer. A major map amendment, as described in Section 17.418.15, shall be approved by the County Commissioners.

Section 17.418.10 Minor Amendment General Provisions. If an error or omission is found in any subdivision map, record of survey, parcel map, map of division into large parcels, or reversionary map and the correction does not change or purport to change the physical location of any survey monument or property line, the County Engineer or County Commissioners may cause a certificate of amendment to be filed and recorded.

- A. **Preparation of Certificate.** The surveyor who made the survey shall prepare and record the certificate within 90 days after notification by the County Engineer or County Commissioners. If the surveyor is no longer professionally active in the County, the County Engineer or a professional land surveyor appointed by the County Commissioners shall prepare the certificate.
- B. **Contents of Certificate.** The certificate of amendment shall comply with the following:
1. Be in the form of a letter addressed to the County Surveyor or the County Commissioners;
 2. Specify the title and recording date of the document being amended;
 3. Concisely state the data being amended and the correction or omission;
 4. Be dated, signed and sealed by the surveyor preparing the certificate;
 5. Contain the following statement, dated and signed by a professional land surveyor appointed by the County Commissioners:

"I hereby certify that I have examined the certificate of amendment and the changes to the original document specified therein are provided for in applicable sections of NRS 278, NRS 625, and local ordinances adopted pursuant thereto,

and I am satisfied that this certificate of amendment so amends the document as to make it technically correct.”

- C. Recordation of Certificate. Upon the recording of a certificate of amendment, the County Recorder shall cause a proper notation to be entered upon all recorded sheets of the original document being amended, if the County Recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the County Recorder shall direct an appropriate entry for the amendment.

Section 17.418.15 Major Amendment General Provisions. If an error or omission is found in any recorded subdivision plat, record of survey, parcel map, map of division into large parcels, or reversionary map, and the correction changes or purports to change the physical location of any survey monument, property line or boundary line, the County Commissioners may cause an amended plat, survey or map to be filed and recorded.

- A. Parcel Map. If the proposed amendment is to a parcel map, map of division into large parcels, or record of survey, the same procedures and requirements apply as in the original filing.
- B. Final Subdivision Map. If the proposed amendment is to a subdivision plat, those procedures for the approval and filing of a final map and the requirements of Section 17.418.20 shall apply.
- C. Appeal. An appeal of the Planning Commission's decision must be made within 10 days of the action by the Planning Commission.

Section 17.418.20 Major Amendment Standards. Any amendment plat, map or survey shall comply with the following:

- A. Be identical in size and scale to the document being amended, drawn in the manner and on the material provided by law;
- B. Have the words “Amended Plat of” prominently displayed on each sheet above the title of the document amended;
- C. Have a blank margin for the County Recorder's index information;
- D. Have a three-inch square adjacent to and on the left side of the existing square for the County Recorder's information and stamp;
- E. Contain the certificate required by NRS 278 or an order of the District Court of Pershing County that the amendment may be approved without all the necessary signatures if the order is based upon a finding that a bona fide effort was made to communicate with the necessary persons, that all persons who responded have consented thereto and that the amendment does not adversely affect the persons who did not respond;
- F. Contain a certificate of the professional land surveyor who prepared the amendment stating that it complies with all pertinent sections of NRS 278, NRS 625, the Development Code, and any other applicable local ordinance; and

- G. Contain a certificate executed by a professional land surveyor, or a Nevada registered civil engineer stating that he or she has examined the document and that it is technically correct.

Section 17.418.25 Major Amendment Recordation. Upon recording the amended document, the County Recorder shall cause a proper notation to be entered upon all recorded sheets of the document being amended, if the County Recorder does not maintain a cumulative index for such maps and amendments. If such an index is maintained, the County Recorder shall direct an appropriate entry for the amendment.