

# RENO GAZETTE-JOURNAL

Legal Advertising Dept. 702-788-6394

Customer Account # 349008  
PO #/ID #\*4699/ord1041  
Legal Ad Cost 62.16  
PROOF OF PUBLICATION

WASHOE COUNTY  
Comptroller's Office  
PO Box 11130  
RENO NV 89510

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:  
That as legal clerk of the RENO GAZETTE-  
JOURNAL, a daily newspaper published in Reno,  
Washoe County, State of Nevada, that the notice:

of adoption

of which a copy is hereto attached, has been  
published in each regular and entire issue of  
said newspaper on the following dates to wit:

Nov. 16, 23, 1998

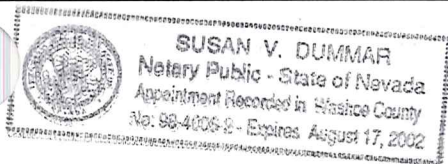
Signed

*Tana Ciccotti*

Subscribed and sworn to before me on 11/23/98

Notary Public

*Susan V. Dummer*



P.O. BOX 22000, RENO, NEVADA 89520

(702) 788-6200



**NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO. 1041**

NOTICE IS HEREBY GIVEN THAT: Bill No. 1217, Ordinance No. 1041 entitled

AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO AMEND SECTION 110.410.10 AND TABLE 110.410.10.1 TO ADD PARKING REQUIREMENTS FOR FABRICATED HOUSING SALES, AND TO AMEND ARTICLE 606.

PARCEL MAPS, ARTICLE 608, TENTATIVE SUBDIVISION MAPS, ARTICLE 610, FINAL SUBDIVISION MAPS, ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, ARTICLE 614, REVERSION TO ACREAGE, ARTICLE 616, AMENDMENTS OF MAP, ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS, AND ARTICLE 814, DEVELOPMENT AGREEMENTS, TO REFLECT CHANGES TO THE NEVADA REVISED STATUTES ENACTED IN 1997, AND OTHER MATTERS PERTAINING THERETO.

was adopted on November 10, 1998, by Commissioners Joanne Bond, Sue Camp, Jim Galloway, Mike Mouliot, and Jim Shaw, and will become effective on Wednesday, November 25, 1998.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

BETTY J. LEWIS,  
Washoe County Clerk  
No. 4699 Nov. 16, 23, 1998

12/1/98  
PLEASE STAMP & SIGN FOR PAYMENT

1041

SUMMARY: Amends Chapter 110 of the Washoe County Code (Development Code) by adding provisions related to parking requirements for fabricated housing sales and modifying provisions related to parcel maps, subdivision maps, division of land into large parcels, reversions to acreage, amendments of maps, vacations and abandonments of easements or streets, and development agreements.

BILL NO. 1217

ORDINANCE NO. 1041

AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO AMEND SECTION 110.410.10 AND TABLE 110.410.10.1 TO ADD PARKING REQUIREMENTS FOR FABRICATED HOUSING SALES, AND TO AMEND ARTICLE 606, PARCEL MAPS, ARTICLE 608, TENTATIVE SUBDIVISION MAPS, ARTICLE 610, FINAL SUBDIVISION MAPS, ARTICLE 612, DIVISION OF LAND INTO LARGE PARCELS, ARTICLE 614, REVERSION TO ACREAGE, ARTICLE 616, AMENDMENTS OF MAP, ARTICLE 806, VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS, AND ARTICLE 814, DEVELOPMENT AGREEMENTS, TO REFLECT CHANGES TO THE NEVADA REVISED STATUTES ENACTED IN 1997, AND OTHER MATTERS PERTAINING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Section 110.410.10 and Table 110.410.10.1 of the Washoe County Code is hereby amended as set forth in Exhibit "A" which is attached hereto and made a part hereof.

SECTION 2. Article 606 "Parcel Maps" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "B" which is attached hereto and made a part hereof.

SECTION 3. Article 608 "Tentative Subdivision Maps" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "C" which is attached hereto and made a part hereof.

SECTION 4. Article 610 "Final Subdivision Maps" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "D" which is attached hereto and made a part hereof.

SECTION 5. Article 612 "Division of Land Into Large Parcels" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "E" which is attached hereto and made a part hereof.

SECTION 6. Article 614 "Reversion To Acreage" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "F" which is attached hereto and made a part hereof.

SECTION 7. Article 616 "Amendments of Map" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "G" which is attached hereto and made a part hereof.

SECTION 8. Article 806 "Vacations and Abandonments of Easements or Streets" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "H" which is attached hereto and made a part hereof.

SECTION 9. Article 814 "Development Agreements" of chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit "I" which is attached hereto and made a part hereof.

SECTION 10. The provisions of this ordinance shall be in force and effect from and after the 1st day of December, 1998.

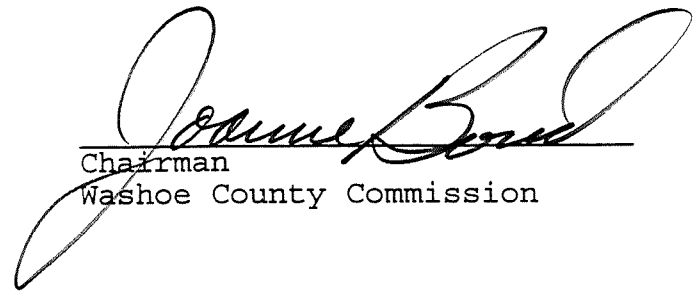
Proposed on the 13th day of October, 1998.  
Proposed by Commissioner Galloway.  
Passed on the 10th day of November, 1998.

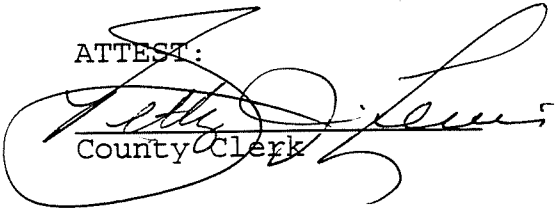
Vote:

Ayes: **Joanne Bond, Sue Camp, Jim Galloway,  
Mike Mouliot, & Jim Shaw**

Nays:

Absent:

  
Chairman  
Washoe County Commission

ATTEST:  
  
County Clerk

This ordinance shall be in force and effect from and after the 25th day of November, 1998.

# Article 410

## PARKING AND LOADING

---

[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.410.00	Purpose
110.410.05	Applicability of Article
110.410.10	Required Parking Spaces
110.410.15	Special Parking Provisions
110.410.20	Location of Required Parking Spaces
110.410.25	Design of Parking Areas
110.410.30	Truck Parking and Loading
110.410.35	Modification of Standards

**Section 110.410.00 Purpose.** The purpose of this article, Article 410, Parking and Loading, is to regulate parking and loading in order to lessen traffic congestion and contribute to public safety by providing sufficient on-site areas for the maneuvering and parking of motor vehicles that are attracted to and generated by land uses within the County.

**Section 110.410.05 Applicability of Article.** The provisions of this article shall apply whenever:

- (a) A new structure is constructed;
- (b) An existing structure, including a legal nonconforming structure, is enlarged for any purpose, the parking and loading requirements for the entire structure shall apply; or
- (c) The intensity of use, or expansion of use is changed, the parking and loading requirements for the new use shall apply.

**Section 110.410.10 Required Parking Spaces.** Off-street parking spaces shall be provided in the quantities set forth in Table 110.410.10.1 through Table 110.410.10.5.

- (a) **Description of Use Types.** The use types referred to in Table 110.410.10.1 through Table 110.410.10.5 are defined in Article 304, Use Classification System.
- (b) **Requirements Cumulative.** Where Table 110.410.10.1 through Table 110.410.10.5 set forth more than one (1) requirement for a given use type, those requirements shall be cumulative.
- (c) **Spaces Based on Square Footage.** The square footage requirements used in Table 110.410.10.1 through Table 110.410.10.5 to calculate parking spaces refer to the total enclosed areas of all buildings on the lot, but excludes the area of spaces having a height of less than seven (7) feet and the area used exclusively for parking and loading.

- (d) Spaces Based on Employees. The employee requirements used in Table 110.410.10.1 through Table 110.410.10.5 to calculate parking spaces refer to the maximum number of employees who could be working at one time when the facility is operating at full capacity.
- (e) Rounding Off Numbers. Whenever the computation of the number of off-street parking spaces required by Table 110.410.10.1 through Table 110.410.10.5 results in a fractional parking space, one (1) additional parking space shall be required for a fractional space of one-half (1/2) or more. A fractional space of less than one-half (1/2) shall not be counted.

Table 110.410.10.1

**OFF-STREET PARKING SPACE REQUIREMENTS (Residential Use Types)**  
(See Section 110.410.10 for explanation)

Residential Use Types (Section 110.304.15)	Spaces Required
Family Residential	
Attached Accessory Dwelling	1 per attached accessory dwelling unit, in addition to other required spaces
Detached Accessory Dwelling	1 per detached accessory dwelling unit, in addition to other required spaces
Detached Accessory Structure	None
Duplex	2 per dwelling unit, 1 of which must be in an enclosed garage
Fabricated Home	*2 per fabricated home
Multi Family	1.6 for 1 bedroom units, 2.1 for 2 bedroom and larger units; 1 of which must be in an enclosed garage or carport
Single Family Attached	2 per dwelling unit, 1 of which must be in an enclosed garage
Single Family Detached	2 per dwelling unit, 1 of which must be in an enclosed garage
Manufactured Home Parks	1.5 per manufactured home, plus 1 per 5 units for guest parking
Residential Group Home	.25 per bed, plus 1 per employee during peak employment shift

Note: \* = Article 312, Fabricated Housing, may require 1 parking space to be in an enclosed garage or carport.

Table 110.410.10.2

**OFF-STREET PARKING SPACE REQUIREMENTS (Civic Use Types)**  
 (See Section 110.410.10 for explanation)

Civic Use Types (Section 110.304.20)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Administrative Services	4		
Child Care			
Child Daycare	1 if assembly hall included	1	1 off-street loading space for every 8 students
Family Daycare			1 in addition to any other required spaces
Large-Family Daycare		1	1 off-street loading space for every 8 students
Community Center	5	1	
Convalescent Services		1	.25 per bed
Cultural and Library Services	3	1	
Education			
College/University		1	.5 per student of driving age
Elementary/Secondary		1	.25 per student of driving age
Group Care		1	.25 per bed
Hospital Services		1	.5 per bed
Major Services and Utilities			
Major Public Facilities		As specified by use permit	
Utility Services		As specified by use permit	
Nature Center		As specified by use permit	
Parks and Recreation			
Active Recreation		1	
Passive Recreation		1	
Postal Services	2	1	
Public Parking Services		1	
Religious Assembly			1 per 3 seats or 72 lineal inches of pew space plus 1 per 300 square feet of additional public space
Safety Services		1	

Table 110.410.10.3

**OFF-STREET PARKING SPACE REQUIREMENTS (Commercial Use Types)**  
(See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Administrative Offices	4	1	
Adult Entertainment	5	1	
Animal Sales and Services			
Commercial Kennels		1	.25 per animal at design capacity
Commercial Stables		1	.25 per horse at design capacity
Grooming and Pet Stores	2.5	1	
Pet Cemeteries		1	
Veterinary Services, Agricultural	2	1	
Veterinary Services, Pets	4	1	
Automotive and Equipment			
Automotive Repair		1	3 per service bay
Automotive Sales and Rentals	.5	1	
Cleaning	2	1	
Commercial Parking		1	
Equipment Repair and Sales	2	1	
Fabricated Housing Sales	.5	1	
Storage of Operable Vehicles		1	
Truck Stops	4	1	
Building Maintenance Services	2		
Commercial Antennas			1 per antenna tower
Commercial Centers (All Types)			Less than 15,000 square feet: 5 spaces per 1,000 square feet; 15,000 to 400,000 square feet: 4 spaces per 1,000 square feet; more than 400,000 square feet: 5 spaces per 1,000 square feet
Commercial Educational Services		1	.5 per student
Commercial Recreation			
Commercial Campground Facilities		1	
Destination Resorts		1	1 per room
Indoor Entertainment		1	1 per 3 seats
Indoor Sports and Recreation	5	1	
Limited Gaming Facilities	4	1	

Table 110.410.10.3 (continued)

**OFF-STREET PARKING SPACE REQUIREMENTS (Commercial Use Types)**  
(See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Marinas		As specified by use permit	
Outdoor Entertainment		As specified by use permit	
Outdoor Sports and Recreation		As specified by use permit	
Outdoor Sports Club		As specified by use permit	
Unlimited Gaming Facilities	8	1	
Construction Sales and Services	2 for retail and 1 for storage area		
Convention and Meeting Facilities		1	1 per seat if not associated with lodging facilities; .5 per seat otherwise
Eating and Drinking Establishments			
Convenience	10	1	
Full Service	10	1	
Financial Services	3	1	
Funeral and Internment Services			
Cemeteries		1	
Undertaking		1	1 per 3 seats
Gasoline Sales and Service Stations		1	3 per service bay (service bay not credited as required space)
Helicopter Services			
Heliport		1	5 per helicopter space
Helistop		1	5 per helicopter space
Liquor Sales			
Off-Premises	4	1	
On-Premises	10	1	



Table 110.410.10.3 (continued)

**OFF-STREET PARKING SPACE REQUIREMENTS (Commercial Use Types)**  
 (See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Lodging Services			
Bed and Breakfast Inns		1	1 per room
Hostels		1	.25 per bed
Hotels and Motels		1	1 per room
Vacation Time Shares			1.6 for 1 bedroom units, 2.1 for 2 bedroom and larger units; 1 of which must be in an enclosed garage or carport
Medical Services	5	1	
Nursery Sales			
Retail	3	1	
Wholesale	3	1	
Personal Services	4		
Personal Storage		1	1 loading space per unit, internal access drives may be used
Professional Services	4	1	
Recycle Center			
Full Service Recycle Center	3	1	
Remote Collection Facility			3 spaces per collective device
Residential Hazardous Substance Recycle Center	3	1	
Repair Services, Consumer	2.5	1	
Retail Sales			
Comparison Shopping Centers	3	1	
Convenience	5	1	
Specialty Stores	3	1	
Secondhand Sales	2.5	1	
Transportation Services		1	

Table 110.410.10.4

**OFF-STREET PARKING SPACE REQUIREMENTS (Industrial Use Types)**  
 (See Section 110.410.10 for explanation)

Industrial Use Types (Section 110.304.30)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Custom Manufacturing		1	2 per 1,000 square feet of showroom space
Energy Production		1	
General Industrial			
Heavy		1	
Intermediate		1	
Limited		1	
High Technology Industry		1	
Inoperable Vehicle Storage		1	2 per 1 acre of storage area
Laundry Services	2	1	
Mining Operations		1	
Petroleum Gas Extraction		1	
Salvage Yards		1	2 per 1 acre of storage area
Wholesaling, Storage and Distribution			
Heavy		1	.5 per 1,000 square feet of area open to the public
Light		1	.5 per 1,000 square feet of area open to the public

Table 110.410.10.5

**OFF-STREET PARKING SPACE REQUIREMENTS (Agricultural Use Types)**  
 (See Section 110.410.10 for explanation)

Agricultural Use Types (Section 110.304.35)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Agricultural Processing		1	
Agricultural Sales	3	1	
Animal Production		1	
Animal Slaughtering		1	
Crop Production		No requirement	
Forest Products		1	
Game Farm		1	
Produce Sales		1	3 spaces per produce stand

Sources: Sedway Cooke Associates and Washoe County Department of Community Development.

[This Section amended by Ord. 939, provisions eff. 11/1/95.]

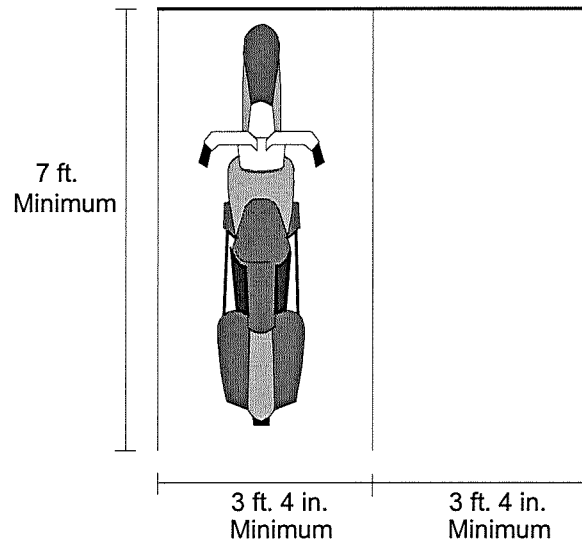
**Section 110.410.15 Special Parking Provisions.**

- (a) **Motorcycle and Bicycle Spaces.** For every four (4) motorcycle or six (6) bicycle parking spaces provided, a credit of one (1) parking space shall be given toward the requirements of this article, provided, however, that the credit for each shall not exceed one-fortieth (1/40) of the total number of automobile spaces required. If determined necessary by the County Engineer, bollards shall be installed to separate and protect motorcycle and bicycle spaces from automobile circulation. The minimum dimensions for motorcycle and bicycle spaces shall be as set forth in the following subsections:
  - (1) Motorcycle spaces shall be a minimum of seven (7) feet in length and three (3) feet four (4) inches in width as illustrated in Figure 110.410.15.1.
  - (2) Bicycle spaces shall be a minimum of six (6) feet in length and two (2) feet six (6) inches in width as illustrated in Figure 110.410.15.2.
- (b) **Bicycle Storage.** In commercial and industrial projects with twenty (20) or more required parking spaces, a rack or other secure device for the purpose of storing and protecting bicycles from theft shall be installed. Such devices shall be provided with a minimum capacity of one bicycle per twenty (20) required parking spaces and shall be located so as not to interfere with pedestrian or vehicular traffic.
- (c) **Handicapped Parking.** In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.

- (1) Handicapped parking spaces shall be provided in accordance with Table 110.410.15.1. One (1) of every eight (8) required handicapped spaces shall be a van accessible space (a minimum of one (1) van accessible space per parking area).
- (2) Handicapped parking spaces shall be a minimum of eight (8) feet in width and a minimum of eighteen (18) feet in length, as illustrated in Figure 110.410.15.3.
- (3) Handicapped spaces shall be provided with an adjacent access aisle, as illustrated in Figure 110.410.15.3. Access aisles shall be a minimum of five (5) feet in width. Van access aisles shall be a minimum of eight (8) feet in width. Access aisles shall be located on the passenger side of each space unless it is located between and is shared by two (2) designated spaces.
- (4) Handicapped parking spaces and access aisles shall be level.
- (5) Handicapped spaces shall be located as near as possible to accessible building or site entrances and shall be located so as to provide convenient access to curb ramps.
- (6) Each reserved handicapped parking space shall be designated with a stall sign displaying the International Symbol of Accessibility, as illustrated in Figure 110.410.15.4. Each stall sign shall be at least seventy (70) square inches in size. Spaces that are van accessible shall be designated as "Van Accessible".
- (7) Each reserved handicapped parking space shall meet one (1) of the following stall markings requirements:
  - (i) Each handicapped parking space shall be painted solid blue with a white International Symbol of Accessibility; or
  - (ii) Each handicapped parking space shall be outlined in blue with a three (3) foot square International Symbol of Accessibility painted in a contrasting color.
- (8) Each reserved handicapped parking space shall be marked with a sign warning drivers of the possibility of towing due to unauthorized use and providing information of recovering towed vehicles. Warning signs shall have minimum dimensions of seventeen (17) inches by twenty-two (22) inches and shall be labeled with lettering of at least one (1) inch in height.
- (9) A minimum of ninety-eight (98) vertical inches of clearance shall be provided for van accessible spaces and the entire route from parking area ingress/egress points to the parking space.
- (10) As illustrated in Figure 110.410.15.5, a minimum vehicle overhang allowance of twenty-four (24) inches shall be provided between accessible routes and handicapped parking spaces. Said accessible routes shall, at all times, provide users with a minimum width of thirty-six (36) inches of throughway.

Figure 110.410.15.1

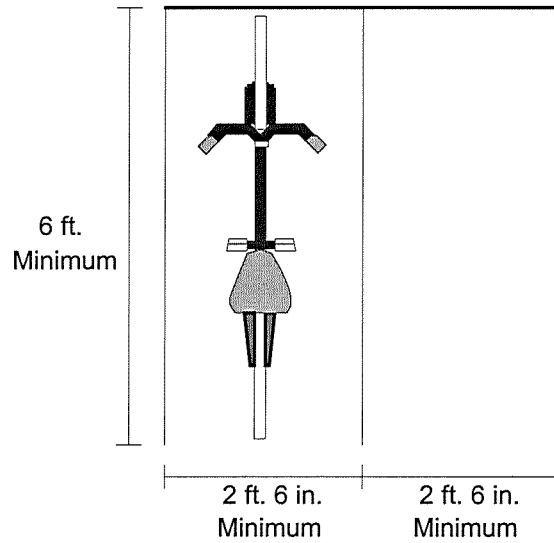
**MOTORCYCLE PARKING DIMENSIONS**



Source: Sedway Cooke Associates.

Figure 110.410.15.2

**BICYCLE PARKING DIMENSIONS**



Source: Sedway Cooke Associates.

Table 110.410.15.1

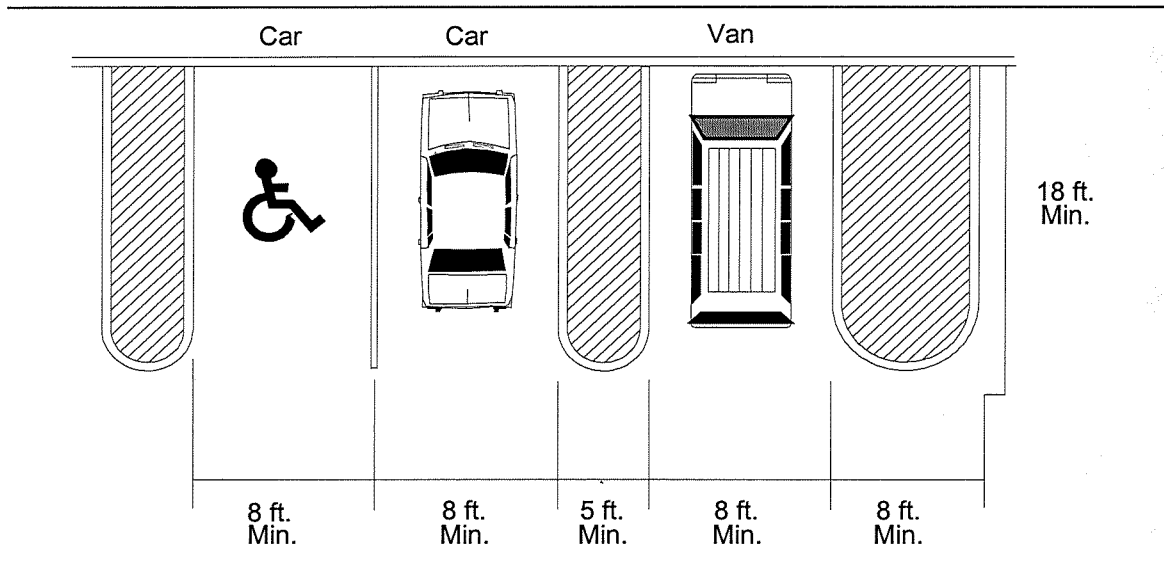
**HANDICAPPED ACCESSIBLE SPACES**

Spaces in Lot	Required Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of Total
1,001 and over	20 plus 1 per 100 above 1,000

Source: Washoe County Department of Community Development.

Figure 110.410.15.3

**HANDICAPPED PARKING DIMENSIONS**



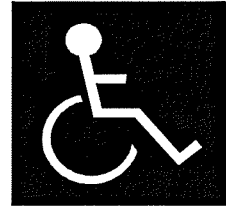
Source: Sedway Cooke Associates.

Figure 110.410.15.4

INTERNATIONAL SYMBOL OF ACCESSIBILITY



Proportions

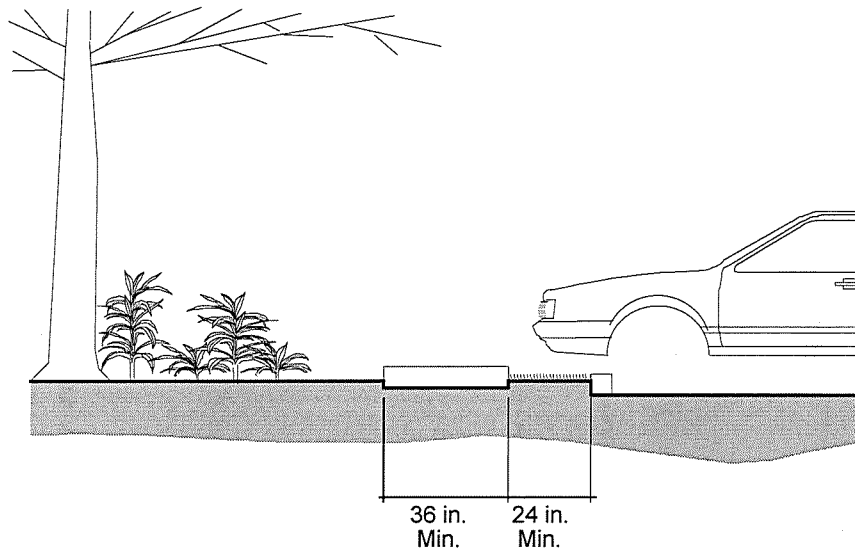


Display Conditions

Source: Sedway Cooke Associates.

Figure 110.410.15.5

ACCESSIBLE ROUTES



Source: Sedway Cooke Associates.

**Section 110.410.20 Location of Required Parking Spaces.** Required parking spaces shall be located as set forth in this section.

- (a) On Same or Adjacent Lot. For dwellings, motels, automobile-oriented services, and elementary, junior high, and high schools, required parking spaces shall be

provided on the same lot as the main building(s) or on an adjoining lot or lots zoned for the main use of the property.

- (b) Other Uses. For uses not listed in Subsection (a) above, required parking spaces shall be located within three hundred (300) feet of the lot on which the main building is located.
- (c) Adjacent and Off-site Lots. If an adjacent or off-site lot is used to satisfy the parking requirements, the lot(s) shall be secured in such a manner that will provide parking for the life of the project. This requirement does not preclude the use of reciprocal parking agreements, so long as the agreement is in a form acceptable to Washoe County.

**Section 110.410.25 Design of Parking Areas.** The design standards for off-street parking facilities shall be as set forth in this section.

- (a) Parking Lot Design. Parking lot design and dimensions shall be in accordance with Table 110.410.25.1 and Figure 110.410.25.1.
- (b) Automobile Parking Spaces: Size. Parking space sizes shall be built with an unistall design in accordance with Table 110.410.25.1 and Figure 110.410.25.1.
- (c) Wheel Stops. A wheel stop or curb, if used, shall be placed between two-and-one-half (2-1/2) and three (3) feet from the end of the parking space.
- (d) Striping and Marking. All parking stalls shall be striped and directional arrows shall be delineated in a manner acceptable to the County Engineer. All paint used for striping and directional arrows shall be of a type approved by the County Engineer.
- (e) Surfacing. All parking spaces, driveways and maneuvering areas shall be paved and permanently maintained with asphalt or cement. Bumper guards shall be provided when necessary to protect adjacent structures or properties as determined by the Director of Community Development.
- (f) Landscaping and Screening. All open parking areas shall be landscaped and/or screened according to the standards set forth in Article 412, Landscaping.
- (g) Lighting. All off-street parking areas within commercially-zoned projects shall be provided with exterior lighting which meets the following minimum standards:
  - (1) Proper illumination shall be provided for safety which, at a minimum, shall be the equivalent of one (1) foot candle average of illumination throughout the parking area;
  - (2) All lighting shall be on a time clock or photo-sensor system;
  - (3) Parking lot luminaires shall be high-pressure sodium vapor with 90-degree cut-off and flat lenses; and
  - (4) All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted, except onto public thoroughfares provided, however, that such light shall not cause a hazard to motorists.



- (h) Access. Access to parking areas shall be provided as follows:
  - (1) Access driveways shall have a width of no less than twenty (20) feet;
  - (2) The parking area shall be designed so that a vehicle within the parking area will not have to enter a public street to move from one location to any other location within the parking area; and
  - (3) Vehicular access to arterial streets and highways will be permitted only in accordance with driveway locations and access design to be approved by the County Engineer.
- (i) Parking Aisles. The minimum dimensions for parking aisles (the space required for maneuvering vehicles within a parking lot) shall be as set forth in Table 110.410.25.1 and Figure 110.410.25.1.

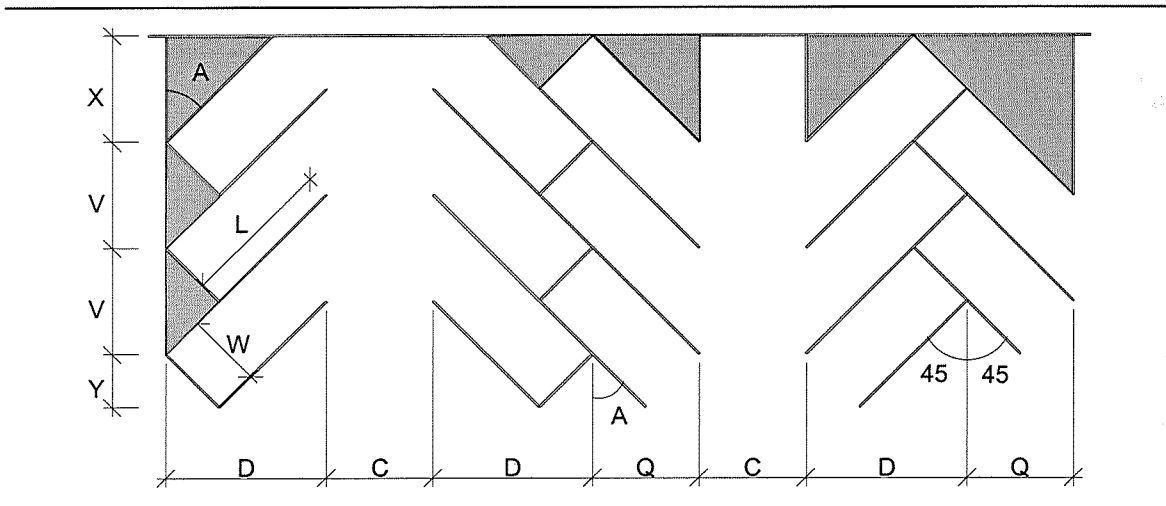
Table 110.410.25.1  
**PARKING DIMENSIONS**

A (Angle in Degrees)	C	D	L	Q	V	W	X	Y
0	12*	8.5	22	0.0	17.0	8.5	22.5	0.0
15	12*	12.6	17	4.4	32.8	8.5	16.4	2.2
30	12*	15.9	17	8.5	17.0	8.5	14.7	4.3
45	12*	18.0	17	12.0	12.0	8.5	12.0	6.0
60	16*	19.0	17	14.7	9.8	8.5	8.5	7.4
75	20	18.6	17	16.4	8.8	8.5	4.4	8.2
90	24	17.0	17	17.0	8.5	8.5	0.0	8.5

Notes: This table provides dimensions (in feet) of parking spaces and lots. The asterisk (\*) indicates the minimum aisle width for two-way traffic is twenty (20) feet. The letters in the column headings refer to dimensions illustrated in Figure 110.410.25.1 and to the following: A = Angle of Parking Spaces; C = Width of Aisle; D = Depth of Stall; L = Length of Stall; Q = Interlock Length of Stall; V = Interlock Width of Stall; W = Width of Stall; X = End of Parking Stall Aisle Width; Y = Perpendicular Width of Stall; and  $D = W \cos A + \sin A$ ;  $Q = L \sin A$ ;  $V = W/\sin A$ ;  $X = L \cos A$ ; and  $Y = Q/2$ .

Source: Sedway Cooke Associates.

Figure 110.410.25.1  
PARKING LOT LAYOUT



Source: Sedway Cooke Associates.

**Section 110.410.30 Truck Parking and Loading.** Parking and loading space for trucks shall be provided as set forth in this section.

- (a) **Commercial Uses.** For commercial uses, a minimum of one (1) space shall be provided for every use with three thousand (3,000) or more square feet of gross floor area. Additional parking and loading space may be required based on the operating characteristics of the individual use. In such instances, the number of spaces provided shall be determined by the Director of Community Development upon the submittal of site plans and general operation plans.
- (b) **Industrial Uses.** For industrial uses, spaces shall be provided as follows:
  - (1) One (1) space shall be required for each use having three thousand (3,000) to twenty thousand (20,000) square feet of gross floor area;
  - (2) Two (2) loading spaces shall be required for each use having twenty thousand (20,000) to forty thousand (40,000) square feet of gross floor area; and
  - (3) For each twenty thousand (20,000) square feet of gross floor area, or major fraction thereof, over forty thousand (40,000) square feet of gross floor area, one (1) loading space shall be required.
- (c) **Design Standards.** Design of required spaces shall be as follows:
  - (1) Spaces shall be a minimum twenty-five (25) feet in length and fifteen (15) feet in width, and shall have minimum height clearance of fourteen (14) feet;
  - (2) Spaces shall not interfere with vehicular circulation or parking, or with pedestrian circulation; and

- (3) On-site driveways and maneuvering areas may be used in lieu of one (1) of the off-street loading spaces required by this section, as long as maneuvering areas for delivery vehicles are provided.

**Section 110.410.35 Modification of Standards.** The requirements of this article may be modified by the Director of Community Development in cases in which, due to the unusual nature of the establishment proposed or the development proposal submitted for it, the standards set forth herein may be considered insufficient or excessive. The Director may consider the existence of special transit incentives and services, car pooling programs, and significant use of pedestrian and bicycle access. Decisions of the Director pursuant to this section may be appealed pursuant to Article 808, Administrative Permits.

## Article 606

# PARCEL MAPS

---

[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.606.00	Purpose
110.606.05	Parcel Map Required
110.606.10	Survey Required
110.606.15	Submittal of Tentative Parcel Map
110.606.20	Data to Accompany Tentative Parcel Map
110.606.25	Form of Tentative Parcel Map
110.606.30	Tentative Parcel Map Review Procedures
110.606.35	Submittal of Final Parcel Map
110.606.40	Form of Final Parcel Map
110.606.45	Contents of Final Parcel Map
110.606.50	Review Procedures for Final Parcel Map
110.606.55	Appeals
110.606.60	Certificates and Statements
110.606.65	Recordation
110.606.70	Expiration Date
110.606.75	Waiver of Parcel Map
110.606.80	Document Required if Parcel Map Waived

**Section 110.606.00 Purpose.** The purpose of this article, Article 606, Parcel Maps, is to prescribe the requirements for, and waiver of, parcel maps.

**Section 110.606.05 Parcel Map Required.** A parcel map shall be required as set forth in this section.

- (a) **Parcel Map Required.** A parcel map shall be required for all minor subdivisions and common-interest communities consisting of four or fewer units, except as 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 (2) 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 a governmental entity; or
  - (7) Creation of cemetery plots.
- (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 are severed 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.
- (d) Waiver. A parcel map may be waived pursuant to Section 110.606.75, Waiver of Parcel Map.
- (e) Separate Lots. When two (2) or more separate lots, parcels, sites, units or plots of land are purchased, they remain separate for the purposes of this article.
- (f) Conveyance. When lots, parcels, sites, units or plots are resold or conveyed, they are exempt from the provisions of this article until further divided.

**Section 110.606.10 Survey Required.** A parcel map shall be based on a survey made for that purpose, unless this requirement is waived by the Planning Commission within forty-five (45) days of the submittal of an application for the waiver, unless this time is extended by mutual consent. The requirement of a survey may be waived if, in the judgment of the County Surveyor, a survey is not required to accomplish the purposes of this article. Failure of the Planning Commission to act on the waiver request within the time prescribed in this section shall result in approval of the waiver.

**Section 110.606.15 Submittal of Tentative Parcel Map.** A tentative parcel map must be submitted to the Department of Community Development for the purpose of review prior to or concurrent with the final parcel map. Every tentative parcel map shall be prepared by a professional land surveyor and shall contain the following data:

- (a) Existing Parcels. Boundary lines and dimensions of the parcel being divided, regulatory zone designation, and date of creation of the parcel being proposed to be subdivided.
- (b) Proposed Parcels. Proposed division lines using solid lines with dimensions of each parcel being created and proposed yards of each parcel being created that meet the requirements of this chapter using lines that are not solid.
- (c) Area. The area of the original parcel and of each proposed new parcel.
- (d) Rights-of-Way. Names, locations and widths of all streets, alleys or rights-of-way adjoining the property showing relationships to the streets in the proposed minor subdivision.
- (e) Easements. The dimensions and approximate location of all existing or proposed road easements, sight triangles easements that preserve safe sighting at street intersections, slope and curve easements, conservation easements, open space easements, recreation or trail easements, drainage easements, sewer easements, irrigation ditch easements, or public utility easements, whether for public or private purposes.
- (f) Slope. A general indication of the slope of the land.
- (g) North Point and Scale. North arrow and scale of drawing.
- (h) Street Names. All street names, denoting if they are existing or proposed.
- (i) Parcel Data. Parcel designation and a graphic border around the proposed division. The area of each parcel and lot, and the total area of land to be divided. If the area is two (2) acres or more, the area shall be calculated to the nearest one-hundredth of an acre. If the area is less than two (2) acres, then the area shall be calculated in square feet.
- (j) Monuments. All monuments found.
- (k) Bearings. Bearing or witness monuments, basis of bearings, bearing and length of lines, and scale of map.
- (l) Legal Designation. The name and legal designation of the tract or grant in which the survey is located and any ties to adjoining tracts.
- (m) Date of Survey. The date of the survey.
- (n) Owners. The owner or owners of the land to be divided.
- (o) Vicinity Map. A vicinity map of the location of the map.
- (p) Other Data. Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and area shown.

**Section 110:606.20 Data to Accompany Tentative Parcel Map.** The following data shall accompany a tentative parcel map:

- (a) Owner. Name, legal address and telephone number of the owner of the land. In addition, an affidavit from the legal owner of the land acknowledging that a tentative parcel map is being prepared with his permission. If the subdivider of the land is different from the owner of the land, the name, legal address and telephone number of that person shall also be included.
- (b) Preparer. Name, address and telephone number of the person who prepared the map.
- (c) Legal Description. Legal description of original parcel. It is sufficient to give the County Recorder's book and page of deed and the County Assessor's parcel number.
- (d) Proposed Use. Proposed use of each parcel.
- (e) Water Supply and Sewage. Source of water supply and proposed method of sewage disposal for each parcel.
- (f) Survey Computations. A copy of all survey computations.
- (g) Existing Structures. If applicable, a map showing all structures located on the property and their distances from the proposed property lines and each other, and all septic and well locations.

**Section 110.606.25 Form of Tentative Parcel Map.** The parcel map shall be legibly drawn. The size of each sheet must be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

**Section 110.606.30 Tentative Parcel Map Review Procedures.** The review procedures for tentative parcel maps shall be as set forth in this section.

- (a) Filing. The subdivider shall file with the Department of Community Development a complete application and the required supporting materials as outlined in the application packet. The subdivider shall pay the required fees upon the filing of the application.
- (b) Application Review. The Community Development staff will review the submitted packet and accept or reject the application as complete within three (3) working days after submittal. If the application is complete, the Department of Community Development shall distribute the parcel map application to the Parcel Map Review Committee.
- (c) Action Required by the Parcel Map Review Committee. If the application is determined to be complete, the Parcel Map Review Committee shall approve, conditionally approve, or disapprove the tentative parcel map within forty-five (45) days of the application date, unless the time limit is extended in writing by the mutual consent of the subdivider and the Director of Community Development. Failure of the Parcel Map Review Committee to take action within the time prescribed in this section shall result in approval of the parcel map.
- (d) Notice of Submittal of Tentative Parcel Map. If the application for a tentative parcel map is for the subdividing of a lot or lots created after July 31, 1993, and

the application for a tentative parcel map is within five (5) years of the recording of a map creating the original parcel, notice shall be provided to the following persons within five (5) days of the determination that the application is complete:

- (1) Advisory boards created by the Board of County Commissioners for the subject area; and
  - (2) All owners of real property within three hundred (300) feet of the property which is the subject of the tentative parcel map.
- (e) Contents of Notice. Such notice as required by this section shall describe the proposed tentative parcel map's location and number of new lots to be created, describe the closing date for providing public comment to the Parcel Map Review Committee, and describe the content of public comment allowed to be considered by the Parcel Map Review Committee in making a decision.
- (f) Review Criteria. Prior to approving a tentative parcel map, the Parcel Map Review Committee shall determine that the following are or will be adequately provided for:
- (1) Road easements and rights-of-way, including such street grading, surfacing, alignment, sight triangles, width and street grade as may be reasonably necessary for lot access, off-site access and neighborhood traffic;
  - (2) Flood and water drainage control;
  - (3) Utilities and utility easements;
  - (4) Sewage disposal facilities;
  - (5) Water quality and water supply availability;
  - (6) Lot design per regulatory zone requirements and design requirements in Article 604, Design Requirements
  - (7) Fire protection;
  - (8) Community antenna television (CATV) conduit and pull wire;
  - (9) Comments received from the public; and
  - (10) Recreation and trail easements.
- (g) Conditions. An approval of any tentative parcel map may be subject to conditions relating to the items specified in Section 110.606.30(f), Review Criteria, as are reasonably necessary. For all tentative parcel maps subject to the notice required in this article, subdivision improvements shall be required, unless the Parcel Map Review Committee makes a finding that they are not appropriate. In addition, dedications and easement relating to such items may be required as a condition of approval.
- (h) Notice of Action. The applicant shall be notified in writing of the decision of the Parcel Map Review Committee. If the tentative parcel map is conditionally



approved, the notice of decision shall contain a statement of all conditions imposed. If the tentative parcel map is disapproved, a statement of the reasons for such disapproval shall be included.

- (i) Appeal. The applicant may appeal any conditions imposed on the tentative parcel map or a disapproval of the parcel map to the Board of County Commissioners as set forth in Section 110.606.55, Appeals.
- (j) No Guarantee of Final Map Approval. Approval or conditional approval of a tentative parcel map imposes no obligation on the part of the Director of Community Development, or the Board of County Commissioners to approve the final parcel map or to accept any public dedication shown on the tentative or final parcel map.

**Section 110.606.35 Submittal of Final Parcel Map.** After approval or conditional approval of the tentative parcel map, or upon waiver of the tentative parcel map submittal by the applicant, the applicant may submit a final parcel map for review. Within thirty (30) days of submittal of the final map application, the Director of Community Development shall determine whether the conditions placed on the tentative parcel map approval have been met. The final map application shall be considered incomplete if the Director of Community Development cannot make a determination that all of the tentative map conditions have been met.

**Section 110.606.40 Form of Final Parcel Map.** The final parcel map shall be legibly drawn in permanent black ink on tracing cloth or produced by the use of other materials of a permanent nature generally used for such purpose in the engineering profession. The size of each sheet must be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

**Section 110.606.45 Contents of Final Parcel Map.** In addition to the information required by Sections 110.606.15 and 110.606.20, the following information must be shown on the final parcel map:

- (a) Monuments. All monuments found, set, reset, replaced or removed, describing their kind, location and giving other data relating thereto;
- (b) Oaths. A memorandum of oaths;
- (c) Surveyor. The signature of the surveyor;
- (d) Owners. The signature of the owner or owners of the land to be divided;
- (e) Easements and Dedications. Any easements granted or dedications made; and
- (f) Survey. Name of the person or persons for whom the survey on which the map is based was made.

**Section 110.606.50 Review Procedures for Final Parcel Map.** The review procedures for final parcel maps shall be as set forth in this section.

- (a) Filing. The subdivider shall file with the Department of Community Development a complete application and the required supporting materials as outlined in the application packet within one (1) year from the date of approval of the tentative parcel map. The subdivider shall pay the required fees upon the filing of the

application. Failure to file a complete application for review of a final map and/or pay the required fees within the one (1) year time period shall cease any further action on the tentative map and shall render the tentative map as expired.

- (b) Application Review. The Community Development staff will review the submitted packet and accept or reject the application as complete, except for the determination that all of the tentative map conditions have been met, within three (3) working days after submittal.
- (c) Action Required by Director of Community Development. If the application is determined to be complete, the Director of Community Development shall approve or disapprove the final parcel map within thirty (30) days of the application date, unless the time limit is extended in writing by the mutual consent of the subdivider and the Director of Community Development.
- (d) Review Criteria. Prior to approving a final parcel map, the Director of Community Development shall determine that the following have been met:
  - (1) Completion of all conditions imposed on the minor subdivision prior to approval of the final parcel map or, in the alternative, acceptance by the Director of Community Development of a satisfactory guarantee of completion and faithful performance of all conditions. The amount of the guarantee shall be in a sum which, in the opinion of the County Engineer, equals the cost of performance of the conditions. If a subdivider fails to perform any condition within the time specified, the Board of County Commissioners, upon recommendation of the County Engineer, may cause the guarantee to be forfeited in an amount necessary to finish the uncompleted portion of the work; and
  - (2) Completion of all certificates and statements required by Section 110.606.60, excepting (a) of that section.
- (e) Notice of Action. The applicant shall be notified in writing of the decision of the Director of Community Development. If the final parcel map is disapproved, a statement of the reasons for such disapproval shall be included.
- (f) Appeal. The applicant may appeal a disapproval of the final parcel map to the Board of County Commissioners as set forth in Section 110.606.55, Appeals

**Section 110.606.55 Appeals.** All appeals regarding tentative and final parcel maps shall be made as provided in this section.

- (a) Process for Tentative Parcel Map. For thirty (30) days following the notification of the decision, a decision of the Parcel Map Review Committee may be appealed to the Board of County Commissioners, whose decision shall be final and not subject to appeal.
  - (1) The statement of appeal shall set forth the particular actions or conditions appealed and the reasons for the appeal, and shall be accompanied by all supporting documentation.
  - (2) The appeal body shall consider the matter within fifteen (15) days of receipt of an appeal or at its next regular meeting, whichever is the longer period. The appeal body may then decide the matter or may, in its

discretion, continue its consideration of such appeal for decision until its next regularly scheduled meeting.

- (3) If the appeal body fails to render a decision within forty-five (45) days of receipt of an appeal, the appeal shall be deemed to have been decided in favor of the appellant.
- (b) Process for Final Parcel Map. For fifteen (15) days following the notification of the decision, a decision of the Director of Community Development to deny a final parcel map may be appealed to the Board of County Commissioners.
  - (1) The statement of appeal shall set forth the particular actions or conditions appealed and the reasons for the appeal, and shall be accompanied by all supporting documentation.
  - (2) The appeal body shall consider the matter within fifteen (15) days of receipt of the appeal or at its next regular meeting, whichever is the longer period. The appeal body may then decide the matter or may, in its discretion, continue its consideration of such appeal for decision until its next regularly scheduled meeting.
  - (3) If the appeal body fails to render a decision within forty-five (45) days of receipt of the appeal, the appeal shall be deemed to have been decided in favor of the appellant.
- (c) Final Action on Appeal. The appeal body shall take action on the appeal within the time prescribed in Section 110.606.55, Appeals.
  - (1) The appeal body may impose additional conditions on the parcel map, provided the conditions are related to the review criteria in Section 110.606.30.
  - (2) Any disapproval or conditional approval must include a statement of the reason for that action.
- (d) Notice of Final Action. Within ten (10) days of the final action, the Director of Community Development shall report to the applicant concerning the decision of the appeal body. Such report shall contain, at a minimum, any additional conditions placed upon the parcel map and the statement of the reason for the final action.

**Section 110.606.60 Certificates and Statements.** Language satisfying the intent of the following certificates and statements shall appear on a parcel map before it can be filed for record. Final parcel maps that have been approved for recordation prior to July 31, 1993, but which have not been recorded, shall not be required to comply with this section.

- (a) Certificate of Director of Community Development. A certificate for execution by the Director of Community Development stating that the map has been approved for subdivision purposes and accepted or rejected on behalf of the public any parcel of land, or portion of a parcel, offered for dedication for public use in conformity with the terms of the offer of dedication.

- (b) Summary Statement of Conditions Required. A summary statement of the conditions imposed by the Parcel Map Review Committee or Planning Commission.
- (c) Certificate of Surveyor. A certificate by the surveyor responsible for the parcel map giving the date of survey on which the map is based, and stating that the survey was made by him or under his direction and setting forth the name of the owner who authorized him to make the survey, and that the parcel map is true and complete as shown. This certificate shall also state:
- (1) That the monuments are of the character and occupy the position indicated or that they will be set in such positions and at such time as is agreed upon under the provisions of Chapter 278 of NRS;
  - (2) That the monuments are or will be sufficient to enable the survey to be retraced; and
  - (3) The completion date.
- (d) Certificate of Record Title Owner. A certificate signed and acknowledged by all persons having any record title in the land subdivided, evidencing their grant or permanent easements for utility installations and access, as designated on the map.
- (e) Certificate of Public Utilities Concerning Easements. A statement acknowledging such easements, signed by each public utility company or agency in whose favor the easements are created or whose utility services are to be required for the platted parcels. It is the responsibility of the applicant to obtain acknowledgement of serving utility companies as to location of any utility easements which are to be shown on the parcel map.
- (f) Statement from County Treasurer. A written statement by the County Treasurer indicating that all property taxes on the land have been paid for the period identified in NRS 278.
- (g) Guarantee of Title. A subdivision guarantee of title, in a form acceptable to the County Engineer and District Attorney, issued by a competent title company to and for the benefit and protection of the County. Said guarantee of title shall be continued complete up to the instant of filing the final map with the County Recorder, guaranteeing that the names of all persons whose consent is necessary to pass a clear title to the land being subdivided, and all public easement being offered for dedication, and all acknowledgements thereto, appear on the proper statements and are correctly shown on the map, both as to contents as to the making thereof and affidavits of dedication where necessary.
- (h) Certificate of Department of Water Resources, Utility Services Division, Concerning Water Right Dedications. A certificate for execution by the Chief Sanitary Engineer stating that the provisions of Article 422, Water and Sewer Resource Requirements, related to the dedication of water resources have been satisfied.

**Section 110.606.65 Recordation.** The approved parcel map with the certificates and statements set forth in Section 110.606.60 and the required filing fee advanced by the owner shall be transmitted to the County Recorder by the County Engineer for recording and filing. The land

division is complete when the parcel map with its required certificates and statements have been filed in the Office of the County Recorder within one (1) year of the determination by the Director of Community Development that the conditions of approval placed on the tentative map have been met.

**Section 110.606.70 Expiration Date.** Failure of the applicant to record a parcel map within one (1) year of the date that the Director of Community Development deemed that all of the conditions placed on the approval of the application for a tentative parcel map were complied with, requires that all proceedings on the parcel map terminate, and a new application shall be required.

**Section 110.606.75 Waiver of Parcel Map.** The requirement for filing a parcel map for minor subdivisions may be waived by the Planning Commission if it finds all the following:

- (a) Survey Not Required. The County Surveyor has determined that a survey is not required;
- (b) Conformity with Laws. That the proposed minor subdivision conforms with Chapter 278 of NRS and this Development Code;
- (c) Conformity with Regulations. That the proposed minor subdivision conforms to state and County requirements as to area, improvement and design, and flood water drainage control;
- (d) Environmental Effects. That the proposed minor subdivision will not have an adverse effect on the environment;
- (e) Conformity with Comprehensive Plan. That the proposed minor subdivision conforms to the Washoe County Comprehensive Plan, including the area plans and any specific plans adopted by the County;
- (f) Change in Nonconformity. That no existing nonconformity with the other divisions in this Development Code will be increased;
- (g) Conformity with Other Ordinances. That the proposed minor subdivision conforms with all other County ordinances;
- (h) Lack of Need. That unusual circumstances exist so that a parcel map is not necessary to insure proper legal description of property, location of property lines and monumenting of property lines; and
- (i) Facilities. That appropriate improved public roads, adequate sanitary disposal facilities, and adequate water supplies are available.

**Section 110.606.80 Document Required if Parcel Map Waived.** If the requirement for a parcel map is waived by the Planning Commission, the applicant shall comply with the provisions of this section.

- (a) Document Recordation. The County Surveyor may require the applicant to prepare and record a document which contains:
  - (1) A legal description of all parts based on a system of rectangular surveys;
  - (2) A provision for the dedication or reservation of any road right-of-way or easement; and

(3) The approval of the authority which granted the waiver.

(b) Description of Metes and Bounds. The County Surveyor may require a description of metes and bounds if necessary to describe the parcel division. The description shall be prepared by a professional land surveyor with a signature and stamp.

(c) Waiver. The person preparing the document may 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 prior documents."

(d) Statement Indicating That No Property Taxes Delinquent. A document recorded pursuant to this section shall be accompanied by a written statement by the County Treasurer indicating that all property taxes on the land have been paid pursuant to NRS 278.



# Article 608

## TENTATIVE SUBDIVISION MAPS

---

[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.608.00	<b>Purpose</b>
110.608.05	<b>Requirement for Application</b>
110.608.10	<b>Contents</b>
110.608.15	<b>Review Procedures</b>
110.608.16	<b>Notice</b>
110.608.20	<b>Review Considerations</b>
110.608.25	<b>Findings</b>
110.608.30	<b>Expiration Date</b>

**Section 110.608.00 Purpose.** The purpose of this article, Article 608, Tentative Subdivision Maps, is to prescribe rules and procedures for the regulation and approval of tentative subdivision maps.

**Section 110.608.05 Requirement for Application.** A tentative subdivision map shall be required for all requests for a major subdivision or a common-interest community consisting of five (5) or more units, as defined in Article 902, Definitions, except for divisions of land into large parcels as defined in Article 612, Divisions of Land into Large Parcels.

**Section 110.608.10 Contents.** Tentative maps shall show the proposed subdivision's design and improvements and conditions existing in and around the subdivision, and shall contain information sufficient to allow the Planning Commission to make the findings required by Section 110.608.25. Tentative maps shall meet all requirements of NRS 278. The following information shall be shown on the tentative map and/or accompanying drawings:

- (a) **Names and Addresses.** Name and address of legal owner, subdivider, and person preparing the map and certificate of registration serial number of the person preparing the map;
- (b) **Legal Description.** Sufficient legal description to define the boundary of the proposed subdivision and evidence of ownership of the property to be subdivided;
- (c) **Subdivision Name.** Name of subdivision (not to conflict with existing recorded subdivision maps);
- (d) **Property Lines.** Property lines, approximate distances and bearings;
- (e) **Contours.** Contours at five (5) foot intervals, or where, in the opinion of the County Engineer or the Director of Community Development, topography is a major factor in the subdivision design at two (2) foot contour intervals;



- (f) Land Uses. Existing and proposed land uses, existing regulatory zone designations;
- (g) Landmarks. Indication of prominent landmarks, areas of unique natural beauty, rock outcroppings, vistas and natural foliage which will be deciding considerations in the design of the subdivision;
- (h) Rights-of-Way. The width of right-of-way, proposed name and approximate grade of each highway, street, alley or public way within the proposed subdivision and approximate radius of all curves and diameter of each cul-de-sac;
- (i) Numbering Blocks. All blocks shall be numbered and block numbers shall be consecutive and shall begin with the number "one" or the letter "A";
- (j) Yards. The yards that are proposed for each lot in the subdivision shall be designated on the map;
- (k) Easements. The width, type and approximate locations of all existing or proposed road easements, sight triangles easements that preserve safe sighting at street intersections, slope and curve easements, conservation easements, open space easements, recreation or trail easements, drainage easements, sewer easements, irrigation ditch easements, or public utility easements, whether for public or private purposes;
- (l) Public Use Lands. Location and size of any land to be reserved or dedicated for parks, recreation areas, common open space area, schools or other public uses;
- (m) Flooding Potential. If any portion of the land within the boundary of the subdivision is subject to inundation or storm water overflow, as shown on the adopted Federal Emergency Management Agency's Flood Boundary and Floodway Maps or as shown by a Nevada registered engineer's hydrologic analysis for the 100-year storm, that fact and the land so affected shall be clearly shown on the map by a prominent note on each sheet;
- (n) Flood Elevation. Information indicating the 100-year flood elevation as well as width and direction of flow of each water course within the boundaries of the subdivision;
- (o) Septic Tanks. If septic tanks are proposed, consistency with FEMA requirements as set forth in Article 416, Flood Hazards;
- (p) Existing Structures. The location and outline of each existing building or structure which is not to be moved in the development;
- (q) Vicinity Map. Vicinity map showing the proposed subdivision in relation to the surrounding area;
- (r) Dimensions and Acreage of Lots. Dimensions of each lot. Accurate measurements in square feet or acreage of the amount of land utilized in streets, parking, building site, and open space and/or recreation;
- (s) Date, North Point and Scale. Date, north point, scale and number of sheet in relation to the total number of sheets;

- (t) Snow Storage Areas. Location of snow storage area sufficient to handle snow removed from public and private streets, if applicable;
- (u) Potential Hazards. All known potential hazards including, but not limited to, earth slide areas, Holocene era geologic faults, avalanche areas or otherwise hazardous slopes shall be clearly designated on the map;
- (v) Master Plan of Storm Drainage. Preliminary master plan of storm drainage system, including pipe sizes, detention/retention/infiltration areas, and the location and magnitude of the ten (10) and one hundred (100) year storm flows entering and leaving the site;
- (w) Preliminary Grading Plan. Preliminary grading plan showing areas of phased excavation and fill including the depth of excavation or height of fill from the natural grade, the amounts of material estimated to be excavated and/or used for fill, the destination of excavated material not to be used on site and how it is to be used at its end destination, origin of material to be imported and used for fill, and the location of any temporary material storage site(s);
- (x) Soil Erosion and Sediment Control Plan. Preliminary plan for soil erosion and sediment control; and
- (y) Phasing Plan. Preliminary plan for the phased recordation of lots, if said phasing is contemplated by the subdivider.

**Section 110.608.15 Review Procedures.** The review procedures for tentative maps shall be as set forth in this section.

- (a) Filing. The subdivider shall file with the Director of Community Development a complete application and the required supporting materials as outlined in the application packet.
- (b) Review. If the application is found to be complete, the Director of Community Development shall transmit one print of each tentative map to the County Engineer, any other public agency which may be affected by the proposed subdivision, and such other persons as the Director of Community Development may deem appropriate.
- (c) Action Required by the Planning Commission. The Planning Commission shall, within forty-five (45) days after receipt of the complete tentative map application by the Director of Community Development, conduct a public hearing on the application and following the public hearing, approve, conditionally approve or deny the proposed map. Notice of the public hearing conducted by the Planning Commission shall be in accordance with the provisions of this article. Review time may be extended by mutual consent of the Director of Community Development and the applicant.
- (d) Appeal. Within ten (10) days after issuance of the decision, the decision of the Planning Commission may be appealed to the Board of County Commissioners by submitting the appropriate form and fee to the Director of Community Development.

- (e) Board of County Commissioners' Consideration of Appeals. Appeals of any Planning Commission decision shall be heard by the Board of County Commissioners within thirty (30) days of receiving the appeal.
- (f) Time Limits. The time limits set forth in this section are suspended for a period, not to exceed one (1) year, during which the State of Nevada or the federal government takes any action to protect the environment or an endangered species which prohibits, stops or delays the processing of a tentative map.
- (g) No Guarantee of Final Map Approval. Approval by the Planning Commission or the Board of County Commissioners of a tentative map imposes no obligation on the part of the Planning Commission or the Board of County Commissioners to approve the final map or to accept any public dedication shown on the final map.

**Section 110.608.16 Notice.** Notice shall be given in accordance with the provisions of this section.

- (a) Notice of Property Owners by Mail. A notice setting forth the time, place, purpose of hearing, and map or physical description of the land involved shall be sent by mail at least ten (10) days before the meeting to the following persons:
  - (1) All owners of real property that are the subject of the tentative subdivision map application;
  - (2) Advisory boards created by the Board of County Commissioners for the area in which the property that is the subject of the tentative subdivision map application is located;
  - (3) All owners of real property within three hundred (300) feet of the property which is the subject of the tentative subdivision map application;
  - (4) All tenants of any mobile home or manufactured home park that is located within three hundred (300) feet of the property which is the subject of the tentative subdivision map application; and
  - (5) All General Improvement Districts (GID) for the area in which the property that is the subject of the tentative subdivision map application is located.
- (b) Number of Notices. If the number of notices sent pursuant to this section does not total thirty (30) or more, the County shall send out additional notices to make the total number at least thirty (30). These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
- (c) Compliance with Noticing Requirements. Owners of all real property to be noticed pursuant to this section shall be those owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is mailed to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing shall be considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of this section.

**Section 110.608.20 Review Considerations.** Prior to approving an application for a tentative map, the Planning Commission or the Board of County Commissioners shall consider:

- (a) Environmental and Health Laws. Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) Availability of Water. The availability of water which meets applicable health standards as well as requirements for water rights, quality or will-serve commitments;
- (c) Utilities. The availability and accessibility of utilities;
- (d) Public Services. The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;
- (e) Plan Consistency. General conformance with the Development Code and the Comprehensive Plan;
- (f) Impact on Existing Streets. The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- (g) Physical Characteristics. Physical characteristics of the land such as flood plain, slope and soil;
- (h) Agency Review. The recommendations and comments of the entities reviewing the tentative map; and
- (i) Impact on Existing Drainage System. The effect of the proposed subdivision on the existing natural and man-made drainage system.

**Section 110.608.25 Findings.** Prior to approving an application for a tentative map, the Planning Commission shall find that all of the following are true:

- (a) Plan Consistency. That the proposed map is consistent with the Comprehensive Plan and any specific plan;
- (b) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Comprehensive Plan and any specific plan;
- (c) Type of Development. That the site is physically suited for the type of development proposed;
- (d) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- (e) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- (f) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;

- (g) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- (h) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- (i) Dedications. That any land or improvements to be dedicated to the County is consistent with the Comprehensive Plan; and
- (j) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

**Section 110.608.30 Expiration Date.** If the subdivider fails to record a final map for any portion of the tentative map within the time required by NRS 278, all proceedings are terminated and a new application is required. The Planning Commission may grant extensions as allowed by NRS.

# Article 610

## FINAL SUBDIVISION MAPS

---

[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.610.00	Purpose
110.610.05	Requirement of Final Map
110.610.10	Form
110.610.15	Contents
110.610.20	Required Certificates and Statements
110.610.25	Dedication of Facilities and Water Rights
110.610.30	Improvements at the Expense of the Subdivider
110.610.35	Provision of CATV
110.610.40	Guarantee of Completion
110.610.45	Preliminary Submittal
110.610.50	Approval by the Director of Community Development

**Section 110.610.00 Purpose.** The purpose of this article, Article 610, Final Subdivision Maps, is to control the practices and procedures regarding the preparation and approval of final subdivision maps.

**Section 110.610.05 Requirement of Final Map.** A subdivider shall prepare a final map, in accordance with the tentative map, for the entire area for which a tentative map has been approved, or a series of final maps, each covering a portion of the approved tentative map.

**Section 110.610.10 Form.** The final 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, but affidavits, certificates and acknowledgement must be legibly stamped or printed upon the map with opaque ink. The size of each sheet shall be twenty-four (24) by thirty-two (32) inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

**Section 110.610.15 Contents.** Every final map shall show all data required for the tentative map except contour lines, position of buildings and prominent landmarks, relationship to streets and highways beyond the area shown on the map and the proposed use of lots, and shall contain the following additional data:

- (a) **Street Monuments.** Where the centerline has been established for any street, highway, alley or public way within an adjoining subdivision, all monuments along such street, highway, alley or public way within the proposed subdivision shall be located with reference to that centerline which is shown on the map;
- (b) **Centerlines.** The centerline of each highway, street, alley or public way within the proposed subdivision and the width on each side of the centerline and the width

to be dedicated. There shall also appear the bearing, length of tangent, radius and central angle, and length of each curve for all centerlines;

- (c) Monuments. The location and description of monuments or other evidence formed upon the ground and used in determining the boundaries of the subdivision. If other subdivisions adjoin, the map shall show sufficient corners of such subdivisions sufficiently identified to locate precisely the limits of the proposed subdivision;
- (d) Block, Lot and Boundary Lines. The length and bearing of each block line, lot line and boundary line; the length, radius and central angle of each curve or the length of the curve and that portion of the central angle lying within each lot. Such data shall be shown in a manner satisfactory to the County Engineer;
- (e) Flooding Potential. If any portion of the land within the boundaries of a final map is subject to inundation or storm water overflow, as shown on the adopted Federal Emergency Management Agency's Flood Boundary and Floodway Maps or as shown by a Nevada registered engineer's hydrologic analysis for the 100-year storm, that fact and the land so affected shall be clearly shown on the final map by a prominent note on each sheet;
- (f) Seismic Hazard. If any portion of land within the boundaries of a final map is bisected by a post-Holocene era fault line, any such fault line shall be clearly shown on the final map and a prominent note shall indicate the fact the fault line exists and that any habitable structure shall be set back a minimum of ten (10) feet from the fault line;
- (g) Lot and Total Area. The area of each lot and total area of the land in the subdivision. If the area is two (2) acres or more, the area shall be to the nearest one-hundredth of an acre. If the area is less than two (2) acres, it shall be in square feet;
- (h) Easements. All easements approved on the tentative subdivision map; and
- (i) Phasing Plan. The phasing plan for the recordation of lots as approved by the Planning Commission or Board of County Commissioners.

**Section 110.610.20 Required Certificates and Statements.** Language shall be provided on the final map that satisfies the intent of the following certificates. Other certificates and statements may be required in addition to those enumerated in this section. Final subdivision maps which have been approved for recordation prior to July 31, 1993, but which have not been recorded, shall not be required to comply with this section.

- (a) Certificate of Owner. A certificate signed and acknowledged by all persons having any record title in the land subdivided, evidencing their grant of permanent easements for utility installations and access, as designated on the map.
- (b) Certificate of Professional Land Surveyor. A certificate of the surveyor responsible for the survey. The certificate must be in the following form:

**SURVEYOR'S CERTIFICATE**

I, ..... (Name of Surveyor), a Professional Land Surveyor registered 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, Meridian and, if required by the governing body, a description by metes and bounds for any subdivision which is divided into lots containing 5 acres in area or less),  
 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 governing body 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 day certain) and an appropriate financial guarantee will be posted with the governing body before recordation to assure the installation of the monuments.

.....  
(Name of Surveyor)

Registration Number and Seal:



- (c) County Engineer or Surveyor Certificate. A certificate by the County Engineer or the County Surveyor stating that he or she has examined the final map; and that the map is technically correct and that if the monuments have not been set, that a proper performance bond has been deposited guaranteeing their setting on or before a day certain.
- (d) District Board of Health Certificate. A certificate by the local District Board of Health indicating that the final map is approved concerning sewage disposal, water pollution, water quality and water supply facilities.
- (e) Division of Water Resources Certificate. A certificate by the Division of Water Resources of the State Department of Conservation and Natural Resources, showing that the final map is approved concerning water supply.
- (f) Certificate of Director of Community Development. A certificate by the Director of Community Development stating that the final map was approved.
- (g) Statement from the County Treasurer. A statement from the County Treasurer indicating that all property taxes on the land have been paid for the period identified in NRS 278.
- (h) Guarantee of Title. A subdivision guarantee of title, in a form acceptable to the County Engineer and the District Attorney, issued by a competent title company for the benefit and protection of the County. Said guarantee of title shall be continued complete up to the instant of filing the final map with the County Recorder, guaranteeing that the names of all persons whose consent is necessary to pass a clear title to the land being subdivided; the fact there are no encumbrances, liens, delinquent taxes or assessments; and all public easements being offered for dedication, and all acknowledgements thereto, appear on the proper statements and are correctly shown on the map, both as to contents as to the making thereof and affidavits of dedication where necessary. Said guarantee of title also shall guarantee that there are no encumbrances, liens, delinquent taxes or assessments on the property.
- (i) Utility Companies' Certificate. A certificate by the appropriate public utility and (CATV) television companies that the shown utility easements have been checked and approved.
- (j) Certificate of the Department of Water Resources, Utility Services Division, Concerning Water Right Dedications. A certificate for execution by the Chief Sanitary Engineer stating that the provisions of Article 422, Water and Sewer Resource Requirements, related to the dedication of water resources have been satisfied.
- (k) Certificate of Director of Community Development or Board of County Commissioners. A certificate for execution by the Director of Community Development, or Board of County Commissioners if the tentative map was approved by that body, stating that the map conforms to all of the requirements of NRS 278.010 to NRS 278.630, inclusive, and any applicable Washoe County Code provisions; and accepting or rejecting any or all offers of dedications offered to Washoe County by the subdivider.

**Section 110.610.25 Dedications of Facilities and Water Rights.** In addition to any land which is required to be dedicated pursuant to this Development Code, a subdivider shall be required to

offer for dedication those facilities and water rights prescribed in this section prior to final map approval. The form of the offer of dedication shall be to the satisfaction of the Water Resources Department.

- (a) Acceptance of Dedication. The Department of Water Resources may accept a dedication pursuant to this section in a form acceptable to that department when the department has determined that the facilities conform to the requirements of this section and perform as designed.

**Section 110.610.30 Improvements at the Expense of the Subdivider.** The subdivider shall make the improvements prescribed in this section at his own expense.

- (a) Required Improvements. The subdivider shall improve at his own expense, within a stated time, all land dedicated on a final map for streets, highways, public ways and easement(s) with such improvements as the Planning Commission or Board of County Commissioners may determine to be necessary for the general use of lot owners in the subdivision and local neighborhood traffic, water distribution, sanitary sewer and drainage needs.
- (b) Utility Distribution System. The subdivider shall provide for utility distribution service and facilities to service each lot of a subdivision including gas, water, electricity and communication. The subdivider shall make the necessary arrangements with the utility company or companies involved for the installation of the facilities in accordance with such applicable tariffs, rules and regulations of the companies as may be on file with the Public Services Commission of the State of Nevada and in accordance with any pertinent franchise arrangements, agreements or contracts.
- (c) Improvements Not Normally Required. Storm drain trunk lines, channels for general flood control purposes, improvements not solely for the benefit of the subdivision and full improvement of those routes shown on the Streets and Highways System Plan map for each of the area plans included within the Comprehensive Plan are not required by this section, unless agreed to by the subdivider.
- (d) Street Lighting. Street lighting installation is the financial responsibility of the subdivider. The subdivider shall make all necessary arrangements with the utility company involved for the installation of such street lights as are approved and required by the County Engineer.
- (e) Street Improvement Standards. All street improvements shall be graded, drained and surfaced in accordance with improvement plans approved by the County Engineer. All streets shall be surfaced with asphaltic concrete paving meeting the requirements of the Standard Specifications for Public Works Construction sponsored by Washoe County and be designed in accordance with the most recently adopted Washoe County Structural Pavement Section Design Manual unless an alternative method of street surfacing is approved by the Board of County Commissioners at the time of approval of the tentative subdivision map.
- (f) Ditch or Watercourse Hazard. Where any ditch or natural watercourse constitutes or creates a hazard, whether within or contiguous to a development, the subdivider shall provide and install a six (6) foot chain link or equivalent fence, the location and construction of which shall be approved by the County Engineer.

**Section 110.610.35 Provision of CATV.** The subdivider shall provide for the installation of community antenna television (CATV) as prescribed in this section.

- (a) **Installation.** The subdivider shall provide, at his own expense, for the installation of community antenna television (CATV) cable conduit and pull wire to serve each dwelling in the subdivision. The installation of the conduit and pull wire must be accomplished as follows:
- (1) If a single CATV franchise exists to serve that area in which the subdivision is located, the subdivider shall install the conduit and pull wire in a manner which is compatible with and meets the standards of the franchise;
  - (2) If more than one CATV franchise exists to serve the area in which the subdivision is located, the subdivider shall select from among the franchisees and shall install the conduit and pull wire in a manner which is compatible with and meets the standards of the franchisee selected; or
  - (3) If no CATV franchise exists to serve the area in which the subdivision is located, the subdivider shall determine which CATV franchisee is closest geographically to the subdivision and shall install the conduit and pull wire in a manner which is compatible with and meets the standards of that franchisee.
- (b) **Dedication.** Upon completion of installation, ownership of the CATV cable conduit and pull wire shall be determined as follows:
- (1) If the subdivider applies to the Board of County Commissioners for a franchise to operate and actually operates a CATV system within the subdivision, the conduit and pull wire remain the property of the subdivider until such time as he determines not to operate or is unable to operate the system. At that time, the subdivider shall immediately offer for dedication all CATV cable, conduit and other appurtenant equipment he has installed to the franchisee; or
  - (2) If the subdivider does not operate a CATV system within the subdivision, he shall dedicate the conduit and pull wire to the franchisee immediately upon completion of installation.
- (c) **Waiver/Modification.** The Director of Community Development may recommend, and the Board of County Commissioners may grant, a waiver or modification of Subsection (a) if geographic, economic or other conditions make installation of CATV conduit and pull wire unreasonable or impractical. It is the responsibility of the subdivider to demonstrate, through adequate factual evidence, that the installation requirement is unreasonable or impractical.

**Section 110.610.40 Guarantee of Completion.** Each agreement made by the subdivider shall be accompanied by a faithful performance bond or other satisfactory guarantee of completion insuring the faithful performance of all work. The penal sum of the bond shall be in a sum which in the opinion of the County Engineer equals the cost, plus a contingency amount, of the improvements to which the subdivider has agreed. If any subdivider fails to complete any improvement as agreed within the time specified, the Board of County Commissioners may cause the bond to be forfeited in the amount necessary to finish the uncompleted portion of the work.

**Section 110.610.45 Preliminary Submittal.** The Preliminary Submittal procedures for the final map shall be as set forth in this section.

- (a) **Submittal Requirements.** Not less than sixty (60) days prior to the filing of any final map with the Department of Community Development, the subdivider shall submit to the County Engineer:
  - (1) Three (3) prints of the proposed final map accompanied by the map checking fee;
  - (2) Data concerning closure calculations, constructions plans, estimates of quantities and the like, if the situation warrants;
  - (3) Plans and specifications for subdivision street improvements;
  - (4) Plans, profiles, specifications and necessary details of the proposed construction for streets, curb and gutter, water mains, culverts, bridges, sanitary sewers or storm drains which are to be installed as part of the subdivision; and
  - (5) Faithful performance bond estimate prepared by a Nevada registered engineer.
- (b) **Review by County Engineer or County Surveyor.** The County Engineer or County Surveyor shall check the map as to accuracy of dimensions, placing of monuments, establishment of survey records shown thereon and conformance of the final map with the tentative map approved by the Planning Commission or Board of County Commissioners. The County Engineer shall review the plans, specifications and bond estimates for the subdivision improvements for conformance with the tentative map conditions and Washoe County standards. The subdivider shall make corrections and/or additions until acceptable to the County Engineer or County Surveyor.
- (c) **Inspection Costs.** Prior to commencing any work, the subdivider shall deposit with the County Engineer a sum which the County Engineer estimates to be necessary to cover the inspection costs of all improvements under his jurisdiction.
- (d) **Subdivision Improvement Agreement.** Prior to approval of the final map by the County Engineer, a subdivision improvement agreement shall be submitted to the County Engineer.
- (e) **Faithful Performance Guarantee.** Prior to approval of the final map by the County Engineer, a bond or other form of faithful performance guarantee shall be submitted to the County Engineer.
- (f) **Review by the Department of Community Development.** The County Engineer, following his review and approval, shall transmit the map to the Department of Community Development for their review. The subdivider shall make corrections and/or additions until acceptable to the Department of Community Development.

**Section 110.610.50 Approval by the Director of Community Development.** The approval procedures for final maps shall be as set forth in this section.

- (a) Submittal. The subdivider shall submit to the Department of Community Development the original tracing of the map and any duplicates per County requirements, corrected to its final form and signed by all parties required to execute the statement on the map. Original signatures shall appear on the original drawing. The original tracing and any duplicates shall be forwarded to the County Engineer for a final review.
- (b) Approval. Upon notification by the County Engineer that the final map is correct and upon receipt of all required certificates and submittals, the Director of Community Development shall, before the expiration date of the tentative map, approve the map if it conforms to all the requirements of NRS 278 and the provisions of this Development Code. This approval shall include acceptance of financial assurances, subdivision agreements and offers of dedication. Upon approval by the Director of Community Development, the map shall be returned to the County Engineer for recording as soon as practicable in the Office of the County Recorder.
- (c) Time Limits. The time limits set forth in this section are suspended for the following circumstances:
- (i) The time limits set forth in this section are suspended for a period, not to exceed one (1) year, during which the State of Nevada or the federal government takes any action to protect the environment or an endangered species which prohibits, stops or delays the development, processing or recordation of a final map.
  - (ii) The time limit for recording a final map is extended to ten (10) days after the date of a hearing by the Board of County Commissioners of an appeal of a decision by the Director of Community Development.
  - (iii) The time limit for recording a final map is suspended for that period of time between the issuance of a court order halting any further action by the subdivider or the County and the time that the court vacates that order.
- (d) Water Meters. The Director of Community Development shall not approve any final maps for a subdivision served by a public water system, unless the subdivider has submitted plans which provide for the installation of water meters or other device which will measure water delivered to each water user in the subdivision.
- (e) Fees. Fees applicable to final maps shall be as established by the Board of County Commissioners through separate ordinance.
- (f) Appeal. A decision of the Director of Community Development to deny or add additional requirements to a final map may be appealed to the Board of County Commissioners within ten (10) days after action of the Director of Community Development by submitting the appropriate form and fee to the Department of Community Development.

# Article 612

## DIVISION OF LAND INTO LARGE PARCELS

---

[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.612.00	Purpose
110.612.05	Requirement for Application
110.612.10	Contents of Tentative Map
110.612.15	Waiver of Requirement to File Tentative Map
110.612.20	Review Procedures for Tentative Map
110.612.25	Water Rights
110.612.30	Requirement for a Final Map
110.612.35	Survey Requirements
110.612.40	Form
110.612.45	Contents of Final Map
110.612.50	Approval by the Director of Community Development
110.612.55	Appeals
110.612.60	Recordation

**Section 110.612.00 Purpose.** The purpose of the article, Article 612, Division of Land into Large Parcels, is to prescribe rules and procedures for the regulation and approval of tentative and final maps for the division of land into large parcels.

**Section 110.612.05 Requirement for Application.** This article applies to division of land if each proposed lot is forty (40) acres or larger in area, including roads and easements, or at least one-sixteenth (1/16) of a section as described by a government land office.

**Section 110.612.10 Contents of Tentative Map.** Tentative maps submitted pursuant to this section shall be prepared and certified by a professional land surveyor. The tentative maps shall be entitled "Tentative Map of Division into Large Parcels". The following information shall be shown on the tentative map:

- (a) The approximate, calculated or actual acreage of each lot and the total acreage of the land to be divided;
- (b) All roads or easements of access which exist, are proposed in the applicable master plan or are proposed by the person who intends to divide the land;
- (c) Any easements for public utilities which exist or which are proposed;
- (d) The location of any existing road or easement which the owner does not intend to dedicate;

- (e) The name and address of the owner of the land; and
- (f) The regulatory zone of the land for which the map has been submitted and all surrounding properties.

**Section 110.612.15 Waiver of Requirement to File Tentative Map.** The Director of Community Development may waive the requirement of filing the tentative map.

**Section 110.612.20 Review Procedures for Tentative Map.** The review procedures for tentative maps shall be as set forth in this section:

- (a) Filing. The subdivider shall submit an application to the Department of Community Development for action by the Director of Community Development.
- (b) Review. The Community Development staff shall review the submitted packet and accept or reject the application as complete within five (5) working days from the date of application.
- (c) Action Required by the Director of Community Development. The Director of Community Development shall, within sixty (60) days after the tentative map application has been filed, approve, conditionally approve or deny the tentative map. The Director of Community Development may, within sixty (60) days but not after the expiration of the sixty (60) day period, designate the location and width of any easements for roads and public utilities as shown on the master plan if there is one applicable to the area to be divided, or designate the location and width of any easements for roads and public utilities which may be reasonably necessary to serve the area to be divided if there is no master plan. The Director of Community Development shall make the following findings when approving the tentative map:
  - (i) Existing easements have been retained or, if relocated, are to the satisfaction of the person to whom the easement benefits.
  - (ii) Access to the property has been identified and is suitable to the passage of an emergency vehicle.
  - (iii) Water resources sufficient to support the additional development have been identified.

**Section 110.612.25 Water Rights.** Prior to final map approval, the subdivider shall be required to dedicate to Washoe County any water rights necessary to insure an adequate water supply to the lots proposed through the tentative map. The amount of water rights necessary shall be determined through the application of written criteria and approved by the Board of County Commissioners.

**Section 110.612.30 Requirement for a Final Map.** After the Director of Community Development has approved the tentative map or waived the requirement for its filing or sixty (60) days after the date of its filing, whichever is sooner, the subdivider, upon fulfillment of any condition of approval, may file a final map of the division with the Department of Community Development. The map shall be filed with the Department of Community Development not later than one (1) year after that date the tentative map was first filed with the Department of Community Development or that the requirement of its filing was waived.

**Section 110.612.35 Survey Requirements.** The final map shall be prepared by a professional land surveyor. The final map shall be based upon an actual survey by the preparer and show the date of the survey or based upon the most recent government survey and show the date of approval of the government survey and contain a certificate by the preparer that the parcels contain the number of acres shown for each parcel.

**Section 110.612.40 Form.** The final map shall be clearly and legibly drawn in black waterproof ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for this purpose in the engineering profession, but affidavits, certificates and acknowledgments must be legibly stamped or printed upon the map with permanent black ink. The final map shall be twenty-four (24) by thirty-two (32) inches in size with a marginal line drawn completely around each sheet, leaving an entirely blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension. The final map shall be of a scale large enough to show clearly all details.

**Section 110.612.45 Contents of Final Map.** The following information shall be shown and defined on the final map:

- (a) 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 must be clearly shown;
- (b) All lots approved through the tentative map shall be identified numerically and state actual acreage of each lot;
- (c) All roads or easements of access which exist and which the owner intends to offer for dedication, all roads or easements of access which are shown on the applicable master plan and all roads or easements of access which are specially required by the Director of Community Development;
- (d) The title "Map of Division into Large Parcels";
- (e) Any easements for public utilities which exist or are proposed; and
- (f) Any existing easements for irrigation or drainage, and normally continuously flowing watercourses.

**Section 110.612.50 Approval by the Director of Community Development.** The Director of Community Development must approve or disapprove the final map within forty-five (45) days of its filing. If the map is disapproved, the Director of Community Development shall return the map to the subdivider with the reason for the action and a statement of what changes would be necessary to render the map acceptable. If the Director of Community Development neither approves nor disapproves the map within forty-five (45) days, the map shall be deemed approved unconditionally.

**Section 110.612.55 Appeals.** The decision of the Director of Community Development on the tentative or final map may be appealed to the Board of County Commissioners within ten (10) days after issuance of the decision. An appeal is initiated by submitting the appropriate form and fee to the Department of Community Development. Appeals of any Director of Community Development decision shall be heard by the Board of County Commissioners within thirty (30) days of receiving the appeal.

**Section 110.612.60 Recordation.** Upon approval, the final map shall be filed with the County Recorder. The map filed with the County Recorder shall include:



- (a) A certificate signed and acknowledged by the owner of the land consenting to the preparation and recording of the map and the granting of necessary access, drainage and public utility easements;
- (b) A certificate signed by the Director of Community Development that the map was approved, or the affidavit of the person presenting the map for filing that the time specified by Section 110.612.50 for action by the Director of Community Development has expired;
- (c) A written statement signed by the Treasurer of Washoe County that no property taxes on the land are delinquent and all taxes have been paid pursuant to NRS 278; and
- (d) A certificate by the surveyor who prepared the map acknowledging that the map was prepared by him or under his supervision.

# Article 614

## REVERSION TO ACREAGE

---

*[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]*

### Sections:

110.614.00	Purpose
110.614.05	Initiation
110.614.10	General Contents
110.614.15	Review and Approval Process
110.614.20	Certificates
110.614.25	Materials
110.614.30	Size
110.614.35	Scale
110.614.40	Numbering
110.614.45	Applicability of Other Provisions
110.614.50	Recordation

**Section 110.614.00 Purpose.** The purpose of this article, Article 614, Reversion to Acreage, is to prescribe the procedures that are required to abandon all or part of a subdivision map, including a series of maps that were recorded for an approved tentative map and which maps are contiguous as defined by NRS 278.490.

**Section 110.614.05 Initiation.** A written application to revert or abandon any subdivision map, parcel map, map of division into large parcels, or part thereof to acreage or to abandon the map or portion thereof may be initiated by the owner of the land, Planning Commission, or Board of County Commissioners.

**Section 110.614.10 General Contents.** The application shall be accompanied by a map of the proposed abandonment or reversion and shall describe the requested changes.

**Section 110.614.15 Review and Approval Process.** The application shall be reviewed and approved by the County Surveyor.

**Section 110.614.20 Certificates.** The map shall contain the appropriate certificates and statements required by Article 610, Final Subdivision Maps, for the original division of the land. In addition, the map shall contain a certificate for execution by the County Surveyor stating that the County Surveyor approved the map.

**Section 110.614.25 Materials.** The final 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 a purpose in the engineering profession, but affidavits, certificates and acknowledgements shall be legibly stamped or printed upon the map with permanent black ink.

**Section 110.614.30 Size.** The size of each sheet of the map shall be twenty-four (24) by thirty-two (32) inches. A marginal line shall be drawn completely around each sheet, leaving an entirely

blank margin of one (1) inch at the top, bottom and right edges, and of two (2) inches at the left edge along the twenty-four (24) inch dimension.

**Section 110.614.35 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.

**Section 110.614.40 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.

**Section 110.614.45 Applicability of Other Provisions.** Except for the provisions of this article, no other provision of the Development Code applies to a map made solely for the purpose of abandonment of a former map or for reversion of any land division to acreage.

**Section 110.614.50 Recordation.** Upon approval of the map of reversion or abandonment, it shall be recorded by the County Engineer 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.

# Article 616 AMENDMENTS OF MAP

---

[This Article amended in its entirety by Ord. 876, provisions eff. 7/7/93; Ord. 899, provisions eff. 5/31/94; Ord. 1041, provisions eff. 12/1/98.]

**Sections:**

110.616.00	<b>Purpose</b>
110.616.05	<b>Approval Process</b>
110.616.10	<b>Minor Amendment: Applicability</b>
110.616.15	<b>Minor Amendment: Preparation of Certificate</b>
110.616.20	<b>Minor Amendment: Contents of Certificate</b>
110.616.25	<b>Minor Amendment: Recordation of Certificate</b>
110.616.30	<b>Major Amendment: Applicability</b>
110.616.35	<b>Major Amendment: Standards</b>
110.616.40	<b>Major Amendment: Recordation</b>

**Section 110.616.00 Purpose.** The purpose of this article, Article 616, Amendments of Map, is to prescribe the procedures that are required to amend any final subdivision map.

**Section 110.616.05 Approval Process.** A minor map amendment, as described in Section 110.616.10, may be approved by the County Engineer. A major map amendment, as described in Section 110.616.30, shall be approved by the Planning Commission.

**Section 110.616.10 Minor Amendment: Applicability.** 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 Planning Commission may cause a certificate of amendment to be filed and recorded.

**Section 110.616.15 Minor Amendment: Preparation of Certificate.** The surveyor who made the survey shall prepare and record the certificate within ninety (90) days after notification by the County Engineer or Planning Commission. If the surveyor is no longer professionally active in the County, the County Engineer or a professional land surveyor appointed by the Planning Commission shall prepare the certificate.

**Section 110.616.20 Minor Amendment: Contents of Certificate.** The certificate of amendment shall comply with the following:

- (a) Be in the form of a letter addressed to the County Surveyor or the Planning Commission;
- (b) Specify the title and recording date of the document being amended;
- (c) Concisely state the data being amended and the correction or omission;
- (d) Be dated, signed and sealed by the surveyor preparing the certificate; and

- (e) Contain the following statement, dated and signed by the County Surveyor or a professional land surveyor appointed by the Planning Commission:

"I hereby certify that I have examined the certificate of amendment and that 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."

**Section 110.616.25 Minor Amendment: 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 110.616.30 Major Amendment: Applicability.** 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 Planning Commission 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 110.616.35 shall apply.
- (c) Appeal. An appeal of the Planning Commission's decision must be made within ten (10) days of the action by the Planning Commission.

**Section 110.616.35 Major Amendment: Standards.** Any amended 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 (3) 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 Washoe 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 the County Surveyor, if he or she is 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 110.616.40 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.



## Article 806

# VACATIONS AND ABANDONMENTS OF EASEMENTS OR STREETS

---

[This Article amended in its entirety by Ord. 873, provisions eff. 6/7/93; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.806.00	Purpose
110.806.05	Requirements for Application
110.806.10	Supplemental Guidelines, Standards and Criteria
110.806.15	Review Procedures of Planning Commission
110.806.20	Findings
110.806.25	Hearing of Appeal by Board
110.806.30	Notice of Board Hearing
110.806.35	Action by Board
110.806.40	Utility Easement
110.806.45	Legal Description
110.806.50	Recordation
110.806.55	Sale of Vacated Portion
110.806.60	Payments
110.806.65	Light and Air
110.806.70	Reservations
110.806.75	Consistency with Plan
110.806.80	Reapplication

**Section 110.806.00 Purpose.** The purpose of this article, Article 806, Vacations and Abandonments of Easements or Streets, is to provide for the vacation or abandonment of easements or streets.

**Section 110.806.05 Requirements for Application.** Applications for the vacation or abandonment of easements or streets may be initiated by the Board of County Commissioners, Planning Commission, the Director of Community Development or an owner of real property abutting an easement or public street right-of-way through an application to the Department of Community Development or as part of a tentative subdivision map application if the abandonment or vacation application is related to the tentative map proposal. If the application for the vacation or abandonment of an easement or street is included as part of a tentative subdivision application, the noticing of the tentative subdivision map application shall include a description of the street or easement to be vacated or abandoned. No application shall be processed when the information necessary to review and decide upon it is deemed to be incomplete by the Director of Community Development.

**Section 110.806.10 Supplemental Guidelines, Standards and Criteria.** In addition to the standards and findings set forth in the Development Code, the Director of Community Development may prepare supplemental guidelines for the submission of applications and minimum standards and criteria for approval of applications.



**Section 110.806.15 Review Procedures of Planning Commission.** The Planning Commission shall review applications for abandonments and vacations in accordance with the provisions of this section.

- (a) General Provisions. The Planning Commission shall conduct a public hearing for the purpose of receiving evidence relative to the application. The evidence shall be reviewed to determine if the application is consistent with existing policies, standards and required findings.
- (b) Time Period for Hearing and Action. The Planning Commission shall hold a public hearing on the application for vacation or abandonment of an easement or street not less than ten (10) days nor more than forty (40) days after the notice as required below is first published.
- (c) Notice of Planning Commission Hearing. Notice of a vacation or abandonment application to be heard by the Planning Commission shall be given by notifying by certified mail each owner of property abutting the proposed vacation or abandonment and causing a notice to be published at least once in a newspaper of general circulation in the County.
- (d) Action by the Planning Commission. Except as provided in Section 110.806.40, if, upon public hearing, the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Planning Commission may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed.
- (e) Appeal of Final Action of Planning Commission. An appeal of the Planning Commission's final action on an abandonment or vacation application may be appealed to the Board of County Commissioners within ten (10) days of the date of the final decision of the Planning Commission.

**Section 110.806.20 Findings.** Prior to recommending approval of an application for an abandonment or vacation, the Planning Commission shall find that all of the following are true:

- (a) Comprehensive Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the applicable area plans;
- (b) No Detriment. The abandonment or vacation does not create a detriment to abutting or surrounding properties; and
- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

**Section 110.806.25 Hearing of Appeal by Board.** The Board of County Commissioners shall hold a public hearing on the appeal of the Planning Commission's final action on an application for vacation or abandonment of an easement or street not less than ten (10) days nor more than forty (40) days after the notice as required in Section 110.806.30 is first published.

**Section 110.806.30 Notice of Board Hearing.** Notice of an appeal of the Planning Commission's final action on a vacation or abandonment application to be heard by the Board of County Commissioners shall be given by notifying by certified mail each owner of property

abutting the proposed vacation or abandonment and causing a notice to be published at least once in a newspaper of general circulation in the County.

**Section 110.806.35 Action by Board.** Except as provided in Section 110.806.40, if, upon public hearing on the appeal of the Planning Commission's final action on an abandonment or vacation of an easement or street, the Board is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Board may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed.

**Section 110.806.40 Utility Easement.** If a utility has an easement over the property, the Planning Commission or the Board, after a hearing on the appeal of the Planning Commission final action, shall provide in its order for the continuation of that easement.

**Section 110.806.45 Legal Description.** The applicant shall submit to the Engineering Division, a legal description for the area of the vacation or abandonment prepared by a Nevada Professional Land Surveyor, prior to publication of the order of vacation or abandonment, to the satisfaction of the Engineering Division.

**Section 110.806.50 Recordation.** The order must be recorded in the Office of the County Recorder if all the conditions of the order have been fulfilled and, upon the recordation, title to the street or easement reverts to the abutting property owners in the approximate proportion that the property was dedicated by the abutting property owners or their predecessors in interest.

**Section 110.806.55 Sale of Vacated Portion.** In the event of a partial vacation of a street where the vacated portion is separated from the property from which it was acquired by the unvacated portion of it, the Board may sell the vacated portion upon such terms and conditions as it deems desirable and in the best interests of the County. If the Board sells the vacated portion, it shall afford the right of first refusal to each abutting property owner as to that part of the vacated portion which abuts his/her property, but no action may be taken by the Board to force the owner to purchase the portion and that portion may not be sold to any person other than the owner if the sale would result in a complete loss of access to a street from the abutting property.

**Section 110.806.60 Payments.** If the street was acquired by dedication from the abutting property owners or their predecessors in interest, no payment is required for title to the proportionate part of the street reverted to each abutting property owner. If the street was not acquired by dedication, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may make its order conditional upon payment by the abutting property owners for their proportionate part of the street of such consideration as the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines to be reasonable. If the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines that the vacation has a public benefit, it may apply the benefit as an offset against any determination of reasonable consideration which did not take into account the public benefit.

**Section 110.806.65 Light and Air.** Any easement for light and air adjacent to any vacated street is vacated upon the vacation of the street.

**Section 110.806.70 Reservations.** In any vacation or abandonment of any street or portion of it, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may reserve and except therefrom any easements, rights, or interests therein which it deems desirable for the use of the County or any public utility.

**Section 110.806.75 Consistency with Plan.** No procedures or approvals that are provided for in this article may be in contravention to the Comprehensive Plan.

**Section 110.806.80 Reapplication.** When an application for a vacation or abandonment of an easement or street has been denied, a subsequent application for the same easement or street right-of-way shall not be submitted for the next six (6) consecutive months commencing from the date of the final action by the Planning Commission or Board of County Commissioners, whichever is later.

# Article 814

## DEVELOPMENT AGREEMENTS

---

[This Article amended in its entirety by Ord. 873, provisions eff. 6/7/93; Ord. 1041, provisions eff. 12/1/98.]

### Sections:

110.814.00	Purpose
110.814.05	Applicability
110.814.10	Requirements for Application
110.814.15	Allowed Uses, Densities and Standards
110.814.20	Review and Approval Process
110.814.25	Processing of Other Approvals
110.814.30	Professional Assistance
110.814.35	Contents of Preliminary Development Agreement
110.814.40	Concept Plan
110.814.45	Site Plan
110.814.50	Optional Contents
110.814.55	Planning Commission Review of Preliminary Development Agreement
110.814.60	Notice
110.814.65	Appeal of Denial
110.814.70	Action by Board
110.814.75	Contents of Final Development Agreement
110.814.80	Approval Procedures for Final Development Agreement
110.814.85	Recordation of Approved Final Documents
110.814.90	Periodic Review
110.814.95	Amendment or Cancellation of Development Agreement

**Section 110.814.00 Purpose.** The purpose of this article, Article 814, Development Agreements, is to allow for any person having a legal or equitable interest in land to enter into an agreement with Washoe County concerning the development of that land, as provided in NRS 278.

**Section 110.814.05 Applicability.** A development agreement may be approved by ordinance for land which is to be developed as a single entity provided that the development, including uses and development standards, is consistent with the Comprehensive Plan, including the area plans, and any specific plan, if applicable.

**Section 110.814.10 Requirements for Application.** A development agreement may be initiated by the property owner or by the property owner's authorized agent. Applications for a development agreement shall be filed with the Department of Community Development.

**Section 110.814.15 Allowed Uses, Densities and Standards.**

- (a) **Laws in Effect.** The allowed uses, densities and standards of the land subject to the development agreement shall be those in effect at the time the agreement is

made, provided that all such uses, densities and standards are consistent with the Comprehensive Plan, including the area plans, and any specific plan, if applicable.

- (b) Subsequent Actions. A development agreement shall not prevent the County, in subsequent actions applicable to the property, from adopting new ordinances, resolutions or regulations that conflict with those ordinances, resolutions and regulations in effect at the time the development agreement is made, except that any subsequent action by the County shall not prevent the development of the land as set forth in the development agreement.
- (c) Emergency Situations. The County may suspend the issuance of building permits for the development project after a noticed public hearing if it finds in good faith that a clear and present emergency requires the suspension.
- (d) State or Federal Restrictions. In the event that state or federal laws or regulations enacted after a development agreement has been entered into, prevent or preclude compliance with one (1) or more of the provisions of the development agreement, such provisions shall be modified or suspended as may be necessary to comply with the new state or federal laws or regulations. Any such action shall be taken by the Board of County Commissioners after a noticed public hearing.

**Section 110.814.20 Review and Approval Process.** The development agreement process consists of two steps as set forth in this section. Under no circumstances shall development of the land subject to the development agreement be allowed to proceed until after the final development agreement has been approved and filed for record pursuant to this article.

- (a) Step One: Preliminary Development Agreement. The applicant shall submit the text of the proposed development agreement accompanied by either a concept plan or a site plan and other information required by this article. The applicant has the option of submitting either plan and the Director of Community Development may request a site plan.
- (b) Step Two: Final Development Agreement. Subsequent to approval of the preliminary development agreement, the applicant shall submit a final development agreement for approval as set forth herein.
  - (1) If a site plan was approved at the first step of the process, the final development agreement shall contain a final site plan.
  - (2) If a concept plan was approved at the first phase of the process, the final development agreement shall include the site plan.
  - (3) The submittal shall include other information as required by this article.
  - (4) The site plan and other applicable materials from the final development agreement shall be recorded pursuant to this article.

**Section 110.814.25 Processing of Other Approvals.** Applications for all discretionary approvals may accompany the preliminary development agreement or may be substituted at a later date.

- (a) Concurrent Processing of Applications. Applications for other discretionary approvals must be on forms provided by the Department of Community Development for each discretionary approval being sought.
- (b) Subsequent Processing of Applications. If applications for discretionary approvals are submitted at a later date, the conditions, terms, restrictions and requirements for subsequent actions on these approvals shall be included in the preliminary development agreement.
  - (1) Tentative and Final Subdivision Maps. Nevada Revised Statutes, Chapter 278, permits through an approved development agreement different timeframes for the processing of tentative and final subdivision maps than those enumerated in state law.
  - (2) Special Use Permits and Variances. Nevada Revised Statutes, Chapter 278, permits through an approved development agreement the waiving of the requirement for a special use permit or variance as may be required in Chapter 110 of the Washoe County Code.

**Section 110.814.30 Professional Assistance.** Preparation of the preliminary development agreement and final development agreement shall require, at a minimum, the services of a Nevada civil engineer who is a registered professional engineer, or registered land surveyor. Depending on the complexity of the development, the services of an American Institute of Certified Planners (AICP) recognized planner, a licensed architect, and a Nevada registered landscape architect may also be required by the Director of Community Development.

**Section 110.814.35 Contents of Preliminary Development Agreement.** The application shall include the provisions of this section.

- (a) Development Agreement. A development agreement containing the following:
  - (1) A legal description of the land subject to the development agreement;
  - (2) The proposed duration of the development agreement;
  - (3) The permitted uses of the land;
  - (4) The density and/or intensity of uses;
  - (5) The maximum height and size of the proposed buildings;
  - (6) Any provisions for the dedication of any portion of the land for public use;
  - (7) A provision that the materials listed in this article under "Contents of Final Development Agreement" are automatically incorporated into the development agreement by reference when these materials are approved by the Planning Commission; and
  - (8) A provision that the development agreement does not bind the parties, or their successors in interest, until such time as the development agreement is recorded pursuant to this article.
- (b) Interest in Land. The nature of the landowner's and the applicant's legal interest in the land proposed for development in the application.

- (c) Open Space Management. The form and name, if available, of the organization proposed to own and maintain any common open space.
- (d) Use Ratio. The ratios of the land areas in residential to land areas in nonresidential uses and the ratio of square feet of residential to nonresidential uses.
- (e) Utilities. The proposed system, including a feasibility analysis; for disposition of sanitary waste and storm water.
- (f) Circulation. The plan for vehicular traffic, pedestrian traffic and transit facilities. This plan shall include the provisions for parking of vehicles and the location and width of proposed streets and public rights-of-way.
- (g) Modifications. The listing of required modifications to the standards imposed by other articles of this Development Code.
- (h) Plan. A concept plan prepared pursuant to this article, or a site plan prepared pursuant to this article.
- (i) Legal Agreements. The substance of covenants, grants or easements, or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities.
- (j) Schedule. A schedule showing:
  - (1) The proposed times within which the final development agreement must be filed; and
  - (2) The proposed times within which all other applications for final approval of all portions of the land subject to the development agreement are intended to be filed, or in the case of a plan which provides for development over a period of years, the periods within which application for final approval of each part thereof is intended to be filed.

**Section 110.814.40 Concept Plan.** A concept plan shall include the information required by this section.

- (a) Name of project, boundary, and vicinity maps showing the location and acreage of the land subject to the development agreement, date, north arrow and scale of plan.
- (b) All existing lot lines, easements and rights-of-way.
- (c) Proposed land uses, including areas proposed to be dedicated or reserved as common open spaces or for public or semi-public uses, with estimates of the acreage for each type of land use, the densities and/or intensities of development, and the general allocation of the densities and/or intensities of development to the various parts of the site.
- (d) Approximate location and arrangement of all structures or outlines of areas within which buildings or structures may be located.

**Section 110.814.45 Site Plan.** A site plan and supporting maps, if applicable, shall include the information required by this subsection.

- (a) Name of project, boundary, and vicinity maps showing the location and acreage of the land subject to the development agreement, date, north arrow and scale of plan.
- (b) Name and address of the owner of record, developer, planner and seal of the engineer, architect or landscape architect.
- (c) Existing and proposed topography at a two (2) foot contour interval, or at a contour interval appropriate for the site, as determined by the Director of Community Development. All elevations shall refer to the nearest United States Coastal and Geodetic Bench Mark. If any portion of the land subject to the development agreement is within the 100-year floodplain, the area will be shown and base flood elevations given. Indicate areas within the site and within fifty (50) feet of its perimeter boundary, where ground removal or filling is required.
- (d) Regulatory zone boundaries within five hundred (500) feet of the perimeter of the land subject to the development agreement.
- (e) The location and use of structures within three hundred (300) feet of the perimeter of the land subject to the development agreement.
- (f) All existing lot lines, easements and rights-of-way within the land subject to the development agreement, and within those parcels within five hundred (500) feet of the perimeter of the land subject to the development agreement.
- (g) Proposed traffic flow patterns, entrances and exits, loading and unloading areas, emergency access areas, and curb cuts on the site.
- (h) The location of all present and proposed public and private ways, parking areas, driveways, ramps, curbs, walls, fences, bicycle and pedestrian ways, and landscaping. If determined appropriate by the Director of Community Development, proposed locations of the listed facilities and features may be indicated by typical locations.
- (i) Proposed land uses, including areas proposed to be dedicated or reserved as common open spaces or for public or semi-public uses, with estimates of the acreage for each type of land use, the densities and/or intensities of development, and the general allocation of the densities and/or intensities of development to the various parts of the site.
- (j) Approximate arrangement of individual lots.
- (k) Approximate location and arrangement of all structures or outlines of areas within which buildings or structures may be located.
- (l) Preliminary elevations and/or perspective drawings of all typical proposed buildings or other structures, including proposed maximum heights and floor areas.
- (m) A general landscaping plan.



- (n) A general grading plan.

**Section 110.814.50 Optional Contents.** In addition to the required contents of a development agreement, as set forth in this article under "Contents of Preliminary Development Agreement", the development agreement may contain the provisions listed in this section.

- (a) Key Dates. A date upon which construction must commence and a date when the project or any phase of the project must be complete. If either date is specified, a process for extension of the date shall be included.
- (b) Financing. Terms and conditions relating to applicant financing of necessary public facilities with or without subsequent reimbursement over time.
- (c) Assignability. Restrictions on the assignability of the agreement by the applicant and, if assignable, provisions ensuring that the successor in interest assumes the obligations under the development agreement.
- (d) Minor Modifications. Provisions for minor modifications of the development agreement.
- (e) Other. Other terms and conditions related to the proposed project, including any of the materials required by Section 110.814.75 with the exception of the final site plan, which are mutually agreeable to the parties.

**Section 110.814.55 Planning Commission Review of Preliminary Development Agreement.**

The preliminary development agreement shall be reviewed by the Planning Commission and final action shall be taken by the Board of County Commissioners. Approval of a preliminary development agreement does not authorize development or the issuance of any building permits.

- (a) General Provisions. The Planning Commission shall conduct at least one (1) public hearing relative to the application within ninety (90) days from the date the complete application was accepted. Notice shall be provided as set forth in this article.
- (b) Time Period for Action. The Planning Commission may take action on the proposed development agreement at the conclusion of the public hearing, but shall take action no later than one hundred and eighty (180) days after the complete application was accepted. An extension of time for Planning Commission action may be granted if mutually agreed upon between the applicant and the Director of Community Development.
- (c) Failure to Act. Failure of the Planning Commission to hold a public hearing or take action within the time frames provided in Subsections (a) and (b) of this section shall constitute a recommendation of approval.
- (d) Planning Commission Action. Following the conclusion of the public hearing, the Planning Commission shall take one of the following actions:
- (1) Recommend approval of the development agreement and accompanying plan;
  - (2) Recommend approval subject to specified conditions not included in the agreement and plan as submitted; or

- (3) Deny approval of the development agreement and accompanying plan. Denial of either of these items shall constitute denial of the preliminary development agreement.
- (e) Findings. The recommendation of approval or the denial of the preliminary development agreement shall be accompanied by findings on the degree the development agreement or accompanying plan would or would not be in the public interest including, but not limited to, findings on the provisions of this subsection.
- (1) The extent to which the accompanying plan is consistent with the Comprehensive Plan policies and the area plan(s).
  - (2) The reasons why departures from Development Code regulations are or are not deemed to be in the public interest.
  - (3) The purpose, location and amount of the common open space in the proposed project, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.
  - (4) The physical design of the project and the manner in which the design does or does not make adequate provision for public services.
  - (5) The relationship, beneficial or adverse, of the proposed project to the neighborhood in which it is proposed to be established.
  - (6) In the case of a development agreement and accompanying plan which propose development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the land subject to the development agreement in the integrity of the plan.
- (f) Effect of Planning Commission Denial. In the event the Planning Commission denies a preliminary development agreement, that action is final unless appealed to the Board of County Commissioners pursuant to this article.
- (g) Planning Commission Report. Within forty (40) days of the action by the Planning Commission, a report describing the discussion at the public hearing, and recommendation and vote of the Planning Commission, along with a copy of the preliminary development agreement, shall be transmitted to the Board of County Commissioners. If the Planning Commission does not recommend approval, it should state why it could not make the findings in Subsection (e) of this section.

**Section 110.814.60 Notice.** Notice for all public hearings required by this article shall be given in accordance with the provisions of this section.

- (a) Notice of Property Owners by Mail. A notice setting forth the time, place, purpose of hearing, and map or physical description of the land involved shall be sent by mail at least ten (10) days before the meeting to the following persons:
- (1) All owners of real property that are the subject of the development agreement;

- (2) Advisory boards created by the Board of County Commissioners for the area in which the property that is the subject of the development agreement is located;
  - (3) All owners of real property within three hundred (300) feet of the property which is the subject of the development agreement;
  - (4) All tenants of any mobile home park that is located within three hundred (300) feet of the property which is the subject of the development agreement; and
  - (5) All General Improvement Districts (GID) for the area in which the property that is the subject of the development agreement is located.
- (b) Number of Notices. If the number of notices sent pursuant to this section does not total thirty (30) or more, the County shall send out additional notices to make the total number at least thirty (30). These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
  - (c) Notice in the Newspaper. A notice setting forth the date, time and place of the public hearing shall be published in a newspaper of general circulation in Washoe County not less than ten (10) days prior to the public hearing date.

**Section 110.814.65 Appeal of Denial.** A denial action of the Planning Commission may be appealed in accordance with the provisions of this section.

- (a) Appeal Period. An appeal of the Planning Commission's denial of a preliminary development agreement may be made to the Board of County Commissioners within fifteen (15) days after the date of the decision. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day.
- (b) Who Can Appeal. Appeals may be filed by the Board of County Commissioners, applicant, or applicant's authorized agent.
- (c) Appeal by Applicant or Applicant's Agent. An appeal by the applicant or the applicant's authorized agent shall be filed with the Director of Community Development, accompanied by a filing fee. The appeal shall be in writing and state the basis of the appeal by citing the inadequacy of the findings made by the Planning Commission. Such reasons shall be based upon the evidence presented to the Planning Commission at the original hearing. Failure of the appellant to present such reasons shall be deemed cause for denial of the appeal.
- (d) Action on Appeal. The appeal of the Planning Commission's denial of a preliminary development agreement shall be processed pursuant to this article.

**Section 110.814.70 Action by Board.** The Board of County Commissioners shall review a preliminary development agreement in accordance with the provisions of this section.

- (a) Time Period for Hearing. The Clerk of the Board of County Commissioners shall schedule a public hearing before the Board of County Commissioners on the appeal of a denial or recommendation of approval by the Planning Commission

within thirty (30) days of the filing of the appeal or receipt of the Planning Commission's action.

- (b) Notice of Hearing. The public hearing shall be noticed as required by this article.
- (c) Actions to be Taken by Board. The Board shall take action on the development agreement and accompanying plan provided, however, that the development agreement shall not be adopted prior to adoption of the accompanying plan and tentative subdivision map, if required.
- (d) Board of County Commissioners' Action.
  - (1) If the Board of County Commissioners is considering an appeal from a denial of a preliminary development agreement, it may use the record and any additional evidence relative to the application and may confirm or reverse the denial based upon its interpretation of the findings required and the evidence submitted.
  - (2) If the Board of County Commissioners is considering a recommendation of approval, it may take action to approve the preliminary development agreement as recommended by the Planning Commission if no modification of the Planning Commission's recommendation is proposed.
  - (3) If the Board of County Commissioners proposes to modify the recommendation of approval from the Planning Commission, the proposed modification shall be referred to the Planning Commission for consideration. The Planning Commission shall not be required to hold a public hearing on the modification. The Planning Commission shall submit a report on the proposed modification to the Board of County Commissioners within ninety (90) days from the date of referral by the Board of County Commissioners. Failure to report shall be deemed a recommendation of approval. Prior to making a final decision, the Board of County Commissioners shall be required to conduct a public hearing and notice this hearing pursuant to this article.

**Section 110.814.75 Contents of Final Development Agreement.** The final development agreement shall include, but shall not be limited to, the information as required by this section. If a site plan was approved as part of the development agreement, the final development agreement shall consist of a final site plan which substantially complies with the adopted site plan. If a site plan was not included as part of the development agreement, a site plan prepared pursuant to this article shall be required. If any of the other information required by this section was adopted as part of the preliminary development agreement pursuant to this article, it shall be included in the final development agreement as approved therein.

- (a) Development Agreement. The development agreement as described in this article under "Contents of a Preliminary Development Agreement," and approved pursuant to this article under "Action by Board".
- (b) Legal Agreements. The substance of covenants, grants or easements, or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities approved pursuant to this article.

- (c) Plan. A final site plan that is consistent with the approved site plan or, if no site plan has been approved, an original site plan, either of which shall comply with the provisions of this article.
- (d) Installation and Maintenance. A program for the installation and maintenance of parking areas, lighting, landscaping, infrastructure, utilities and recreational facilities.
- (e) Open Space Resources. A program for the protection of open space resources.
- (f) Development Schedule. A development schedule indicating:
  - (1) The approximate date for the start of construction; and
  - (2) The phases, if any, in which the land subject to the development agreement will be built and the approximate dates for the completion of each phase.
- (g) Development Standards Handbook. A development standards handbook that provides development standards for the following:
  - (1) Architectural style;
  - (2) Energy supply and conservation;
  - (3) Land grading, erosion and flood control;
  - (4) Natural hazards;
  - (5) Fire protection, security services and medical services;
  - (6) Housing supply;
  - (7) Water supply, treatment, storage, conservation and reuse;
  - (8) Wastewater treatment;
  - (9) Maintenance and enhancement of air quality;
  - (10) Wildlife and fisheries preservation;
  - (11) Historic, cultural and archaeological resources preservation;
  - (12) Recreational amenities;
  - (13) Open space provision and maintenance;
  - (14) Financial assurances for the development of the property and provision of services;
  - (15) Phasing of development;
  - (16) Procedures for the implementation of the development standards and amendment of the development standards handbook;

- (17) Documentation verifying the development agreement approval, including reductions of all maps/drawings approved by the Board of County Commissioners as part of the approval of the preliminary development agreement; and
  - (18) Such other information which may be required by the Director of Community Development.
- (h) Other. Any optional contents included in the preliminary development agreement pursuant to this article, and any additional material required pursuant to any terms or conditions of approval of the preliminary development agreement.

**Section 110.814.80 Approval Procedures for Final Development Agreement.** The final development agreement shall be approved in accordance with this section. In order to approve a final application, the Director of Community Development shall find that the final development agreement is in substantial compliance with the approved preliminary development agreement. If it is not in substantial compliance, the proposed final development agreement must be modified to bring it into compliance or the development agreement shall be amended pursuant to this article. The Director of Community Development shall find that the development agreement required in Section 110.814.80(a) is the same development agreement as approved pursuant to Section 110.814.70 and has not changed.

- (a) Application. An application for final development agreement approval may be submitted for all the land included in a development agreement or for a portion of the land, if so provided in the approved preliminary development agreement. The application must be completed and submitted to the Department of Community Development within the time limit established as part of the approval of the preliminary development agreement.
- (b) Process. The final development agreement shall be reviewed by the Director of Community Development and executed by the Board of County Commissioners. Any action by the Director of Community Development may be appealed pursuant to this article.
- (c) Plan in Substantial Compliance. If the applicant submits a final development agreement containing a site plan purporting to be in substantial compliance with the approved site plan, the Director of Community Development shall determine if it is in substantial compliance with the site plan in the approved preliminary development agreement. In making this determination, the following criteria shall be used to determine if the second site plan is in substantial compliance with the approved site plan:
  - (1) The proposed gross residential density or intensity of use is not changed;
  - (2) The proposed ratio of residential to nonresidential use is not changed;
  - (3) The area set aside for common open space is not reduced or the area is not substantially relocated;
  - (4) The floor area proposed for nonresidential use is not increased;
  - (5) The total ground area covered by buildings and the height of buildings is not increased; and

- (6) The plan provisions are consistent with the adopted preliminary development agreement.

**Section 110.814.85 Recordation of Approved Final Documents.** A final development agreement which has been given approval by the County shall be certified without delay by the County and filed in the Office of the County Recorder before any development occurs in accordance therewith. Upon recordation, the development agreement binds all parties and their successors in interest for the duration of the agreement.

**Section 110.814.90 Periodic Review.** The Director of Community Development shall cause the development agreement to be reviewed every twenty-four (24) months on the anniversary date of its adoption, until such time as the development is complete. A more frequent review may be undertaken at the direction of the Planning Commission or Board of County Commissioners.

- (a) Good Faith Compliance. As part of the review, the applicant or successor in interest shall be required to demonstrate good faith compliance with the terms of the development agreement.
- (b) Termination or Modification. If the County finds and determines, on the basis of substantial evidence, that the applicant or successor in interest has not complied in good faith with the terms and/or conditions of the development agreement, the County may take action to terminate or modify the development agreement.
- (1) Action to terminate or modify a development agreement may be initiated only by the Planning Commission or Board of County Commissioners.
- (2) No action to terminate or modify a development agreement shall be taken without a public hearing noticed pursuant to this article.

**Section 110.814.95 Amendment or Cancellation of Development Agreement.** A development agreement may be amended or canceled, in whole or in part, by mutual consent of the parties to the agreement or their successors in interest, as set forth in this section.

- (a) Notice of Intention. Notice of intention to amend or cancel any portion of the development agreement must be published in a newspaper of general circulation in Washoe County.
- (b) Approval of Amendment or Cancellation. The Board of County Commissioners may approve an amendment to the development agreement by ordinance if the amendment is consistent with the Comprehensive Plan, including the area plans. The Board of County Commissioners may approve a cancellation of a development agreement if it determines that to do so is in the best interests of the County.
- (c) Recordation of Amendment or Cancellation. The original of the amendment or cancellation shall be certified without delay by the County and filed in the Office of the County Recorder.