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Summary: Amends Washoe County Code Chapter 110 by revising provisions related to final subdivision maps.

BILL NO. _____

ORDINANCE NO. _____

Title:

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 610 FINAL SUBDIVISION MAPS, TO MODIFY VARIOUS SECTIONS IN ORDER TO CLARIFY REQUIREMENTS RELATED TO FINAL SUBDIVISION MAPS. THESE AMENDMENTS INCLUDE REQUIRING EACH FINAL MAP SUBMISSION TO CONTAIN A MINIMUM OF 5 LOTS AND SPECIFYING WHAT TYPE OF PARCELS COUNT TOWARD THE 5 LOT MINIMUM; UPDATING LANGUAGE TO ENSURE COMPLIANCE WITH THE NEVADA REVISED STATUTES; ADDING THE REQUIREMENT FOR A WATER SUPPLIER CERTIFICATE ON THE FINAL MAP WHEN SERVED BY A GENERAL IMPROVEMENT DISTRICT; PROVIDING THAT AN ACCEPTABLE FINANCIAL ASSURANCE DOCUMENT MAY BE UTILIZED IN LIEU OF A FAITHFUL PERFORMANCE BOND; INCREASING THE NUMBER OF DAYS FOR THE INITIAL FINAL MAP SUBMITTAL FROM 60 TO 120 DAYS PRIOR TO THE FINAL DATE TO PRESENT THE MAP TO THE DIRECTOR OF PLANNING AND BUILDING FOR SIGNATURE; REMOVING THE REQUIREMENT FOR A PHASING PLAN; FURTHER CLARIFYING THE TIMING REQUIRMENTS FOR THE PRESENTATION DATE FOR THE FIRST FINAL MAP AND ALL SUCCESSIVE FINAL MAPS; AND UPDATING THE NAMES OR TITLES OF PUBLIC OFFICERS AND AGENCIES AS WELL AS THE NAMES OR TITLES OF CERTAIN REFERENCED REPORTS/STUDIES AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

WHEREAS:

- A. This Commission desires to amend Article 610 Final Subdivision Maps of the Washoe County Development Code (Chapter 110 of the Washoe County Code) in order to revise provisions related to final subdivision maps; and
- B. The Washoe County Planning Commission held a duly noticed public hearing for WDCA24-0007 and initiated the proposed

amendments to Washoe County Code Chapter 110, Article 610, by Resolution Number 25-02 on February 4, 2025; and

- C. The amendments and this ordinance were drafted in concert with the District Attorney; and
- D. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in NRS Chapter 278; and therefore, it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Section 110.610.05 of the Washoe County Code is hereby amended to read as follows:

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 for a series of final maps, with each map in the series of final maps containing a minimum of 5 lots. For the purpose of this section, the 5 lot calculation shall not include ancillary parcels such as those designated for common area, common open space, roadways, or parcels created for utility/sewer use.

SECTION 2. Section 110.610.10 of the Washoe County Code is hereby amended to read as follows:

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, and affidavits, certificates and acknowledgements must also be legibly stamped or printed upon the map with permanent black 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 3. Section 110.610.15 of the Washoe County Code is hereby amended to read as follows:

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 not

immediately adjacent to the area shown on the map and the proposed use of lots. The final map 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 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 Flood Insurance Rate Maps (FIRMs) or the Flood Insurance Study (FIS), or as shown in a hydrologic study accepted by the County Engineer, 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 (active) 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; and
- (h) Easements. All easements approved on the tentative subdivision map.

SECTION 4. Section 110.610.20 of the Washoe County Code is hereby amended to read as follows:

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.

- (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.

..... License Number and Stamp
(Name of Surveyor)

- (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) Water Supplier Certificate. When the water service for a subdivision is provided by a general improvement district (GID), a certificate by the applicable water supplier indicating that the final map is approved concerning the availability of water which meets applicable health standards and is available in sufficient quantity for the reasonably foreseeable needs of the subdivision.
- (g) Certificate of Director of Planning and Building. A certificate by the Director of Planning and Building stating that the final map was approved.
- (h) 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 Chapter 278.
- (i) 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.
- (j) Utility Companies' Certificate. A certificate by the appropriate public utility and (CATV) television companies that the shown utility easements have been checked and approved.
- (k) Certificate of Water and Sewer Resources of Community Services Department, Engineering and Capital Projects Division. A certificate for execution by the Community Services Department, Engineering and Capital Projects Division, stating that the provisions of Article 422, Water and Sewer Resource Requirements, related to the dedication of water resources have been satisfied.
- (l) Certificate of Director of Planning and Building. A certificate for execution by the Director of Planning and Building 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 conditions of approval; and accepting or rejecting any or all offers of dedications offered to Washoe County by the subdivider. If the final map includes a merger of pre-existing lots and the re-subdivision of those lots, the certificate shall acknowledge that any

public streets, easements or utility easements that will not remain were abandoned pursuant to Article 806.

SECTION 5. Section 110.610.25 of the Washoe County Code is hereby amended to read as follows:

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 or a tentative subdivision map's conditions of approval, 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 County Engineer.

- (a) Acceptance of Dedication. The County Engineer 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 6. Section 110.610.30 of the Washoe County Code is hereby amended to read as follows:

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

- (a) Required Improvements. The subdivider shall improve at their own expense, within a stated time, all land offered for dedication 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 Utilities 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 Washoe County Regional Transportation Commission's latest Regional Transportation 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 adopted by Washoe County and

be designed in accordance with Washoe County Construction Standard Details unless an alternative method of street surfacing is approved 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 7. Section 110.610.35 of the Washoe County Code is hereby amended to read as follows:

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 their 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 the subdivider 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 they have 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 Planning and Building 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 8. Section 110.610.40 of the Washoe County Code is hereby amended to read as follows:

Section 110.610.40 Guarantee of Completion. Each subdivision improvement agreement made by the subdivider shall be accompanied by an acceptable financial assurance document, faithful performance bond or other satisfactory guarantee of completion insuring the faithful performance of all work. The penal sum of the financial assurance document shall be in a sum which in the opinion of the County Engineer equals the cost, plus a contingency amount, of the improvements necessary to return the project site to a safe and sustainable condition 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 financial assurance to be forfeited in the amount necessary to return the project site to a safe and sustainable condition until development resumes on the project site. If a security was previously posted to guarantee completion of improvements for two or more contiguous parcels and those improvements will not be completed because of a merger and subsequent re-subdivision pursuant to this article, a credit on a pro-rata basis of the security posted by the owner shall be credited toward the financial assurance required for the map re-subdivision.

SECTION 9. Section 110.610.45 of the Washoe County Code is hereby amended to read as follows:

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 one hundred twenty (120) days prior to the final date for presenting a final map for signature by the Director of Planning and Building as specified in section 110.610.50(a), the subdivider shall submit electronically to the County Engineer:
- (1) The proposed final map;
 - (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 as required by Section 110.610.40.
- (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 Washoe County's.
- (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 Planning and Building Division. The County Engineer, following their review and approval, shall transmit the map to the Planning and Building Division for its ~~their~~ review and approval. The subdivider shall make corrections and/or additions until acceptable to the Community Services Department.

SECTION 10. Section 110.610.50 of the Washoe County Code is hereby amended to read as follows:

Section 110.610.50 Presentation of Final Map to the Director of Planning and Building for Approval. The approval procedures for final maps shall be as set forth in this section.

- (a) Presentation of First Final Map. In accordance with NRS 278.360, ~~t~~The subdivider shall present to Washoe County, for signature by the Director of Planning and Building, a final map, prepared in accordance with the approved tentative map, for the entire area for which a tentative map has been approved, or for the first of a series of final maps, which cover a portion of the approved tentative map, within four years after the date of approval of the tentative map.
 - (i) For the purpose of meeting the timing requirements of NRS 278.360, "shall present" is defined as the date the final map is presented to the Director of Planning and Building for the Director's final approval and signature.
- (b) Presentation of Successive Final Maps in a Series. In accordance with NRS 278.360, the subdivider shall present to Washoe County, for signature by the Director of Planning and Building, a successive final map, prepared in accordance with the approved tentative map, for either the remainder of the area for which a tentative map has been approved, or for the next map in a series of final maps, each covering a portion of the approved tentative map, within two years of the anniversary date that the first map in the series of final maps was recorded.
 - (i) In accordance with NRS 278.360, the "anniversary date" is the date of recordation of the first final map in a series of final maps.
 - (ii) For the purpose of meeting the timing requirements of NRS 278.360, "shall present" is defined as the date the final map is presented to the Director of Planning and Building for the Director's final approval and signature.

- (iii) Following presentation of each subsequent final map, the expiration date shall be extended by no less than two years from the anniversary date.
- (iv) The applicant may submit a request to the Planning Commission to extend the deadline for the presentation of any final map for no more than two years. Only one extension shall be granted per each final map.
- (c) Mylar Requirements. When presenting a final map for signature by the Director of Planning and Building, the subdivider shall submit to the Community Services Department 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 statements 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.
- (d) Approval and Recording of Final Map. Upon notification by the County Engineer that the final map is correct and upon receipt of all required certificates and submittals, the Director of Planning and Building shall approve the map if it conforms to all the requirements of NRS Chapter 278, the provisions of this Development Code, and the tentative map's conditions of approval. This approval shall include acceptance of financial assurances, subdivision agreements and offers of dedication. Upon approval by the Director of Planning and Building, the map shall be returned to the County Engineer for recording as soon as practicable in the Office of the County Recorder.
- (e) Time Limits. The time limits set forth in this section are suspended for the following circumstances:
 - (1) 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.
 - (2) If a decision by the County Engineer or Director of Planning and Building to deny or impose requirements on the final map is appealed, the time limit for presenting a final map to the Director of Planning and Building for final approval of the map is extended to ten (10) days after the date of the a hearing by the Board of County Commissioners or ten (10) days after the district court's decision if the Board of County Commissioners' decision is appealed to the district court, or as otherwise agreed to by the parties.
 - (3) The time limit for presenting a final map to Washoe County 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.
- (f) Water Meters. The Director of Planning and Building 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.
- (g) Fees. Fees applicable to final maps shall be as established by the Board of County Commissioners through separate ordinance.
- (h) Appeal. A decision of the County Engineer or the Director of Planning and Building 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 County Engineer or

Director of Planning and Building by submitting the appropriate form and fee to the Community Services Department.

- (1) The Community Services Department shall schedule an appeal hearing to be held before the Board of County Commissioners within sixty (60) days of the submittal of a complete appeal form and fees.
- (2) The Board of County Commissioners may approve or deny the action appealed related to the final map within sixty (60) days of the filing of the appeal with the Community Services Department. In the case of a tie due to the absence of a member, the appeal hearing shall be continued to a future meeting unless requested otherwise by the appellant. Final action by the Board of County Commissioners is considered final for the purposes of judicial review.

SECTION 11. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date:

Proposed on _____ (month) _____ (day), 2025.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2025.

Vote:

Ayes:

Nays:

Absent:

Alexis Hill, Chair
Washoe County Commission

ATTEST:

Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the 18th day of the month of April of the year 2025.