

BILL NO. 86-9

PAHRUMP TOWN ORDINANCE - SUBDIVISION ORDINANCE

PAHRUMP TOWN ORDINANCE NO. 22

THE PAHRUMP TOWN BOARD finds as follows:

WHEREAS, there is now no official subdivision ordinance of the unincorporated Town of Pahrump; and

WHEREAS, there are no formal rules for subdividing property of the unincorporated Town of Pahrump; and

WHEREAS, all of the above are needed by the unincorporated Town of Pahrump to ensure proper and orderly growth;

NOW, THEREFORE, the Pahrump Town Board pursuant to the authority of Nevada Revised Statutes, Chapter 269 and Senate Bill 463 (1985), does ordain:

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PAHRUMP TOWN ORDINANCE - THE PAHRUMP SUBDIVISION ORDINANCE

PAHRUMP TOWN ORDINANCE NO. 22

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BILL NO. 86-9

PAHRUMP TOWN ORDINANCE - THE PAHRUMP SUBDIVISION ORDINANCE

PAHRUMP TOWN ORDINANCE NO. 22

- 22.000 TITLE. AN ORDINANCE DESIGNATING THE TOWN BOARD OF THE UNINCORPORATED TOWN OF PAHRUMP AS THE SOLE APPROVAL AUTHORITY FOR THE SUBDIVISION OF LAND WITHIN THE TOWN; SETTING FORTH THE REQUIREMENTS FOR SUCH DIVISION; STATING THE DEVELOPMENT STANDARDS REQUIRED FOR THE SUBDIVISION, INDIVIDUAL LOTS, AND STREETS, RIGHTS-OF-WAY, AND MONUMENTS AND BENCHMARKS; REQUIRING ROAD IMPROVEMENT AND UTILITY AGREEMENTS; SETTING FORTH STANDARDS AND REQUIREMENTS FOR TENTATIVE AND FINAL MAPS; AND STATING THE APPROVAL PROCEDURES.
- 22.010 SHORT TITLE. The title by which this ordinance shall be known is the "Pahrump Subdivision Ordinance."
- 22.100 DEFINITIONS.
- 22.101 COUNTY. "County" means the County of Nye, State of Nevada.
- 22.102 FINAL MAP. "Final Map" means a map prepared in accordance with the provisions of this ordinance and NRS 278.010 to 278.630, inclusive.
- 22.103 IMPROVEMENT. "Improvement" means such street work and utilities to be installed on land dedicated for streets and easements as are necessary for general use of property owners in the subdivision and local neighborhood traffic and drainage needs.
- 22.104 PARCEL MAP. "Parcel Map" means a map prepared in accordance with NRS 278.461, 278.462, and 278.467 inclusive, and such Pahrump Ordinances as may be in force.
- 22.115 RIGHT-OF-WAY. "Right-of-way" includes all public and private rights-of-way and shall include all areas required for public use in accordance with any master plan or parts thereof.
- 22.118 STATE. "State" means the State of Nevada.
- 22.121 STREETS. "Streets" includes streets, avenues, boulevards, roads, lanes, alleys, viaducts, public easements and rights-of-way, and other ways.
- 22.124 SUBDIVIDER. "Subdivider" means a person, firm, corporation, partnership or association who causes land to be divided into a subdivision for himself or for others.
- 22.127 SUBDIVISION. "Subdivision" is as defined in NRS 278.320.
- 22.130 TENTATIVE MAP. "Tentative Map" means a map made for the

purpose of showing the design of a proposed subdivision and the existing conditions in and around it.

- 22.133 TOWN. "Town" means the unincorporated Town of Pahrump.
- 22.136 TOWN BOARD. Means the "Town Board" of the unincorporated Town of Pahrump.
- 22.139 TOWN CLERK. "Town Clerk" means the Town Clerk of the unincorporated Town of Pahrump.
- 22.200 GENERAL REQUIREMENTS - SUBDIVISION OF LAND
- 22.210 COMPLIANCE WITH THE STATE AND COUNTY LAW. All subdivisions within the Town in order to be approved, must be in compliance with NRS 278.010 through 278.630, inclusive, and Title 16 of the Nye County Code.
- 22.220 APPROVAL BY THE PAHRUMP TOWN BOARD REQUIRED. Effective with this ordinance, the Pahrump Town Board shall be the approval authority for all divisions of land within the Township.
- 22.221 APPROVAL OF SUBDIVISIONS DEPENDENT ON BENEFIT TO THE TOWN, RESIDENTS, AND GENERAL PUBLIC. The Pahrump Town Board shall approve or disapprove the subdivision of land based solely on its benefit or detriment to the Town and its residents as well as the public at large. Approval shall not be granted under conditions that favor the economic interests of the subdivider, while creating conditions unfavorable to the Town, its residents or the general public with regard to an adequate potable water supply, availability and accessibility to utilities, streets and their utility, drainage, flood control, recreation areas, government facilities, public health and safety, rights and utility of property, protection of the environment, conformity with zoning ordinances and the master plan, and considerations of physical layout and land characteristics. All of the above considerations shall be weighed together to determine whether approval shall be granted but approval shall not be unreasonably withheld from the subdivider.
- 22.222 DISAPPROVAL IF REAL PROPERTY TAXES DELINQUENT. No tentative or final map for a proposed subdivision shall be approved if real property taxes are delinquent. A certificate from the Nye County Treasurer that taxes are current shall be submitted with both maps.
- 22.223 STREET ADDRESS ASSESSMENT. No tentative map for a proposed subdivision shall be approved if the street address assessment has not been paid and a Certificate to that effect from the Town Clerk submitted with the tentative map.
- 22.230 SUBDIVISION NOTIFICATION TO LIEN AND MORTGAGE HOLDERS. The subdivider shall submit proof that he has notified all lien and mortgage holders of record by certified mail of the

proposed subdivision at least ten (10) days prior to the submission of the final map for the subdivision to the Pahrump Town Board. The subdivider shall submit with the final map a list of all lien or mortgage holders presented by a title company. If no lien or mortgage holders exist, such shall be verified in writing by a title company.

22.240

**ALL OWNERS MUST APPROVE REQUEST FOR SUBDIVISION.** All owners of the land must sign a statement requesting the subdivision, and such statement must be submitted with the tentative map. All owners shall sign a Certificate, to be submitted with the final map, which:

(a) Consents to the preparation and recording of the final map; and

(b) Offers for dedication that part of the land which the person wished to dedicate for public use, subject to any reservation contained therein; and

(c) Reserves any parcel from dedication; and

(d) Grants any permanent easement for utility installation or access, as designated on the final map, together with a statement approving such easement, signed by the public utility or person in whose favor the easement is created or whose services are required.

The subdivider shall also submit with the final map a title company verification that each owner of record of the land to be subdivided has signed the owners' Certificate, and that all who have so signed are owners of record of the land.

If more than two (2) persons are owners of record of the land to be subdivided, they may appoint one (1) person by power(s) of attorney to sign for them all. Such power(s) of attorney must be submitted with the statement requesting the subdivision and with the final map.

22.250

**INTERRUPTION OF DRAINAGE AND FLOOD CONTROL CHANNELS BY SUBDIVISION PROHIBITED.** No subdivision shall be approved if the intended improvements shall interrupt natural drainage or flood control channels, unless such interruption is adequately compensated for in the subdivision plan. It is the responsibility of the subdivider to prove that such compensation is adequate, and such proof shall be presented in written form with the final map.

22.260

**SCOPE AND MODIFICATION OF PROVISIONS.** The provisions of this ordinance are to be considered minimum requirements and are not intended to repeal or abrogate any other law or restrictions of record on land. In each case the greater restriction of all of them shall apply. When strict conformance with the provisions of this ordinance are impractical, the Pahrump Town Board may allow modifications

which are not in violation of this title or other law, provided however that such modifications are not to the detriment of the citizens of the Town or the general public at large.

- 22.270 **CONFORMITY WITH THE MASTER PLAN.** The division of land and dedication of streets and rights-of-way and other lands and rights-of-use to governmental units or agencies of same, shall conform in all respects to the master plan, if such exists.
- 22.280 **LIABILITY FOR DAMAGE DURING CONSTRUCTION.** The subdivider shall sign a statement that during the entire period of construction, the Town will be held harmless by the subdivider for any damage occurring within the subdivision or adjacent areas as a result of his activities.
- 22.300 **DEVELOPMENT STANDARDS**
- 22.310 **GENERAL CONSIDERATIONS.** In the subdivision of land lying wholly or partially within the Town, no tentative or final map shall be approved by the Pahrump Town Board unless the maps indicate full compliance with the requirements of section 22.300, (DEVELOPMENT STANDARDS).
- 22.320 **SIZE OF LOTS.**
- 22.321 **STATE AND COUNTY REQUIREMENTS - LOT SIZE.** Lot sizes and other requirements imposed by the State or County, or any agency thereof, are considered by the Town of Pahrump to be minimum standards. Where Town requirements exceed those of the State or County, the Town requirements pertain.
- 22.322 **LOTS - MINIMUM SIZE.** The size and shape of lots shall be in conformance with any zoning existent at the time of submission of the subdivision final map of the subdivision, but shall not be less than;
- (a) Sixty (60) feet in width, except corner lots which must be seventy (70) feet.
  - (b) Six thousand (6000) square feet in area;
  - (c) Eighty (80) feet in depth.
- All lots shall be generally rectangular with depth not to exceed three (3) times the average width. Exceptions may be granted in the case of commercial, industrial, or agricultural use as to relationship between depth and width. Cul-de-sac lots must be of sufficient size and shape to be usable for the purpose intended.
- 22.323 **LOT SIZE - ON-SITE SEPTIC SYSTEM.** If individual sewage disposal systems are to be used, the minimum lot size for residential lots shall be fifteen thousand (15,000) square

feet inclusive of streets to be offered for dedication or already offered or accepted for dedication.

22.324 **LOT SIZE - ON-SITE SEPTIC AND WATER SYSTEM.** If individual sewage disposal systems and water systems are to be used, the minimum lot size for such lots shall be forty-three thousand five hundred sixty (43,560) square feet, exclusive of streets to be offered for dedication or already offered or accepted for dedication.

22.330 **SEWER AND WATER PLACEMENT - LOTS LESS THAN SEVENTY-FIVE THOUSAND (75,000) SQUARE FEET.** The design of lots containing less than seventy-five thousand (75,000) square feet on which either on-site sewer or water systems, or both, are intended shall comply with the following rules, which shall be included in the deed restrictions if applicable:

(a) The tentative and final maps shall show areas on each lot, within which an on-site septic tank and water well may be installed, built, or drilled. Such designated areas must be in compliance with all state, county, and town statutes, ordinances, and regulations. These shall, by deed restriction, be the only areas in which such septic tanks and wells shall be placed. Such designated areas must take into account any existing septic systems and wells exterior to but within one hundred (100) feet of the perimeter of the land to be subdivided, as well as any existing wells and septic systems within the area to be subdivided.

(b) No part of the septic tank or leach area shall be within ten (10) feet of any property line or within twenty (20) feet of any domestic water line, or within twenty (20) feet of any irrigation line or sprinkler system or other outside water line or tap connected with a water source that is not equipped with an anti-siphon device adequate to ensure that the domestic water system is not contaminated.

(c) No lot shall be designed in such a manner that compliance with these rules shall preclude compliance by an adjacent property owner whether within the area of land to be subdivided or not.

(d) No lot shall be designed where compliance with these rules is not possible due to existing wells, septic systems, and water lines on the lot itself or on adjacent property.

22.340 **DESIGN OF LOTS.**

22.341 **FRONTAGE.** The frontage of any lot on a public street shall not be less than seventy-five (75) percent of its average width. Exception may be made in case of land to be used for commercial, industrial, or agricultural purposes, or for cul-

de-sac lots, or where topographical features make such frontage impossible. However, such exceptions shall not result in any lot having less than a forty (40) foot frontage on a street. In no case shall this subsection be used to create a lot or parcel which would be landlocked except for a right-of-way to a public street.

- 22.343 **LOTS ABUTTING A TOWN BOUNDARY.** No lot shall be divided by a Town boundary.
- 22.344 **SET-BACK LINES.** Set-back lines shall be shown on the final map and shall apply to all permanent structures, excepting fences and perimeter walls. Permanent structures shall include both built-in-place structures and manufactured units or buildings to be set in place for other than storage of the unit itself. Minimum set-back requirements are:
- (a) Sideyards shall be not less than ten (10) percent of the lot width along both side perimeters of the lot, except that no side set-back shall be required by the Town that exceeds twenty (20) feet.
  - (b) Front and rear set-backs shall not be less than twenty-five (25) feet for the primary structure.
- 22.345 **OFF-STREET PARKING.** Lot design shall be such that, considering building setbacks, sufficient off-street parking for the lot's intended purpose is possible. In the case of residential use, this shall be a minimum of two (2) parking places per living unit.
- 22.346 **USABLE AREA FOR RESIDENTIAL STRUCTURES.** Lot size and design shall be such that after applying set-back and off-street parking requirements, a rectangular block of not less than twelve hundred (1200) square feet with a minimum width of sixteen (16) feet shall remain on which may be placed a residential structure.
- 22.347 **SIDE LINES.** The side lines of all lots, so far as possible, shall be straight and shall be at right angles to the street which the lot faces, radial or approximately radial if the street is curved.
- 22.350 **STREETS AND ALLEYS**
- 22.351 **SUBDIVISION AND STREET NAMES.** The Pahrump Town Board shall have the authority to require subdivision and street names to be proposed by the subdivider.
- 22.352 **STREET INTERSECTIONS.** The intersection of streets shall be as close as possible to ninety (90) degrees, but in no case less than sixty (60) degrees. The dedication of street rights-of-way shall include a rounded corner at each street intersection of not less than twenty-five (25) feet radius and the improvement of the street, as regards width, shall be

commensurately increased. Street offsets shall not be less than one hundred twenty-five (125) feet between center lines.

22.353 **ALLEYS.** Alleys are not required within the Town, but when included in the design of the subdivision shall be offered for dedication. Alleys shall be at least twenty (20) feet in width, shall be improved with at least six (6) inches of approved road gravel and the finished grade shall be the same as the natural grade of the adjoining lots unless the alley is intended to serve as a device for run-off or flood control.

22.354 **BLOCKS.** No block between cross-streets shall be longer than thirteen hundred twenty (1320) feet, or one-fourth (1/4) of a section, from centerline to centerline of the cross-streets.

22.360 **MONUMENTS AND BENCHMARKS**

22.361 **MONUMENTS AND BENCHMARKS - GENERALLY.** Monuments and benchmarks shall be set before improvements shall be considered complete. All monuments and benchmarks shall be:

(a) Present and in an undisturbed condition at the time the improvement is accepted.

(b) Of concrete, stone or metal at or below natural grade, except those within a dedicated right-of-way, shall be sufficiently covered or protected to preclude being disturbed by maintenance of the right-of-way.

(c) Of sufficient length to hinder removal but not less than two (2) feet.

(d) Marked or capped with markings, as required by law or good engineering practice.

(e) Shown and identified on the final map of the subdivision.

22.363 **MONUMENTING OF LOTS.** The final map shall not be accepted unless there shall be included in the Road Improvement Agreement sufficient safeguards to ensure that monuments designating each corner of each lot and block within the subdivision shall be installed as roads are completed.

22.364 **PERMANENT MONUMENTS.** Permanent monuments shall be set at all angle and curve points on the exterior boundaries of the subdivision, and in any case at intervals of no less than five hundred (500) feet. Monuments shall also be set at the points of intersection of street right-of-way center lines, or at the beginning or end of curves on such intersecting right-of-way center lines.

22.365 **PERMANENT BENCHMARKS.** Permanent elevation benchmarks referring to an approved datum may be required by the Town to

be set at street intersections at an approved location.

22.366 **COVERING BENCHMARKS AND MONUMENTS.** Benchmarks and monuments must not be covered in a manner that prevents their exposure. If to be covered, as by hard surfacing a street, a metal box shall be installed around it with a lid or cap flush with the finished surface.

22.400 **STREETS AND HIGHWAYS**

22.410 **CONFORMITY OF PROPOSED AND EXISTING STREETS.** Proposed streets shall provide for the direct continuation of the centerline of the principal existing streets and highways adjacent, adjoining, or through the area to be subdivided. Streets shall conform, insofar, as allowable by topographical conditions, to the existing traffic pattern of the surrounding area and that included in the master plan. Lesser streets and rights-of-way shall be in conformity with the intended use of the land after subdivision, and professional design and planning principals.

22.411 **STREET NAMES.** Streets that are extensions of, or are obviously in alignment with, existing streets shall bear the names of the existing streets. The names of new streets shall be subject to the approval of the Pahrump Town Board and shall not duplicate or bear undue resemblance to existing street names except as provided above.

22.420 **RESERVE STRIPS PROHIBITED.** Narrow parcels, lots, or reserve strips controlling access to streets or highways from adjoining property are prohibited.

22.430 **STREET WIDTHS AND GRADES**

22.431 **STREET RIGHTS-OF-WAY - GENERALLY.** Major arteries, including section line streets, shall not be less than eighty (80) feet in width. Lesser streets, including quarter (1/4) section and sixteenth (1/16) section streets, shall not be less than sixty (60) feet in width. The requirement for a sixty (60) foot right-of-way may be modified to a lesser width by the Pahrump Town Board if such reduction is in the best interest of the Town or if such lesser width would be in conformity with existing rights-of-way for which the proposed street is a continuation. In no case shall streets less than forty (40) feet in width be permitted. All streets shall be offered for dedication to the Town of Pahrump. Such offer shall be in the form of a Certificate on the final map.

22.432 **HALF (1/2) ROADS.** Street easements along the perimeter of the land to be subdivided shall be offered for dedication if such perimeter shall lie along a section line, quarter (1/4) section line, or sixteenth (1/16) section line; or if the master plan indicates such road to be necessary, or if such road shall be necessary to provide adequate rights-of-way for access to other lands either developed or

undeveloped. Such easements shall be one-half (1/2) the width of the total easement which would be required if such street would be an interior street of the subdivision. If a half (1/2) road easement already exists along the perimeter of the land to be subdivided, but exterior to such land, the subdivider shall offer a perimeter road easement no less than the existing easement.

- 22.433 **STREET GRADES.** Street grades shall not exceed seven (7) percent unless topographical conditions make grades in excess of seven (7) percent necessary. On primary and secondary streets and roads, grades shall not exceed six (6) percent.
- 22.450 **DEAD-END STREETS.** When necessary to give access or to permit a satisfactory subdivision of adjoining land, streets shall continue through to the boundary of the property and the resulting dead-end streets may be approved without a turnaround, provided they are no less than sixty (60) feet in width. In all other cases, an improved turn-around having a diameter of not less than forty-five (45) feet shall be provided.
- 22.451 **CUL-DE-SACS.** Cul-de-sacs shall have an improved turn-around with a minimum radius of fifty (50) feet.
- 22.460 **AGRICULTURAL AND INDUSTRIAL USES.** The Town recognizes that land subdivided for agricultural and industrial use may require exceptions to provisions of this ordinance. Such special circumstances shall be considered if the resulting units of land are not less than ten (10) nominal acres in size, inclusive of rights-of-way.
- 22.500 **STREET IMPROVEMENTS**
- 22.510 **STREET IMPROVEMENTS REQUIRED.** It is the intent of the Town that as a condition of subdividing land, streets shall be improved at least to the Town of Pahrump's specifications at the expense of the subdivider. Street improvements and their timing shall be such that a logical continuity with existing improved rights-of-way shall be maintained. The street work required will be that necessary for the general use of the lot owners, local neighborhood traffic, drainage needs, flood control, and furtherance of the aims of the master plan of the Town.
- 22.511 **GRAVELING OF ROADS.** A minimum condition shall be the graveling of roads to a minimum compacted depth of six (6) inches of suitable material of which at least the top two (2) inches shall be approved Type II. The minimum width of such improvement shall be thirteen (13) feet on both sides of the centerline of the street. The minimum width on section line and quarter (1/4) section line streets shall be fifteen (15) feet on both sides of the centerline of the right-of-way. The improved width of half (1/2) roads that must be improved shall not be less than eighteen (18) feet.

- 22.520 **STREET SPECIFICATIONS. - GENERAL.** All streets shall be constructed to specifications approved by the Town Board.
- 22.521 **DRAINAGE SWALES.** All improved streets shall have drainage swales on both sides of the improved street of sufficient width, depth, and construction to adequately carry off rain water under normal conditions. The depth of the finished drainage swale shall not be less than twelve (12) inches below the natural ground level of the adjoining property or the finished grade of the improved street whichever is of lesser elevation. The maximum depth of the finished drainage swales shall not exceed eighteen (18) inches below natural ground level of the adjoining property or finished street grade whichever is of lesser elevation. Exceptions approved by the Town Board shall be in writing and shall state the reasons for the exception.
- 22.530 **FLOOD CONTROL.** All proposed streets shall be designed and improved in conformity with the flood control plan for the Town.
- 22.540 **TIME ALLOWED FOR COMPLETION OF ROAD IMPROVEMENTS.** Actual improvements of streets shall commence within ninety (90) days after the final approved subdivision map is recorded unless an extension for cause is granted up to one hundred eighty (180) days after recordation. All work shall be fully completed on or before three (3) years after the date of recordation. An extension of one (1) year may be granted for good and sufficient cause, providing that less than twenty-five (25) percent of the lots bordering the incomplete portion have been sold by contract or deed.
- 22.550 **ROAD IMPROVEMENT AGREEMENT REQUIRED.** Prior to submission of the final map to the Pahrump Town Board for approval, the subdivider shall secure a Road Improvement Agreement with the Town of Pahrump. Such Agreement shall include provisions for the monumenting of all lots as stipulated in section 22.363, (MONUMENTING OF LOTS).
- 22.560 **STREET SIGNS.** The subdivider shall provide and install street and traffic control signs acceptable to the Town.
- 22.570 **SUBDIVISIONS OF FIVE HUNDRED (500) ACRES OR MORE.** Notwithstanding anything in this ordinance to the contrary, where the final map contains five hundred (500) or more acres, the subdivider shall have up to seven (7) years to complete street improvements. The schedule of work to be completed shall be approved by the Pahrump Town Board.
- 22.600 **TENTATIVE MAPS**
- 22.610 **TENTATIVE MAPS - SPECIFICATIONS.** All tentative maps shall be prepared in accordance with the provisions of the applicable statutes of the state. Maps shall be twenty-four

(24) by thirty-two (32) inches, and to a scale of not less than one (1) inch equals one hundred (100) feet.

22.620 TENTATIVE MAP - CONTENTS AND EXHIBITS

22.621 TENTATIVE MAPS - CONTENTS. Tentative maps will show:

- (a) The name of the subdivision; and
- (b) The names and addresses of the owners of record, subdivider, and engineer or licensed surveyor; and
- (c) All boundary dimensions showing property lines and essential topographical features and information regarding the land to be subdivided especially areas subject to inundation, and the location, width, and direction of flow of all watercourses, including intermittent water courses. A contour map shall be required when, in the judgement of the Town Board, such a map is needed; and
- (d) All proposed streets and other rights-of-way including width of easement, width and type of road surface, construction detail of drainage swales, approximate radii of curves, and grades; and
- (e) All lots with approximate dimensions thereof and block and lot numbers; and
- (f) Proposed easements and setback lines with dimensions; and
- (g) Existing buildings and other structures, wells and septic systems and their disposition; and
- (h) Proposed parks and areas offered for dedication; and
- (i) Adjacent and abutting streets and rights-of-way, including names, width, and degree of improvement; and
- (j) Adjacent land use including names of subdivisions and approximate size of lots; and
- (k) A vicinity map showing the location of the property to be subdivided; and
- (l) Date, north point, and scale; and
- (m) Profiles shall accompany the maps showing all streets, road grades, and vertical curves; and
- (n) All lots shall be numbered, either by progressive numbers, or, if in blocks, progressively numbered or lettered. All numerical progressions shall start with

the numbers one (1) and progress through each consecutive whole number. All alphabetical progressions shall start with the letter "A" and progress through each letter of the alphabet; and

(o) Each page of the tentative map shall state whether the area mapped is in a flood hazard zone or floodway. If more than one (1) flood hazard zone, or both a flood hazard zone and floodway are involved, the areas of each shall be shown on that page of the tentative map. Such area shall be as shown on the applicable Flood Insurance Rate Map or Flood Hazard Boundary Map; and

(p) All areas not a part of the proposed plat, or intended to remain in private ownership, shall be clearly marked "NOT A PART" or "PRIVATE"; and

(q) Description or diagram showing legal access to the property to be subdivided including condition of such right-of-way with respect to width and condition of improvement.

22.622

**STATEMENTS TO ACCOMPANY TENTATIVE MAP.** The tentative map shall be accompanied by a Preliminary Subdivision Report indicating the following:

(a) Preliminary Title Report of the property to be subdivided; and

(b) The deed restrictions which the subdivider proposes to apply; and

(c) Type of water service, evidence that the water source is sufficient and potable, and evidence that the water source has been or can be legally secured if other than individual domestic wells; and

(d) Type of sanitary sewer service and, if other than individual septic tanks, the method of disposal; and

(e) Location of current electric power lines in the vicinity, distance from nearest points on the subdivision perimeter, what electric line extensions both outside and within the proposed subdivision will be provided by the subdivider, and the estimated cost to the purchaser of the furthest lot for electric line extensions; and

(f) A statement that a copy of the tentative map and accompanying written statements have been submitted to, and reviewed with, if possible, a representative of the Pahrump Town Planning Department. and their findings; and

(g) A map indicating plans for the development of the entire area if the proposed plat is a portion of a larger holding.

22.630 SUBMISSION PROCEDURE

22.631 **SUBMISSION OF TENTATIVE MAP.** The subdivider shall file ten (10) copies of the tentative subdivision map and accompanying statements with the Pahrump Town Board at the Town Office. Each copy shall be marked with the date and time of receipt by an employee or officer of the Town, or member of the Pahrump Town Board.

22.632 **REVIEW BY THE STATE AND COUNTY AGENCIES.** The Pahrump Town Board or an employee of the Town shall forward copies of the tentative map and accompanying statements to:

- (a) Nevada Division of Water Resources; and
- (b) Nevada Division of Environmental Protection; and
- (c) Health Division of the Nevada Division of Human Resources or approved representative; and
- (d) Nevada Highway Department, if the subdivision adjoins a state highway; and
- (e) Nye County Surveyor; and
- (f) Pahrump Town Planning Department; and
- (g) Pahrump Town Clerk.

A statement shall accompany each forwarding, except those to the Pahrump Town Clerk and the Pahrump Town Planning Department, specifying date and method of forwarding and requesting that the agencies file with the Pahrump Town Board within fifteen (15) days of receipt its written comments, and recommending approval, conditional approval, or disapproval and stating the reasons therefor.

22.640 **PHYSICAL STAKING OF PROPERTY TO BE SUBDIVIDED.** Prior to filing the tentative maps, the subdivider shall stake the approximate boundaries of the proposed subdivision in a manner that will allow physical examination of the property by the Pahrump Town Board or a representative thereof. The subdivider shall inform the Pahrump Town Board of the method of staking, and shall maintain the staking until the tentative map is approved or disapproved.

22.650 **ACTS PROHIBITED BEFORE APPROVAL OF TENTATIVE MAP.** Until a tentative map is approved, the subdivider shall not:

- (a) Commence a final survey of any street or lots; or

(b) Commence any grading or construction work upon any proposed street, road, or right-of-way.

- 22.660 PUBLIC MEETING TO BE HELD
- 22.661 PUBLIC MEETING. The Pahrump Town Board will hold a public meeting on the proposed subdivision and within forty-five (45) days of the submission of the tentative map to the Pahrump Town Board, and render a written decision approving, disapproving, or conditionally approving the subdivision.
- 22.662 PRESENCE OF THE SUBDIVIDER OR REPRESENTATIVE REQUIRED. In order for the Pahrump Town Board to adequately review the tentative map of the proposed subdivision, it is the responsibility of the subdivider to have present at the public meeting a person sufficiently knowledgeable in the details of the proposed subdivision to answer questions by the Town Board. If such representative cannot be present, the subdivider or his representative may request a thirty (30) day extension of the forty-five (45) day review period to allow for a public meeting when he or his knowledgeable representative can be present. The Pahrump Town Board may elect to disapprove the tentative map or continue consideration to another date if substantive questions can not be answered at the public meeting.
- 22.670 LIMITATION ON EFFECT OF APPROVAL. Approval or recommendation for approval of a tentative map by any Board or Commission of the Town shall not be binding on the Town Board. Approval or conditional approval of a tentative map shall impose no obligation on the part of the Town Board, or any Board or Commission thereof, to approve a final map or to accept any public dedication shown on the tentative or final maps.
- 22.700 FINAL MAPS
- 22.710 FINAL MAPS - STANDARDS. The final map or survey map shall be prepared and submitted in accordance with the applicable statutes of the State of Nevada. It shall be clearly and legibly drawn upon mylar of good quality. All lines, letters, and figures shall be made in black India ink. The size of each sheet of the map shall be twenty-four (24) by thirty-two (32) inches. Certificates may be printed or stamped in opaque ink. 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. The name, title, or other designation, and all drawings, affidavits, certificates, acknowledgements, endorsements, acceptances of dedication and notary seals shall be within the marginal line.
- 22.720 FINAL MAPS - SCALE AND CONTENTS. The final map shall be drawn to a scale sufficiently large to clearly show all

details, and enough sheets shall be used to accomplish this end. The information shown shall not be less than that required for a tentative map, but in final form.

In addition:

(a) Each sheet shall be numbered, the relation of one sheet to another shall be clearly shown, and the total number of sheets used shall be set forth in the title on each page.

(b) The first sheet shall contain the title conspicuously placed in the lower right-hand corner. Below this shall be a subtitle consisting of a general description of all the property being subdivided, by reference to deeds or maps that have been recorded, or to official United States Surveys.

(c) Maps filed for the purposes of reverting subdivided land to acreage shall be so designated on the title sheet by an appropriate note containing the words, "Map of Vacation," followed by "Reversion to Acreage."

(d) Every sheet comprising the final map shall bear the title (but not the subtitle), scale, north point, and sheet number.

(e) The title sheet shall show, in addition, the basis of bearings, the name of the subdivider as well as the Registered Land Surveyor and/or Professional Engineer, and a location diagram.

(f) The final sheet shall contain such certificates, acknowledgements, endorsements, acceptances of dedication, and notary seals as may be necessary.

(g) The map shall show distance(s) and bearing(s) to a section or quarter-section (1/4) corner.

22.730

**FINAL MAP CERTIFICATES.** The final map shall contain the following:

(a) Certificate of the owner(s), consenting to subdivision; and

(b) Certificate of the owner(s), offering to dedicate streets and other lands; and

(c) Certificate of the County Surveyor, indicating that the map complies with the law; and

(d) Certificate of the County Surveyor, indicating that no property tax liens or assessments stand against the property to be subdivided, and that all taxes

assessed against the subject property for the then current tax year have been paid. No final map may be approved by the Town Board unless the property taxes have been fully paid for the tax year in which the final approval by the Town Board is given; and

(e) Certificate of the Nevada Division of Water Resources that the subdivider is in compliance with their regulations; and

(f) Certificate of the Health Division of the Nevada Department of Human Resources that the subdivision is in compliance with their regulations; and

(g) Certificate from Valley Electric Association that the subdivision is serviceable and that utility easements are sufficient for their needs; and

(h) Certificate from Nevada Bell Telephone Company that utility easements are sufficient for their needs; and

(i) Certificate from any water or sewer utility to be used that the subdivision is serviceable, the easements are sufficient for their needs, and that an agreement between the subdivider and the utility has been signed by both parties; and

(j) Certificate from the Pahrump Town Board, or other person authorized by the Town of Pahrump, that all proposed roads and rights-of-way are within Town of Pahrump specifications for dedication and that a Road Improvement Agreement between the subdivider and the Town has been signed; and

(k) Certificate from the Pahrump Town Clerk indicating conditions of acceptance of streets and rights-of-way by the Town of Pahrump upon approval of the subdivision; and

(l) Certificate from the Pahrump Town Planning Department that the subdivision satisfies all legal requirements within their responsibility or purpose; and

(m) Certificate from the Pahrump Town Board giving final approval for the subdivision.

22.740

**UTILITY AND ROAD IMPROVEMENT AGREEMENTS.** Signed copies of any Utility Service Agreement and Road Improvement Agreement shall be submitted to the Pahrump Town Board with the final map. The Town Board shall require such surety, which may include pledge of land, as it deems necessary to insure

22.750

**DETAILS OF MAP.** The final map shall show at least the following:

(a) Sufficient data to readily determine the bearing and length of every lot line, block line, and boundary line; linear dimensions shall be expressed in feet and decimals of a foot. No ditto marks shall be used.

(b) Lots containing one (1) acre or more must show acreage to the nearest hundredth (100th) of an acre. Both gross and net acres shall be shown.

(c) Length, radius and total delta and length of arc of all centerline curves on streets, and lengths of arc and delta of each curved lot boundary.

(d) For all streets: the name, centerline, total width, and width of the portion being improved.

(e) Location and width of flood control and drainage channels.

(f) Location of utility easements, indicating the utility provided for (including storm drains, sewers, water, electric, and telephone), by fine dotted lines and showing width, lengths, and bearings and sufficient dimensions and ties to locate the easements definitely with respect to the subdivision.

(g) Easements already of record shall be so shown.

(h) Easements to be dedicated with this subdivision shall be so indicated and set out in the Owners Certificate of dedication.

(i) Stakes, monuments, or other evidence found on the ground to determine the boundaries of the subdivision.

(j) The corners of all adjoining subdivisions, portions thereof, or tracts of land contiguous to the boundaries of the subdivision, and shall be identified by lot number, subdivision or tract name and place of record, by section, township and range, or by other proper designation.

(k) All monuments found and making proper references to maps bearing records of surveys of the monuments whenever the centerline of an existing street or alley is established.

(l) Any permanent monuments or property markers placed during the survey and specifying their form and

(m) A worksheet shall be submitted with the final map showing the closure of the exterior boundaries of the proposed subdivision and every block and lot therein. Temperature and tension correction shall be applied to all measured distances in conformance with the standards adopted by the Federal Board of Surveys and Maps.

**22.760 FILING AND APPROVAL PROCEDURE**

**22.761 FILING OF FINAL MAP.** After all Certificates required to be placed on the final map have been signed, except for the approval certificate of the Pahrump Town Board, and where necessary acknowledged, the final map may be filed with the Pahrump Town Board at the Pahrump Town Office. When filing, the subdivider shall file five (5) copies, one (1) each for the:

- (a) County Surveyor
- (b) County Assessor
- (c) Town Planning Department
- (d) County Recorder
- (e) Pahrump Town Clerk

**22.762 APPROVAL OF FINAL MAP.** Within thirty (30) days of filing of the final map, the Pahrump Advisory Planning Board and the Planning Department shall submit to the Pahrump Town Board in writing its recommendations regarding approval of the subdivision. Following such submission, the Pahrump Town Board shall, at their next regularly scheduled meeting at which the subdivision may legally be heard, approve or disapprove the final map. If the decision to disapprove is made, the subdivider and the Pahrump Town Board may mutually agree to postpone the decision until a future certain date to allow the subdivider to amend, correct, or complete his final map. Upon approval, the Pahrump Town Clerk shall sign the approval certificate of the final map.

**22.763 RECORDATION OF APPROVED FINAL MAP.** It shall be the responsibility of the subdivider to record the approved final map on the records of the county.

**22.764 SALES PRIOR TO RECORDATION ARE VOID - EXCEPTION.** Any sale by contract or deed of property being subdivided prior to the recording of the final map by the Nye County Recorder is void; except, following written notice to the Town Board, the subdivider may sell all of the land to be subdivided to one (1) person, or to more than one (1) person if their interests are undivided.

- 22.800      GENERAL PROVISIONS.
- 22.810      **SEVERABILITY.** If any one or more sections, clauses, or parts of an ordinance shall be declared invalid or void, such judgement shall not affect, impair or invalidate the remaining provisions of that ordinance, but shall be confined in its operation to the specific sections, clauses, or parts held invalid or void.
- 22.820      **PROHIBITED ACT IS MISDEMEANOR WHEN NO PENALTY IMPOSED.** Whenever the performance of any act is prohibited by a this ordinance, or is made or declared to be unlawful, or whenever the doing of an act is required by this town ordinance, or the failure to do any act is declared to be unlawful by this ordinance, and no penalty for the violation of such provision is imposed or provided for, then the performance of such act or the failure to perform such act shall be a misdemeanor.
- 22.830      **MISDEMEANOR PENALTIES DESIGNATED.** Any person, firm, or corporation who shall be convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000), or imprisonment in the county jail not to exceed six (6) months, or both such fine and imprisonment.

PROPOSED AMENDMENTS TO SUBDIVISION ORDINANCE

22.230 (Line 7) Replace presented with prepared

Add the following:

22.511 Graveling of Roads--Preparation of Subgrade

The areas where new construction is required shall be scarified, wetted, cultivated and compacted after rough grading has been completed. Ground surfaces shall be loosened to a depth of at least six inches. The loosened material shall then be worked to a finely divided condition and all rocks larger than 4 inches in greatest dimension shall be removed. The moisture content shall be brought to optimum by the addition of water, by the addition and blending of dry, suitable material or by the drying of existing material. The material shall then be compacted to the specified relative compaction.

The top six inches of subgrade material shall be compacted to a relative compaction of 95%, as determined by Method A of AASHTO Designation T-180. Where at least 12 inches of combined base or sub-base material is required, the top six inches of subgrade material shall be compacted to a relative compaction of 90%.

22.512 GRAVELING OF ROADS. A minimum condition shall be the graveling of roads to a minimum water compacted depth of six (6) inches of one and one-half (1 1/2) inches minus. The minimum width of such improvement shall be thirteen (13) feet on both sides of the centerline of the street. The minimum width on section line and quarter (1/4) section line streets shall be fifteen (15) feet on both sides of the centerline of the right-of-way. The improved width of half (1/2) roads that must be improved shall not be less than eighteen (18) feet.

22.610 Add: A filing fee of fifty dollars plus two dollars per proposed lot shall be paid to the Town of Pahrump for each Tentative Map submitted.

22.651 (Line 5) Replace Town Office with Planning Office

22.710 Add: A filing fee of fifty dollars shall be paid to the Town of Pahrump for each Final Map submitted.

22.750 (b) Add: Lots containing less than one acre must show square footage for each lot.

22.761 (line 5) Replace Town Office with Planning Office

22.763 Add: Within one year from date of approval.

NOTICE OF ADOPTION OF BILL NO. 86-9

PAHRUMP TOWN ORDINANCE - SUBDIVISION ORDINANCE

PAHRUMP TOWN ORDINANCE NO. 22

NOTICE IS HEREBY GIVEN that the Pahrump Town Board meeting held on the 28<sup>th</sup> day of October adopted Bill No. 86-9,

Typewritten copies of the ordinances are available for inspection at:

The Office of the Nye County Clerk, Courthouse,

The Office of the Pahrump Town Board, at the Town Center, Pahrump, Nevada.

Board members voting in favor of the adoption:

Deane Lee Stiles      Barbara  
Charles Connolly      \_\_\_\_\_

Board members voting against the ordinance:

\_\_\_\_\_

1st This ordinance shall be in full force and effect on the 1<sup>st</sup> day of November, 1986. After publication in a newspaper having general circulation in the Town of Pahrump, Nevada, at least once a week for a period of two weeks.

DATED this 28<sup>th</sup> day of October

PAHRUMP TOWN BOARD

BY: Charles Connolly  
CHAIRMAN

Publish: PV Times  
Date: Nov. 20<sup>th</sup>, 1986