

## ***Chapter 39 SUBDIVISION REGULATIONS***

### **11-39-1. GENERAL REGULATIONS.**

- A. *Authority.* This Chapter is adopted pursuant to the Planning and Zoning Act of the State of Nevada and to any other authority provided by law or as such statutes may be amended. The provisions of this Chapter are in addition to the regulations of the Planning and Zoning Act of the State of Nevada and are supplemental thereto.
- B. *Applicability.* The provisions of this Chapter shall apply to the subdivision, or to other divisions of land for any purpose whatsoever. These requirements include subdivision, resubdivision or "parcel maps", as hereinafter defined.
- C. *Purpose.* The purpose of this Chapter is to regulate the division of land and to prescribe certain improvements which are needed in consequence of the division of land in order to promote public health, safety, convenience and general welfare; to guide the development of land in a manner consistent with general community objectives as set forth in the ~~Comprehensive~~ **Master Plan**; to provide lots of sufficient size, adequate improvements and facilities, and appropriate design for the purpose for which they are to be used; to minimize traffic congestion and safety hazards, and to assist in implementing the ~~Comprehensive~~ **Master Plan** of the City.
- D. ~~Comprehensive~~ **Master Plan.** The ~~Comprehensive~~ **Master Plan** shall guide the development and use of all the land within the corporate boundaries of the City. The type and intensity of land use as shown on the ~~Comprehensive~~ **Master Plan** shall be used as a guide to determine the character of land division, including lot size and arrangement, and the type and extent of streets, roads, highways, utilities, public and other facilities that shall be provided by the subdivider.
- E. *Precise Plans And Zoning Ordinance.* All division of lands shall conform with applicable precise plans adopted by legal procedures for the purpose of effectuating the ~~Comprehensive Plan~~ **Master Plan**. All divisions of land shall conform with the requirements of the zoning regulations of the City; provided, however, that where these regulations impose higher standards, the requirements of this Chapter shall prevail. All divisions of land shall conform to the requirements of the Flood Hazard Reduction Plan, Chapter 40 of this Title.
- F. *Planning Commission.* The Planning Commission of the City is hereby designated as the Planning Commission with respect to subdivisions, as provided by the Planning and Zoning Act of the State, and shall have the power and duties with respect to subdivisions and other divisions of land as specified in ~~said~~ **the** Act and in this Chapter.
- G. *Procedures.*
1. Subdivisions of five (5) and more parcels shall follow the procedure as outlined in Sections 11-39-3 through 11-39-5 of this Chapter.
  2. Parcel maps of four (4) or less parcels shall follow the procedure as outlined in Section 11-39-6 of this Chapter.
  3. All subdivisions shall follow the procedures as outlined in Chapter 40 of this Title.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

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## 11-39-2. DEFINITIONS.

For the purposes of applying the requirements of this Chapter, the following terms are defined:

~~[All the definitions as set forth in Section 11-1-3 of this Title.]~~

**AS-BUILT DRAWINGS:** Drawings or plans which show and delineate any and all changes from the approved plans which occurred during the construction and installation of the subdivision improvements.

**BLOCK:** A tract of land within a subdivision entirely bounded by streets, highways or ways, except alleys; or by streets, highways or ways, except alleys, and the exterior boundary or boundaries of the subdivision.

**CITY SPECIFICATIONS AND STANDARDS:** The specification of design, materials and construction standards as recommended by the City Engineer and approved by the City Council.

**CUL-DE-SAC:** A minor street with only one outlet and which provides for an adequate turning area for vehicular traffic at its terminus.

**FINAL MAP:** A map prepared in accordance with the provisions of the Planning and Zoning Act of the State of Nevada and with the provisions of this Chapter, which map is to be placed on record in the office of the County Recorder as the approved design for a subdivision.

**OWNER:** Any individual, firm, association, syndicate, copartnership or corporation having sufficient proprietary interest in the land sought to be subdivided, to commence and maintain proceedings to subdivide the same under this Chapter.

**PARCEL MAP:** Any real property improved or unimproved or portions thereof shown on the last preceding tax roll as a unit or as contiguous units which is divided for the purpose of sale, lease or transfer of all or any parts thereof, whether immediate or future, into four (4) or less lots or parcels.

**PLANNING AND ZONING ACT OF THE STATE OF NEVADA:** Chapter 27~~88~~ of the Nevada Revised Statutes entitled "Planning and Zoning".

**ROADWAY:** That portion of a street right of way intended to accommodate vehicular traffic.

**SERVICE ROAD:** A street adjacent to a freeway, major or primary street, and separated therefrom, that provides the primary means of vehicular and pedestrian access to abutting properties.

**STREET OR STREET RIGHT OF WAY:** The total area dedicated or to be dedicated for public use and which includes a street, highway, thoroughfare, parkway, road, avenue, drive, lane, boulevard, place or however designated, but not including alleys.

**SUBDIVIDER:** The individual, firm, association, syndicate, partnership or corporation commencing proceedings under this Chapter to effect a subdivision of land hereunder for himself or for others.

**SUBDIVISION:** Any land, vacant or improved, which is divided or proposed to be divided into five (5) or more lots, parcels, sites, units, plots, separate interests or interests in common, for the purpose of any transfer, development or any proposed transfer or development; unless exempted under the provisions of the Nevada Revised Statutes.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

## 11-39-3. PRELIMINARY SUBDIVISION MAPS.

- A. *Preliminary Map Filing.* Prior to the filing of a tentative map, the subdivider shall submit to the Community Development Director a preliminary map, together with plans, exterior elevations and other information sufficient to describe the physical features and the contemplated development.

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- B. *Review And Referral.* The Community Development Director shall refer the contemplated subdivision to the various departments deemed advisable, requesting their findings and recommendations. The Community Development Director shall report directly to the subdivider the findings and recommendations of the various departments and the Planning Commission as soon as practicable.
  - C. *Compliance.* In addition to the findings and recommendations as set forth in subsection B of this Section, the Community Development Director shall make recommendations to the subdivider regarding the conformity of the preliminary map and other plans with the provisions of this Chapter and other applicable ordinances, and regarding possible improvements in the design of the preliminary map. The Community Development Director shall also recommend consultation by the subdivider with other appropriate and interested public and private agencies.
  - D. *Review.* The submission and review of a preliminary map and the other plans shall in no way be interpreted as official approval and shall in no way be interpreted to mean that such review satisfies the requirements of a tentative map submission or approval.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

#### **11-39-4. TENTATIVE SUBDIVISION MAPS.**

- A. *Tentative Map Preparation.* The subdivider shall cause a tentative map to be prepared by a ~~[professional person]~~ **licensed design professional** ~~[or persons competent to compile the necessary data in full compliance with the requirements of this Chapter and the Planning and Zoning Act of the State. Said]~~ **The tentative** map shall be clearly and legibly drawn at an adequate scale in order to show all the necessary details of the proposed subdivision with accuracy and clarity.

If protective covenants and deed restrictions (CC&R's) are to be enforced in the subdivision, a copy of ~~[said]~~ **the tentative map** covenants and restrictions shall be ~~[filed]~~ **filed** with the tentative map for review and approval in accordance with the procedures prescribed in this Chapter. When the covenants and restrictions have been accepted by the City Council, the subdivider shall file same in the office of the County Recorder, and a copy of the recorded covenants and restrictions shall be filed thereupon in the office of the City Engineer.

- B. *Tentative Map Requirements.* The tentative map shall contain the following information:
  1. Subdivision number and name. A subdivision number shall be assigned by the City. A subdivision name may be proposed by the subdivider.
  2. The map shall show the proposed subdivision in its entirety, and at a suitable scale so that all information required thereon is clear and legible. Where necessary, a legend shall be shown clarifying all markings and lines delineated on the map.
  3. The date of preparation and the map scale shall be clearly shown.
  4. The lettering shall be so placed as to be read from the bottom or right-hand side of the sheet, and the north point shall be directed away from the reader.
  5. The map shall be so made and shall be in such condition when filed that legible prints and negatives can be made therefrom.
  6. Names, addresses and telephone numbers of recorded owners, subdivider and person or persons who prepared the map.
  7. Sufficient legal description of the land **prepared by a licensed land surveyor** to describe the location, including exterior subdivision boundary dimensions.
  8. Locations, names, present widths, and improvements of adjacent streets.

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9. The names and numbers of adjacent subdivisions, including lot and block numbers.
  10. Location and widths of proposed streets and highways as shown on any precise plan and/or the Comprehensive Plan.
  11. The location, names, approximate grades, and widths of all streets and alleys within the proposed subdivision.
  12. Contour lines of the entire subdivision, having the following intervals:
    - a. Two foot (2') contour intervals for ground slopes between level and eighty percent (80%).
    - b. Ten foot (10') contour intervals for ground slopes exceeding eighty percent (80%).
  13. The approximate width and location of all easements for drainage, sewage, public utilities and other purposes.
  14. Approximate radii of all curves.
  15. The approximate lot layout, lot number and approximate dimensions of each lot.
  16. A map indicating plans for the development of the entire area if the proposed plat is a portion of a larger holding intended for subsequent development.
  17. The location and outline, to scale, of each building or other structure within the proposed subdivision, noting whether or not such building or structure is to be removed or remain in the development of the subdivision, and other physical features which would influence the layout or design.
  18. Approximate location of areas subject to inundation or storm water overflow, and the location, widths and direction of flow of all watercourses and proposed storm water drainage and facilities. Location, dimensions, grade and capacity of all drains to carry storm runoff that reaches the proposed development as well as that which falls within the proposed development.
  19. Sources and availability of water supply, proposed size and location of water mains, and proposed location of fire hydrants.
  20. Proposed method of sewage disposal.
  21. Proposed use of property.
  22. A blank space of eighty (80) square inches in area, of suitable shape for certificates, conditions, approvals, etc.
  23. A vicinity or key map showing the relation of the subdivision to the area in which it is located.
  24. A statement regarding protective covenants and deed restrictions which the subdivider intends to enforce.

C. *Tentative Map Filing.*

1. The subdivider shall submit to the community development director ~~two [twenty]~~(2[0]) copies of the tentative map accompanied by the prescribed filing fee and ~~two [twenty]~~ (2[0]) copies of the statements and materials required to accompany the tentative map. **Electronic copies of all material shall also be provided.**
2. The tentative map shall be accepted for filing if it is in full compliance as to form, information and statements required to be furnished therewith in accordance with the terms of this chapter, and if the prescribed filing fees have been paid. The time of filing the tentative map shall be when the map is accepted by the community development director.

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3. The tentative map shall be filed at least sixteen (16) days prior to the meeting date of the planning commission at which approval is requested.
- D. *Distribution.* Within seven (7) days of the filing of the tentative map, the community development director shall transmit a copy of ~~said~~ **the tentative** map, together with accompanying data, to the city engineer, fire chief, gas and utility companies involved and to other appropriate public agencies or utility companies as may be deemed necessary.
- E. *Reports On Tentative Map.* Each of the public agencies, departments, districts and utility companies shall, within ~~ten~~ **fifteen** (~~10~~ **15**) days after the map has been transmitted, forward to the community development director a written report of its findings and recommendations thereon. The failure of any officer, department, district, agency or utility company to report to the community development director in writing within ~~ten~~ **fifteen** (~~10~~ **15**) days shall be interpreted to mean that the proposed subdivision is acceptable as submitted. Upon the receipt of such reports or within five (5) days following the expiration of the aforementioned ten (10) day waiting period, the community development director shall submit the tentative map, along with all such reports and recommendations to the planning commission.
- F. *Planning Commission Action On Tentative Map.* The planning commission shall review all reports and recommendations and within forty five (45) days after the filing of the tentative map with the commission, unless such time is extended by agreement with the subdivider, shall ~~approve, conditionally approve or disapprove~~ **recommend approval, conditional approval or denial of the** tentative map.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

Upon receipt of a complete application and applicable fees, the community development director shall cause notices to be given in accordance with the procedures and requirements set forth in section 11-35-3 of this title.

( Ord. 883 , 2-26-1991, eff. 3-20-1991)

- G. *Time Extension For Acting On Tentative Map.* The time limit for acting and reporting on a tentative map may be extended upon mutual consent of the subdivider and the ~~planning commission~~ **community development director**.
- H. *Notification.* Notice of planning commission's approval, conditional approval or disapproval shall be reported in writing to the subdivider. If the conditionally approved tentative map varies considerably from the submitted tentative map, the planning commission may require that the subdivider prepare and submit revised copies incorporating the approved changes for certification in accordance with the procedures established in subsections C through E of this section.
- I. *Revised Tentative Map.* Any revised tentative map or portion thereof, filed as a condition of approval or otherwise, shall comply with the requirements in effect at the time such revised map is considered by the planning commission. The approval or conditional approval by the planning commission of a revised tentative map shall nullify all previous designs thereof.
- J. *Withdrawal Of Tentative Maps.* Any subdivider of property upon which a tentative map has been filed may withdraw such map at any time prior to the action by the planning commission and the city council. Notice of such request shall be made in writing. The community development director shall notify each office, department, district, agent or utility company from which a report was requested on such tentative map. Upon completion of such notification, the tentative map shall be officially withdrawn. No refund of filing fees shall be made on withdrawn tentative maps.
- K. *Council Review And Action.* Within ten (10) days of the action of the planning commission, the city clerk shall transmit to the city council a copy of the tentative map, the reports of the city staff and the reports received from other public and private agencies, together with the planning commission's action on ~~said~~ **the**

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tentative map. The city council shall review the tentative map, reports and planning commission's action and within ~~ten (10)~~ **forty-five (45)** days **of planning commission action** shall sustain, modify, reject or overrule any recommendations or rulings of the planning commission and may make such findings as are not inconsistent with the provisions of this chapter and the planning and zoning act of the state.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

Upon receipt of a complete application and applicable fees, the community development director shall cause notices to be given in accordance with the procedures and requirements set forth in section 11-35-3 of this title.

( Ord. 883 , 2-26-1991, eff. 3-20-1991; amd. per letter dated 2-27-2001)

- L. *Notification Of City Council Action.* The community development director shall notify the subdivider, the city engineer and other agencies and departments as deemed advisable, of the action of the city council.
- M. *Time Extension On Approved Tentative Maps.* The city council may grant an extension of time not exceeding one year beyond the ~~one~~ **three** years as allowed by section 11-39-5 of this chapter for the filing of the final map. Application for ~~such~~ **an** extension **over the approved four years** shall be made to the city council in writing.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

## **11-39-5. FINAL SUBDIVISION MAPS.**

### A. *Preparation Of Final Map.*

1. Within ~~one year~~ **four years** after approval or conditional approval of the tentative map by the city council, the subdivider may cause the subdivision, or any portion thereof which is determined by the city engineer to be a logical unit of the tentative map, to be surveyed and a final map be prepared and filed with the city engineer with the prescribed fees. The survey and final map shall be made by a licensed land surveyor. The final map shall conform with the tentative map as approved or conditionally approved and shall comply with all the provisions of this chapter and the planning and zoning act of the state.
2. If the subdivider fails to record a final map for any portion of the tentative map within ~~one year~~ **four years** after the date of approval of the tentative map by the city council, or within ~~one year~~ **two years** after the date of approval by the city council of the most recently recorded final map, all proceedings concerning the subdivision are terminated.
3. The city council may grant an extension of not more than ~~one~~ **two** years for the presentation of any final map after the ~~one year~~ **four year** period for presenting the entire final map or next successive final map has expired.

### B. *Form Of Final Maps.*

1. The final map shall be drawn with black waterproof India ink on ~~tracing cloth~~ **mylar** of good quality, and the affidavits, certificates and acknowledgments shall be legibly stamped or printed upon the map with opaque ink. ~~Said~~ **The** certificates, acknowledgments and affidavits shall be signed with black waterproof ink.
2. The size of each sheet shall be twenty four inches by thirty two inches (24" x 32"), upon which a marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch (1") at the top, bottom and right edges, and a two inch (2") margin at the left edge along the twenty four inch (24") dimension.

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3. The scale of the map shall not exceed one hundred feet to the inch (100' = 1"), and where necessary, a legend shall be shown, clarifying all markings and lines delineated upon the map.
  - ~~4. A blank space, two inches by three inches (2" x 3") shall be reserved at the lower right hand corner of the map for stamp of approval and recording by the office of the County Recorder.~~
  - ~~5~~4. Each sheet shall be numbered, the relation of one sheet to another clearly shown, and the total number of sheets shall be set forth on each sheet.
  - ~~6~~5. The subdivision number, and name if designated, scale, north point and date of preparation shall be shown on each sheet.
  - ~~7~~6. The lettering shall be so placed as to be read from the bottom or right-hand side of the sheet, and the north point shall be directed away from the reader.
  - ~~8~~7. The map shall be so made and shall be in such condition when filed that legible prints and negatives can be made therefrom.
- C. *Title Sheet.* The title sheet shall be page number one and shall contain the following information:
1. Title, comprising the subdivision number, followed by the name if designated.
  2. Below the title shall be a subtitle consisting of a general description of all the property being subdivided by reference to recorded deeds or maps which have been recorded, or by reference to the plat of a United States survey. References to tracts and subdivisions in the description must be worded identically with original records, and reference to book and page numbers of record must be complete. The words "Boulder City, Clark County, Nevada" shall appear below the general description subtitle.
  3. Affidavits, certificates, acknowledgments, endorsements, acceptances, dedications and notarial seals as required by law and this Chapter.
  4. The basis of bearings used in the survey.
  5. Where size of the subdivision permits, in lieu of a title sheet, the information prescribed above may be shown on the same sheet as the final map.
- D. *Information On Final Map.* The final map shall clearly and legibly show the following information:
1. The boundary of the subdivision designated by a one-sixteenth inch ( 1/16") border of blue watercolor applied on the reverse side of the tracing and inside the subdivision boundary line. Such border shall not obliterate any figures or other data.
  2. Survey data including:
    - a. All monuments, stakes and other evidences found, set, reset or replaced, describing their kind, size and location.
    - b. The basis of bearing of the subdivision map shall be taken from a recorded bearing as recorded in the book of plats of the County Recorder's office. The map shall show all lot corners of adjoining subdivisions or tracts, along with recording data of adjoining subdivisions or tracts.
    - c. The subdivision shall be tied by bearing and distance to either a quarter corner or section corner which was established by public land survey, and must be delineated upon the map.
    - d. Corners of all adjoining property identified by lot and block number, subdivision or tract name, place of record or by section, township and range, or other proper designation.
    - e. Bearings and distances of straight lines, radii, central angles, arc lengths or chord bearings and length of all curves, as well as such additional information as may be necessary to determine the location of the centers of curves.

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- f. The center lines of all streets in and adjoining the subdivision, indicating all permanent monuments found or placed, and making reference to a map or field book wherever the City Engineer has established such center line. If any points where reset by ties, the fact shall be so stated.
  - g. All information, data and monuments necessary to locate and relocate any and all exterior boundary lines, lot or block lines.
3. All lots and parcels shall have all dimensions, boundaries and courses clearly shown and defined. This includes lots and parcels intended for sale, reserved for private purposes or offered for dedication for any purpose.
    - a. The final map must show the area of each lot and the total area of the land in the subdivision in the following manner:
      - (1) In acres, calculated to the nearest one-hundredth (.01) of an acre, if the area is two (2) acres or more; or
      - (2) In square feet if the area is less than two (2) acres.
  4. The locations, names, total width and width on each side of the center line of all streets, alleys and other rights of way within the subdivision.
  5. The location and width of all easements, public and private, to which the lots are subject. The easement shall be clearly labeled and identified as to nature and purpose. If easements are already of record, their recorded references shall be given. Easements shall be denoted by fine dotted lines. Distances and bearings on lines of lots which are cut by easements must be so shown that the map will clearly indicate the actual length of the lot line.
  6. The location and width of utilities' rights of way located upon private property within the subdivision.
  7. Any limitations of rights of access to and from streets and lots and other parcels.
  8. All City boundaries crossing or adjoining the subdivision to be clearly designated and located.
  9. Lots shall be numbered beginning with the number one and continuing without omission or duplication throughout the entire block. Blocks shall be numbered beginning with the number one and continuing without omissions or duplication throughout the entire subdivision. If more than one sheet is required for subdivision maps, each sheet shall show lots in their entirety, and not portions thereof.
- E. *Certificates To Appear On Final Map.* The following certificates shall appear on the final map in a form prescribed and approved by the City Attorney.
1. Owner's certificate.
  2. Licensed land surveyor's certificate.
  3. Dedication certificate.
  4. Approval of trustee.
  5. City Engineer's certificate.
  6. Community Development Director's certificate.
  7. City Council and City Clerk's certificate.
  8. Department of Water Resources.
  9. Clark County Health Department.
  10. Utility dedication.

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( Ord. 841 , 2-23-1988, eff. 3-23-1988)

11. Planning Commission chairman.

( Ord. 882 , 2-26-1991, eff. 3-20-1991)

12. Such other affidavits, certificates, acknowledgments, endorsements and notarial acknowledgments and seals as are required by law or the provisions of this Chapter.
13. All certificates requiring the Official Seal of the City (City Council certificate and City Clerk's certificate) shall be arranged so that such Seal may be affixed within one and one-half inches (1½") from the border, excluding the left-hand border.

F. *Survey Requirements.*

1. A complete and accurate survey of the land to be subdivided shall be made by a licensed land surveyor in accordance with the standard practices and principles of land surveying.
2. The traverse of the exterior boundaries of the subdivision and of each block must close within a limit of error of one foot (1') to ten thousand feet (10,000').
3. All center lines of streets, property lines, monuments, alleys and easements within or adjacent to the subdivision shall be tied into the survey.
4. Monuments:
  - a. Monuments shall be set in accordance with the recorded subdivision maps so that the survey, or any part thereof, may be readily retraced. Such monuments shall be set at:
    - (1) All angle points in subdivision boundary.
    - (2) All angle points of tangency and points of curvature in subdivision boundary.
    - (3) All street center line intersections.
    - (4) All points of curvature in street center lines.
    - (5) All intersections of street center lines with subdivision boundary.
    - (6) All section corners, quarter corners and sixteenth corners.
  - b. All monuments shall conform to City specifications and standards.
  - c. All monuments shall have a copper plate or disc securely attached to the top of the monument, with a copper dowel or copper nail or approved alternate device permanently marking the exact center. The registration or license number of the surveyor shall be stamped on the copper plate or disc.
  - d. Monuments may be set after approval of the final map, but must be set prior to the final acceptance of the subdivision improvements. If the monuments are set after approval of the final map, a cash deposit or approved bond in an amount set by the City Engineer shall be filed with the City guaranteeing such work.
  - e. All monuments and their location shall be subject to inspection and approval by the City Engineer.
5. Lot corners, angle points or curve points where no monument is set, five-eighths inch ( $\frac{5}{8}$ " ) rebar with aluminum cap shall be driven flush with the surface of the ground and exact center will be marked. On approval of the City Engineer, other markers of equal durability may be used.

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- G. *Filing Of Final Map With City Engineer.* Upon payment of the required fee and the posting of the required deposit, the subdivider shall submit to the City Engineer the following information and materials:
1. One complete set of original tracings and four (4) complete sets of suitable prints of the final map and such additional numbers of prints as the City Engineer may require.
  2. Complete plans, profiles, cross sections, quantity and cost estimates, and specifications of proposed improvements as set forth in Section 11-39-8 of this Chapter. Such plans and profiles shall show the full details of the proposed improvements, and the improvements shall comply with City specifications and standards.
  3. Traverse sheets and working sheets showing the closure of the exterior boundaries of the subdivision and of any irregular lots and blocks shall be furnished.
- H. *Review And Approval By City Engineer.* The City Engineer shall examine the final map and determine the sufficiency of affidavits and acknowledgments, the correctness of surveying data, mathematical data and computations, and shall determine whether the provisions of this Chapter and the Planning and Zoning Act of the State of Nevada have been complied with.

When the final map is found to be correct, the data shown thereon and submitted therewith is sufficient, and when applicable provisions of this Chapter and the Planning and Zoning Act have been complied with, the City Engineer shall transmit same to the Community Development Director.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

- I. *Review And Approval By Community Development Director.* The Community Development Director shall examine the map to determine whether ~~[said]~~ **the** map conforms with the tentative map and with all changes and requirements imposed by the Planning Commission and/or the City Council on ~~[said]~~ **the** tentative map. If it is determined that the final map does not conform, the subdivider shall be advised of the changes or additions that must be made before the final map can be certified by the Community Development Director. If it is determined that the map is in conformity, the Community Development Director shall certify approval thereon and shall submit ~~[said]~~ **the** map to the planning commission along with all reports and recommendations.
- J. *Agreement, Report And Certificate Required.* The following shall be filed with the city engineer prior to the final map being presented for recommendation to the planning commission:

( Ord. 841 , 2-23-1988, eff. 3-23-1988; amd. Ord. 882 , 2-26-1991, eff. 3-20-1991)

1. *Off Site Improvement Agreement.* The subdivider shall execute and file with the city engineer an agreement between himself and the city, specifying the period within which he shall complete all improvements and work in accordance with city specifications and standards to the satisfaction of the city engineer.
2. *Preliminary Subdivision Report.* The subdivider shall furnish a preliminary subdivision report from a reputable title company, showing the names of those parties who may be required to sign the subdivision map, and shall, at the date of recording, furnish a guarantee with a liability of one thousand dollars (\$1,000.00) assumed therein, guaranteeing that the parties named therein are the only parties who are required to sign the subdivision map.
3. *Certificate Regarding Tax Lien.* The subdivider shall file a certificate from the official computing redemptions, showing that according to the records of his office, there are no liens against the subdivision or any part thereof, of unpaid state, county, municipal or local taxes or assessments collected as taxes, except taxes or special assessments not yet payable.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

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- K. *Filing With City Clerk.* After the final map has been checked and approved by the city engineer and community development director and a recommendation has been made by the planning commission, as provided in this section, and when all the required certificates which appear on the final map, except the approval certificate of the city council, have been signed and acknowledged where necessary, the city clerk shall transmit the final map to the city council.
- L. *Action By Planning Commission And City Council.*
1. *Recommendation Of Planning Commission.* At the next regularly scheduled planning commission meeting, the planning commission shall recommend approval, conditional approval, or disapproval of the final map to the city council, based on compliance with the tentative map.
  2. *City Council Action.* At the next city council meeting or within ten (10) days of the filing of the final map and other documents as required by this chapter with the city clerk, the city council shall approve the map if it conforms with all applicable provisions of this chapter and the planning and zoning act of the state. The time limit for approval of the map may be extended by mutual written consent of the city council and the subdivider.
  3. *Dedications.* Along with approval of the final map, the city council shall accept such offers of dedication.

( Ord. 1194 , 6-24-2003, eff. 7-16-2003)

- M. *Performance Bond.* The subdivider shall file with the city engineer, a performance bond and a labor and material bond as required by section 11-39-12 of this chapter.
- N. *Recording.* When the final map has been approved and accepted by the city council, a reproducible tracing shall then be made from the original of ~~said~~ **the** map and shall thereupon be filed in the office of the city engineer. The city clerk shall file the final map in the office of the county recorder.
- O. *Development Time Limit.*
1. Within ~~one~~ **three** years after the final map has been accepted by the city council, the subdivider shall have completed all improvements, **including required off-site improvements**, and work in accordance with city specifications and standards to the satisfaction of the city engineer.
  2. The ~~city council~~ **public works director or city engineer** may grant an extension of time not exceeding one year beyond the ~~one year~~ **three years** allowed. **Extensions beyond one year may be granted by the city council.** Application for such extension shall be made to the city council in writing.
  3. Failure to complete the improvements and work within the time limit specified shall terminate all proceedings and a new tentative map shall be required in the manner herein specified.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

### **11-39-6. PARCEL MAPS.**

- A. *Purpose.* Certain basic improvements and design standards are necessary in order to properly serve any land which is to be divided into four (4) or less lots, parcels, sites, or plots, any of which has a nominal area of less than forty (40) acres. These provisions are necessary to prevent circumventing the intent and spirit of the planning and zoning act of the State of Nevada and this chapter.
- B. *Compliance.* Neither the city nor any of its officers or employees shall recognize any division or split of lot, piece or parcel of land until all of the provisions of this section have been met in connection therewith.
1. A parcel map is not required when the land division is for the express purpose of:

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- a. Creation or realignment of a right of way.
  - b. Creation or realignment of an easement.
  - c. An amendment or certificate of amendment under Nevada Revised Statutes 278.471 through 278.4725, inclusive.
  - d. Adjustment of the boundary line or the transfer of land between two (2) adjacent property owners which does not result in the creation of any additional parcels.
  - e. Purchase, transfer or development of space within an ~~apartment~~ **multi-family residential** building or an industrial or commercial building.
- C. *Parcel Map; Survey Required; Exception.* A parcel map shall be based on a survey made for that purpose, unless this requirement is waived by the city engineer. The requirement of a survey may be waived if, in the judgment of the city engineer, a survey is not required to accomplish the purposes of this section.
- D. *Record Of Survey To Indicate Map Not A Map Of Subdivision.* If a record of survey contains more than four (4) lots or parcels, the surveyor or person or one of the persons for whom the record of survey is made shall place upon the map thereof a statement of the facts which will clearly show that such record of survey is not of a "subdivision" as defined in this chapter or all requirements of this chapter concerning subdivision of real property and the regulations of transactions pertaining thereto shall be complied with.
- ( Ord. 841 , 2-23-1988, eff. 3-23-1988)
- E. *Parcel Map Information.* The parcel map shall contain, or be accompanied by, the same information as required by subsections 11-39-5A through F inclusive, of this chapter, with the following exceptions:
- 1. The "title sheet", as required by subsection 11-39-5C of this chapter, shall not be required.
  - 2. The blue watercolor subdivision boundary, as required by subsection 11-39-5D1 of this chapter, shall not be required.
  - 3. Except as noted in subsection E4 of this section, and regardless of whether or not the map contains easement dedications for acceptance by the city, only the following certificates shall appear on the parcel map in the form prescribed and approved by the city attorney, for administrative approval of the proposed land division:
    - a. Owner's certificate.
    - b. Licensed land surveyor's certificate.
    - c. Community development director's certificate.
    - d. City engineer's certificate.
    - e. Such other affidavits, certificates, acknowledgments, endorsements and notarial acknowledgments and seals as are required by law or the provisions of this chapter.
  - 4. If there are public street, utility or drainage improvements and/or right of way dedications **or vacations** for acceptance by the city council, the certificates stipulated in subsection 11-39-5E of this chapter shall appear on the parcel map, and the review and approval procedures stipulated in subsections 11-39-5G through M of this chapter, inclusive, shall be followed, with the exception that a certificate for, and review by, the planning commission shall not be required.
  - 5. The parcel map shall contain, or be accompanied by, the same improvement information as required by section 11-39-8 of this chapter, and the subdivider shall file with the city engineer a performance bond and an off site improvement agreement as required by section 11-39-12 of this chapter.

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6. The community development director and city engineer, or city council, as applicable, shall review and approve, conditionally approve or disapprove the parcel map within forty five (45) days after the parcel map is submitted and accepted. Unless the time is extended by written mutual agreement, if the community development director and city engineer, or city council, as applicable, fail to take action within the period specified in this subsection, the parcel map shall be deemed approved.

( Ord. 1149 , 4-24-2001, eff. 5-16-2001)

### **11-39-7. SUBDIVISION DESIGN STANDARDS.**

- A. *Applicability.* The standards and principles as set forth by this Section shall apply to subdivisions and parcel maps.
- B. *Lots.* All land divisions shall result in the creation of lots which are capable of being developed or built upon.
  1. The minimum area and dimensions of all lots shall conform to the requirements of the zoning provisions for the district in which the subdivision is located.
  2. The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved.
  3. All lots created shall have access to a public street meeting the minimum requirements of this Chapter and any adopted street standards of the City for right-of-way widths, paving widths and improved in accordance with the standards for public improvements as set forth in this Chapter and any adopted street and improvement standards of the City.
  4. Double frontage lots shall be avoided wherever possible.
  5. No remnants of land shall be left in the subdivision which do not conform to lot requirements or are not required for a public or private utility.
  6. All lots shall have adequate drainage.
  7. Lot depths exceeding two and one-half (2½) times their average width shall be avoided wherever possible.
  8. Residential lots, excluding mobile estate lots, rearing on existing or proposed commercial or industrial properties or on railroads and freeways shall have a minimum depth of one hundred twenty five feet (125').
- C. *Blocks.*
  1. Blocks shall not exceed one thousand two hundred feet (1,200') between intersections except where topographical or other conditions require longer blocks.
  2. Long blocks normally shall be provided adjacent to primary and major streets in order to reduce the number of intersections. The Comprehensive Plan shall serve as a guide.
- D. *Streets.* The streets in subdivisions shall conform in width and alignment with that shown or indicated in the **Clark County Area Uniform Standards Design (CCAUSD)** [~~Comprehensive Plan~~] of Streets and Highways as adopted or as may be amended, or as shown on precise plans which have been adopted.
- E. *Street Pattern.* Street pattern shall be related to a plan for the most advantageous development of the subdivision as well as adjoining areas and the entire neighborhood or district. The following principles shall govern:

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1. Proposed streets shall be continuous and in alignment with existing or recorded streets with which they are to connect. At intersections, the center lines of streets not in alignment shall be offset at least one hundred fifty feet (150').
  2. Proposed streets, which are intended or required to be extended beyond the subdivision boundaries, shall be extended to the boundary lines of the land to be divided.
  3. In the interest of traffic safety, "T" intersections shall be provided in lieu of four (4) way intersections wherever the subdivision design will allow or indicate such an option.
  4. Residential street intersections with primary or major streets shall be limited in number and their location shall be designed to provide for minimum interference with traffic movement on the primary or major streets.
  5. The means of street access to the proposed subdivision shall be subject to review and approval by the Planning Commission as to the number and locations of such access streets.
  6. The maximum length of a cul-de-sac shall be five hundred feet (500'), and shall terminate in a circle or other turning pattern conforming with adopted City standards.
  7. Street intersections shall be as nearly at right angles as practicable. The lot corners at residential street intersections shall be rounded with a minimum curve radius of fifteen feet (15'). A minimum curve radius of twenty feet (20') shall be required at street intersections with major or primary streets, and greater radii may be required where necessary for traffic safety or control.
  8. Excessively long, straight residential streets conducive to high-speed traffic shall be prohibited.
  9. Alleys may be required at the rear of lots in multiple residential and commercial-professional zones as well as in commercial and industrial zoning districts.
- F. *Street Names.* Street names shall be determined in accordance with the street naming plan approved by the planning commission.
- G. *Street Rights Of Way And Pavement Widths.* Streets rights of way, pavement widths and cross sections shall conform with city specifications and standards.
- H. *Grades, Curves And Sight Distances.* Grades, curves and sight distances shall be subject to the approval of the city engineer. The following minimum standards shall be observed:
1. Grades of streets shall be not less than two-tenths of a percent (0.2%) and street grades in excess of six percent (6%) will be approved for only such distances as topographical conditions will make a lesser grade impractical. However, no street grade will be in excess of fifteen percent (15%) unless approved by the planning commission.
  2. Curved streets shall have a centerline radius of not less than three hundred feet (300') on minor streets. Primary and major streets shall have a centerline radius of not less than one thousand feet (1,000'). Variation from these standards may be allowed by the planning commission in extreme circumstances.
- ( Ord. 841 , 2-23-1988, eff. 3-23-1988)
- I. *Subdivision Access.*
1. Whenever a subdivision abuts upon an undedicated and/or unimproved street, the subdivider shall provide as part of the subdivision, the necessary improvement and/or dedication.
  2. Subdivisions and parcel maps for residential developments of more than one lot or unit shall not have gates across streets, whether the streets are publicly or privately owned and/or maintained. Requests for exception to this restriction shall be subject to the variance procedure as per chapter 32 of this title.

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This restriction shall not apply to a secondary street which is designed for emergency vehicle access only, or to areas within the development designed exclusively for storage of recreational vehicles and the like.

( Ord. 1287 , 4-11-2006, eff. 5-3-2006)

- J. *Sewage Disposal.* ~~[Provisions]~~ **Necessary improvements** for sewage disposal shall be in accordance with the **Southern Nevada Health District** health regulations ~~[of the city]~~ and the sewage disposal standards of the city.
- K. *Water Supply.* Water supply shall meet the requirements of the city and shall be sufficient to meet the domestic requirements of all lots, adequate for fire protection, and satisfactory to the fire chief, ~~[health officer]~~ **utilities director**, and city engineer.
- L. *Drainage.* Drainage and drainage structures shall be adequate for local neighborhood needs and for protecting lots and streets within the subdivision from flood hazards, taking into consideration the drainage pattern of adjacent property. Where necessary, means shall be provided for disposing of surface and storm water beyond the limits of the subdivision. Where the subdivision is traversed by a natural watercourse, the subdivider may be required to dedicate rights of way or easements as shall be required for ~~[structures or channel changes or both]~~ **existing and/or proposed flood control improvements** to dispose of such surface and storm waters. A drainage study ~~[shall]~~ **may** be required by the city engineer. ~~[Said]~~ **The drainage** study ~~[to be on a scale of not greater than one inch equals two hundred feet (1" = 200'). All computations shall be submitted with the drainage map. Future drains shall be designed in accordance with criteria set forth in subsection 11-40-7A2c of this title.]~~ **shall be prepared in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual, latest edition.**
- M. *Public Utilities And Easements.* Adequate utility easements shall be provided within the subdivision where required for public utility purposes. ~~[Said]~~ **The utility** easements shall be approved by the city engineer and the ~~[superintendent of electrical distribution]~~ **utilities director**.
- N. *Fire Hydrants.* Fire hydrants shall be available to serve all lots and be in a location meeting the approval of the fire chief. Fire hydrants shall conform to city specifications and standards.
- O. *Street Signs.* Street signs shall be furnished and installed at the locations prescribed by the city engineer with at least, but not limited to, one sign at each intersection. Street signs shall conform to the city specifications and standards.
- P. *Streetlights.* Streetlights shall be furnished and installed at the locations prescribed by the city engineer and the ~~[superintendent of electrical distribution]~~ **utilities director**. Street lighting shall conform to city specifications and standards.
- Q. *Electrical Service.* The electrical distribution system shall meet the requirements of the city and shall be sufficient to serve the proposed development. ~~[Said]~~ **The electrical distribution** system shall be subject to the approval of the ~~[superintendent of electrical distribution]~~ **utilities director**.
- R. *Landscaping.* Landscaping and watering systems shall be provided within~~[the parkway]~~ **right of-way** along all primary and major streets, the center strip on divided streets, **in the parkway** and in the separation strip along frontage or service roads. The landscaping, watering system and related facilities shall be installed in accordance with City specifications and standards.
- S. *Reservation Of Community Facilities Sites.* Where the ~~[Comprehensive]~~ **Master** Plan or other plans for community facilities have been developed for sites located wholly or in part in a subdivision, or where any public facilities should be located within the subdivision in order to serve the development and adjacent lands, the subdivider shall reserve a site appropriate in area and location for such public facility. The subdivider shall reserve ~~[said]~~ **the** community facilities sites for dedication to the public agency involved.

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T. *Multi-Family, Commercial And Industrial Subdivisions.* In addition to the standards and principles as set forth in this Chapter which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the street, parcel and block pattern proposed is specifically adapted to the anticipated use and takes into account other uses in the vicinity. The following principles shall be observed:

1. The proposed use shall be suitable in area and dimensions to the type of development anticipated.
2. Street widths and paving widths shall be adequate to accommodate the type and volume of traffic anticipated.
3. Every effort shall be made to protect adjacent residential areas by the use of extra depth parcels, block walls and/or landscaped buffer strips.
4. Nonresidential traffic shall not extend into adjacent or potential residential areas or connect to streets intended primarily for residential traffic.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

U. *Retention Of Existing Natural Features.*

1. The subdivision will retain all natural features, to a reasonable degree, including original grade, topography and drainage ways, within a subdivision.
2. The layout and design of the subdivision will not unreasonably impair scenic views. Scenic views shall be determined on a case by case basis by the Planning Commission and City Council during the tentative map review. Cross section drawings of the site may be required.

( Ord. 863 , 5-8-1990, eff. 5-30-1990)

Special or higher requirements than the adopted City standards and those as set forth in this Chapter may be imposed by the Planning Commission and/or City Council with respect to streets, curbs, gutters, sidewalk design and construction, off-street parking and loading facilities, and public utilities.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

### **11-39-8. IMPROVEMENTS REQUIRED TO SERVE LOTS.**

A. *General Requirements.* The subdivider shall provide all improvements or agree, in writing, to provide all improvements required by this Chapter prior to acceptance and approval of the final subdivision map by the City. Such improvements shall include, but not be limited to, the following:

1. Grading, curbs, gutters, berms, paving, drainage and drainage structures necessary for the proper use and drainage of streets, highways and other rights of way within, bordering or necessary to serve the subdivision.
2. Site grading and drainage, taking into consideration the drainage patterns adjacent to improved or unimproved property.
3. Street name signs and traffic-warning signs.
4. Sidewalks on all streets.
5. Fire hydrants in proper location and in sufficient numbers to provide adequate fire protection.
6. A water system with mains of sufficient size and having a sufficient number of outlets to furnish adequate water supply for all lots in the subdivision, and to provide adequate fire protection.

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7. Sanitary sewer facilities and connections for each lot.
  8. Street lighting facilities.
  9. Landscaping and masonry walls as required.
  10. Electrical power distribution system.
  11. Cable television distribution system.
  12. Natural gas distribution system.
- B. *Adopted City Standards.* All improvements shall conform with City standards and specifications.
- C. *Improvement Plans.* The subdivider shall submit the **digital files**, original tracings, and sets of prints as may be required, of the **improvement** plans, profiles, cross sections and specifications for improvements to the City Engineer for checking and approval. ~~Said~~ **The** plans, profiles and cross sections and specifications for improvements shall be in accordance with City standards and specifications.
- The original tracings shall be signed as approved by the City Engineer only if the City Engineer finds that the plans, profiles, cross sections and specifications for improvements meet the requirements of this Chapter and City standards and specification, and any and all special requirements that have been required by the Planning Commission and the City Council. The electrical distribution and street lighting system shall be approved by the Superintendent of Electrical Distribution.
- D. *Plans Approved By City Engineer.* No improvements shall be commenced until improvement plans and specifications have been approved by the City Engineer. Improvements shall be installed in accordance with City standards and specifications to permanent line and grade to the satisfaction of the City Engineer.
- E. *Service Connections To Each Lot.* Provision for service connections from utility lines and sanitary sewers shall be made available for each lot in such a manner as will eliminate the necessity of disturbing the street pavement, gutters, culverts, curbs and sidewalks when service connections are made.
- F. *Entry And Inspection.* The City Engineer or his authorized representative shall have the right to enter upon the sites of improvements for the purpose of inspecting them, and shall be furnished with samples of materials as may be required for the making of tests to determine the acceptability of such materials.
- G. *As-Built Drawings.* On completion of the subdivision improvements, the subdivider shall present to the City Engineer the original drawings with "as-built" decals **in digital PDF and CAD formats**, certified to be correct by the subdivision engineer, for review and acceptance by the City.
- H. *Formal Acceptance Of Improvements.* Upon favorable recommendation by the City Engineer, the City Manager shall accept the subdivision improvements for the City.
- I. *Warranty Of Improvements.* All off-site improvements shall be guaranteed by the subdivider or developer for a period of one year from the date of final acceptance of ~~said~~ **the** improvements by the City.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

### **11-39-9. EXCEPTIONS.**

- A. The City Council, upon recommendation of the Planning Commission, may in the exercise of sound judgment, permit such variations from the requirements of this Chapter as they determine are warranted because of the size, shape, use, physical or other conditions of the property or the type of subdivision.
- B. Referral Of Request: Each proposed exception shall be referred to the officers or departments involved, and such officers or departments shall transmit to the Planning Commission their recommendations, which recommendations shall be reviewed prior to the granting of any exception.

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- C. **Conditions Of Approval:** In recommending such exceptions, the Planning Commission may impose such additional conditions as will substantially secure the objectives of this Chapter.
  - D. **Report To City Council:** In recommending the authorization of any exception under the provisions of this Section, the Planning Commission shall transmit to the City Council its findings and all facts in connection therewith, and shall specifically and fully set forth the recommended exception and the conditions attached thereto.
  - E. **Action By City Council:** The City Council, after receipt of the Planning Commission report, may approve the tentative map with the exceptions or conditions recommended or it may disapprove such map or take such other action as is appropriate.
  - F. **Compliance With Conditions:** When exceptions are authorized, the City Council shall require such evidence or guarantees as it deems necessary to ensure that the conditions required in connection with such exception will be complied with.
- ( Ord. 841 , 2-23-1988, eff. 3-23-1988)

### **11-39-10. APPEALS.**

- A. **Appeal To City Council.** If the subdivider or any aggrieved persons is dissatisfied with any action of the Planning Commission with respect to the tentative map or a parcel map, or the kind, nature and extent of the improvements recommended by the Planning Commission to be required, the subdivider or aggrieved person may, within five (5) days after such action, appeal to the City Council for a hearing thereon. An appeal shall be filed with the City Clerk and shall state specifically wherein there was an error or abuse of discretion by the Planning Commission. Upon filing of an appeal, the Planning Commission shall transmit to the City Clerk a copy of the tentative map on which the Planning Commission action is certified, the statements and materials submitted therewith by the subdivider, along with the reports received thereon from the various departments, officials, agencies, districts and utility companies.
- B. **Hearing.** The City Clerk shall give notice to the subdivider, the appellant, and the Planning Commission of the date of hearing. The City Council shall hear the appeal within ten (10) days of the filing of ~~said~~ **the** appeal or at its next regular meeting, unless the subdivider consents to a continuance. The City Council shall consider the tentative map or parcel map, the data submitted therewith, and the reports and recommendations submitted by public or private agencies to which the map was transmitted. At the meeting, the City Council shall hear any and all testimony.
- C. **Decision.** Upon conclusion of the hearing the City Council shall, within seven (7) days, declare its findings and decisions based upon the facts and testimony produced before it. The City Council may sustain, modify, reject or overrule any recommendation or ruling of the Planning Commission and make such findings as are not inconsistent with this Chapter or with the Planning and Zoning Act of the State. The action of the City Council shall be transmitted to the Planning Commission, the City Engineer and the public and private agencies to which copies of the map were transmitted.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

### **11-39-11. FEES.**

- A. **Fees.** The City Council shall, by resolution, fix the fees to be charged for:
  - 1. Tentative maps.
  - 2. Final maps.

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3. Parcel maps.
  4. Map recording.
  5. Improvement plan checking.
  6. Improvement inspection.
- B. *Determination Of Plan Checking And Inspection Fees.* At the time of filing the improvement plans, the City Engineer shall determine by inspection of the plans the cost of checking and inspections. ~~Said~~ The costs shall be based on fees as set by the City Council. The fee shall be deposited before any checking or inspection is undertaken.
- C. *Collection Of Fees.* The Community Development Director shall charge and collect, or cause to be charged and collected, the filing fees for parcel maps and tentative maps. The City Engineer shall charge and collect, or cause to be charged and collected, the filing fee for the final map, final map recordation fee, improvement plan checking fee and improvement inspection fee. Such fees shall be deposited to the general fund of the City.
- ( Ord. 841 , 2-23-1988, eff. 3-23-1988)

### **11-39-12. BONDS AND DEPOSITS.**

- A. *Performance Bond.* The subdivider shall file with the City Engineer a performance bond or cash deposit in the amount deemed sufficient by the City Engineer to cover the cost of ~~said~~ all improvements, engineering and inspection fees. Such bond shall be executed by a surety company authorized to transact a surety business in the State, and must be satisfactory to and be approved by the City Attorney as to form. In lieu of ~~said~~ the faithful performance bond, the subdivider may deposit cash with the City in the amount fixed, as aforementioned, by the City Engineer.
- B. *Bonds And Deposits; Installment Agreements.* When a performance bond or cash deposit is made, pursuant to the provisions of this Chapter, the City and the subdivider may enter into written agreement itemizing the several phases of construction or installation in sequence with an amount opposite each phase thereof, and providing that each amount so listed may be repaid, if a cash deposit has been made, upon completion, approval and acceptance of the particular phase of work represented by ~~[said]~~ the bond amount.
- C. *Release Of Performance Bond Or Cash Deposit.* No release of a performance bond or cash deposit shall be made except upon certification by the City Engineer that the work covered thereby has been satisfactorily completed, ~~[and upon approval of the City Council.]~~
- D. *Forfeiture Of Performance Bond Or Cash Deposit.* In the event the subdivider shall fail to complete all improvement work in accordance with improvement agreement or the provisions of this Chapter, the City shall have to complete same, the City shall call on the performance bond for reimbursement or shall appropriate from any cash deposit funds for reimbursement for the cost of ~~[said]~~ the improvements and any other expenses incurred in connection therewith.

( Ord. 886 , 3-16-1991, eff. 4-17-1991)

### **11-39-13. VOIDABLE CONVEYANCES.**

Any sale or contract to sell made contrary to the provisions of this Chapter and the Planning and Zoning Act of the State of Nevada is voidable at the sole option of the buyer or person contracting to purchase, his heirs, personal representative or trustee in insolvency or bankruptcy within one year after the date of execution of the sale or contract to sell, but the sale or contract to sell is binding upon any assignee or transferee of the buyer or persons

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contracting to purchase, other than those above enumerated, and upon the vendor or person contracting to sell, or his assignee, heir or devisee.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)

**11-39-14. SINGLE TRACT OR PARCEL.**

- A. *Applicability.* The provisions of this Section shall apply to all parcels or tracts to be developed as a single unit and which are not divided for the purpose of sale, lease, transfer of ownership or building development, whether immediate or future.
- B. *Design Standards.* The subdivision design standards, as set forth in Section 11-39-7 of this Chapter, shall apply to all parcels or tracts to be developed as a single unit.
- C. *Improvements Required To Serve Lots.* The provisions of Section 11-39-8 of this Chapter shall apply to all parcels or tracts to be developed as a single unit.

( Ord. 841 , 2-23-1988, eff. 3-23-1988)