

CITY OF WEST WENDOVER
PROJECT DEVELOPMENT GUIDE
“Residential – Subdivision”
Effective: December 2005

1) Let’s Meet

Prior to any plan or drawing submittals, it is highly recommended that you meet with the City to discuss the generality of your project. This meeting will give you an opportunity to become acquainted with the City and will also serve in familiarizing you with the procedures of the City. At this meeting, we will be able to begin our dialog with you and answer those questions you may have from a planning/ development perspective.

You will receive at this meeting, if you have not already, the complete City of West Wendover Project Development Packet. This packet includes:

- a) The City of West Wendover Project Development Guide
- b) City of West Wendover Snapshot – A development resource showing current trends and statistics of the City, County and State
- c) Wendover area utilities and services information
- d) City of West Wendover Zoning Codes (**online at: www.westwendovercity.com under “links”**)
- e) City of West Wendover Construction Standards – applicable for those who will be dedicating portions of infrastructure to the City
- f) City of West Wendover Off-Street Parking Codes (**online at: www.westwendovercity.com under “links”**)
- g) City of West Wendover Sign Code (**online at: www.westwendovercity.com under “links”**)
- h) City of West Wendover Park Ordinance (included)
- i) Application for Conditional Use Permit
- j) Application for Variance Permit
- k) Subdivision Agreement/Performance Guarantee – Public Improvements
- l) Building Permit Application
 - i) The City is currently constructing under:
 - (1) 2000 International Building Code
 - (2) 2000 International Residential Code
 - (3) 2000 International Mechanical Code
 - (4) 2000 International Plumbing Code
 - (5) 1997 Uniform Fire Code
- m) West Wendover Fee Schedule

2) Submittal of your project conceptual plans/outline and tentative plat

- a) Review Process by City staff/engineering – 3-week turn-a-round maximum depending on size of project. Submit 3 Copies to City. Your tentative plan/plat should include at a minimum the requirements of City Code 8-13-6, Subdivision Pre-application (Conference) Stage I, shown below:

*Prior to the actual commencement of the Stage I conference at a City Council Meeting, you will meet with staff possibly once or twice to review your project concept. These initial meetings are important to help you establish what impacts and potential work requirements will need to be met for the project. This will also allow for a more clean presentation to the City Council in granting your Conceptual Approval Stage I.

8-13-6: SUBDIVISION PREAPPLICATION (CONFERENCE) STAGE (STAGE I):

The preapplication stage of subdivision planning comprises an investigatory period preceding actual preparation of the preliminary plat by the subdivider. During this stage, the subdivider shall make known his intentions to the Council and be advised of specific public objectives related to the subject tract and other details regarding platting procedures and requirements. During this stage, it shall be determined whether a change in zoning will be required for the subject tract or any part thereof and if such change is required, the subdivider shall initiate the necessary application for zoning amendment in conjunction with submission of the preliminary plat. In carrying out the purposes of the preapplication stage, the subdivider and the Council shall be responsible for the following actions:

- A. Actions By The Subdivider: The subdivider shall meet with the Council and present a general outline of his proposal, including, but not limited to:
1. Sketch plans and ideas regarding land use, street and lot arrangement and tentative lot sizes.
 2. Tentative proposals regarding water supply, sewage disposal, storm drainage and street improvements and any additional information required by the Council.
- B. Actions By The Council: The Council may advise the subdivider of procedural steps, design and improvement standards and general plat requirements. The Council may then proceed with the following investigations and report its recommendations to the subdivider:
1. Check existing zoning of the tract and of abutting properties and determine whether a zoning amendment is necessary or desirable.
 2. Determine the adequacy of existing and proposed schools, parks and other public facilities.
 3. Determine the relationship of the site to major streets, utility systems and adjacent land uses and determine whether there are any potential problems related to topography, utilities, drainage or flooding.
 4. Determine whether a development master plan shall be prepared and approved prior to preparation and consideration of a preliminary plat.

C. Development Master Plan: Whenever, in the opinion of the Council, the proposed subdivision is sufficiently large to comprise a major part of a future neighborhood, or the tract initially proposed for platting is only a part of a larger land area, the development of which is complicated by unusual topographic, utility, land use, land ownership problems or other conditions, the subdivider shall be required to prepare a development master plan for the larger area.

1. Preparation: The plan shall be prepared on a sheet twenty four inches by thirty two inches (24" x 32"), shall be accurate commensurate with its purpose and shall include:

- a. General street pattern, with particular attention to the location and general alignment of collector streets and to convenient circulation throughout the neighborhood.
- b. General location and size of school, park and other public facility sites.
- c. Location of shopping center, multi-family residential and other proposed land uses.
- d. Methods proposed for sewage disposal, water supply and storm drainage.

2. Approval: When the plan has been approved by the Council, it shall constitute the general design approach to be followed in the preparation of all preliminary plats within its limits. If development is proposed to take place in several stages, the plan shall be submitted as supporting data for each preliminary plat. The plan shall be kept up to date by the subdivider as modifications occur or become necessary. (Ord. 98-09, 10-6-1998)

- b) Submittal of a conditional use permit if required – 20 day turn-a-round minimum
- c) Submittal of variance if required/requested – 20 day turn-a-round minimum
- d) Submit necessary usage calculations for the issuance of a will-serve letter

3) Submittal of your project preliminary plans/preliminary plat. Staff/Engineering and Council approval of your preliminary plans/plat and conditional use permit and/or variance if applicable.

- a) Review Process by City staff/engineering – 3-week turn-a-round maximum depending on size of project. Submit 3 Copies to City. Your preliminary plan/plat should include at a minimum the requirements of City Code 8-13-7, Subdivision Preliminary Plat Stage (Stage II) as shown and include the following:
 - i) Site layout on property
 - ii) Landscaping
 - iii) Drainage/grading
 - iv) Water, sewer service, utilities
 - v) Parking
 - vi) Lighting
 - vii) Street access
 - viii) Potential building elevations
 - ix) Artistic rendering
 - x) Any variances to City code
 - xi) Fire hydrant locations
 - xii) All associated measurements and scales needed to adequately review the plans
 - xiii) Pavement/roads
 - xiv) Lot square footage
 - xv) Parcel map if required

8-13-7: SUBDIVISION PRELIMINARY PLAT STAGE (STAGE II):

The preliminary plat stage includes preparation, submission, review and Council action on the preliminary plat.

A. Zoning Amendments: The preliminary plat shall be designed to meet the specific requirements of the zoning district in which it is located; however, in the event that an amendment ⁶⁵ of zoning is necessary, an application for such amendment shall be submitted and processed in conjunction with the preliminary plat. The Council shall not proceed with processing of the plat unless and until said application is submitted. The application for zoning amendment should be heard by the Council at the same meeting as the preliminary plat but shall be acted upon separately. When a preliminary plat constitutes only one unit of a larger development intended for progressive platting, zoning amendment shall usually be limited to the area contained in and abutting the initial plat. In any event, any required zoning amendment shall have been approved by the Council prior to the preliminary plat approval. Zoning amendments must conform with the General Plan as adopted or amended by the City Council.

B. Water And Sewer; Garbage Disposal: As a prerequisite of preliminary plat review by the Council, the subdivider shall have informed the Council, Health Department and the City Manager of his tentative plans and shall provide adequate information to determine the general requirements for sewage disposal, water supply, storm drainage and garbage as applied to the subject tract.

C. Submission Of Preliminary Plat:

1. Information Required:

a. Form And Scale: Preliminary plat information hereinafter required shall be shown graphically on one or more plan sheets with written data either entered directly thereon or attached thereto. All mapped data for the same plat shall be drawn at the same standard engineering scale, such scale having not more than one hundred feet (100') to the inch. Whenever practicable, the plan scale shall be selected to produce an overall sheet measuring twenty four inches by thirty two inches (24" x 32").

b. Identification Data:

(1) Proposed subdivision name, location and section, township and range, reference by dimension and bearing to a section corner or quarter-section corner.

(2) Name, address and phone number of subdivider.

(3) Name, address and phone number of engineer or surveyor preparing plat, together with the registration number issued to such engineer or surveyor by Nevada Registering Board.

(4) Scale, north point and date of preparation including dates of any subsequent revisions.

(5) A small-scale location map showing the relationship of the tract to existing community facilities which serve or influence it, including arterial streets, railroads, shopping centers, parks and playgrounds and churches.

(6) Legal description defining the boundaries of the subdivision.

c. Existing Conditions Data:

- (1) Topographs by two foot (2') contour intervals related to USGS survey datum shown on the same map as the proposed subdivision layout. Topographic data shall be adequate to show the character and drainage of the land.
- (2) Location of water wells, streams, private ditches, washes and other water features, including direction of flow; location and extent of areas subject to frequent periodic or occasional inundation.
- (3) Within or adjacent to the tract, the location, widths and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain and Municipal corporation lines.
- (4) Name, book and page numbers of all recorded plats abutting the tract or across a boundary street from the tract.
- (5) Existing zoning classification of the tract and adjacent properties.
- (6) Dimensions of all tract boundaries; gross and net acreage of tract.

d. Proposed Conditions Data:

- (1) Street layout, including location and width of streets, alleys, pedestrianways and easements, including connections to adjoining platted subdivisions and through unsubdivided tracts, proposed names of all streets and approximate grade of all rights of way.
- (2) Lot layout, including dimensions of typical lots and the dimensions of all corner lots and lots on street curves; each lot numbered consecutively; total number of lots.
- (3) Location, width and proposed use of easement.
- (4) Location, extent and proposed use of all land to be dedicated or reserved for public use, including school sites or parks.
- (5) Location and boundary of all proposed zoning districts.
- (6) Draft of proposed deed restrictions.

e. Proposed Utility Methods:

- (1) Sewage Disposal: It shall be the responsibility of the subdivider to furnish information as to design for sewage disposal connecting to the City's system.
- (2) Water Supply: Evidence of adequate volume and quality satisfactory to the City Manager from the City's system.
- (3) Storm Drainage: Preliminary drainage calculations and layout of proposed storm drainage system, including locations of outlets, shall be submitted.
- (4) Telephone, Power, Gas, Television: Design and location shall be shown.

2. Filing Copies Of Plat: Six (6) copies of the preliminary plat and any required supporting data, prepared in accordance with requirements of this Title, shall be filed with the Council at least fourteen (14) days prior to the Council meeting at which the subdivider desires to be heard. Scheduling of the case for Council hearing shall be dependent upon submission of adequate data and completion of processing. If additional copies of the submittal are needed for proper review of the proposal, they shall be furnished by the subdivider.

3. Acceptance Or Rejection: The submittal shall be checked by the Council for completeness and, if it meets with all requirements of subsection C1 of this Section, it shall be assigned a file number; if incomplete, it shall be rejected and the subdivider notified as to its deficiencies.

4. Filing Fee: The subdivider shall, at the time of filing, pay to the City Clerk a filing fee based upon the number of lots in the plat. The filing fee shall also cover filing of any amended or revised preliminary plat which may be processed as the same case. If preliminary approval subsequently expired prior to application for final approval, the plat shall be resubmitted for preliminary approval as a new case, and the subdivider shall pay the required fee in accordance with the adopted schedule. The fee shall be twenty five dollars (\$25.00) plus two dollars (\$2.00) per lot.

D. Preliminary Plat Review:

1. Distribution Of Copies: The subdivider shall distribute copies of the preliminary plat to:

- a. The City Manager;
- b. School District Superintendent, Board of Trustees, Elko County;
- c. Utility companies;
- d. Division of Water Resources, Department of Conservation and Natural Resources;
- e. Division of Environmental Protection, Department of Conservation and Natural Resources; and
- f. Health Department, Department of Human Resources.

2. Review By Council: The Council shall review the preliminary plat submitted for compliance with the provisions of this Title and the zoning requirements and shall consult with and seek the advice of appropriate City departments and agencies on any matters of design or improvement. It shall be the responsibility of the subdivider to provide any necessary data.

3. Modifications: In the event the Council requires modifications of the plat as submitted, the Council shall inform the subdivider and may provide him advice in overcoming deficiencies prior to Council hearing. A recommendation for modification or change may be sufficiently important to warrant postponement of Council hearing until the matter has been resolved with the subdivider.

E. Approval Or Disapproval Of Plat:

1. The Council shall consider and approve or disapprove the preliminary plat within forty five (45) days after the plat has been filed. Before approving a tentative plat, the Council shall take such action and make such findings as are not inconsistent with Nevada Revised Statutes 278.330 to 278.349. Any disapproval or conditional approval must contain a statement of the reason for that action.

2. If satisfied that the preliminary plat meets all requirements of this Title, the City Council may grant preliminary approval, whereupon the secretary shall note such approval on three (3) copies of the plat, return one copy to the subdivider, retain one copy in the permanent file and give one copy to the City Manager.

3. If the plat is generally acceptable but requires minor revision, the City Council may find conditional approval, and the required conditions and revisions shall be noted in the meeting minutes. Thereafter, at the discretion of the Council, the plat may be given preliminary approval when it has been satisfactorily revised in accordance with the Council's stated conditions.

4. If the plat is disapproved by the Council, any new filing of a plat for the same tract or any part thereof shall follow the aforesaid procedure and be subject to payment of a new filing fee. The subdivider may petition the Council for reconsideration based upon an error of law and/or fact by the Council. Said petition must be filed within ten (10) days of the Council's action and shall set forth, with particularity, the alleged error of law and/or fact. The petition shall be placed on the agenda for a special or regular Council meeting within twenty (20) days of the date of filing. At such meeting the Council may reconsider its actions in such manner as it sees fit or may deny reconsideration; however, no new evidence may be introduced. The concurrence of at least four (4) members of the Council shall be required to reverse or modify its previous action.

5. Upon preliminary approval, the subdivider shall deliver one copy of the plat to the utility companies.

6. Whenever any subdivider proposes to subdivide any land within one mile of the exterior boundary of the City, the County Planning Commission or governing body shall file a copy of the subdivider's tentative plat with the City Council. The City Council shall not exceed thirty (30) days' time for action on the plat and report to the governing body of the county in which the subdivision is situated. The Planning Commission or the governing body of the county shall take into consideration the report of the City Council before approving the tentative plat of any subdivision within the one mile limit.

F. Significance Of Preliminary Approval: Preliminary approval constitutes authorization for the subdivider to proceed with preparation of the final plat and engineering plans. Preliminary approval is based upon the following terms:

1. Basic conditions under which preliminary approval is granted shall not be changed prior to expiration date.

2. Unless the time is extended, the subdivider shall present to the Council a final map, prepared in accordance with the tentative map, for the entire area for which a tentative map has been approved, or one of a series of final maps, each covering a portion of the approved tentative map within one year or within successive one year periods after the date of approval of the tentative map by the City Council.

3. If the subdivider fails to record a final map for any portion of the tentative map within one year after the date of approval of the tentative map by the City Council or within one year after the date of approval by the City Council of the most recently recorded final map, all proceedings concerning the subdivision are terminated.

4. The City Council may grant an extension of not more than one year for the presentation of any final map after the one year period for presenting the entire final map or next successive final map has expired.

5. Preliminary approval does not constitute an authorization to proceed with site improvements prior to approval by the City Manager of engineering plans.

G. Expiration Of Preliminary Approval: If preliminary approval expires prior to filing of a request for an extension of the time given if an extension expires, the preliminary plat, if resubmitted, shall be processed as a new case and a new fee paid. If Council review of a resubmitted plat reveals no significant change from the previously approved preliminary plat, and conditions under which previous approval was granted have not changed, the filing fee shall be as set by the City Council and the resubmitted plat scheduled for hearing by the Council at its first regular scheduled meeting thereafter. (Ord. 98-09, 10-6-1998)

- b) Appropriate work will need to also be completed in this stage for the dedication of park area in order to meet provision of the City Code (8-3-15 and 8-15) in relation to subdivision park requirements.

8-3-15: PARK LAND DEDICATIONS:

In accordance with Nevada statutes, to provide for the acquisition and development of park, playground and recreational facilities as are reasonably necessary to serve the residents of new subdivisions and development within the jurisdiction of the City, the City Council may require the dedication of land, payment in lieu of dedication or residential tax in accordance with the recreation and open space element of the duly adopted General Plan of the City. (Ord. 98-09, 10-6-1998)

8-15-2: PURPOSE, SCOPE, AUTHORITY AND GENERAL PROVISIONS:

A. This Chapter is enacted pursuant to the authority of Nevada Revised Statutes 278.497 et seq., to provide for the acquisition, improvement and expansion of public park, playground and recreational facilities.

B. The public interest, convenience, health, welfare and safety require that certain amounts of land in the City be devoted to park, playground and recreational areas, which include neighborhood, district and regional facilities serving various recreational needs of the residents of the City and the neighborhoods located therein. The geographical areas of the City are, by this Chapter, divided into various park districts, taking into account in such division the uneven population distribution throughout the geographical areas of the City. It is the intent of the City Council that park districts created herein shall periodically be revised, both in number and location, to properly take into account future population distribution within the different geographical areas of the City. (Ord. 98-12, 12-15-1998)

8-15-3: DEFINITIONS:

The following words and phrases, when used in this Chapter, shall have the meanings respectively ascribed to them:

APARTMENT HOUSE: A structure arranged in several suites of connecting rooms, each suite designed for independent housekeeping, but with certain typical mechanical conveniences, such as air conditioning, heat, lights, or elevator services shared in common by all families occupying the building.

COMMON OPEN SPACE: A parcel or parcels of land or an area of water or a combination of land and water within the site designated for a planned unit residential development which is designed and intended for use or enjoyment of the residents of the development. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of such residents.

FACILITIES: Turf, trees, irrigation, playground apparatus, playing fields, play areas, picnic areas, horseshoe pits and other recreational equipment or appurtenances designed to serve the natural persons, families and small groups from the neighborhood from which the tax was collected.

MOBILE HOME: A vehicular structure, built on a chassis or frame, which is designed to be used with or without a permanent foundation and is capable of being drawn by a motor vehicle, and which may be used as a dwelling when connected to utilities.

MOBILE HOME LOT: Any area or tract of land designated, designed or used for the occupancy of a mobile home and includes each space within a mobile home park or mobile home subdivision.

NEIGHBORHOOD PARK: A site not exceeding twenty five (25) acres designed to serve the recreational and outdoor needs of natural persons, families and small groups.

PLANNED UNIT RESIDENTIAL DEVELOPMENT: An area of land controlled by a landowner, which is to be developed as a single entity for a number of dwelling units, the plan for which does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one residential district created, from time to time, under the provisions of any zoning ordinance enacted pursuant to law.

RESIDENTIAL DWELLING UNIT: A structure or a portion of a structure planned, designed or used as a residence for one family only, living independently of other families or persons, and having its own bathroom and housekeeping facilities included in the unit.

RESIDENTIAL USE: The capability of permanent occupation of a building or mobile home by one or more persons for sleeping or eating purposes. (Ord. 98-12, 12-15-1998)

8-15-4: DEDICATION OF LAND FOR PARKS AND RECREATION:

A. Subdividers:

1. All subdividers of land must dedicate such land areas, sites and locations for parks and playground purposes as are reasonably necessary to serve the proposed subdivision and its future residents. Said subdividers must dedicate to the City one thousand nine hundred sixty (1,960) square feet of real property for each one acre of the proposed subdivision.
2. All lands dedicated pursuant to this Section shall be free from liens and encumbrances at the time title passes to the City.

3. All provisions to the contrary notwithstanding, the amount of land required to be dedicated may not exceed the fair market value, determined by an independent appraisal, of the amount of any residential construction tax which would otherwise have been collected under a residential construction tax levied pursuant to Nevada Revised Statutes 278.4983.

B. Developers: All developers of land for mobile home lots or apartment houses must dedicate such land sites, areas and locations for park and playground purposes as are reasonably necessary to serve the proposed development and its residents. Said developers must dedicate real property to the City in an amount which shall be equal to one percent (1%) to the nearest dollar value or valuation or one thousand dollars (\$1,000.00) per apartment house suite or mobile home lot, whichever is less, of the eventual building permits to be issued for apartment house suites or mobile home lots or any combination thereof. The value or valuation of the building permits shall reflect actual costs of residential construction in the area as determined by the Building Department in accordance with the Uniform Building Code and Marshall-Swift formulas utilized by the West Wendover Building Department. (Ord. 98-12, 12-15-1998)

8-15-5: STANDARDS CONCERNING DEDICATED LAND:

The following standards shall apply in determining the land to be dedicated:

A. Amount: The amount of land required to be dedicated shall be as set forth in Section [8-15-4](#) of this Chapter. All provisions of this Chapter to the contrary notwithstanding, the amount of land required to be dedicated may not exceed the fair market value, determined by an independent appraisal, of the amount of any residential construction tax which would have been otherwise collected pursuant to a tax levied under Nevada Revised Statutes 278.4983.

B. Quality And Location: The characteristics of the land to be dedicated shall be consistent with the proposed parks and recreation use and shall be such that development of the parks and recreational uses and facilities shall be economically feasible under the existing conditions. The City Council may consider the costs of development of any land proposed to be dedicated in determining whether to accept such offer. In addition, such land must be situated, insofar as is practical, in a location central to the residential users to enable equal opportunities for the residents of the subdivision or development to use said land.

C. Encumbrances: All lands dedicated pursuant to this Chapter shall be free from liens and encumbrances at the time title passes to the City. (Ord. 98-12, 12-15-1998)

8-15-6: CREATION OF RECREATION PLAN AND NEIGHBORHOOD PARK AND PARK FACILITIES DISTRICTS:

A. The City shall have those parks, recreation areas and park facilities districts as established by resolution of the City Council. The City hereby adopts a Recreation Plan to consist of the attached maps, diagrams, charts, descriptive matter or reports. The Recreation Plan shall provide for a comprehensive system of recreation areas, including natural reservations, parks, parkways, beaches, playgrounds, and other recreation areas. The plan shall also outline the proposed method of carrying out the acquisition, development, operation and maintenance of the recreation areas and facilities for which it provides. The City Council may amend the plan by resolution from time to time as necessary.

B. The West Wendover Recreation District in conjunction with the City will conduct a continuing study of population trends and concentrations as well as of neighborhood development throughout the City and shall, at least once every three (3) years, submit recommendations to the City Council, based on such study, suggesting any changes, either in number or boundary locations of the districts.

C. If a park or playground has not been developed or park facilities installed or improvements made to existing parks or facilities on the land dedicated for that purpose within three (3) years after the date on which seventy five percent (75%) of the residential dwelling units within an approved subdivision or development are first occupied, title to the land dedicated by the subdivider or developer shall revert to the owners of the lots in the subdivision or development at the time of the reversion on a pro rata basis. (Ord. 98-12, 12-15-1998)

8-15-7: PLANNED UNIT RESIDENTIAL DEVELOPMENT APPLICABILITY:

Any developer of a planned unit residential development shall dedicate to the City real property in accordance with Section [8-15-4](#) of this Chapter; provided, however, where a landowner provides for and establishes an organization for the ownership and maintenance of common open space in a proposed planned unit residential development and such space is to be privately owned and maintained for park, playground and recreational use by the future residents of the planned unit residential development, credit may be given against the requirement of dedication if the City Council, on recommendation from the West Wendover Recreation District determines it to be in the public interest to do so and that such determination shall be based on, but not limited to, the following standards:

- A. That yards, court areas, setbacks and other open areas required to be maintained by the zoning and building ordinances and regulations shall not be included in the computation of such private open space;
- B. That the private ownership and maintenance of the open space is adequately provided for by the recorded written agreement, conveyance or restrictions;
- C. That the use of the private open space is restricted for park and recreational purposes by recorded covenant, which runs with the land in favor of the future owners of the property and which cannot be defeated or eliminated without the consent of the City;
- D. That the proposed private open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location;
- E. That the open space for which credit is given is a minimum of three (3) acres and provides all, or a minimum of five (5), of the local park basic elements listed below or a combination of such other recreational improvements that will meet the specific recreation and park needs of the future residents of the area;

	Acres
Children's play apparatus area	0.50 to 0.75
Family picnic area	0.25 to 0.75
Game court area	0.25 to 0.50
Landscape park-like and quiet areas	0.50 to 1.00
Turf playfield	1.00 to 3.00

F. The common open space is sufficient to accommodate the park, playground and recreational needs of the projected population of the planned unit residential development. (Ord. 98-12, 12-15-1998)

8-15-8: EXCESS DEDICATION:

Any land dedicated and accepted, at the request of the City, in excess of that land required by Section [8-15-4](#) of this Chapter, shall be purchased by the City at its fair market value or returned to the appropriate party at the sole discretion of the City. (Ord. 98-12, 12-15-1998)

8-15-9: DEVELOPMENT PLAN:

When twenty five percent (25%) of the property is developed within the subdivision or development from which the land was dedicated, public hearings shall be scheduled to be held jointly by the City and the West Wendover Recreation District to address a proposed park and recreational facilities site development plan, schedule for development, and financing plan, the latter to include operational and maintenance costs. The primary responsibility for park development is with the West Wendover Recreation District. The cost of developing parks and recreational facilities, specifically the earthwork, irrigation lines, landscaping, sidewalks, bike paths, basketball courts, tennis courts, parking and necessary structures or associated work shall be the responsibility of the West Wendover Recreation District. The cost of apparatus or equipment for the new parks and recreation facilities, specifically any playground apparatus, basketball standards, tennis nets, backstops, barbecue grills, benches, tables or other associated equipment shall be the responsibility of the City. Nothing in this Section precludes one entity or the other from assuming costs and responsibilities of the other entity. (Ord. 98-12, 12-15-1998)

8-15-10: TRANSFER OF TITLE:

Title to land dedicated pursuant to this Section shall be transferred to the City on or before the issuance of the first building permit and construction of the first unit for the subdivision or development from which the land was dedicated. (Ord. 98-12, 12-15-1998)

8-15-11: DONATIONS:

Nothing in this Chapter prohibits a subdivider or developer from donating land for neighborhood park purposes in excess of that land designated to be dedicated. (Ord. 98-12, 12-15-1998)

4) Submittal of preliminary plans to appropriate State of Nevada agencies to begin State approval in parallel with City approval.

*Submittal to the State is in order to meet the appropriate provisions of health and safety in regards to water and sewer systems. This would be required on any subdivision approval.

Contacts:

Rich Drew, Public Health Engineer
State of Nevada
Public Health Engineering
1179 Fairview Drive
Suite 101
Carson City, Nevada 89701-5405
(775) 687-4754

Public Utilities Commission of Nevada
Subdivision Map Approval
557 W. Silver Street, No. 205
Elko, Nevada 89801
(775) 738-4914
Fax: (775) 778-6928

5) Submittal of your project final plans/plat. Staff/Engineering and Council approval of your final plans/plat.

- a) Review Process by City staff/engineering – 4-week turn-a-round maximum depending on size of project. Submit 3 Copies to City. Your final plan/plat should include at a minimum the requirements of City Code 8-13-8, Subdivision Final Plat Stage (Stage III) as shown below and including appropriate modifications/changes which may have been requested under the projects conceptual and preliminary stages by the City: Subdivision Construction Drawings need to be submitted with the Final Plat as the two documents are interconnected with regard to actual improvements shown on both plat and construction drawings. Per City Code 8-13-8, B, 1, g (A)

8-13-8: SUBDIVISION FINAL PLAT STAGE (STAGE III):

The final plat stage includes the final design and engineering of the subdivision and the preparation, submission, review and action on the final plat and engineering plans.

A. Presubmission Requirements:

1. Compliance With Zoning Provisions: The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the City Council prior to filing of the final plat.
2. Preparation Of Final Plat: The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of this Title.
3. Easements: The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved and shall be so indicated by an affidavit on the map.

B. Submission Of Final Plat:

1. Information Required:

a. Form And Content: The final map shall be clearly and legibly drawn with black, waterproof India ink, upon good tracing cloth or Mylar, including affidavits, certificates and acknowledgments. Each sheet shall be twenty four inches by thirty two inches (24" x 32") in size. A marginal line shall be drawn completely around each sheet showing an entirely black margin of one inch (1") at bottom, top and right edge and two inches (2") on the left edge on the twenty four inch (24") dimension. The scale of the map shall be not less than one inch equals one hundred feet (1" = 100'). The particular number of the sheet and the total number of sheets comprising the map shall be so stated on each of the sheets, and the number in relation to each adjoining sheet shall be clearly shown. The title sheet shall contain the location of the property being divided with reference to the plat of the United States Survey. Copies of the final plat shall be reproduced in the form of blue-line or blackline prints on the white background.

b. Identification Data:

- (1) Name of subdivision and location by section, township, range and county.
- (2) Name, address and registration number of the registered land surveyor preparing the plat.
- (3) Scale, north point and date of plat preparation.

c. Survey Data:

- (1) Boundaries of the tract fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field; all dimensions expressed in feet and decimals thereof.
- (2) Any exceptions within the plat boundaries located by bearings and distances expressed in feet and decimals thereof.
- (3) Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced; the subdivision traverse shall be tied by course and distance to a section corner or quarter-section corners.
- (4) Location and description of all physical encroachments upon the boundaries of the tract.

d. Descriptive Data:

- (1) Name, right-of-way lines, courses, lengths and widths of all streets, alleys, pedestrianways and utility easements; radii, points of tangency and central angles of all curvilinear streets and alleys; radii of all rounded street line intersections.
- (2) All drainageways, designated as such.
- (3) All utility and public service easements, including designation whether for public access or utilities.
- (4) Location and dimensions of all lots, parcels and exceptions.
- (5) All residential lots shall be numbered consecutively through blocks.
- (6) Location, dimensions, bearings, radii, arcs and central angles of boundaries of all sites to be dedicated to the public, including designation of proposed use.
- (7) Location of all adjoining subdivisions with name, date, book and page number of recordation noted, or if unrecorded, so noted, along with names of adjoining land owners of unsubdivided property.
- (8) Any private deed restrictions to be imposed upon the plat or any part thereof written on or attached to the plat and each copy thereof.

e. Dedication And Acknowledgment:

- (1) Statement of dedication of all streets, alleys, pedestrianways and easements for public purposes by the person holding title of record, by persons holding title as vendees under land contract and by wives of such persons. If lands to be dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written description by section, township and range of the tract. If the plat contains private streets, public utilities shall be reserved the right to install and maintain utilities in such street rights of way.
- (2) Execution of dedication acknowledged and certified by a notary public.

f. Additional Information:

- (1) Where the center line has been established for any street, highway, alley or public way within an adjoining subdivision, all monuments along said street, highway, alley or public way within the proposed subdivision shall be located with reference to that center line which shall be shown on the map.

(2) The center line of each highway, street, alley or way within the proposed subdivision and width on each side of the center line and showing the width to be dedicated, and there shall be designated on all center lines the bearing thereof and length of each radius, central angle and length of each curve within the proposed subdivision.

(3) The location of monuments or other evidence formed upon the ground and used in determining the boundaries of the subdivision. If other subdivisions adjoin, the map shall show sufficient corners of such adjoining subdivisions, sufficiently identified to locate precisely the limits of the proposed subdivision.

(4) The length and bearing of each block line, lot line and boundary line; the length, radius and central angle of each curve and that portion of the central angle lying within each lot. Such data shall be shown in a manner satisfactory to the City Manager.

(5) Each City boundary line crossing or adjoining the subdivision with adequate ties to monuments set or found within the subdivision.

g. Check Of Requirements Of Final Map; Additional Information:

(1) The City Manager shall check the final map as to accuracy of dimensions, the placing of monuments, the establishment of survey records shown on said map and the conformance of said map with the preliminary map. The final map shall be accompanied by:

(A) A worksheet showing the closure of the exterior boundaries of the proposed subdivision and of the closure of lots and blocks therein;

(B) A complete set of construction plans as required by the City Manager showing typical street sections, center line and curb grades, sanitary sewer and storm drain locations and invert grades and elevations;

(C) Construction plans for manholes, catch basins and other appurtenant structures; and

(D) An estimate of quantities required to complete the improvements.

(2) The minimum allowable error of closure shall be one ten-thousandth. 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 in May 1925.

h. Required Certifications: The following certifications shall appear on the final map:

(1) A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the map. A lien for State, County, Municipal or local taxes and for special assessments or beneficial interest under trust deeds or trust interests under bond indentures shall not be deemed to be an interest in land for the purpose of this subsection. Any map including territory originally patented by the United States or the State, under patent reserving interest to either or both of the entities, may be recorded under the provisions of Nevada Revised Statutes 278.010 to 278.730, inclusive, without the consent of the United States or the State thereto, or to dedications made thereon. Signatures required by this subsection of parties owning rights of way, easements or reversions which, by reason of changed conditions, long disuse or laches, appear to be no longer of practical use or value and which signatures it is impossible or impracticable to obtain may be omitted if the names of such parties and the nature of their interest is endorsed on the map, together with a reasonable statement of the circumstances preventing the procurement of such signatures.

(2) A certificate, signed and acknowledged as above, offering for dedication for certain specified public uses (subject to such reservations as may be contained in any such offer of dedication) those certain parcels of land which the parties desire so to dedicate. The certificate may state that any certain parcel or parcels are not offered for dedication, but a local ordinance may require, as a condition precedent to the approval of any final map, that any or all of the parcels of land shown thereon and intended for any public user shall be offered for dedication for public use except those parcels, other than streets, intended for the exclusive use of the lot owners in such subdivision, their licensees, visitors, tenants and servants.

(3) A certificate for execution by the Clerk of each approving governing body stating that the body approved the map and accepted or rejected, on behalf of the public, any parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication.

(4) A certificate signed and acknowledged by all parties having any record title in the land subdivided, evidencing their grant of permanent easements for utility installations and access, as designated on the map, together with a statement approving such easements, signed by each public utility company or agency in whose favor the easements are created or whose utility services are to be required for the platted parcels.

(5) A certificate by the engineer or surveyor responsible for the survey and final map, which certificate must be in the following form:

SURVEYOR'S CERTIFICATE

I, (Name of Surveyor), a registered land surveyor in the State of Nevada, certify that:

1. This is a true and accurate representation of the lands surveyed under my supervision at the instance of (Owner, Trustee, etc.).

2. The lands surveyed lie within (Section, Township, Range, Meridian and, if required by the governing body, a description by metes and bounds for any subdivision which is divided into lots containing 5 acres in area or less) and the survey was completed on (Date).

3. This plat complies with the applicable State statutes and any local ordinance.

4. The monuments are of the character shown and occupy the positions indicated by (a day certain) and that an appropriate performance bond has been or will be posted with the Governing Body to assure their installation.

(Date)

*Name of Surveyor,
Registration Number and Seal*

(6) A certificate by the City Manager or City Surveyor stating that he has examined the final map, that the subdivision as shown thereon is substantially the same as it appeared on the tentative map and any approved alterations hereof, that all provisions of Nevada Revised Statutes 270.010 to 278.630, inclusive, and of any local ordinances applicable at the time of approval of the tentative map have been complied with, and that he is satisfied that the map is technically correct, and that the monuments as shown are of the character and occupy the positions indicated or that the monuments have not been set, and that a proper performance bond has been deposited guaranteeing their setting on or before a day certain. The certificate shall be dated and signed and certified by a registered land surveyor or a registered civil engineer.

(7) A certificate by the State Health Division reading:

This final map is approved by the Health Division of the Department of Human Resources concerning sewage disposal, water pollution, water quality and water supply facilities in accordance with the Nevada Revised Statutes. This approval predicates (community, individual) water supply and (community, individual) sewage disposal.

(8) A copy of the review by the State Engineer required by subsection B1h(7) above shall be furnished to the subdivider who, in turn, shall provide a copy of such review to each purchaser of land prior to the time the sale is completed. No statement of approval or review, as required in subsection B1h(7) above, is a warranty or representation in favor of any person as to the safety or quantity of such water.

(9) The final subdivision map shall contain the following certificate:

Division of Water Resource Certificate: This final map is approved by the Division of Water Resources of the Department of Conservation and Natural Resources concerning water quantity subject to the review of approval on file in this office.

(10) The City Council shall not approve any final map for a subdivision served by the City water system unless the subdivider has submitted plans which provide for the installation of water meters or other devices which will measure water delivered to each water user in the subdivision.

2. Filing Copies Of Plat: The subdivider shall file with the City Clerk the final plat and four (4) true copies thereof, together with the recordation fee, at least ten (10) days prior to the City Council meeting at which the subdivider desires to be heard.

C. Final Plat Review:

1. Upon receipt of the final plat submittal, the City Clerk shall record receipt and date of filing and transmit all copies of the final plat to the City Manager for checking the submittal for completeness. If incomplete, the filing date shall be voided and the subdivider so notified. If complete, and if the final plat substantially conforms to the approved preliminary plat, the City Manager shall transmit copies of the submittal to the following offices, who shall make known their recommendations, in writing, addressed to the City Manager. Where applicable, the Nevada Highway Department.

2. The City Manager or Planning Department shall assemble the recommendations of the various reviewing offices and submit the same to the City Council.

D. Approval And Recordation:

1. Upon notification from the City Manager that the plat is in order, the City Clerk shall place the case on the agenda of the next regular meeting, at which time, the City Council shall approve or deny the plat.

2. If the City Council denies approval of the plat for any reason whatever, such reasons shall be recorded in the minutes and the subdivider so notified. If the City Council gives final approval of the plat, the City Clerk shall transcribe upon the plat a certificate of approval signed by the Mayor and the City Clerk, first making sure that all other required certifications have been duly signed and that engineering plans have been approved by the City Manager.

3. The subdivider shall then cause signed prints of the plat to be provided to the City Manager, the County Recorder and the County Assessor, all at the expense of the subdivider.

4. The subdivider shall then record the plat in the Elko County Recorder's office and pay the recordation fee. (Ord. 98-09, 10-6-1998)

6) Submittal of your project construction drawings. Staff/Engineering approval of construction drawings.

- a) Review process by City staff/engineering – 4 weeks turn-a-round maximum depending on size of project. This would include all appropriate information gained in the plat stages, taking the form of actual construction drawings for issuance of the building permit to build the subdivision infrastructure. Subdivision Construction Drawings need to be submitted with the Final Plat as the two documents are interconnected with regard to actual improvements shown on both plat and construction drawings. Per City Code 8-13-8, B, 1, g (A)
 - i) Submit three copies to the City
- b) Subdivision Agreement and Performance Guarantee, execution including appropriate bonding for public improvements. (*This must be done prior to any issuance of a building permit or grading permit).
- c) Issuance of the Building Permit
 - i) Includes building fee, plan check fee, and any other associated water/sewer fees if applicable.

7) Start Construction of your project

8) On-site inspections by City throughout the course of your project

- a) Inspections conducted by the City Building Official, Fire Chief or their designated representatives

9) Project completion

- a) Issuance of Certificate of Acceptance for public improvements and retainer of a 10% construction Maintenance Guarantee for those public improvements for a one year period from date of issuance of Certificate.
- b) Subdivision lots ready for sale and home construction.