

ORDINANCE NO. 268
NEVADA COUNTY SUBDIVISION ORDINANCE

AN ORDINANCE ADOPTING DESIGN AND IMPROVEMENT REGULATIONS FOR SUBDIVISIONS AND MINIMUM LOT STANDARDS FOR THE DIVISION OF LAND NOT A SUBDIVISION WITHIN THE UNINCORPORATED TERRITORY OF NEVADA COUNTY, CALIFORNIA PURSUANT AND SUPPLEMENTARY TO THE SUBDIVISION MAP ACT AND THE PROVISIONS OF LAW OF THE STATE OF CALIFORNIA.

THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS

1.1 AUTHORIZATION

(A) THIS ORDINANCE IS ENACTED PURSUANT AND SUPPLEMENTARY TO THE SUBDIVISION MAP ACT AND THE PROVISIONS OF LAW OF THE STATE OF CALIFORNIA FOR THE PURPOSE OF ADOPTING REGULATIONS FOR THE DESIGN AND IMPROVEMENT OF SUBDIVISIONS AND MINIMUM LOT STANDARDS FOR THE DIVISION OF LAND NOT A SUBDIVISION WITHIN THE UNINCORPORATED TERRITORY OF THE COUNTY OF NEVADA.

(B) REGULATIONS FOR MINIMUM STANDARDS FOR THE DIVISION OF LAND NOT A SUBDIVISION WITHIN THE UNINCORPORATED TERRITORY OF THE COUNTY OF NEVADA ARE ENACTED UNDER THE TERMS OF SECTION 11540.1 OF THE SUBDIVISION MAP ACT, AND SAID REGULATIONS SHALL BE AS PROVIDED IN SECTION 2.4 (A), INCLUDING SUBSECTIONS (1), (2) AND (3) THEREOF, OF THIS ORDINANCE.

1.2 DEFINITIONS

ALL TERMS THAT ARE DEFINED IN THE SUBDIVISION MAP ACT SHALL HAVE THE SAME MEANING WHEN USED HEREIN, EXCEPT AS FOLLOWS:

(A) "SUBDIVISION", AS DEFINED IN SECTION 11535 (A) OF SAID SUBDIVISION MAP ACT, WHEN USED HEREIN REFERS TO ANY REAL PROPERTY, IMPROVED OR UNIMPROVED OR PORTION THEREOF, WHICH IS DIVIDED FOR THE PURPOSE OF SALE OR LEASE OR FINANCING, WHETHER IMMEDIATE OR FUTURE, BY ANY SUBDIVIDER INTO FIVE OR MORE PARCELS; PROVIDED THAT THIS ORDINANCE SHALL NOT APPLY TO THE LEASING OF APARTMENTS, OFFICES, STORES, OR SIMILAR SPACE WITHIN AN APARTMENT BUILDING, INDUSTRIAL BUILDING, COMMERCIAL BUILDING, OR TRAILER PARK, NOR SHALL THIS ORDINANCE APPLY TO AGRICULTURAL, MINERAL, OIL, OR GAS LEASES, NOR TO LAND DEDICATED FOR CEMETERY PURPOSES UNDER THE HEALTH AND SAFETY CODE OF THE STATE OF CALIFORNIA.

1.3 ADVISORY AGENCY

THE PLANNING COMMISSION OF THE COUNTY OF NEVADA IS HEREBY DESIGNATED THE ADVISORY AGENCY AND AUTHORIZED TO REPORT ITS ACTION DIRECT TO THE SUBDIVIDER AS PROVIDED IN THE SUBDIVISION MAP ACT.

1.4 DEEDS, VOIDABLE, ETC.

ANY DEED OF CONVEYANCE, SALE OR CONTRACT TO SELL MADE CONTRARY TO THE PROVISIONS OF THIS ORDINANCE OR THE SUBDIVISION MAP ACT IS VOIDABLE AT THE SOLE OPTION OF THE GRANTEE, 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 DEED OF CONVEYANCE, SALE OR CONTRACT TO SELL, BUT THE DEED OF CONVEYANCE, SALE OR CONTRACT TO SELL IS BINDING UPON ANY ASSIGNEE OR TRANSFEREE OF THE GRANTEE, BUYER OR PERSON CONTRACTING TO PURCHASE, OTHER THAN THOSE ABOVE ENUMERATED, AND UPON THE GRANTOR, VENDOR, OR PERSON CONTRACTING TO SELL, OR HIS ASSIGNEE, HEIR, OR DEVISEE.

SECTION 2. DESIGN REGULATIONS

2.1 STREETS

(A) THE ALIGNMENT OF PROPOSED STREET CENTER LINES SHALL BE CONTINUATIONS OF THE CENTER LINES OF EXISTING ROADWAYS, EITHER BY STRAIGHT OR CURVED CONTINUATIONS. CURVES SHALL HAVE A CENTER LINE RADIUS OF 100 FEET MINIMUM, EXCEPT IN AREAS WHERE PHYSICAL CONDITIONS NECESSITATE THE USE OF SHORTER CURVES SUBJECT TO THE APPROVAL OF THE PLANNING COMMISSION.

(B) INTERSECTING STREETS SHALL HAVE AT LEAST 50 FEET OF TANGENT ADJACENT TO THE INTERSECTION. THE ANGLE OF INTERSECTION SHALL BE APPROXIMATELY AT RIGHT ANGLES, PROVIDED THAT WHERE WARRANTED BY PHYSICAL CONDITIONS, THE ANGLE OF INTERSECTION MAY BE REDUCED TO NOT LESS THAN 60 DEGREES, SUBJECT TO THE APPROVAL OF THE PLANNING COMMISSION. ANY TWO STREETS INTERSECTING ON A GIVEN STREET SHALL HAVE A CONTINUOUS CENTER LINE OR BE SEPERATED BY 150 FEET MINIMUM. BLOCK CORNERS SHALL BE ROUNDED BY A RADIUS OF 20 FEET.

(C) GRADES ON STREETS SHALL BE NOT LESS THAN 0.25 PER CENT NOR EXCEED 10 PER CENT. INTERSECTING GRADES OF DIFFERENT SLOPES SHALL BE CONNECTED BY PROPERLY DESIGNED VERTICAL CURVES. A SIGHT DISTANCE OF AT LEAST 200 FEET SHALL BE MAINTAINED ON ALL SUMMIT VERTICAL CURVES.

(D) STREET RIGHT OF WAY WIDTH SHALL BE 60 FEET MINIMUM. THE CENTER LINE OF THE ROAD SHALL BE THE CENTER LINE OF THE RIGHT OF WAY. ADDITIONAL RIGHT OF WAY SHALL BE PROVIDED FOR SLOPE EASEMENT WHEREVER NECESSARY. THE PLANNING COMMISSION MAY REQUIRE ADDITIONAL RIGHTS OF WAY TO ACCOMMODATE TRAFFIC OR PARKING ON BUSINESS OR MAJOR TRAFFIC STREETS.

(E) CUL-DE-SAC OR DEAD-END STREETS LONGER THAN 500 FEET WILL NOT BE APPROVED WHERE CONTINUOUS OR LOOP STREETS CAN BE LAID OUT, EXCEPT WHERE LONGER CUL-DE-SAC STREETS ARE NECESSITATED BY PHYSICAL CONDITIONS, SUBJECT TO APPROVAL OF THE PLANNING COMMISSION. CUL-DE-SAC SHALL HAVE A RIGHT OF WAY RADIUS OF 50 FEET MINIMUM MEASURED FROM THE CENTER LINE OF THE RIGHT OF WAY.

(F) STREET EXTENSIONS, CONFORMING TO ALIGNMENT, GRADE AND WIDTH REQUIREMENTS SHALL BE PROVIDED FOR ACCESS TO ACREAGE ADJACENT TO THE SUBDIVISION. STUB STREETS WHICH ARE RESERVED FOR FUTURE EXTENSIONS NOT EXCEEDING ONE LOT IN DEPTH SHALL NOT BE REQUIRED TO HAVE A CUL-DE-SAC, PROVIDED ALL LOTS ADJACENT TO SUCH STUB STREETS HAVE ADEQUATE FRONTAGE ON AND ACCESS TO ANOTHER STREET.

(G) ALL STREET NAMES SHALL BE SUBJECT TO THE APPROVAL OF THE PLANNING COMMISSION. DUPLICATION OF STREET NAMES WILL NOT BE PERMITTED UNLESS THE STREETS ARE OBVIOUSLY IN ALIGNMENT.

2.2 WATER COURSES

(A) THE SUBDIVIDER SHALL EITHER OFFER FOR DEDICATION A RIGHT OF WAY FOR STORM AND FLOOD WATER DRAINAGE CONFORMING SUBSTANTIALLY WITH ANY NATURAL WATER COURSE THAT TRAVERSES THE SUBDIVISION, OR AT THE OPTION OF THE SUBDIVIDER PROVIDE BY DEDICATION FURTHER AND SUFFICIENT EASEMENTS AND/OR CONSTRUCTION, OR BOTH TO ADEQUATELY DRAIN STORM AND FLOOD WATER FROM THE SUBDIVISION; PROVIDED, HOWEVER, SUCH DEDICATIONS WILL NOT BE REQUIRED WHERE EACH LOT OR PARCEL CREATED BY THE SUBDIVISION CONTAINS 20 ACRES OR MORE NET AREA.

(B) DEDICATIONS MADE PURSUANT TO THIS SECTION SHALL NOT BE CONSTRUED TO AFFECT ANY LEGAL WATER RIGHTS ACCRUING TO THE PROPERTY.

2.3 PUBLIC UTILITIES

(A) PUBLIC UTILITY EASEMENTS TEN FEET IN TOTAL WIDTH SHALL BE PROVIDED TO ACCOMMODATE PUBLIC UTILITY, DRAINAGE AND SANITARY STRUCTURES.

(B) ALIGNMENT OF EASEMENTS AND ADDITIONAL EASEMENTS FOR APPURTENANCES TO UTILITY LINES SHALL CONFORM TO THE STANDARDS OF THE PUBLIC UTILITY COMPANY OR DISTRICT PROVIDING SERVICE TO THE SUBDIVISION.

2.4 LOTS

(A) NO LOT OR PARCEL, EITHER IN A SUBDIVISION OR NOT IN A SUBDIVISION, SHALL BE DIVIDED INTO LESS THAN THE MINIMUM AREA AND DIMENSIONS REQUIRED BY THE COUNTY HEALTH OFFICER FOR THE PROTECTION OF PUBLIC HEALTH, AND IN ANY CASE, NO LOT SHALL BE DIVIDED INTO LESS THAN THE MINIMUM AREA AND DIMENSIONS REQUIRED BY ANY ZONING ORDINANCE EFFECTIVE FOR THE AREA IN WHICH THE SUBDIVISION IS LOCATED, OR, IF THE ZONING ORDINANCE IS NOT APPLICABLE, THE FOLLOWING STANDARDS SHALL APPLY FOR EACH SPECIFIED CONDITION:

(1) WHERE CONNECTION TO AN APPROVED PUBLIC WATER SUPPLY AND TO A SANITARY SEWERAGE SYSTEM WILL BE PROVIDED TO EACH LOT IN THE SUBDIVISION, THE LOT SIZE SHALL BE AT LEAST 6,000 SQUARE FEET NET AREA, AND THE MINIMUM AVERAGE WIDTH THEREOF SHALL BE 60 FEET FOR INTERIOR LOTS AND 75 FEET FOR CORNER LOTS.

(2) WHERE CONNECTION TO AN APPROVED PUBLIC WATER SUPPLY WILL BE PROVIDED TO EACH LOT IN THE SUBDIVISION, BUT CONNECTION TO A SANITARY SEWERAGE SYSTEM IS NOT AVAILABLE, THE LOT SIZE SHALL BE AT LEAST 10,000 SQUARE FEET NET AREA, AND THE MINIMUM AVERAGE WIDTH THEREOF SHALL BE 70 FEET FOR INTERIOR LOTS AND 85 FEET FOR CORNER LOTS.

(3) WHERE CONNECTION TO NEITHER A PUBLIC WATER SUPPLY NOR TO A SANITARY SEWERAGE DISPOSAL SYSTEM IS AVAILABLE IN THE SUBDIVISION, THE LOT SIZE SHALL BE AT LEAST ONE ACRE NET AREA, AND THE MINIMUM AVERAGE WIDTH THEREOF SHALL BE 125 FEET.

(B) EACH LOT SHALL HAVE FRONTAGE OF 50 FEET MINIMUM ON A PUBLIC STREET.

(C) THE REAR LOT LINE OF EACH LOT SHALL BE AT LEAST 100 FEET FROM THE STREET RIGHT OF WAY LINE UPON WHICH THE LOT FRONTS.

(D) INTERIOR ANGLES OF LOTS SHALL CONTAIN AT LEAST 60 DEGREES; PROVIDED THAT APEX ANGLES OF "PIE SHAPED" LOTS SHALL CONTAIN AT LEAST 75 DEGREES.

(E) DOUBLE FRONTAGE LOTS, EXCEPT CORNER LOTS, OF LESS THAN 200 FEET IN DEPTH WILL NOT BE APPROVED EXCEPT WHERE NECESSARY DUE TO TOPOGRAPHIC OR OTHER PHYSICAL CONDITIONS, OR WHERE INGRESS OR EGRESS FROM ONE OF THE STREETS IS PROHIBITED.

(F) EACH LOT OR PARCEL OF LAND IN THE SUBDIVISION DIVIDED INTO A LARGER BUILDING SITE THAN THE MINIMUM REQUIRED BY THE COUNTY ZONING ORDINANCE SHALL BE RESTRICTED AGAINST FUTURE DIVISION UNLESS IT CAN BE DIVIDED IN ACCORDANCE WITH SUBSECTIONS (A) THROUGH (D) HEREINAFORE.

2.5 RESERVED STRIPS

RESERVED STRIPS CONTROLLING THE ACCESS TO PUBLIC WAYS, OR WHICH WILL NOT PROVE TAXABLE FOR SPECIAL IMPROVEMENTS, WILL NOT BE APPROVED.

2.6 GENERAL PLAN

IN ANY AREA OF THE COUNTY WHERE A GENERAL PLAN OR ANY PART OR SUBJECT THEREOF HAS BEEN OFFICIALLY ADOPTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 7 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA, THE SUBDIVISION WILL BE CONSIDERED IN RELATION TO THE SAID GENERAL PLAN, IF ANY, AND PROVISION SHALL BE MADE FOR SITES FOR SCHOOLS, PARKS, PUBLIC BUILDINGS OR OTHER PUBLIC AREAS AND FACILITIES IN ACCORDANCE WITH THE RECOMMENDATIONS OF SUCH GENERAL PLAN.

SECTION 3. SUBDIVISION IMPROVEMENT REGULATIONS

3.1 IMPROVEMENT PLAN

ACCOMPANYING THE TENTATIVE MAP, OR AFTER APPROVAL OF THE TENTATIVE MAP, AND BEFORE THE STARTING OF ANY CONSTRUCTION AND BEFORE THE FILING OF A FINAL MAP, TWO COPIES OF AN IMPROVEMENT PLAN OR PLANS SHALL BE SUBMITTED BY THE SUBDIVIDER FOR APPROVAL BY THE APPROPRIATE AGENCIES OR OFFICIALS AS FOLLOWS:

(A) A PLAN AND PROFILE OF THE PROPOSED ROADS AND STREETS SHALL BE MADE TO A SUITABLE SCALE AND MUST SHOW THE GROUND SURFACE LINE, FINISH GRADE SURFACE, RATES OF GRADE, VERTICAL CURVES, ELEVATION OF GRADE POINTS AND FIFTY-FOOT STATIONS. THE DITCH GRADE SHALL BE SHOWN BY BROKEN LINES, AND LOCATION AND FLOW LINE ELEVATIONS OF ALL CULVERTS SHALL BE SHOWN WITH DIAMETER AND LENGTH GIVEN THEREON. THE PLAN AND PROFILE SHALL BE SUBMITTED TO AND SUBJECT TO APPROVAL OF THE COUNTY ROAD COMMISSIONER.

(B) DETAILED DRAWINGS AND SPECIFICATIONS OF ALL PUBLIC UTILITIES RIGHTS OF WAYS AND EASEMENTS, CONFORMING WITH THE STANDARDS AND SPECIFICATIONS OF THE COMPANY OR DISTRICT PROVIDING SERVICE TO THE SUBDIVISION, SHALL BE SUBMITTED TO ANY SUCH AGENCY, COMPANY AND/OR DISTRICT FOR APPROVAL THEREOF. A COPY OF SUCH APPROVED IMPROVEMENT PLANS SHALL BE SUBMITTED TO THE ROAD COMMISSIONER BEFORE CONSTRUCTION IS STARTED.

3.2 STREET IMPROVEMENTS

ALL PUBLIC AND PRIVATE STREETS, ROADS AND WAYS SHOWN ON THE APPROVED TENTATIVE MAP AND IMPROVEMENT PLAN OF THE SUBDIVISION SHALL BE IMPROVED IN ACCORDANCE WITH THE LATEST ADOPTED STANDARDS AND SPECIFICATIONS FOR COUNTY ROADS ADOPTED BY RESOLUTION OF THE BOARD OF SUPERVISORS. SAID STANDARDS ARE HEREBY ADOPTED BY REFERENCE, AND THREE COPIES THEREOF SHALL BE MAINTAINED ON FILE FOR PUBLIC INSPECTION IN THE OFFICE OF THE COUNTY CLERK OF THE COUNTY OF NEVADA.

3.3 DRAINAGE AND FLOOD CONTROL

PROVISION SHALL BE MADE TO DRAIN SURFACE AND STORM WATER FROM THE SUBDIVISION

ON THE BASIS OF COMPUTATION OF ANTICIPATED 25-YEAR FREQUENCY STORMS FOR MAXIMUM PERIODS OF INTENSITY FOR THE ENTIRE DRAINAGE BASIN SERVED BY THE GIVEN DRAINAGE OR FLOOD CONTROL SYSTEM. DRAINAGE STRUCTURES AND DITCHES SHALL HAVE SUFFICIENT OPEN AREA TO CARRY THE CALCULATED STORM WATER FROM SUCH DRAINAGE AREAS BASED ON STANDARD ENGINEERING PRINCIPLES. WHERE FREE FALL OF WATER OCCURS, PROVISION SHALL BE MADE TO PREVENT EROSION OF SOIL. NATURAL DRAINAGE SHALL BE PRESERVED WHENEVER POSSIBLE.

3.4 WATER IMPROVEMENTS

(A) WATER SHALL BE SUPPLIED TO EACH LOT IN THE SUBDIVISION IN ACCORDANCE WITH THE REGULATIONS OF THE COUNTY HEALTH DEPARTMENT, THE STATE HEALTH DEPARTMENT, AND ANY PUBLIC OR PRIVATE AGENCY, COMPANY OR DISTRICT SUPPLYING WATER TO THE SUBDIVISION.

(B) WATER SUPPLY, FIRE HYDRANTS, GATED CONNECTIONS AND APPURTENANCES SHALL BE FURNISHED FOR FIRE PROTECTION IN ACCORDANCE WITH THE STANDARDS OF THE FIRE DISTRICT IN WHICH THE SUBDIVISION IS LOCATED, OR THE STANDARDS OF THE NATIONAL BOARD OF FIRE UNDERWRITERS, WHICHEVER IS GREATER.

3.5 SEWAGE DISPOSAL IMPROVEMENTS

SEWAGE DISPOSAL FOR EACH LOT IN THE SUBDIVISION SHALL CONFORM TO THE REGULATIONS OF THE COUNTY HEALTH DEPARTMENT, AND ANY STATE LAWS AND COUNTY ORDINANCES PERTAINING THERETO, WITH CONNECTION PROVIDED FOR EACH LOT IN THE SUBDIVISION TO A SANITARY SEWERAGE SYSTEM WHERE AVAILABLE OR REQUIRED BY THE COUNTY HEALTH DEPARTMENT.

3.6 IMPROVEMENTS REQUIRED

(A) THE SUBDIVIDER SHALL INSTALL ALL IMPROVEMENTS SPECIFIED ON THE APPROVED IMPROVEMENT PLAN, OR AGREE TO INSTALL SAID IMPROVEMENTS AS A CONDITION PRECEDENT TO THE APPROVAL AND ACCEPTANCE OF THE FINAL MAP OF THE SUBDIVISION.

IF THE INSTALLATION OF ALL IMPROVEMENTS IS NOT COMPLETED SATISFACTORILY BEFORE THE FINAL MAP IS FILED, THE SUBDIVIDER SHALL CONCURRENTLY WITH THE APPROVAL OF SUCH MAP, ENTER INTO AN AGREEMENT WITH THE BOARD OF SUPERVISORS, TO HAVE THE WORK COMPLETED WITHIN THE TIME SPECIFIED IN SAID AGREEMENT. SUCH AGREEMENT SHALL BE SECURED IN AN AMOUNT TO COVER THE ESTIMATED COST OF IMPROVEMENT AS PROVIDED IN SECTION 11612 AND 11613 OF THE SUBDIVISION MAP ACT.

(B) THE SUBDIVIDER MAY ELECT TO INSTALL IMPROVEMENTS IN UNITS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11612.5 OF THE SUBDIVISION MAP ACT.

SECTION 4. SURVEY AND STAKING

4.1 SURVEY

A TRAVERSE OF THE BOUNDARIES OF THE TRACT AND ALL LOTS AND BLOCKS MUST CLOSE WITHIN A LIMIT OF ERROR OF ONE IN FIVE THOUSAND.

4.2 STAKING

(A) IN MAKING THE SURVEY, THE ENGINEER OR SURVEYOR SHALL STAKE ALL CORNER POINTS, CURVE POINTS AND SURVEY POINTS IN THE EXTERIOR BOUNDARY, STREETS, EASEMENTS, AND OTHER LANDS TO BE DEDICATED FOR PUBLIC USE IN THE SUBDIVISION.

(B) ALL LOT CORNERS, ANGLE POINTS, CURVE POINTS AND SURVEY POINTS SHALL BE STAKED USING STAKES 20 INCHES LONG OF EITHER 3/4-INCH INSIDE DIAMETER

STEEL PIPE OR 3/4-INCH DIAMETER STEEL RODS. SAID STAKES SHALL BE DRIVEN FLUSH WITH THE FINISH GRADE OF THE LOT. STAKES ON THE EXTERIOR BOUNDARY OF THE SUBDIVISION SHALL BE STAMPED WITH THE REGISTRATION NUMBER OF THE ENGINEER OR SURVEYOR.

4.3 PERMANENT REFERENCE MONUMENTS

(A) SUFFICIENT PERMANENT REFERENCE MONUMENTS SHALL BE SET TO RETRACE THE SURVEY. SUCH MONUMENTS SHALL BE READILY ACCESSIBLE FROM THE STREET RIGHT OF WAY IN LOCATIONS APPROVED BY THE COUNTY SURVEYOR, AND SHALL BE PROPERLY SHOWN AND DIMENSIONED ON THE FINAL MAP.

(B) PERMANENT REFERENCE MONUMENTS SHALL BE NOT LESS SUBSTANTIAL THAN A TWO-INCH DIAMETER BY 30 INCHES LONG STEEL PIPE, THE UPPER 12 INCHES OF WHICH IS ENCASED IN CONCRETE WITH THE EXACT POINT MARKED BY A COPPER OR BRONZE PIN TWO INCHES LONG.

4.4 INSPECTION AND INSTALLATION

(A) ALL MONUMENTS SHALL BE SUBJECT TO THE INSPECTION AND APPROVAL OF THE COUNTY SURVEYOR AND SHALL BE EITHER INSTALLED PRIOR TO RECORDING OF THE FINAL MAP, OR THE ENGINEER OR SURVEYOR PREPARING THE MAP SHALL CERTIFY THEREON THAT THE SAID MONUMENTS WILL BE SET AT THE TIME OF ACCEPTANCE OF THE FINAL MAP. THE COST OF SETTING SUCH MONUMENTS SHALL BE INCLUDED AS PART OF THE WORK TO BE DONE UNDER SECTION 3.6 OF THIS ORDINANCE AND AS PROVIDED IN SECTION 11592 OF THE SUBDIVISION MAP ACT.

SECTION 5. TENTATIVE MAP

5.1 PURPOSE OF TENTATIVE MAP

(A) THE INITIAL ACTION IN CONNECTION WITH THE MAKING OF ANY SUBDIVISION SHALL BE THE PREPARATION OF A TENTATIVE MAP OR MAPS CONFORMING TO THE PROVISIONS OF THIS ORDINANCE AND THE SUBDIVISION MAP ACT. A TENTATIVE MAP SHALL BE MADE FOR THE PURPOSE OF SHOWING THE DESIGN OF A PROPOSED SUBDIVISION AND THE EXISTING CONDITIONS IN AND AROUND IT AND NEED NOT BE BASED UPON AN ACCURATE OR DETAILED SURVEY OF THE PROPERTY.

(B) A TENTATIVE MAP SHALL BE FILED WITH THE PLANNING COMMISSION OF ANY PROPOSED DIVISION OF LAND DEFINED AS A "SUBDIVISION" IN SECTION 1.2 (A) OF THIS ORDINANCE, AND WHEN A TENTATIVE MAP IS REQUIRED BY THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA.

5.2 FORM OF TENTATIVE MAP

(A) A TENTATIVE MAP SHALL BE DRAWN TO SCALE AND SHALL CONFORM TO THE DESIGN REGULATIONS CONTAINED IN SECTION 2 OF THIS ORDINANCE.

(B) EVERY TENTATIVE MAP SHALL BE CLEARLY AND LEGIBLY REPRODUCED AND SHALL SHOW THE FOLLOWING INFORMATION:

- (1) A SITE SKETCH SHOWING THE LOCATION OF THE PROPOSED SUBDIVISION IN RELATION TO THE SURROUNDING AREA OR REGION.
- (2) THE TRACT NAME, DATE, NORTH POINT, AND SCALE.
- (3) NAMES, ADDRESSES AND TELEPHONE NUMBERS OF RECORD OWNER, SUBDIVIDER, AND

- ENGINEER OR SURVEYOR OR OTHER PERSON PREPARING THE TENTATIVE MAP.
- (4) SUFFICIENT LEGALLY DESCRIBED BOUNDARIES TO DEFINE THE PROPOSED TRACT, AND INDICATION OF ADJACENT SUBDIVISIONS AND CURRENT OWNERSHIP OF ADJACENT PARCELS.
 - (5) LOCATION, NAMES, PRESENT CENTER LINES, WIDTHS AND GRADES OF ADJACENT OR ABUTTING ROADS AND STREETS.
 - (6) LOCATION AND DIMENSIONS OF ALL KNOWN EASEMENTS, RESERVES AND DRAINAGE DITCHES ON OR ADJACENT TO THE PROPOSED SUBDIVISION.
 - (7) THE LOCATION OF ALL EXISTING STRUCTURES TO REMAIN ON THE PROPERTY.
 - (8) TOPOGRAPHY SHOWN WITH SUFFICIENT DETAIL FOR PROPER STUDY OF DRAINAGE, SEWAGE DISPOSAL AND ROAD LOCATIONS.
 - (9) APPROXIMATE LOCATION OF ALL AREAS SUBJECT TO INUNDATION OR STORM WATER OVERFLOW, AND THE LOCATION, WIDTH AND DIRECTION OF FLOW OF ALL WATER¹ COURSES.
 - (10) THE LOCATIONS, NAMES, WIDTH AND APPROXIMATE GRADES OF ALL STREETS PROPOSED OR EXISTING IN THE SUBDIVISION, AND THE APPROXIMATE WIDTHS AND LOCATIONS OF PROPOSED EASEMENTS FOR DRAINAGE, SEWERAGE AND PUBLIC UTILITIES.
 - (11) THE APPROXIMATE DIMENSIONS AND AREA OF ALL LOTS, AND RADII OF ALL CURVES.
 - (12) TYPICAL CROSS-SECTIONS OF PROPOSED STREETS, SHOWING ALL IMPROVEMENTS PROPOSED WITHIN THE STREET RIGHT OF WAY AT SUCH SCALE TO CLEARLY SHOW THE DETAILS THEREOF.

5.3 DATA TO ACCOMPANY TENTATIVE MAP

DATA AND INFORMATION ON THE FOLLOWING MATTERS SHALL BE EITHER ON THE TENTATIVE MAP OR CONTAINED IN A WRITTEN STATEMENT ACCOMPANYING THE SAME:

- (A) A PRELIMINARY TITLE REPORT PREPARED BY A REPUTABLE TITLE INSURANCE COMPANY STATING RIGHTS AND INTERESTS IN THE PROPERTY BEING SUBDIVIDED.
- (B) DOMESTIC WATER SUPPLY PROPOSED BY THE SUBDIVIDER. INFORMATION ON THE FEASIBILITY OF WELL DRILLING AS ATTESTED BY A LICENSED WELL DRILLER IS REQUIRED WHEN WELLS ARE PROPOSED. IF A MUTUAL WATERSYSTEM IS PROPOSED, INFORMATION ON THE SOURCE AND CAPACITY OF THE SYSTEM IS REQUIRED.
- (C) PROPOSED METHOD OF SEWAGE DISPOSAL. PERCOLATION TEST DATA IN CONFORMANCE WITH THE REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT SHALL BE PROVIDED WHEN SEPTIC TANKS AND DRAIN FIELDS ARE PROPOSED. DETAILED INFORMATION ON ANY PROPOSED COMMUNITY SEWAGE DISPOSAL SYSTEM SHALL BE SUBMITTED.
- (D) INFORMATION ON THE SOURCE OF OTHER PUBLIC UTILITIES.
- (E) PROPOSED DRAINAGE AND/OR FLOOD CONTROL MEASURES.
- (F) A GENERAL DEVELOPMENT PLAN OF CONTIGUOUS SUBDIVISION UNITS AND PARCELS PROPOSED FOR SUBDIVISION FOR THE PURPOSE OF REFERENCE AND INFORMATION OF THE PLANNING COMMISSION.
- (G) EXISTING AND PROPOSED USES OF THE PROPERTY, INCLUDING ANY PUBLIC AREAS PROPOSED.
- (H) JUSTIFICATIONS AND REASONS FOR EXCEPTIONS, IF ANY, TO PROVISIONS OF THIS ORDINANCE AS PROVIDED IN SECTION 7 OF THIS ORDINANCE.

5.4 FILING OF TENTATIVE MAP

(A) THERE SHALL BE FILED WITH THE OFFICE OF THE PLANNING COMMISSION 15 DAYS PRIOR TO THE MEETING AT WHICH CONSIDERATION IS DESIRED, 12 PRINTS OF THE TENTATIVE MAP CONFORMING TO THE REQUIREMENTS OF SECTION 5.2, AND ACCOMPANYING DATA REQUIRED BY SECTION 5.3 OF THIS ORDINANCE.

(B) THE SUBDIVIDER SHALL AT THE TIME OF FILING THE TENTATIVE MAP PAY A FILING FEE OF TWENTY-FIVE DOLLARS (\$25.00) WHICH SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE COUNTY OF NEVADA. IF ADDITIONAL TENTATIVE MAPS COVERING THE SAME TRACT, OR REVISIONS OF THE INITIAL MAP ARE FILED, NO ADDITIONAL FEE NEED TO BE PAID, BUT IF LAND OTHER THAN, OR IN ADDITION TO, THAT SHOWN ON THE INITIAL MAP, OR IF THE TIME FOR FILING A MAP HAS EXPIRED, SUCH MAP SHALL BE CONSIDERED AS A MAP OF A NEW SUBDIVISION AND A NEW FILING FEE SHALL BE PAID.

(C) THE TIME OF FILING A TENTATIVE MAP SHALL BE THE TIME AT WHICH THE MAP IS ACCEPTED BY THE OFFICER DESIGNATED IN THE RULES OF THE PLANNING COMMISSION FOR THE PURPOSE. SUCH OFFICER SHALL EXAMINE SUCH MAP AND SHALL NOT ACCEPT IT UNLESS IT IS IN FULL COMPLIANCE WITH THE PROVISIONS OF LAW AND THIS ORDINANCE.

(D) UPON ACCEPTANCE, SUCH OFFICER SHALL GIVE A RECEIPT FOR THE MAP, ACCOMPANYING DATA AND FILING FEE. SUCH ACCEPTANCE SHALL NOT PRECLUDE THE SECURING OF ADDITIONAL INFORMATION FROM THE SUBDIVIDER NECESSARY FOR PROPER CONSIDERATION OF THE MAP, NOR DOES IT INSURE THAT THE MAP DOES COMPLY WITH THE LAW AND WITH THIS ORDINANCE.

5.5 ACTION ON THE TENTATIVE MAP

(A) WITHIN THREE WORKING DAYS FROM THE DATE OF FILING, COPIES OF THE TENTATIVE MAP SHALL BE DISTRIBUTED BY THE PLANNING COMMISSION TO PUBLIC AGENCIES AND OFFICIALS AND PUBLIC UTILITY COMPANIES REQUESTING SAME FOR REVIEW AND REPORT THEREON.

(B) WITHIN NOT MORE THAN 15 DAYS FROM RECEIPT OF A TENTATIVE MAP, EACH OFFICER OR AGENCY MAY FILE A REPORT WITH THE PLANNING COMMISSION OF HIS OR ITS APPROVAL, CONDITIONAL APPROVAL, RECOMMENDATIONS OR DISAPPROVAL. SUCH RECOMMENDATIONS SHALL BE IN WRITING AND SHALL INDICATE WHAT CHANGES ARE NECESSARY TO MAKE THE PROPOSED SUBDIVISION ACCEPTABLE, INCLUDING ANY TYPICAL DRAWINGS AND SPECIFICATIONS ADOPTED AS STANDARD. THE RECOMMENDATIONS AS SUBMITTED SHALL THEN BECOME A CONDITION OF APPROVAL.

(C) IF THE COUNTY HEALTH OFFICER FINDS THAT THE PROPOSED METHOD OF SEWAGE DISPOSAL OR WATER SUPPLY WOULD CREATE A HEALTH HAZARD, HE MAY RECOMMEND AN ALTERNATE SYSTEM, AND SUCH RECOMMENDATION MUST BE INCLUDED AS A CONDITION OF APPROVAL BY THE PLANNING COMMISSION. IF NO SATISFACTORY METHOD OF SEWAGE DISPOSAL OR WATER SUPPLY IS PRESENTED THEN THE TENTATIVE MAP SHALL BE DISAPPROVED.

(D) WITHIN 40 DAYS AFTER RECEIPT OF A TENTATIVE MAP FROM THE SUBDIVIDER, UNLESS SUCH TIME IS EXTENDED BY AGREEMENT WITH THE SUBDIVIDER OR HIS AGENT, THE PLANNING COMMISSION SHALL MEET AND CONSIDER THE SAID MAP TOGETHER WITH ALL REPORTS PERTAINING THERETO, AND SHALL APPROVE, CONDITIONALLY APPROVE OR DISAPPROVE THE SAME. SAID ACTION SHALL BE ENDORSED UPON THE FACE OF THE TENTATIVE MAP. IN THE

EVENT THE TENTATIVE MAP IS DISAPPROVED, THE REASONS FOR SUCH DISAPPROVAL SHALL BE STATED UPON A MEMORANDUM PERMANENTLY ATTACHED TO SAID MAP, TOGETHER WITH A STATEMENT OF WHAT CHANGES WILL RENDER THE MAP ACCEPTABLE. ONE COPY OF THE TENTATIVE MAP AND MEMORANDUM SHALL BE SENT TO THE SUBDIVIDER AND ONE COPY SHALL REMAIN PERMANENTLY IN THE FILES OF THE PLANNING COMMISSION. IF NO ACTION IS TAKEN BY THE PLANNING COMMISSION WITHIN SAID 40 DAYS, OR SUCH LONGER PERIOD AS MAY HAVE BEEN AGREED UPON, THE TENTATIVE MAP SHALL BE DEEMED APPROVED AND IT SHALL BE SO ATTESTED BY THE COMMISSION.

SECTION 6. THE FINAL MAP

6.1 TIME OF FILING

(A) WITHIN ONE YEAR AFTER APPROVAL OR CONDITIONAL APPROVAL OF THE TENTATIVE MAP OR MAPS, THE SUBDIVIDER MAY CAUSE THE SUBDIVISION, OR ANY PART THEREOF, TO BE SURVEYED AND A FINAL MAP TO BE PREPARED IN ACCORDANCE WITH THE TENTATIVE MAP AS APPROVED. UPON APPLICATION OF THE SUBDIVIDER AN EXTENSION OF NOT EXCEEDING ONE YEAR MAY BE AUTHORIZED BY THE GOVERNING BODY OR BY THE ADVISORY AGENCY. IN THE EVENT THE ADVISORY AGENCY DENIES A SUBDIVIDER'S APPLICATION FOR EXTENSION, THE SUBDIVIDER MAY APPEAL TO THE GOVERNING BODY.

(B) ANY SUCH EXTENSION FOR ONE YEAR SHALL BE APPLIED FOR AND MUST BE APPROVED PRIOR TO THE EXPIRATION OF THE FIRST YEAR FOLLOWING THE APPROVAL OF THE TENTATIVE MAP BY THE GOVERNING BODY OR ADVISORY AGENCY, PROVIDED, THAT IN ANY EVENT WHERE APPLICATION FOR A ONE YEAR EXTENSION HAS BEEN DULY MADE BY THE SUBDIVIDER IN WRITING TO THE ADVISORY AGENCY AT LEAST 45 DAYS PRIOR TO THE EXPIRATION OF SAID FIRST YEAR, IF SAID ADVISORY AGENCY OR THE GOVERNING BODY FAILS TO ACT ON SUCH APPLICATION WITHIN SAID 45 DAYS, SUCH APPLICATION SHALL BE DEEMED GRANTED.

(C) ANY FAILURE TO RECORD A FINAL MAP WITHIN ONE YEAR FROM THE APPROVAL OR CONDITIONAL APPROVAL OF THE TENTATIVE MAP OR ANY EXTENSION THEREOF GRANTED BY THE GOVERNING BODY, SHALL TERMINATE ALL PROCEEDINGS. BEFORE A FINAL MAP MAY THEREAFTER BE RECORDED, A NEW TENTATIVE MAP SHALL BE SUBMITTED.

6.2 FORM OF FINAL MAP

(A) THE FINAL MAP SHALL BE CLEARLY AND LEGIBLY DRAWN, OR REPRODUCED BY A PROCESS GUARANTEEING A PERMANENT RECORD IN BLACK UPON TRACING CLOTH. ALL LINES, LETTERS, AND FIGURES SHALL BE CLEARLY AND LEGIBLY DRAWN IN BLACK WATERPROOF INDIA INK. THE MAP SHALL BE SO MADE IN SUCH CONDITION WHEN FILED THAT GOOD LEGIBLE PRINTS CAN BE MADE THEREFROM.

(B) THE SIZE OF SHEETS SHALL BE 18 INCHES BY 26 INCHES LEAVING A MARGIN OF TWO INCHES AT THE LEFT BINDING EDGE AND ONE INCH AT THE OTHER THREE EDGES OF THE SHEETS. THE SCALE OF THE FINAL MAP SHALL BE SUFFICIENTLY LARGE TO CLEARLY SHOW THE DETAILS OF THE PLAN.

(C) EVERY SHEET COMPRISING THE FINAL MAP SHALL BEAR THE TRACT NAME, SCALE, NORTH POINT, LEGEND, SHEET NUMBER AND NUMBER OF SHEETS COMPRISING THE MAP. BELOW THE TITLE SHALL BE CLEARLY NOTED THE BASIS OF BEARING FOR THE SURVEY. WHEN THE FINAL MAP CONSISTS OF MORE THAN TWO MAP SHEETS A KEY MAP SHOWING THE RELATION OF THE SHEETS SHALL BE PLACED ON SHEET ONE.

(D) THE NAME OF THE TRACT SHALL NOT BE THE SAME AS THE NAME OF ANY EXISTING CITY, TOWN, TRACT OR SUBDIVISION IN THE COUNTY OF WHICH A MAP HAS BEEN PREVIOUSLY RECORDED OR SO NEARLY THE SAME AS TO CAUSE CONFUSION AS TO THE IDENTITY THEREOF. IF ANY LAND BEING SUBDIVIDED HAS BEEN PREVIOUSLY SHOWN ON A RECORDED MAP, A SUB-TITLE REFERING TO SAID RECORDED MAP WORDED IDENTICALLY WITH ORIGINAL RECORDS AND REFERENCE TO BOOK AND PAGE OF OFFICIAL RECORDS MUST BE SHOWN ON THE TITLE SHEET.

(E) THE FINAL MAP SHALL CLEARLY SHOW THE EXACT LOCATION OF ALL PERMANENT MONUMENTS AS REQUIRED TO BE SET BY SECTION 4.3 OF THIS ORDINANCE. THE CORNERS OF ADJOINING SUBDIVISIONS SHALL BE IDENTIFIED BY LOT AND BLOCK NUMBERS, TRACT NAME AND PLACE OF RECORD, OR BY SECTION, TOWNSHIP AND RANGE OR OTHER PROPER DESIGNATION. THE BOUNDARY OF THE PROPOSED TRACT SHALL BE DESIGNATED BY A BLUE BORDER APPLIED TO THE TRACING. SUCH BORDER SHALL NOT INTERFERE WITH THE LEGIBILITY OF FIGURES OR OTHER DATA.

(F) THE FINAL MAP SHALL SHOW THE SIDE LINES, TOTAL WIDTH, WIDTH OF THE PORTION BEING DEDICATED AND WIDTH OF EXISTING DEDICATIONS OF ALL STREETS AND WAYS AND THE WIDTH OF RAILROAD RIGHTS OF WAY APPEARING ON THE MAP. WHERE THERE HAS BEEN ESTABLISHED THE CENTER LINE OF AN EXISTING STREET OR WAY, THE DATA SHALL BE SHOWN ON THE FINAL MAP INDICATING ALL MONUMENTS FOUND AND MAKING REFERENCE TO A FIELD BOOK OR MAP. IF THE POINTS WERE RESET BY TIES, THAT FACT SHALL BE STATED.

(G) ALL LOTS SHALL BE NUMBERED CONSECUTIVELY WITH NO OMISSIONS OR DUPLICATIONS THROUGHOUT THE SUBDIVISION, INCLUDING ALL UNITS OF ANY SUBDIVISION WHICH HAS THE SAME TRACT NAME BUT IS DESIGNATED BY DIFFERENT UNITS. BLOCK DIVISION OR NUMBERING IS NOT PERMITTED. CIRCLES OR OTHER GEOMETRIC FIGURES SHALL NOT BE DRAWN AROUND NUMBERS. EACH LOT MUST BE SHOWN ENTIRELY ON ONE SHEET.

(H) SUFFICIENT DATA MUST BE SHOWN ON THE FINAL MAP TO DETERMINE READILY THE BEARING AND LENGTH OF EVERY LOT LINE, BLOCK LINE AND BOUNDARY LINE. DIMENSIONS OF LOTS SHALL BE GIVEN AS NET DIMENSIONS TO THE BOUNDARIES OF ADJOINING STREETS AND SHALL BE SHOWN IN FEET AND HUNDRETHS OF A FOOT. NO DITTO MARKS SHALL BE USED. LOTS CONTAINING ONE ACRE OR MORE SHALL SHOW NET ACREAGE TO NEAREST HUNDRETHS. BEARINGS AND DISTANCES OF STRAIGHT LINES, AND SUCH RADII AND ARC LENGTH FOR ALL CURVES AS MAY BE NECESSARY TO DETERMINE THE LOCATION OF CENTERS OF CURVES SHALL BE SHOWN.

(I) THE FINAL MAP SHALL SHOW THE LOCATION AND WIDTH OF ALL EASEMENTS AND BUILDINGS; SET BACK LINES TO WHICH THE LOTS ARE SUBJECT. THE EASEMENTS MUST BE CLEARLY LABELED AND IDENTIFIED, AND IF ALREADY OF RECORD, THE RECORDED REFERENCE GIVEN. IF THE EASEMENT IS NOT DEFINITELY LOCATED OF RECORD, A STATEMENT OF SUCH EASEMENT MUST APPEAR ON THE TITLE SHEET. EASEMENTS SHALL BE DESIGNATED BY DASHED LINES. DISTANCES AND BEARINGS OF THE SIDE LINES OF LOTS CUT BY AN EASEMENT MUST BE ARROWED TO INDICATE CLEARLY THE ACTUAL LENGTHS OF THE LOT LINES. THE WIDTH OF THE EASEMENT AND LENGTH AND BEARINGS OF THE LINES THEREOF AND SUFFICIENT TIES THERETO TO DEFINITELY LOCATE THE EASEMENT MUST BE SHOWN. IF THE EASEMENT IS BEING DEDICATED BY THE MAP, IT SHALL BE PROPERLY SET OUT IN THE OWNER'S CERTIFICATE OF DEDICATION.

(J) THE FINAL MAP SHALL PARTICULARLY DEFINE AND DESIGNATE ALL LOTS OR

PARCELS INTENDED FOR SALE OR RESERVED FOR PRIVATE PURPOSES AND ALL PARCELS OFFERED FOR DEDICATION FOR ANY PURPOSE, WITH ALL DIMENSIONS, BOUNDARIES, AND COURSES CLEARLY SHOWN AND DEFINED IN EVERY CASE. ANY OR ALL OF THE PARCELS OF LAND INTENDED FOR ANY PUBLIC USE, EXCEPT THOSE PARCELS, OTHER THAN ROADS, INTENDED FOR THE EXCLUSIVE USE OF THE LOT OWNERS, THEIR LICENSEES, VISITORS AND TENANTS AND SERVANTS IN THE SUBDIVISION, SHALL BE OFFERED FOR DEDICATION FOR PUBLIC USE. PARCELS OFFERED FOR DEDICATION BUT NOT ACCEPTED SHALL BE CLEARLY SO DESIGNATED ON THE MAP.

6.3 CERTIFICATES AND ACKNOWLEDGEMENTS

THE FOLLOWING CERTIFICATES AND ACKNOWLEDGEMENTS AND ALL OTHER NOW OR HEREAFTER REQUIRED BY LAW SHALL APPEAR ON THE FINAL MAP. SUCH CERTIFICATES MAY BE COMBINED WHERE APPROPRIATE.

(A) A CERTIFICATE SIGNED AND ACKNOWLEDGED BY ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND BEING SUBDIVIDED, CONSENTING TO THE PREPARATION AND RECORDATION OF SAID FINAL MAP. THE SIGNATURES OF PARTIES OWNING THE FOLLOWING TYPES OF INTERESTS MAY BE OMITTED IF THEIR NAMES AND NATURE OF INTERESTS ARE ENDORSED ON THE MAP:

- (1) RIGHTS OF WAY, EASEMENTS, OR OTHER INTERESTS, NONE OF WHICH CAN RIPEN INTO A FEE.
- (2) RIGHT OF WAY, EASEMENTS OR REVERSIONS, WHICH BY REASON OF CHANGED CONDITIONS, LONG DISUSE OR NEGLIGENCE APPEAR TO BE NO LONGER OF PRACTICAL USE OR VALUE AND WHICH SIGNATURE IT IS IMPOSSIBLE OR IMPRACTICAL TO OBTAIN. IN THIS CASE A REASONABLE STATEMENT OF THE CIRCUMSTANCES PREVENTING THE PROCUREMENT OF THE SIGNATURES SHALL BE ENDORSED ON THE MAP.
- (3) INTERESTS IN OR RIGHTS TO MINERALS, INCLUDING BUT NOT LIMITED TO OIL, GAS OR OTHER HYDROCARBON SUBSTANCES, IF THE OWNERSHIP OF SUCH INTERESTS OR RIGHTS DOES NOT INCLUDE A RIGHT OF ENTRY ON THE SURFACE OF THE LAND.
- (4) LAND INCLUDING TERRITORY ORIGINALLY PATENTED BY THE UNITED STATES OR THE STATE OF CALIFORNIA, UNDER PATENT RESERVING INTEREST TO EITHER OR BOTH OF THOSE ENTITIES.

(B) A CERTIFICATE FOR EXECUTION ACKNOWLEDGED AS ABOVE, OFFERING CERTAIN PARCELS OF LAND FOR DEDICATION FOR CERTAIN SPECIFIED PUBLIC USES, SUBJECT TO SUCH RESERVATIONS AS MAY BE CONTAINED IN ANY SUCH OFFER.

(C) A CERTIFICATE BY THE CIVIL ENGINEER OR LICENSED SURVEYOR RESPONSIBLE FOR THE SURVEY AND FINAL MAP. THE SIGNATURE OF SUCH CIVIL ENGINEER OR LICENSED SURVEYOR MUST BE ATTESTED UNLESS ACCOMPANIED BY HIS SEAL.

(D) A CERTIFICATE FOR EXECUTION BY THE COUNTY SURVEYOR.

(E) A CERTIFICATE FOR EXECUTION BY THE COUNTY RECORDER.

(F) A CERTIFICATE FOR EXECUTION BY THE CHAIRMAN OF THE PLANNING COMMISSION ATTESTED BY THE SECRETARY THEREOF.

(G) A CERTIFICATE FOR EXECUTION BY THE COUNTY AUDITOR, AND FOR EACH PROPER OFFICER GIVING HIS ESTIMATE OF THE AMOUNT OF TAXES AND ASSESSMENTS WHICH ARE A LIEN BUT NOT YET PAYABLE.

(H) A CERTIFICATE ATTESTING THAT A TAX BOND, CASH OR OTHER SECURITY GUARANTEED IN PAYMENT HAVE BEEN FILED WITH THE CLERK OF THE BOARD OF SUPERVISORS TO COVER TAXES AND ASSESSMENTS AGAINST THE PROPERTY WHICH ARE A LIEN BUT NOT YET PAYABLE.

(I) A CERTIFICATE FOR EXECUTION BY THE CHAIRMAN OF THE BOARD OF SUPERVISORS, ATTESTED BY THE CLERK OF SAID BOARD APPROVING THE FINAL MAP AS SUBMITTED, AND ACCEPTING, OR NOT ACCEPTING, THE AREAS OFFERED FOR DEDICATION FOR PUBLIC USE.

6.4 DATA TO ACCOMPANY THE FINAL MAP

THE FOLLOWING DATA AND INFORMATION SHALL ACCOMPANY THE FINAL MAP:

(A) EVIDENCE OF TITLE ISSUED BY A REPUTABLE TITLE INSURANCE COMPANY, SHOWING THE NAMES OF ALL PERSONS HAVING ANY RIGHT, TITLE OR INTEREST IN THE LANDS BEING SUBDIVIDED AND WHOSE CONSENT IS NECESSARY TO CONVEY CLEAR TITLE TO THE SAID LAND.

(B) DEED RESTRICTIONS TO BE RECORDED WITH THE FINAL MAP.

(C) A LETTER FROM THE COUNTY ROAD COMMISSIONER STATING THAT EITHER STREET IMPROVEMENTS SHOWN ON THE APPROVED IMPROVEMENT PLAN HAVE BEEN INSTALLED SATISFACTORILY, OR IF SUCH IMPROVEMENTS HAVE NOT BEEN INSTALLED, THE ESTIMATED COST OF INSTALLING SUCH IMPROVEMENTS.

(D) A LETTER FROM THE COUNTY OR STATE HEALTH DEPARTMENT, AND ANY PUBLIC OR PRIVATE AGENCY, COMPANY OR DISTRICT SUPPLYING WATER TO THE SUBDIVISION CERTIFYING THAT SATISFACTORY ARRANGEMENTS HAVE BEEN MADE WITH THEM FOR THE INSTALLATION OF AN ADEQUATE AND SAFE WATER SUPPLY FOR EACH LOT WITHIN THE SUBDIVISION, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 3.4 OF THIS ORDINANCE.

(E) A LETTER FROM THE COUNTY HEALTH DEPARTMENT AND SANITARY DISTRICT OR SANITATION DISTRICT HAVING JURISDICTION, CERTIFYING THAT SATISFACTORY ARRANGEMENTS HAVE BEEN MADE WITH THEM FOR ADEQUATE SEWAGE DISPOSAL FOR EACH LOT IN THE SUBDIVISION IN ACCORDANCE WITH ANY STATE LAWS OR COUNTY ORDINANCES PERTAINING THERETO.

(F) ANY OTHER EVIDENCE AND MATERIAL THAT ARE, OR MAY BE HEREAFTER REQUIRED BY LAW, OR BY THE CONDITIONS OF APPROVAL OF THE TENTATIVE MAP.

(C) IN ADDITION TO THE TRACINGS, ONE SET OF CLOTH OR POLYESTER BASE PRINTS, 4 SETS OF REPRODUCIBLE OR POLYESTER BASE PRINTS, AND SIX SETS OF BLUE LINE OR BLACK LINE PRINTS OF THE FINAL MAP, OF WHICH THE TRACING SHALL CONTAIN THE ORIGINAL SIGNATURES.

6.5 FILING THE FINAL MAP

(A) THE FINAL MAP CONFORMING TO THE REQUIREMENTS OF SECTIONS 6.2, 6.3 AND 6.4 OF THIS ORDINANCE AND CONTAINING ALL (EXCEPT THE APPROVAL CERTIFICATE BY THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS) THE NECESSARY SIGNATURES AFFIXED TO THE CERTIFICATES AND ACKNOWLEDGEMENTS AND ALL ACCOMPANYING DATA AND MATERIAL, SHALL BE FILED WITH THE PLANNING COMMISSION WITHIN ONE YEAR AFTER THE TENTATIVE MAP HAS BEEN APPROVED, UNLESS THE SUBDIVIDER HAS APPLIED FOR AND HAS BEEN GRANTED AN EXTENSION OF THE TIME FOR FILING BY THE PLANNING COMMISSION.

(B) AT THE TIME OF FILING THE FINAL MAP, THE OFFICER DESIGNATED IN THE RULES OF THE PLANNING COMMISSION SHALL GIVE A RECEIPT FOR THE MAP AND ACCOMPANYING DATA.

6.6 ACTION BY COUNTY OFFICIALS ON FINAL MAP

(A) THE PLANNING COMMISSION SHALL WITHIN THREE WORKING DAYS AFTER THE RECEIPT OF THE FINAL MAP, TRANSMIT THE TRACING OF THE FINAL MAP AND EVIDENCE OF TITLE TO THE COUNTY SURVEYOR.

(B) THE COUNTY SURVEYOR SHALL MAKE SUCH DETAILED EXAMINATION OF THE FINAL MAP AND SUCH FIELD CHECK, IF ANY, AS MAY BE NECESSARY TO ENABLE HIM TO MAKE THE CERTIFICATE REQUIRED BY SECTION 11593 OF THE SUBDIVISION MAP ACT. FOR MAKING THE FOREGOING EXAMINATION, THE COUNTY SURVEYOR SHALL COLLECT AN EXAMINATION FEE TO COVER THE ACTUAL COST OF EXAMINATION FROM THE SUBDIVIDER. SUCH FEE SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE COUNTY OF NEVADA.

(C) WITHIN TEN DAYS AFTER HIS RECEIPT OF THE FINAL MAP THE COUNTY SURVEYOR SHALL CERTIFY TO ITS CORRECTNESS AND SHALL TRANSMIT IT BACK TO THE PLANNING COMMISSION.

(D) IF THE FINAL MAP HAS BEEN CERTIFIED AS CORRECT BY THE COUNTY SURVEYOR, AND ALL REQUIRED ACCOMPANYING DATA IS IN THE HANDS OF THE PLANNING COMMISSION, THE PLANNING COMMISSION SHALL PRESENT SAME TO THE BOARD OF SUPERVISORS AT THEIR NEXT REGULAR MEETING; OR, IF SAID MAP HAS NOT BEEN CERTIFIED CORRECT BY THE COUNTY SURVEYOR, THE PLANNING COMMISSION SHALL WITHIN THREE DAYS RETURN SAID FINAL MAP, WITH ACCOMPANYING DOCUMENTS MENTIONED ABOVE, TO THE SUBDIVIDER FOR CORRECTION, TOGETHER WITH A STATEMENT SETTING FORTH THE GROUNDS FOR ITS DISAPPROVAL.

(E) UPON RECEIPT OF THE FINAL MAP, THE BOARD OF SUPERVISORS SHALL AT ITS NEXT MEETING, OR WITHIN A PERIOD OF NOT MORE THAN TEN DAYS AFTER THE FILING, APPROVE THE MAP IF IT CONFORMS TO ALL THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND THIS ORDINANCE, OR ANY RULINGS MADE THEREUNDER. THE TIME LIMIT FOR APPROVAL OF SUCH MAP MAY BE EXTENDED BY MUTUAL CONSENT OF THE SUBDIVIDER AND THE BOARD OF SUPERVISORS. THE BOARD OF SUPERVISORS AT THIS TIME SHALL ALSO ACCEPT OR REJECT ANY AND ALL OFFERS OF DEDUCATION.

(F) WHEN THE IMPROVEMENTS HAVE NOT BEEN SATISFACTORILY INSTALLED PRIOR TO THE FILING OF THE FINAL MAP, THE MAP SHALL NOT BE ACCEPTED UNTIL EXECUTION BY THE SUBDIVIDER OF AN ACCEPTABLE AGREEMENT OR CONTRACT AND THE POSTING OF REQUIRED BOND OR OTHER DEPOSIT IN THE AMOUNT TO COVER THE ESTIMATED COST OF IMPROVEMENTS AS PROVIDED IN SECTION 3.6 OF THIS ORDINANCE. IF ALL IMPROVEMENTS ARE SATISFACTORILY INSTALLED, THE MAP SHALL FORTHWITH BE APPROVED AND ACCEPTED FOR RECORDATION.

(G) WHEN THE MAP HAS BEEN APPROVED AND ANY BONDS, OR DEPOSITS REQUIRED AS A CONDITION OF APPROVAL OF THE FINAL MAP HAVE BEEN DEPOSITED WITH THE CLERK OF THE BOARD OF SUPERVISORS, HE SHALL CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT AND THIS ORDINANCE HAVE BEEN COMPLIED WITH REGARDING DEPOSITS AND SHALL TRANSMIT THE MAP TO THE COUNTY RECORDER.

(H) UPON RECEIPT OF THE FINAL MAP FROM THE CLERK OF THE BOARD OF SUPERVISORS, TOGETHER WITH THE CERTIFICATION REGARDING DEPOSITS, EVIDENCE OF TITLE, DEED RESTRICTIONS, AND ONE SET OF CLOTH OR POLYESTER BASE PRINTS IN ADDITION TO THE TRACINGS, AND UPON PAYMENT OF RECORDING FEES TO THE RECORDER, THE RECORDER SHALL HAVE NOT MORE THAN TEN DAYS TO EXAMINE THE FINAL MAP BEFORE ACCEPTING OR REGUSING IT FOR RECORDATION.

(I) IN THE EVENT THE PROCEEDINGS ARE ABANDONED OR A FINAL MAP IS NEVER RECORDED, THE FULL SUM OF TWENTY-FIVE DOLLARS (\$25.00) PAID AT THE TIME OF FILING THE TENTATIVE MAP SHALL BE DECLARED A FILING FEE.

6.7 RECORD OF SURVEY MAPS

A RECORD OF SURVEY MAP OF AN APPROVED TENTATIVE MAP MAY BE FILED PURSUANT

TO SECTIONS 11535 (B) AND (C) OF THE SUBDIVISION MAP ACT, AND SUCH RECORD OF SURVEY MAP SHALL CONFORM TO THE REQUIREMENTS OF A FINAL MAP EXCEPT AS THE REQUIRED CERTIFICATES DIFFER THEREON.

6.8 REVERSION TO ACREAGE MAPS

A FINAL MAP MAY BE FILED FOR THE PURPOSE OF SHOWING AS ACREAGE LAND PREVIOUSLY SUBDIVIDED INTO NUMBERED OR LETTERED PARCELS. NO TENTATIVE MAP SHALL BE REQUIRED AND IF SUFFICIENT RECORD DATA EXISTS FROM WHICH AN ACCURATE MAP MAY BE COMPLIED, NO SURVEY NOR CERTIFICATE OF ANY SURVEYOR OR ENGINEER SHALL BE REQUIRED, EXCEPT THE CERTIFICATE OF THE COUNTY SURVEYOR CERTIFYING TO THE CORRECTNESS OF THE MAP. MAPS FILED FOR THE PURPOSE OF REVERTING SUBDIVIDED LAND TO ACREAGE SHALL BE CONSPICUOUSLY SO DESIGNATED "REVERSION TO ACREAGE MAP."

6.9 RESUBDIVISION OF AN EXISTING SUBDIVISION

IN THE EVENT AN EXISTING SUBDIVISION IS RESUBDIVIDED SO THAT THE STREET ALIGNMENT, LOT DESIGN OR DRAINAGE WILL BE CHANGED, THEN THE AREA CONSTITUTES A NEW SUBDIVISION AND THE PROCEDURE FOR FILING TENTATIVE AND FINAL MAPS AS OUTLINED IN THIS ORDINANCE IS APPLICABLE.

SECTION 7. EXCEPTIONS

7.1

THE PLANNING COMMISSION MAY RECOMMEND TO AND THE BOARD OF SUPERVISORS MAY AUTHORIZE CONDITIONAL EXCEPTIONS TO ANY OF THE REQUIREMENTS AND REGULATIONS SET FORTH IN THIS ORDINANCE. APPLICATION FOR ANY SUCH EXCEPTION SHALL BE MADE BY VERIFIED PETITION OF THE SUBDIVIDER STATING FULLY THE GROUNDS OF THE APPLICATION AND THE FACTS RELIED UPON BY THE PETITIONER. SUCH PETITION SHALL BE FILED WITH THE TENTATIVE MAP OF THE SUBDIVISION. IN ORDER FOR THE PROPERTY REFERRED TO IN THE PETITION TO COME WITHIN THE PROVISIONS OF THIS SECTION IT SHALL BE NECESSARY THAT THE PLANNING COMMISSION SHALL FIND THE FOLLOWING FACTS WITH RESPECT THERETO:

- (1) THAT THERE ARE SPECIAL CIRCUMSTANCES OR CONDITIONS AFFECTING SAID PROPERTY;
- (2) THAT THE EXCEPTION IS NECESSARY FOR THE PRESERVATION OF A SUBSTANTIAL PROPERTY RIGHT OF THE PETITIONER;
- (3) THAT THE GRANTING OF THE EXCEPTION WILL NOT BE DETRIMENTAL OR INJURIOUS TO OTHER PROPERTY IN THE TERRITORY IN WHICH SAID PROPERTY IS LOCATED.

7.2

IN RECOMMENDING THE AUTHORIZATION OF ANY EXCEPTION UNDER THE PROVISIONS OF THIS SECTION, THE PLANNING COMMISSION SHALL REPORT TO THE BOARD OF SUPERVISORS ITS FINDINGS WITH RESPECT THERETO AND ALL FACTS IN CONNECTION THEREWITH, AND SHALL FULLY SET FORTH THE EXCEPTION AND CONDITIONS RECOMMENDED. UPON RECEIPT OF SUCH REPORT THE BOARD OF SUPERVISORS MAY BY RESOLUTION AUTHORIZE THE PLANNING COMMISSION TO APPROVE THE TENTATIVE MAP WITH THE EXCEPTIONS AND CONDITIONS RECOMMENDED AND ANY SUCH CONDITIONS SHALL BECOME A CONDITION OF APPROVAL OF THE FINAL MAP.

SECTION 8. ACTION BY INTERESTED PERSONS

8.1

WHEN ANY PROVISION OF THE SUBDIVISION MAP ACT OR OF THIS ORDINANCE REQUIRES

THE EXECUTION OF ANY CERTIFICATES OR AFFIDAVIT OR THE PERFORMANCE OF ANY ACT BY A PERSON IN HIS OFFICIAL CAPACITY WHO IS ALSO A SUBDIVIDER OR AN AGENT OR EMPLOYEE THEREOF, SUCH CERTIFICATE OR AFFIDAVIT SHALL BE EXECUTED OR SUCH ACT SHALL BE PERFORMED BY SOME OTHER PERSON DULY QUALIFIED THEREFORE AND DESIGNATED SO TO ACT BY THE BOARD OF SUPERVISORS.

SECTION 9. VALIDITY

9.1

IF ANY SECTION, SUB-SECTION, SENTENCE, CLAUSE, OR PHRASE OF THIS ORDINANCE IS FOR ANY REASON HELD TO BE INVALID OR UNCONSTITUTIONAL BY THE DECISION OF ANY COURT OF COMPETENT JURISDICTION, SUCH DECISION SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS OF THE ORDINANCE. THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, STATE OF CALIFORNIA, HEREBY DECLARES THAT IT WOULD HAVE PASSED THIS ORDINANCE AND EACH SECTION, SUB-SECTION, SENTENCE, CLAUSE AND PHRASE THEREOF, IRRESPECTIVE OF THE FACT THAT ANY ONE OR MORE OTHER SECTIONS, SUB-SECTIONS, CLAUSES OR PHRASES BE DECLARED INVALID OR UNCONSTITUTIONAL.

SECTION 10. PENALTIES FOR VIOLATION

10.1

ANY OFFER TO SELL, CONTRACT TO SELL, SALE, OR DEED OF CONVEYANCE MADE CONTRARY TO THE PROVISIONS OF THE SUBDIVISION MAP ACT OR THIS ORDINANCE OR ANY FAILURE TO CONFORM TO THE REQUIREMENTS OF THIS ORDINANCE, IS A MISDEMEANOR, AND ANY PERSON, FIRM OR CORPORATION, UPON CONVICTION THEREOF, SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN TWENTY-FIVE DOLLARS (\$25.00) AND NOT MORE THAN FIVE HUNDRED DOLLARS (\$500), OR IMPRISONMENT IN THE COUNTY JAIL FOR A PERIOD OF NOT MORE THAN SIX MONTHS, OR BY BOTH SUCH FINE AND IMPRISONMENT, EXCEPT THAT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO BAR ANY LEGAL, EQUITABLE OR SUMMARY REMEDY TO WHICH THE COUNTY OF NEVADA, OR OTHER POLITICAL SUBDIVISION OR ANY PERSON, FIRM, OR CORPORATION MAY OTHERWISE BE ENTITLED. THE COUNTY OF NEVADA OR ANY OTHER POLITICAL SUBDIVISION OR PERSON, FIRM, OR CORPORATION MAY FILE A SUIT IN THE SUPERIOR COURT OF THE COUNTY OF NEVADA TO RESTRAIN OR ENJOIN ANY ATTEMPTED OR PROPOSED SUBDIVISION OR SALE IN VIOLATION OF THIS ORDINANCE OR THE SUBDIVISION MAP ACT. ANY PERSON, FIRM, OR CORPORATION, WHETHER AS PRINCIPAL, AGENT, EMPLOYER OR OTHERWISE, VIOLATING OR CAUSING OR PERMITTING THE VIOLATION OF ANY PROVISIONS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR, AND ANY PERSON, FIRM, OR CORPORATION, UPON CONVICTION THEREOF, SHALL BE PUNISHABLE BY A FINE OF NOT LESS THAN TWENTY-FIVE DOLLARS (\$25.00) AND NOT MORE THAN FIVE HUNDRED (\$500), OR IMPRISONMENT IN THE COUNTY JAIL FOR A PERIOD OF NOT MORE THAN SIX MONTHS, OR BY BOTH FINE AND IMPRISONMENT. SUCH PERSON, FIRM, OR CORPORATION SHALL BE DEEMED GUILTY OF A SEPERATE OFFENCE FOR EACH AND EVERY DAY DURING ANY PORTION OF WHICH ANY VIOLATION OF THIS ORDINANCE IS COMMITTED, CONTINUED, OR PERMITTED BY SUCH PERSON, FIRM OR CORPORATION AND SHALL BE PUNISHABLE AS HEREIN PROVIDED.

SECTION 11. SHORT TITLE

11.1

THIS ORDINANCE MAY BE REFERRED TO AS THE NEVADA COUNTY SUBDIVISION ORDINANCE.

SECTION 12. REPEAL

12.1

ALL ORDINANCES AND PARTS OF ORDINANCES OF SAID COUNTY IN CONFLICT WITH THIS ORDINANCE, TO THE EXTENT OF SUCH CONFLICT AND NO FURTHER ARE HEREBY REPEALED, HOWEVER, SUCH REPEAL SHALL NOT AFFECT ANY AGREEMENT, CONTRACT, OR BOND EXECUTED PURSUANT TO SUCH ORDINANCES OR ANY RIGHT OF ACTION ACCRUING THEREUNDER.

SECTION 13. ENACTMENT

THIS ORDINANCE SHALL BE AND IS HEREBY DECLARED TO BE IN FULL FORCE AND EFFECT 30 DAYS FROM AND AFTER ITS PASSAGE. THIS ORDINANCE SHALL BE PUBLISHED ONCE WITHIN A PERIOD OF 15 DAYS IN The Observer, A NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED IN THE COUNTY OF NEVADA.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA, CALIFORNIA, ON THIS 4th DAY OF September, 1962, BY THE FOLLOWING ROLL CALL VOTE:

AYES: SUPERVISORS MICKER, BISHOP, HENNESSY, JOHN
NOES: SUPERVISORS ROBINSON
ABSENT: SUPERVISORS

R. G. Johns
CHAIRMAN OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF NEVADA, CALIFORNIA

ATTEST:

John C. Kramer
COUNTY CLERK AND EXOFFICIO CLERK
OF THE BOARD OF SUPERVISORS

APPROVED AND
FORWARDED
DISTRICT ATTORNEY
BY W. H. Hamilton
DEPUTY