



# Pershing County Planning and Building Department

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**Section 17.106.85 The Agricultural-Mining-Recreation Regulatory Land Use District.** The Agriculture-Mining-Recreation (AMR) Regulatory Land Use District is intended to allow agricultural, mining, and recreational uses. This designation applies to open areas with limited or no road access, water, sewer, and emergency services.

A. **Characteristics:** The Regulatory Land Use District identifies areas that may have one or more of the following characteristics:

1. **Public Ownership.** The parcel or area is under public ownership.
2. **Remote Location Lacking Infrastructure.** The parcel or area is in a remote location that does not have public infrastructure adjacent to or near the site.
3. **Slopes.** The parcel or area has moderate slopes (between 15 and 30 percent) or steep slopes (30 percent or greater) based on surveyed topographic information provided by owner or applicant.

B. **Residential Uses Allowed:** One residential unit per  $\frac{1}{4}$  section is allowed in conjunction with agricultural, mining, and recreational uses. If the parcel is less than 160 acres (or  $\frac{1}{4}$  of a section if the section is less than 640 acres) and was created prior to June 30, 2007, the parcel has one residential building right which may be exercised in conjunction with agricultural, mining, and recreational uses.

Any person desiring to construct a residence on a parcel in the AMR, which has a building right as set forth herein, regardless of the size of the parcel, must comply with the provisions of Chapter 17.503, Building Requirements for Residential Development in the Agricultural-Mining-Recreation Land Use District.

C. **Divisions into Parcels Smaller Than  $\frac{1}{4}$  Section after June 30, 2007:** Subsequent to June 30, 2007, all maps, creating parcels in the AMR with less than 160 acres (or  $\frac{1}{4}$  of the section if the section has less than 640 acres), shall provide a provision explaining in clear language that the parcels which are less than 160 acres or  $\frac{1}{4}$  of a section, do not have any residential building rights.

D. **Master Plan Amendments:** No Master Plan amendments as provided in this code may be granted changing property from AMR to a different residential land use district unless:

1. The proposed Master Plan amendment satisfies the requirements of Chapter 17.612; and
2. The applicant can show that the property:
  - a. Has an emergency response time as determined by the County that is less than 35 minutes away from the nearest County Fire House/Station (Emergency Response Time shall be determined by calculating the time it takes to travel from the nearest County Firehouse/Station to the parcel/home, traveling at the current speed limits on the most direct route over County or State roads);

- b. Has a demonstrated supply of electricity and phone service;
- c. Has an adequate source of potable water for domestic use;
- d. Has road access that meets the requirements of Chapter 17.503; and
- e. Has a plan for use of the property which will justify the change, and signs an agreement to implement and finalize the plan for new land use within two years.

E. Compatible Uses: Compatible uses with Agricultural-Mining-Recreational Land Use District are agricultural, mining and milling structures, recreation, and to the extent provided herein, residential. Civic, commercial, and industrial uses are permitted subject to special use permit approval. Radio, television, and telecommunication facilities and antennas and recreational pursuits are also allowed with a special use permit.

*[Section 17.106.85 amended by Ord. 228, passed 09/20/06, provisions eff. 10/27/06]*

## CHAPTER 503

### **BUILDING REQUIREMENTS FOR RESIDENTIAL CONSTRUCTION IN THE AGRICULTURAL-MINING-RECREATION REGULATORY LAND USE DISTRICT**

#### SECTIONS:

- 17.503.00 Purpose
- 17.503.05 Requirements for Application
- 17.503.10 Site Plan
- 17.503.15 Construction Plan

**Section 17.503.00 Purpose.** The purpose of Chapter 503 is to provide uniform building specifications for all residential construction in the Agricultural-Mining-Recreation Regulatory Land Use District. The construction of residential building shall not result in a substantial detriment to the public good, substantial impairment of the intent, purpose, and spirit of the Master Plan and these Regulations if done in accordance with this chapter. The building permit requirements under this chapter are designed to allow residential construction which generally is incompatible with the permitted land uses in the AMR Regulatory Land Use District, but which are allowed due to the singular nature of the issues presented and a thorough review required of the location, design, configuration, and imposition of conditions in order to ensure the appropriateness of the construction of a home, at a particular location within the Agricultural-Mining-Recreation Regulatory Land Use District.

**Section 17.503.05 Requirements for Application.** Prior to the issuance of a residential building permit, the property owner, or the property owner's authorized agent (including a contractor building the home), shall file an Application for the Issuance of a Residential Building Permit in the Agricultural-Mining-Recreation Regulatory Land Use District. The Permit shall not be granted if the parcel does not meet the requirements of 17.106.85 for residential building rights. At the time that the Application for the Issuance of a Residential Building Permit in the Agricultural-Mining-Recreation Regulatory Land Use District is submitted, it shall include, at a minimum, the following:

- A. Residential Building Permit Application: A residential building permit application with all documents required to build a residence in Pershing County;

- B. Site Plan: A Site Plan, as set forth herein, which clearly delineates the location that the home will be constructed, the roads and easements which will be needed for access to the parcel from the nearest main county road or state highway, and demonstrated sources that will provide potable water, electricity, phone service, fire suppression, and any other necessary utilities;
- C. Flood Plain Management: A sworn statement by the applicant showing that the property is not situated within an area covered by Chapter 17.510 of the Pershing County Code, which covers flood plain management. If the Planning and Building Department determines that the property is situated within an area covered by the floodplain management provisions of Pershing County Code 17.510, or the applicant fails to submit a sworn statement demonstrating to the Planning and Building Department that the property is not situated within an area covered by the floodplain management provisions of Pershing County Code 17.510, the applicant must submit a Construction Plan, as set forth herein, with a copy of the agreement with an Engineer who is to provide the services required in the Construction Plan;
- D. Building Plans. The applicant must submit building plans for the proposed residential building/house, which shall be reviewed to determine if the building plans meet approved building standards under the County Code and other relevant provisions of State and/or Federal Law;
- B. Parcel Improvement Declaration. The application shall contain a signed acknowledgement that the issuance of a building permit is conditioned upon the construction of and/or reconditioning of all roads that are needed to provide access to the property from the nearest maintained county road or state highway in accordance with the standards for an access road in Pershing County (as to the base, compaction, culverts, access permits, and other requirements.)

**Section 17.503.10 Site Plan.** The applicant shall submit a site plan. The site plan should contain the following sections:

- A. A site map, which clearly sets forth each of the following:
  - 1. The proposed location on the parcel on which the home will be constructed, demonstrating appropriate setbacks;
  - 2. The proposed location on the parcel of a standpipe which shall be located at least 100 feet from the dwelling with separate power source from the dwelling;
  - 3. The proposed location on the parcel of the well and well pumping apparatus and water lines;
  - 4. The proposed location on the parcel of any septic or sewer systems;
  - 5. The proposed location on the parcel of the electrical, telephone, and other utilities/services to the home;
  - 6. The proposed location on the parcel of fire suppression fuel breaks which should be a minimum of 100 feet from the dwelling;
  - 7. The proposed location on the parcel of a driveway turn around which is adequate for fire trucks and emergency equipment;
  - 8. The proposed location on the parcel of drainage ditches/washes/canals;
  - 9. The proposed location on the parcel of any roads giving access to the parcel and home, detailing existing easements, easements which must be obtained, and the proposed route to the nearest county road or state highway; and

10. The proposed location of any easements, existing or needed, for any electrical, telephone, or other utility service.
- B. Prior to the issuance of a certificate of occupancy, the Applicant must submit a certification demonstrating the following:
1. That the property has a well which:
    - a. Has water which meets or can be brought into compliance through the use of a designated filtration system with the minimum health and safety standards set by the State of Nevada for drinking water;
    - b. Has a demonstrated supply of water which provides at a minimum 15 gallons per minute;
    - c. Has a pumping system that provides adequate water to supply fire suppression for the standpipe;
    - d. Has a pump with a separate electrical supply to provide fire suppression; and
    - e. Has water pump fixtures capable of connecting to standardized fire suppression hoses.
  2. That the home will have either an electrical supply from an electrical company or a plan for the provision of electricity through other means (i.e. generator, solar, or other source);
  3. That the home will have telephone service from a land line telephone company or demonstrated telephone service from another form of telephone service;
  4. The type of proposed septic or sewer system for the home and the necessary tests to show that the septic or sewer system is suitable for the type of soil and drainage of the parcel in compliance with County, State, and Federal guidelines and requirements for septic systems;
  5. Certification by the Road Superintendent that the road was constructed in accordance with the requirements of this chapter;
  6. A Road Maintenance Acknowledgement, which will be filed as a Notice on the property, that states that the owner of the property is required to maintain roads that provided access to the parcel from the nearest county road or state highway in accordance with the standards for an access road in Pershing County (as to the base, compaction, access permits, and other requirements.)

**Section 17.503.15 Construction Plan.** If required as set forth in Section 17.503.05, the applicant shall submit a Construction Plan with the application which shall provide road construction plans and specifications that have been prepared by a professional engineer, registered in the State of Nevada. Construction Plans together with plan check fees shall be submitted to the Planning and Building Department for review and processing and County approvals.

- A. **Contents:** Complete documents and specifications for all road/street providing ingress and egress from the parcel and the home to the nearest county road or state highway (herein referred to the "Road Improvement"), including access permits.
- B. **Design Standards:** The Road Improvement required pursuant to this section shall be constructed in accordance with the design standards and plan requirements of this Code, the standards and specifications of the County, and, where applicable, the requirements and authorization of the appropriate state agency, utility company, or local franchisee.

C. Construction Drawing Requirements: The Construction Plans shall be signed by a professional engineer. Five copies of the Construction Plans shall be submitted for review. The Construction Plans shall be at any scale from 1 inch per 10 feet through 1 inch per 100 feet, so long as the scale is an increment of 10 feet and is sufficiently clear in reflecting details of the proposed construction. Construction Plans shall be prepared on 24 x 36 inch sheets. The Plans shall include the following information, shown on separate sheets:

1. Cover Sheet: Including owner, developer, engineer (with addresses and phone numbers), a vicinity map, all standard notes, signature block for utility and County approvals, and an index of plan sheets.
2. Roads: Road Improvement construction plans, profiles, and detail sheets.
3. Storm Water Management Plan: Plan and profile of proposed storm water disposal for the Road Improvement.
4. Grading: Proposed grading cross sections and final contours in critical drainage areas.
5. Development Schedule: A general schedule of the timing and sequence of construction for the Road Improvement.
6. Roadway Construction Detail Sheets: All construction details pertaining to the Road Improvement (surfacing and base details, curbing or shoulder details, sidewalk, unpaved areas, lighting, etc.) shall be shown on typical section, in plan and profile. Specific details shall include, but not be limited to (and reference to appropriate County improvement standards):
  - a. Street Installation, widening, resurfacing improvements dimensioned and developed in accordance with County improvement standards;
  - b. Street widening and resurfacing improvements in the right-of-way as measured from the center line;
  - c. Mathematical profile grade and elevations at 25 foot intervals on vertical curves and 50 foot intervals on tangent sections for all roadway construction; and
  - d. Resurfacing Profile Grade elevations on existing center line and edges of pavement at 25-foot intervals and breaks in grade (i.e. irregularities in pavement.)

D. Review Procedures: Prior to approving a Construction Plan, the applicant shall submit the complete document set to all applicable local reviewing agencies and public utility companies that will service the property for approval. Certificates of approval shall be submitted to the Planning and Building Department. The applicant shall pay for the costs of review by the County Engineer if the Planning Director determines that a review by the County Engineer is necessary. If the County Engineer is consulted, the County Engineer may seek consultation in the review of the Construction Plan and the cost associated with the consultation shall be paid by the applicant prior to the issuance of a building permit.

1. Inspection and Acceptance of Improvements: Prior to the issuance of final certificate of occupancy, all improvements required by this Code shall be inspected by a designee of the County as provided below, except for improvements made under the jurisdiction of other public agencies, in which case engineers or inspectors of such agency will make the necessary inspections. Where inspections are made by other agencies, the applicant shall provide the County with written reports of each final inspection.
2. Compliance with Standards: The applicant and/or a bonded construction contractor shall bear full and final responsibility for the installation and construction of all required improvements

according to the provisions of this Code and the standards and specifications of other public agencies.

3. Costs of Inspection: The applicant shall provide the County with an executed contract providing for the inspection and testing services by Nevada Registered Civil Engineer. A final report must be provided by the Engineer named in the contract, which include, but is not limited to, the following: daily logs; test results; and other necessary inspections. Prior to the issuance of a final certificate of occupancy, the County Road Superintendent shall inspect the roads to determine if the roads are appropriate at both a cost for travel which will be based upon a cost per mile as set forth by the County for reimbursement for travel (calculated by determining the mileage to the location from the Pershing County Road Department in Lovelock, Nevada) and an hourly rate based upon the cost to the County for employing the Road Superintendent (which includes salary costs, benefits costs, PERS costs, FICA costs, etc.) The County Building inspector shall provide building inspections for electricity, plumbing, fire suppression, phone service, construction of the home, and a certification of completeness and occupation; and the homeowner shall bear the normal costs associated with building inspections.
4. Acceptance: Approval by the appointed Engineer of the construction improvements shall not constitute acceptance by the County of improvement for dedication purposes.
5. Site Cleanup: The applicant shall be responsible for removal of all equipment, material, and general construction debris from the property and from any lot, street, public way, or property therein or adjacent thereto. Dumping of such debris onto adjacent property or onto other land in the County is prohibited, unless it is a licensed landfill.

*[Chapter 17.503 added by Ord. 230, passed 10/16/06, provisions eff. 11/03/06]*