



# Planning Commission Meeting February 21, 2024 Item No. {{item.Number}} Staff Report

TO: Planning Commission

FROM: Michael Mays, Community Development Director

DATE: February 21, 2024

SUBJECT: For possible action: AM-24-372 – City of Boulder City: Matters pertaining to a zoning ordinance text amendment:

A. A public hearing on a proposed zoning ordinance text amendment

B. Consideration of and recommendation to the City Council on a proposed amendment to Title 11, Chapter 39 of the City Code to make modifications to the Subdivision regulations that provide consistency with state law, extend construction timelines and clarify text.

Action Requested:

That the Planning Commission conduct the required public hearing and consider adoption of Resolution No. 1244 (Attachment 1) for a recommendation on a proposed Zoning Ordinance text amendment as noted above.

Overview:

- Title 11, Chapter 39 of the City Code regulates subdivisions and parcel maps
- Staff is proposing changes that provide consistency with state law and extend construction timelines
- The proposed text amendment requires a public hearing

Background Information:

Title 11, Chapter 39 of the City Code regulates subdivisions and parcel maps. Community Development staff has been working with the City Attorney, Utility Department and the Public Works Department to propose modifications to the text to address the following issues:

- Clarify text
- Extend the timeline between tentative map submittal and final map submittal from one year to four years to comply with state law
- Extend the deadline for completion of subdivision improvements from one year to three years to acknowledge realistic construction schedules

- Permit the Public Director or City Engineer the ability to provide further extensions

Every municipality in the state of Nevada must comply with the requirements of NRS 278.320 which govern the adoption of tentative maps, final maps and parcel maps. Locally, these provisions are regulated by Title 11, Chapter 39 of the Boulder City Code.

In addition, staff have discussed the challenges to develop subdivisions in the community with the new challenges of material supply delays. In some cases material needed to building a subdivision can take six months to a year to receive making a one year deadline for subdivision completion impossible to achieve.

Staff provides a black-lined modification to Chapter 39 which shows proposed changes (Attachment 2) for Planning Commission review. As always, the Commission has the option to recommend changes to the proposed text amendment language.

Zoning Ordinance (Title 11) Standards: (Statements in bold type are copied from Title 11)

**11-33-9: FINDINGS BY COUNCIL: In order to amend this Title, the City Council shall find the following:**

- A. That the proposed amendment is in general conformance with the adopted Comprehensive Plan for the City.**
- B. That the proposed amendment promotes the health, safety, morals or the general welfare of the City.**

This zoning amendment does not require amendment of the Master Plan. Based on staff review of the Boulder City Master Plan, the proposed text amendment would not be in conflict with the Master Plan. Staff believes the proposed amendments promote the health, safety, morals or the general welfare of the City through compliance with state law, clarified text to help the reader and acknowledgement that some of the timelines in the chapter are not realistic to achieve.

**Requested Action:** That the Planning Commission hold the public hearing, deliberate and then make a motion to recommend approval, denial or continuance of the request, using alternative draft motion language as follows (subject to modifications as noted above):

RECOMMEND APPROVAL: “I move to approve Resolution No. 1244, which includes findings for a recommendation in favor of AM-24-372.”

*(If the Commission has any recommended changes for the proposed amendment, this must be included with the motion. Example: “I move to approve Resolution No. 1244, which includes findings for a recommendations in favor of AM-24-372, with the recommend change(s) that....”)*

**Or**

RECOMMEND DENIAL: “I move to recommend denial of AM-24-372, based on the finding(s) that....”

**Or**

RECOMMEND CONTINUANCE: “I move to continue this hearing to the March 20, 2024 Planning Commission meeting for further discussion and possible action.”

The Planning Commission’s recommendation (for or against) will be forwarded to the City Council for consideration. (A recommendation cannot be appealed, as it is not a final action by the Commission.)

Public noticing summary: Public hearing notice published in the Review-Journal on February 8, 2024.

**Attachment:**

1. Resolution
2. Proposed changes to Chapter 39