



BOULDER CITY
CITY COUNCIL

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JOE HARDY

COUNCIL MEMBERS:
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MATT FOX
SHERRI JORGENSEN
STEVE WALTON



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

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ACTING CITY MANAGER:
MICHAEL MAYS, AICP

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
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GREG CHESSER, CFO

FINANCE DIRECTOR:
CYNTHIA SNEED, CPA, CGFM

PARKS & RECREATION DIRECTOR:
JULIE CALLOWAY, CPRP

City Council Meeting August 27, 2024 Item No. 6 Staff Report

TO: Michael Mays, Acting City Manager

FROM: Nakeisha Lyon, City Planner

DATE: August 27, 2024

SUBJECT:

For possible action: Matters pertaining to a proposed Master Plan Amendment and Zoning Map Amendment for approximately 3.00 acres located at 1500 Buchanan Boulevard:

A. Public hearing on a proposed Master Plan Amendment and Zoning Map Amendment.

B. Resolution No. 7843, a resolution of the City Council of Boulder City, Nevada, amending the Master Plan Future Land Use Map to change the land use designation for approximately 3.00 acres located at 1500 Buchanan Boulevard from LDR, Low Density Residential, to PUB, Public/Quasi-Public (MPA-24-056)

C. Consideration of Bill No. 2061, an ordinance of the City of Boulder City, Nevada, to amend the Zoning Map to change the zoning for approximately 3.00 acres located at 1500 Buchanan Boulevard from R-3, Multiple Family Residential to GM, Government Municipal (AM-24-378)

Business Impact Statement:

As per NRS 237.060.2(c), the requirements for a business impact statement do not apply to master plan and zoning matters (NRS Chapter 278).

Action Requested:

That the City Council conduct the required public hearing and consider adoption of the following, for the subject property as described above:

- **For Master Plan Future Land Use Map Amendment**

- Resolution (Attachment 1)
- Exhibit Map (Attachment 2)
- **For Zoning Map Amendment**
 - Bill (Attachment 4)
 - Exhibit Map (Attachment 5)

Overview:

- The property owner has requested the review and adoption of the amendments for the appropriate future land use and zoning for the existing educational facility located on the subject property.
- On June 12, 2024, the Planning Commission recommended approval.

Background Information:

Applicant(s): Dr. Kumud Acharya, University Board of Regents of the Nevada System of Higher Education, and Peter Ross, Desert Research Institute (DRI)

Property Owner(s): The University Board of Regents of the Nevada System of Higher Education

Assessor's Parcel No(s): 186-17-501-001

Overlay Districts: The subject properties are not within any overlay districts.

Master Plan Future Land Use Map Designation	Current:	LDR, Low Density Residential
	Proposed:	PUB, Public/Quasi-Public
Zoning Map Districts	Current:	R-3, Multiple Family Residential
	Proposed:	GM, Government Municipal

Description of Request: The DRI has submitted these applications requesting to amend the master plan and zoning designations to correct the non-conformity of these designations with the historic and existing use of the subject property. The property occupied by DRI was transferred to the Board of Regents of the Nevada System of Higher Education (formerly known as the University of Nevada System) by the City of Boulder City in 1978 to be used as a governmental facility which conducts scientific research for educational purposes in accordance with their deed restrictions. The DRI constructed their facility and research laboratory on the site and has used, and continues to use the property to conduct basic and applied research in hydrology, energy, atmospheric physics, plant science and related fields of study.

There is an approximately 0.65 acre parcel located adjacent to the subject property along its western boundary in which City staff is recommending to be sold to the Board of Regents of the Nevada System of Higher Education for underground research done by the DRI. This parcel is also under consideration for a Master Plan Future Land Use Map Amendment from LDR, Low Density Residential, to PUB, Public/Quasi-Public, and a

Zoning Map Amendment from R1-10, Single Family Residential to GM, Government Municipal, concurrent with these applications.

With the processing of this land ownership transfer, the applicant and City Staff find it appropriate to change the master plan and zoning designations to ensure conformance with the goals and objectives of the 2003 Boulder City Master Plan and Title 11, Boulder City Zoning Ordinance.

Master Plan Amendment:

As government and education uses are not consistent with the intent, land use policies and criteria of the current future land use designation applicable to the subject property, the DRI is requesting to change this designation to address this non-conformity and support the existing use of the property as an educational and research facility.

Chapter 278 of the Nevada Revised Statutes (NRS) provides the applicable standards and procedures for amendments to a master plan. Per NRS 278.210.2, a neighborhood meeting is required to be held by the applicant prior to a public hearing to amend the master plan. The intent of the neighborhood meeting is to provide an explanation of the proposed amendment to the public. The City is the applicant for the adjacent property also under consideration for a Master Plan Future Land Use Map Amendment from LDR, Low Density Residential, to PUB, Public/Quasi-Public concurrent with this application. Due to this concurrence, Staff has deemed it appropriate to conduct the neighborhood meeting on behalf of the applicant. To meet the requirements of State law, the neighborhood meeting was held on June 12, 2024 prior to the public hearing on the Master Plan Amendment and Zoning Map Amendment. No public comments were provided on this item during the neighborhood meeting.

Planning Commission adoption: Per NRS 278.210.3, the Planning Commission and City Council must adopt the amendment to the Master Plan. On June 12, 2024, the Planning Commission adopted and recommended approval of the Master Plan Amendment to the City Council, with the 7 members present voting unanimously in favor. In accordance with NRS 278.220.2, the Planning Commission found that the amendment to the master plan conserves and promote public health, safety and general welfare. Once the Planning Commission adopts the Master Plan Amendment, the City Council cannot adopt any further changes unless it first resubmits the changes to the Planning Commission for a report per NRS 278.220.4.

Master Plan Amendment Findings: In accordance with NRS 278.220.2, the City Council must find the amendment to the master plan to conserve and promote public health, safety and general welfare.

Zoning Map Amendment

As the uses of “general governmental functions” and “schools” are not permitted in the current zoning designation applicable to the subject property, the DRI is requesting to

change this designation to support the existing use of the property as an educational and research facility.

Chapter 33 of the Boulder City Zoning Ordinance, Title 11 Requirements provides the applicable standards and procedures for zoning map and text amendments.

Per 11-33-5, if the Planning Commission decides to recommend an amendment to the zoning map, this must be made by resolution (Attachment 3).

The recommended amendment must be submitted to the City Council accompanied by a report of finding, summary of hearings, and recommendations of this Commission as denoted in 11-33-6.

As denoted in 11-33-9, in order to amend this Title, the following findings must be made by the City Council:

A. That the proposed amendment is in general conformance with the adopted Comprehensive Plan for the City.

As a component of this application, a Master Plan Future Land Use Map Amendment has been submitted as denoted above and required to address general conformance with the adopted Comprehensive Plan.

B. That the proposed amendment promotes the health, safety, morals or the general welfare of the City.

In determining the above stated, the deliberating body shall, but is not limited to, considering the following factors:

Present land use: The subject property is currently occupied by the DRI and functions as an educational and research facility.

Present zoning in adjacent areas: The subject property is surrounded by and located within city limits. The adjacent areas to the west and east are zoned R1-10, Single-Family Residential. The adjacent property to the west is owned by the City and will be transferred to the DRI. This property is under consideration for a Zoning Map Amendment from R1-10, Single Family Residential to GM, Government Municipal. The adjacent property to the east is public right of way for Buchanan Boulevard and the Boulder City Municipal Golf Course. The adjacent areas to the north and south are ME, Mobile Home Park, and R1-7, Single-Family Residential.

Impact on utilities: No impacts are anticipated.

Noise: No impacts are anticipated.

Drainage: Please see the required drainage report from the City Engineer (Attachment 5).

Character of existing neighborhoods: No impact on the existing neighborhood character as the use is not changing. The proposed zoning is consistent with the surrounding area.

Planning Commission Action: On June 12, 2024, the Planning Commission recommended approval of the request, with the 7 members present voting unanimously in favor. Please see minutes (Attachment 7).

Public Notice Requirements

- Notice was mailed to all property owners within 750' of the subject property, with a minimum of 30 owners to be notified on May 30, 2024. This is applicable to the zoning map amendment, and the neighborhood meeting for the master plan amendment.
- Notice was posted on the subject property on May 30, 2024. This is applicable to the zoning map amendment.
- Notice was published in the Las Vegas Review Journal (LVRJ) on June 1, 2024 for the Planning Commission meeting, and August 15, 2024 for the City Council meeting. This is applicable to both amendments.
- Signs and notices referenced dates for both public hearings unless otherwise stated (Planning Commission and City Council).

Financial:

No fiscal impact on the City.

Boulder City Strategic Plan Goal:

Goal C, Manage Growth and Development

Department Recommendation: The Community Development Department staff respectfully requests that the City Council **conduct the required public hearing and consider adoption of Resolution No. 7843 and Bill No. 2061** regarding the proposed Master Plan and Zoning Map Amendments, based on the findings as noted within the resolution and bill.

Attachment:

For Master Plan Future Land Use Map Amendment

1. Resolution
2. Exhibit Map
3. Clerk Attest Form

For Zoning Map Amendment

4. Resolution
5. Bill
6. Exhibit Map
7. Drainage report

For Both

8. Planning Commission minutes excerpt, 06.12.2024