

7. Introduction of Bill No. 2055, an ordinance of the City of Boulder City, Nevada to amend the Zoning Map to change the zoning for approximately 293.89 acres in the Eldorado Valley near the western City limits (portions of 189-26-201-003, 189-26-101-003, 189-26-101-004, 189-35-000-004, and 189-27-000-002) from GO, Government Open Space & RD, Research Development, to ER, Energy Resource (AM-24-375)



BOULDER CITY
CITY COUNCIL

MAYOR
JOE HARDY

COUNCIL MEMBERS:
COKIE BOOTH
MATT FOX
SHERRI JORGENSEN
STEVE WALTON



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

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



ACTING CITY MANAGER:
MICHAEL MAYS, AICP

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

ACTING PUBLIC WORKS DIRECTOR:
JIM KEANE, PE

UTILITIES DIRECTOR:
JOSEPH STUBITZ, PE

POLICE CHIEF:
TIM SHEA

ACTING FIRE CHIEF:
GREG CHESSER, CFO

FINANCE DIRECTOR:
CYNTHIA SNEED, CPA, CGFM

PARKS & RECREATION DIRECTOR:
JULIE CALLOWAY, CPRP

City Council Meeting

May 14, 2024

Item No. 7

Staff Report

TO: Michael Mays, Acting City Manager

FROM: Nakeisha Lyon, City Planner

DATE: May 14, 2024

SUBJECT:

Introduction of Bill No. 2055, an ordinance of the City of Boulder City, Nevada to amend the Zoning Map to change the zoning for approximately 293.89 acres in the Eldorado Valley near the western City limits (portions of 189-26-201-003, 189-26-101-003, 189-26-101-004, 189-35-000-004, and 189-27-000-002) from GO, Government Open Space & RD, Research Development, to ER, Energy Resource (AM-24-375)

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 a Council member introduce the bill.

Overview:

- The City is seeking to amend the Master Plan and Zoning Map for City land to designate the appropriate future land use and zoning for a future solar energy.
- On April 17, 2024, the Planning Commission recommended approval.

Background Information:

Applicant: City of Boulder City

Property Owner: City of Boulder City

Assessor's Parcel No(s): Portions of 189-26-201-003, 189-26-101-003, 189-26-101-004,

189-35-000-004, and 189-27-000-002

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

Master Plan Future Land Use Map Designation	Current:	MAN, Manufacturing OL, Open Lands
	Proposed:	MAN-E, Manufacturing Energy
Zoning Map Districts	Current:	GO, Government Open Space RD, Research Development
	Proposed:	ER, Energy Resource

Description of Request: The City of Boulder City Finance Department has submitted applications requesting to amend these designations to allow for future solar development via battery energy storage systems (BESS). The subject properties are located within the Eldorado Valley Transfer Area (EVTA), annexed in 1995. These areas are not within the Boulder City Conservation Easement.

As the use of “Solar” is not permitted in the current zoning designations applicable to the subject properties, the City of Boulder City is requesting to change these designations to support those uses in the future.

Zoning Map Amendment:

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

Pursuant to BC Code Section 11-33-9, in order to amend Title 11, 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 properties are currently vacant.

Present zoning in adjacent areas: The subject properties is surrounded by and located within city limits with GO, Government Open Space to the west, portions of the south, and

east. Portions of the adjacent area to the south are zoned ER, Energy Resource. There are pockets of land outside of city limits within this area as denoted on the Exhibit Map (Attachment 2) which are in unincorporated Clark County with a zoning of either RS80, Residential Single Family 80 or IP, Industrial Park with a planned land use of Business Employment (BE).

Impact on utilities: No impacts are anticipated. The subject properties are within the Nevada (NV) Energy service territory for electric service. The City of Boulder City will need to ensure adequate water supply for fire suppression either through above ground water tanks or extending water utilities to this area.

Noise: No impacts are anticipated.

Drainage: Please see the required drainage report from the City Engineer (Attachment 3).

Character of existing neighborhoods: No impact on the existing neighborhood character. The proposed zoning is consistent with the surrounding area.

Planning Commission Action: On April 17, 2024, the Planning Commission recommended approval of the request, with the 5 members present voting 4-1 in favor. Minutes will be provided with the subsequent staff report for the public hearing.

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 a City Council member introduce Bill No. 2055 and waive the reading except for title regarding the proposed Zoning Map amendment.

Attachment:

1. Bill
2. Rezoning Exhibit Map
3. Drainage Report

ORDINANCE NO. ----

AN ORDINANCE OF THE CITY OF BOULDER CITY, NEVADA, TO AMEND THE ZONING MAP TO CHANGE THE ZONING FOR APPROXIMATELY 293.89 ACRES LOCATED IN THE ELDORADO VALLEY NEAR THE WESTERN CITY LIMITS (PORTIONS OF 189-26-201-003, 189-26-101-003, 189-26-101-004, 189-35-000-004, & 189-27-000-002 FROM GO, GOVERNMENT OPEN SPACE & RD, RESEARCH DEVELOPMENT TO ER, ENERGY RESOURCE (AM-24-375)

The City Council of Boulder City do ordain:

Section 1. That Boulder City, Nevada ("City") does by this Ordinance hereby amend the Zoning Map to change the zoning for approximately 293.89 acres in the Eldorado Valley near the western City limits from GO, Government Open Space & RD, Research Development, to ER, Energy Resource, as shown on the attached map in Exhibit A. The subject property consists of portions of Assessor Parcel Nos. 189-26-201-003, 189-26-101-003, 189-26-101-004, 189-35-000-004, and 189-27-000-002. Zoning designations shall extend to centerlines of abutting rights-of-way as applicable.

Section 2. FINDING. That the City Council finds that the proposed amendment is in general conformance with the adopted Master Plan and promotes the health, safety, morals or general welfare of the City.

Section 3. VALIDITY. Each section and each provision or requirement of any section of this ordinance shall be considered separable and the invalidity of any portion shall not affect the validity or enforceability of any other portion.

Section 4. PUBLICATION. The City Clerk shall cause this Ordinance to be published in summary on XXXXX, the ____ day of _____ 2024, in the *Las Vegas Review-Journal*, a daily newspaper, published in Las Vegas, Nevada.

Section 5. EFFECTIVE. This Ordinance shall become effective, after its approval and publication, on the ____ day of _____ 2024.

APPROVED:

ATTEST:

Joe Hardy, Mayor

Tami McKay, City Clerk

The foregoing Ordinance was first proposed and read by title to the City Council on the 14th day of May, 2024, which was a regular meeting; thereafter, on the 28th day of May, 2024, a public hearing and regular meeting were held and the proposed Ordinance was adopted by the following vote:

VOTING AYE: _____

VOTING NAY: _____

ABSENT: _____

APPROVED:

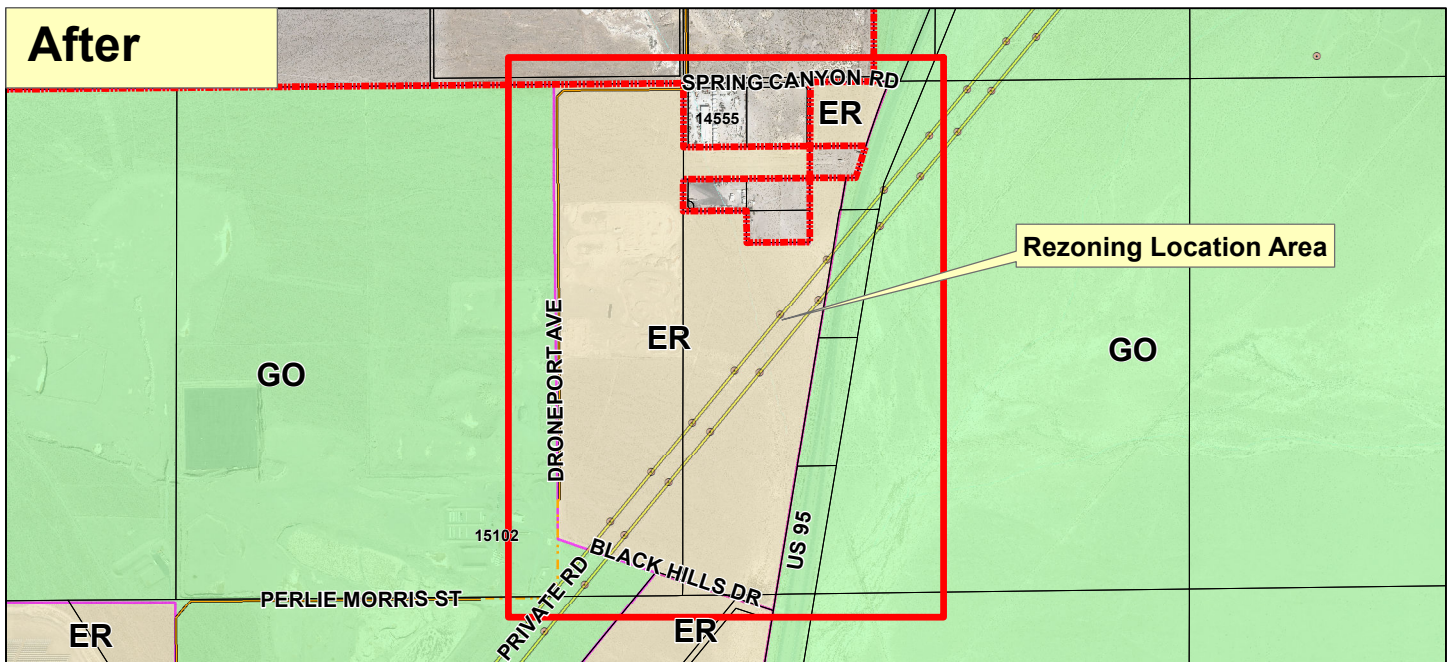
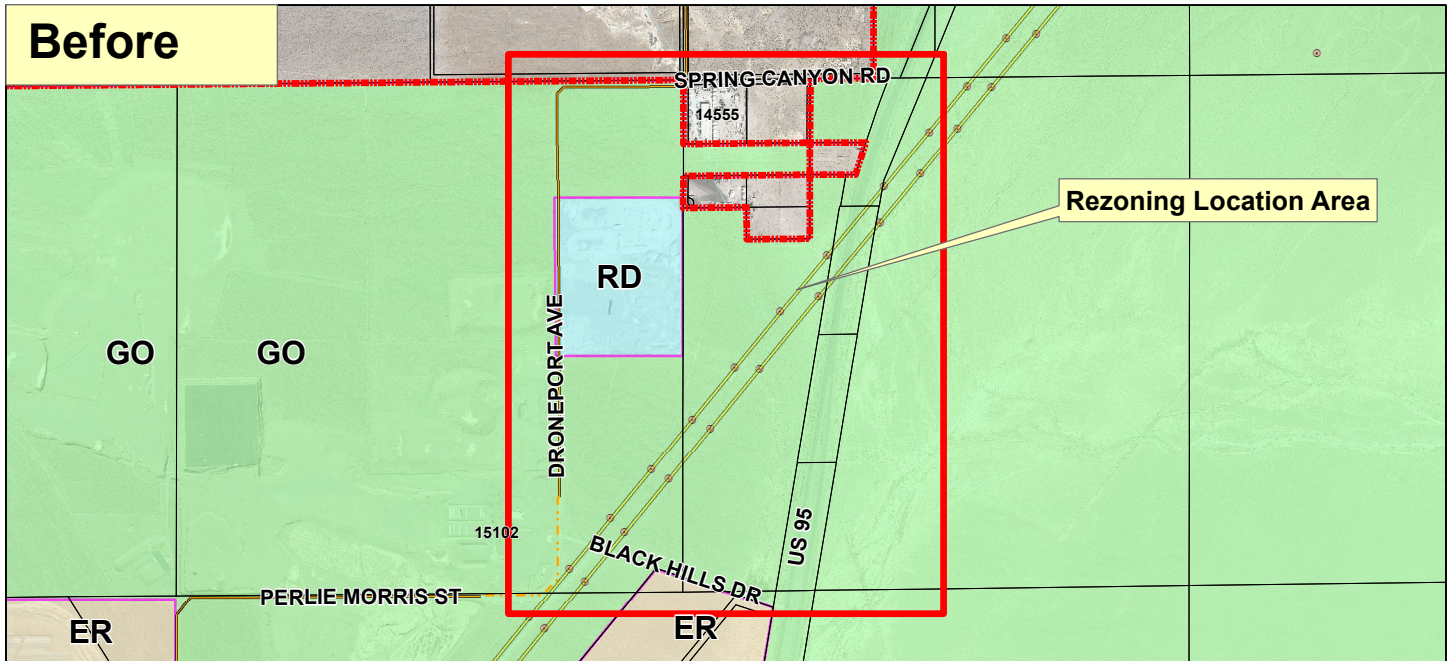
ATTEST:

Joe Hardy, Mayor

Tami McKay, City Clerk

Rezoning Exhibit Map

AM-24-375



Legend

- Rezoning Location Area
- Boulder City Limits
- Dry Lake Bed (open to recreational use)

GO - Government Open Space
ER - Energy Resource
RD - Research/Development

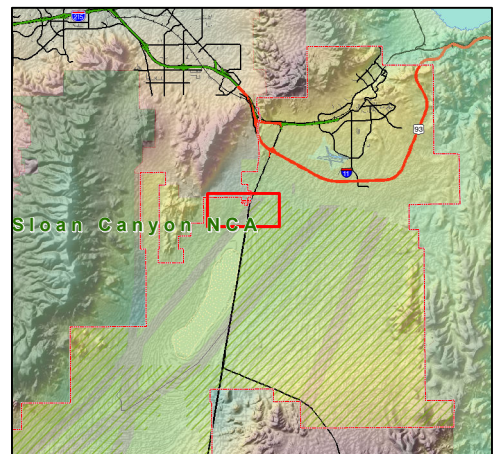


0 1,250 2,500 Feet



Map prepared by:
Brok Armantrout
Contracts/Real Estate Manager
City of Boulder City, Nevada

Version: 1.0
Reprint Date: 2/6/2024



Rezoning
Case No. AM-24-375
BESS Sites on Droneport Way
April 2, 2024

Drainage

The following report is based on the site area and limited information received on March 28, 2024.

- BESS Sites on Droneport Way
 - APNs 189-26-201-003, 189-26-101-003, 189-26-101-004, 189-27-000-002 and 189-35-000-004

DRAINAGE

The FEMA FIRM Panel for these sites, Map No. 32003C2975 E list the sites as mostly Zone X. Zone X is the designation for land determined to be outside the 100-year flood plain. There is a portion of APN 189-26-201-003 That is Zone A. Zone A is the designation for land determined to be within the 100-year flood plain but no base flood elevations have been determined. The existing drainage of the area is generally to the south toward the dry lake bed area. This property is not identified in the 2022 Boulder City Flood Control Master Plan Update. The developer's engineer will be responsible for preparing a technical drainage study and designing the drainage system to serve this development. The City of Boulder City will not accept these drainage facilities for operation or maintenance. They shall be maintained by the developer/lessee at their cost. The design engineer will be responsible for designing this development's onsite drainage in accordance with Clark County Regional Flood Control District and City of Boulder City standards to tie into the surrounding drainage and insure that the development does not cause adverse impacts by increasing erosion or creating flooding problems downstream or to other adjacent properties.