

11. For possible action: Resolution No. 7803, a resolution of the City Council of Boulder City, Nevada to consider annexation of approximately 4.04 acres, surrounded by City Limits, located west of US-95, south of Spring Canyon Road, east of Droneport Avenue and north of Black Hills Drive as described as N $\frac{1}{2}$, of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 23 South, Range 63 East, M.D.M. (APN 189-26-101-005)



City Council Meeting May 28, 2024 Item No. 11 Staff Report

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

PUBLIC WORKS DIRECTOR:
GARY POINDEXTER

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

TO: Michael Mays, Acting City Manager

FROM: Nakeisha Lyon, City Planner

DATE: May 28, 2024

SUBJECT:

For possible action: Resolution No. 7803, a resolution of the City Council of Boulder City, Nevada to consider annexation of approximately 4.04 acres, surrounded by City Limits, located west of US-95, south of Spring Canyon Road, east of Droneport Avenue and north of Black Hills Drive as described as N ½, of the SW ¼ of the NE ¼ of the NW ¼ of Section 26, Township 23 South, Range 63 East, M.D.M. (APN 189-26-101-005)

Business Impact Statement:

This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested:

That the City Council consider the resolution for annexation.

Overview:

- On March 26, 2024, the property owners of approximately 4.04 acres, surrounded by City Limits, located west of US-95, south of Spring Canyon Road, east of Droneport Avenue and north of Black Hills Drive as described as N ½, of the SW ¼ of the NE ¼ of the NW ¼ of Section 26, Township 23 South, Range 63 East, M.D.M. (APN 189-26-101-005) property submitted an annexation application to the City.
- This resolution is required to start the annexation process.

Background Information:

The property owners of approximately 4.04 acres, surrounded by City Limits, located west of US-95, south of Spring Canyon Road, east of Droneport Avenue and north of Black Hills Drive as described as N ½,

of the SW ¼ of the NE ¼ of the NW ¼ of Section 26, Township 23 South, Range 63 East, M.D.M. (APN 189-26-101-005) have filed an application for annexation into the jurisdictional boundaries of Boulder City. As all previous annexations have been City initiated, this is the first annexation application filed by a private property owner(s) for review and consideration by our jurisdiction. In addition to the annexation application, the property owners have concurrently submitted applications for a Zoning Map Amendment and Master Plan Amendment to assign the appropriate zoning designation, Commercial Manufacturing, and master plan future land use, Manufacturing, to allow for offices and warehouses for industrial uses. A Parcel Map application has also been submitted to subdivide the parcel into two lots.

Pursuant to Nevada Revised Statutes (NRS) 268.580, the governing body of any city may extend their corporate limits to include any territory which meets specific general standards. In order to comply with the applicable standards, the territory must meet Subsection 2 in addition to any of Subsections 3 through 6 in the above mentioned Section.

The territory being considered for annexation meets the following:

NRS 268.580.2 (a)	It must be contiguous to the annexing city's boundaries at the time the annexation proceedings are instituted.
NRS 268.580.2 (b)	Not less than one-eighth of the aggregate external boundaries must be contiguous to the boundaries of the annexing city.
NRS 268.580.2 (c)	No part of the territory proposed to be annexed may be included within the boundaries of another incorporated city as those boundaries exist on July 1, 1983.
NRS 268.580.2 (d)	No part of the territory proposed to be annexed may be included within the boundaries of any unincorporated town as those boundaries exist on July 1, 1983, without the prior approval of the governing body of the unincorporated town in which the territory is located.
NRS 268.580.6 (a)	The owners of record of not less than 75 percent of the individual lots or parcels of land within the territory sign a petition requesting the governing body to annex the territory to the municipality

Per NRS 268.584, in order to proceed with consideration of the proposed annexation, the City Council must first pass a resolution stating its intent to annex said property and setting a date for a public hearing. The public hearing will be scheduled for July 9, 2024.

The City Council will review the annexation study prepared on June 10, 2024 that evaluates the impact of the proposed annexation to city services.

The tentative timeline for the annexation process to comply with NRS 268.570 through NRS 268.608 is provided below:

- 06.10.24 - Council motion to consider the annexation study
- 06.11.24 –06.17.24 Publish three public notices in the LVRJ
- 06.25.24 – Bill introduction for annexation
- 07.09.24 - Council to hold public hearing and consider annexation bill
- 07.31.24 – Annexation effective

Financial:

There are no financial impacts of this annexation application at this time.

Boulder City Strategic Plan Goal:

Goal C: Manage Growth and Development

Department Recommendation: Approve Resolution No. 7803 beginning the process to annex approximately 4.04 acres.

Attachment:

1. Resolution
2. Exhibit A
3. Exhibit B
4. Annexation Petition
5. Map showing area of annexation

RESOLUTION NO. 7803

RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, NEVADA, TO CONSIDER ANNEXATION OF APPROXIMATELY 4.04 ACRES, SURROUNDED BY CITY LIMITS, LOCATED WEST OF US-95, SOUTH OF SPRING CANYON ROAD, EAST OF DRONEPORT AVENUE AND NORTH OF BLACK HILLS DRIVE AS N ½, OF THE SW ¼ OF THE NE ¼ OF THE NW ¼ OF SECTION 26, TOWNSHIP 23 SOUTH, RANGE 63 EAST, M.D.M. (APN 189-26-101-005)

WHEREAS, the annexation of property contiguous to developing areas is consistent with public policy as expressed in the laws of the State of Nevada at NRS 268.570 to NRS 268.608, inclusive, to provide for orderly development to meet public needs; and

WHEREAS, the City of Boulder City, Nevada (the “City”), pursuant to NRS 268.580.2, may extend their corporate limits to include any territory which is contiguous to its boundaries at the time the annexation proceedings are instituted, not less than one-eighth of the aggregate external boundaries are contiguous to the boundaries of the City, no part of the territory proposed to be annexed may be included within the boundaries of another incorporated city as those boundaries exist on July 1, 1983, and no part of the territory proposed to be annexed may be included within the boundaries of any unincorporated town as those boundaries exist on July 1, 1983, without the prior approval of the governing body of the unincorporated town in which the territory is located; and

WHEREAS, the City, pursuant to NRS 268.580.6, may extend their corporate limits to include any territory in which the owners of record of not less than 75 percent of the individual lots or parcels of land within the territory have signed a petition requesting the governing body to annex their private land (the “Property”) more particularly described on the attached **Exhibit A** and graphically depicted on the attached **Exhibit B**, which are by reference incorporated herein and made part of this Resolution; and

WHEREAS, the City deems it to be in its best interest to consider the annexation of the Property pursuant to NRS 268.570 to 268.608, inclusive; and

WHEREAS, the City desires to evaluate anticipated effects of the proposed annexation to the City and to the taxpayers thereof, including availability of municipal services.

NOW, THEREFORE, BE IT RESOLVED by the Boulder City Council:

1. The City shall proceed pursuant to NRS 268.570 to 268.608, inclusive, to consider the annexation of the Property more particularly described on the attached **Exhibit A** and graphically depicted on the attached **Exhibit B**.
2. A public hearing on the question of the proposed annexation shall be held on July 9, 2024 at 5:00 P.M. in the Boulder City Council Chambers at 401 California Avenue, Boulder City Nevada.

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3. A notice of the public hearing shall be given in the manner set forth in NRS 268.586 governing the contents and publication of notice of public hearing.

DATED and **APPROVED** this 28th day of May, 2024.

ATTEST:

Tami J. McKay, City Clerk

Joe Hardy, Mayor

Legal Description
For
John Winston, Ronald Kofstad,
Branson Neff and Spencer Richins
APN 189-26-101-005
May 15, 2024
Exhibit `A`

EXPLANATION

This Legal Description describes a portion of the Northwest Quarter (NW 1/4) of Section 26, Township 23 South, Range 63, East, M.D.M., as described in Instrument Number 20230725:0002550.

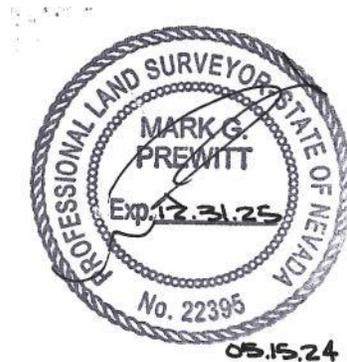
LEGAL DESCRIPTION

The North One-Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 26, Township 23 South, Range 63 East, M.D.M., Clark County, Nevada

EXCEPTING therefrom any portion of US Highway 95.

Containing 4.04 acres, more or less.

END OF DESCRIPTION.



ELDORADO VALLEY LLC - REQUEST FOR ANNEXATION INTO BOULDER CITY NEVADA - PROPOSED SITE MAP

NOTES

This map is for assessment use only and does NOT represent a survey.

No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

USE THIS SCALE (FEET) WHEN MAP REDUCED FROM 11X17 ORIGINAL

ASSESSOR'S PARCELS - CLARK COUNTY, NV.
Briana Johnson - Assessor

BOOK T23S R63E

SECT. 26

MAP N 2 NW 4

189-26-1

PARCEL BOUNDARY (solid black line)

SUB BOUNDARY (dashed black line)

PM/LD BOUNDARY (dotted black line)

ROAD EASEMENT (dashed blue line)

MATCH / LEADER LINE (dashed green line)

HISTORIC LOT LINE (dashed red line)

HISTORIC SUB BOUNDARY (dashed purple line)

HISTORIC PM/LD BOUNDARY (dashed orange line)

SECTION LINE (dashed pink line)

CONDOMINIUM UNIT (green square)

AIR SPACE PCL (orange square)

RIGHT OF WAY PCL (grey square)

SUB-SURFACE PCL (brown square)

001 ROAD PARCEL NUMBER

001 PARCEL NUMBER

1.00 ACREAGE

202 PARCEL SUB/SEQ NUMBER

PB 24-45 PLAT RECORDING NUMBER

5 BLOCK NUMBER

5 LOT NUMBER

GL5 GOV. LOT NUMBER

178	179	180	181
190	189	188	186
206	207	208	18721

Scale: 1" = 200'

Rev: 1/8/2019

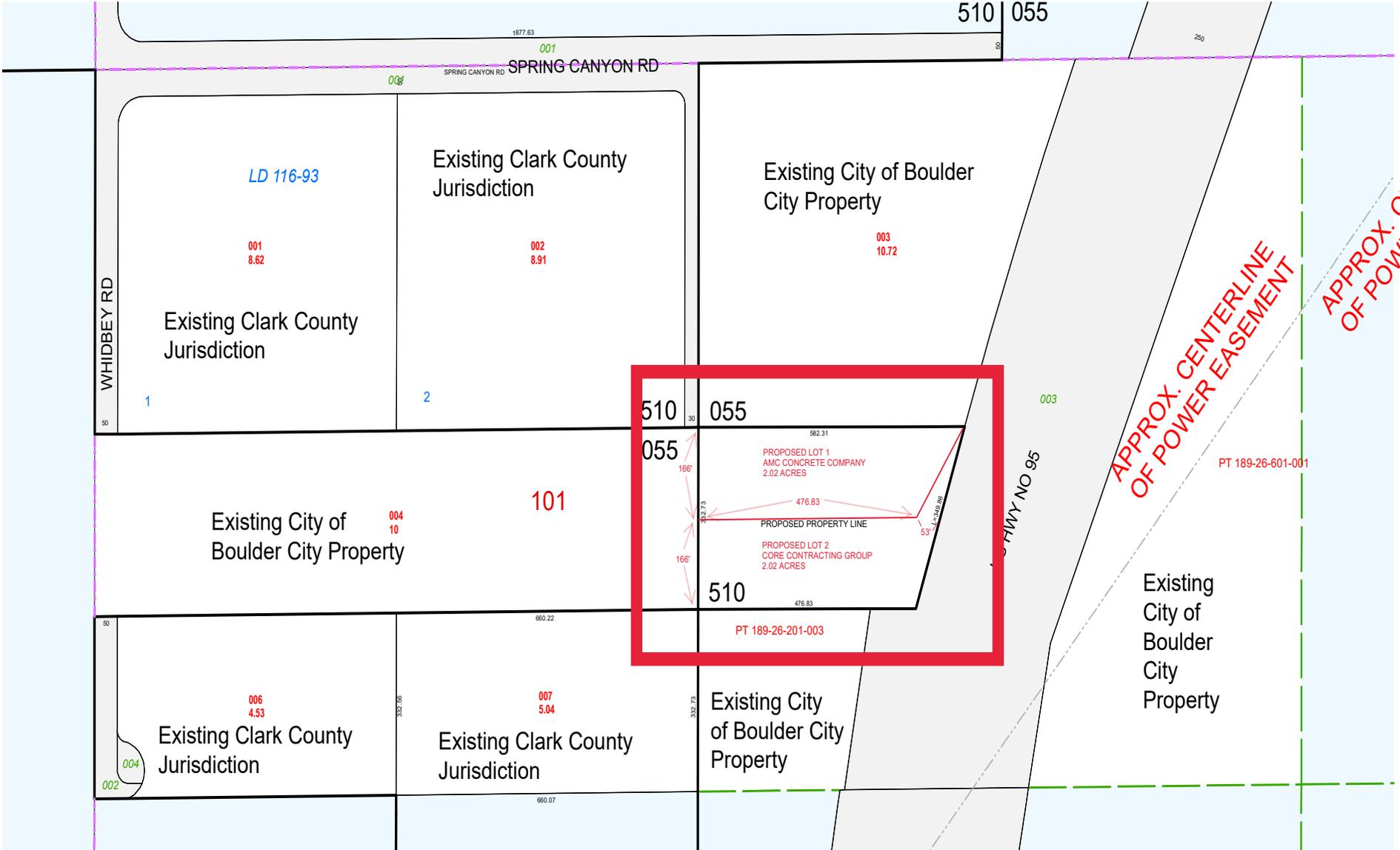


EXHIBIT C: PETITION FOR ANNEXATION FROM PRIVATELY HELD
LANDOWNERS WITHIN THE ANNEXATION AREA



John Winston
931 Empire Mesa Way
Henderson, NV. 89011

Date May 9, 2024

To: Boulder City
401 California Ave.
Boulder City, NV 89005

Re: Joint Tenant Ownership of 4.04 acres for Annexation
Owner Authorization Letter

Attn: Nakeisha Lyon

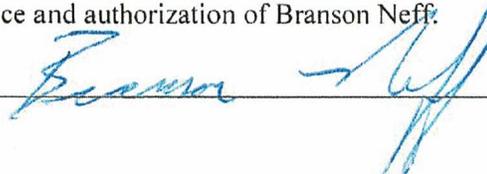
Ms. Lyon,

I am one of four owners of parcel # 18926101005. We are submitting documentation for your consideration to be annexed into Boulder City. This letter shall serve as the owner's authorization allowing John Winston, Ron Kofstad, Branson Neff and Spencer Richins either individually or as a group, permission to act on behalf of all owners. This includes but is not limited to the Annexation, Zoning Map Amendment, Master Plan Amendment, Parcel Map applications, utility service application, temporary access road application, and any other act that would allow said parcel to be annexed, properly zoned, and permitted for our intended use as two office/shop buildings. This authorization excludes any act that would result in the sale of any or all parts of the property or any ownership rights being changed.

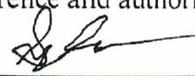
Concurrence and authorization of Ron Kofstad.

Signed  Date 5/14/2024

Concurrence and authorization of Branson Neff.

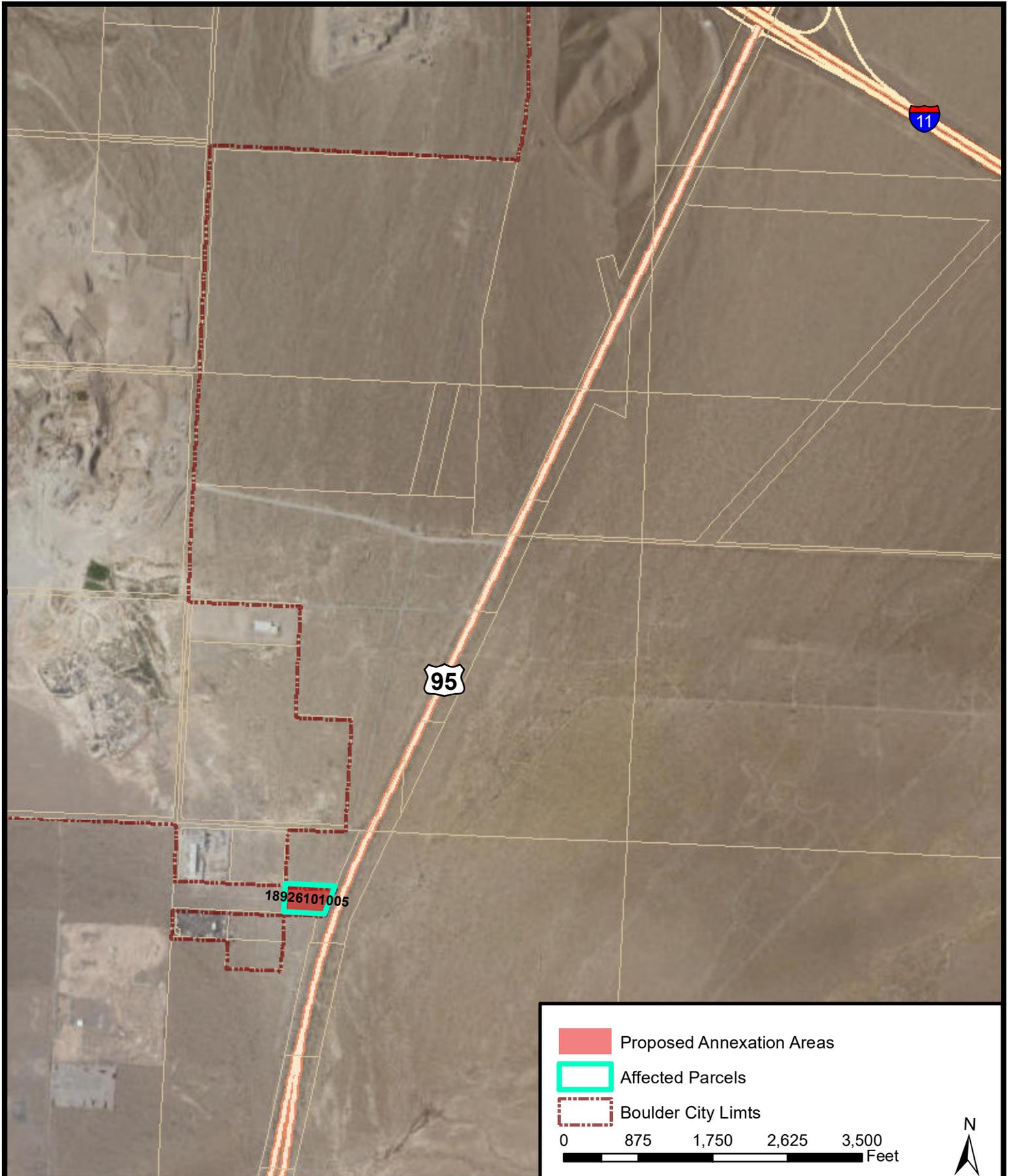
Signed  Date 5/14/24

Concurrence and authorization of Spencer Richins.

Signed  Date 5/13/2024

Concurrence and authorization of John Winston.

Signed John Winston  Date 5/9/2024



Proposed Annexation Areas
 Affected Parcels
 Boulder City Limits

0 875 1,750 2,625 3,500
 Feet

N



**CITY OF
BOULDER CITY, NV**

**COMMUNITY
DEVELOPMENT**

LOCATION MAP

**Proposed City of Boulder City Annexation
Approximately 4.04 Acres**

CREATED BY: JW BCNV GIS
ISSUE DATE: 05/08/2024
FILE NAME: Proposed Annexation
SHEET: 1 OF 1