



Boulder City, Nevada
Community Development Department
ZONING APPLICATION FORM

Mailing Address:
401 California Avenue
Boulder City, Nevada 89005

CHECK ONE:

- MASTER PLAN AMENDMENT: MAP TEXT
- ZONING AMENDMENT: MAP/REZONE ORDINANCE TEXT
- CONDITIONAL USE PERMIT
- SPECIAL USE PERMIT
- VARIANCE
- DEVELOPMENT ALLOTMENT: Single-Family Multi-Family Hotel-Motel
- OTHER (as per STAFF ONLY): _____

Staff Use Only	
File No.	_____
Acceptor	_____
Filing Date	_____
Hearing Date	_____
Fee Paid	_____

APPLICANT		PROPERTY OWNER	
NAME		NAME	CITY OF BOULDER CITY
MAILING ADDRESS		MAILING ADDRESS	
CONTACT PHONE	Check: Work <input type="checkbox"/> Cell <input type="checkbox"/> Home <input type="checkbox"/>	CONTACT PHONE	Check: Work <input type="checkbox"/> Cell <input type="checkbox"/> Home <input type="checkbox"/>
EMAIL		EMAIL	

STREET ADDRESS or LEGAL DESCRIPTION: _____

APPLICATION: Application must specify the nature of the request pursuant to the provisions of City Code, Title 11. Application is to permit the following (BRIEFLY describe here):

JUSTIFICATION: Applicant must submit a written statement along with this application describing the nature of the request (in detail) and justification using the criteria in the City Code (copy attached).

AFFIDAVIT: I do hereby solemnly swear or affirm that all statements contained in this application are true and correct to the best of my knowledge and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for refusal to approve this application.

PRINT Applicant Name

SIGNATURE of Applicant

State of _____, County of _____ Subscribed and sworn to (or affirmed) before me on (date)

_____ by [name(s) of person(s) making statement] _____

(Signature of notarial officer) (Notary stamp)→

FOR CITY USE ONLY

File No.:

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Date Fees Paid:

PLANNING COMMISSION

Date Notices Mailed:	Date Property Posted:	Date of Newspaper Notice:
Distance Requirement:	Properties within distance:	No. of notices sent:
No. of mobile home parks (rental) included in mailing:		
DATE / PLANNING COMMISSION ACTION (if applicable):		

ALLOTMENT COMMITTEE

DATE / ALLOTMENT COMMITTEE ACTION (if applicable):
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CITY COUNCIL

Date Notices Mailed:	Date Property Posted:	Date of Newspaper Notice:
Distance Requirement:	Properties within distance:	No. of notices sent:
No. of mobile home parks (rental) included in mailing:		
DATE / CITY COUNCIL ACTION (if applicable):		

Additional comments:

**OWNER'S AFFIDAVIT
(TO BE COMPLETED WHEN THE APPLICANT IS NOT THE OWNER OF THE PROPERTY)**

(I/We) _____ declare that (I am/we are) the owner(s) of property located at _____ (Legal Description: _____), for which _____ (the **applicant**) is requesting a _____ through the City of Boulder City, and have no objection to such request.

Owner's Signature: _____

Address: _____

Phone: _____

State of _____, County of _____. Subscribed and sworn to (or affirmed) before me on (date) _____ by (name(s) of persons(s) making statement) _____.

(Signature of notarial officer) (Notary stamp)

**AGENT AFFIDAVIT
(TO BE COMPLETED WHEN THE APPLICANT HAS AN AGENT)**

(I/We) _____ (**applicant**) (am/are) applying for a _____ through the City of Boulder City for property located at _____ (Legal Description: _____). Furthermore, (I/We) hereby appoint _____ of _____ as (my/our) **agent** to act on (my/our) behalf on all matters pertaining to the processing of this application.

Applicant's Signature: _____

Address: _____

Phone: _____

State of _____, County of _____. Subscribed and sworn to (or affirmed) before me on (date) _____ by (name(s) of persons(s) making statement) _____.

(Signature of notarial officer) (Notary stamp)

FEE SCHEDULE

MASTER PLAN AMENDMENT	150.00
ZONING AMENDMENT (text amendment to Title 11)	150.00
ZONING AMENDMENT (rezoning of property)	150.00
CONDITIONAL USE PERMIT	100.00
CONDITIONAL USE PERMIT FOR FCC LICENSED AMATEUR RADIO STATIONS	NO FEE
SPECIAL USE PERMIT	100.00
VARIANCE	100.00
HOME OCCUPATION PERMIT	NO FEE
DEVELOPMENT ALLOTMENT	NO FEE

NOTE: FEES MUST ACCOMPANY EACH APPLICATION WITHOUT PROVISION FOR REFUND.

There is a \$2.00 charge per signature for using a Notary Public at City Hall.

INSTRUCTIONS FOR FILING APPLICATION FORM

FILING PROCEDURES: PLEASE ALSO OBTAIN THE SEPARATE DETAIL SHEET FOR THE SPECIFIC APPLICATION (variance, conditional use permit, etc.). It is recommended that you discuss your plans with a representative of the Community Development Department prior to submitting an application.

One (1) copy of the application must be filled out completely and accurately and submitted, together with required justification, plans/exhibits and filing fee, to the Community Development Department at least 21 days before the meeting at which the application will be considered by the Planning Commission. The Commission generally meets on the third Wednesday of each month at 5:00 p.m. in the Council Chambers, City Hall, 401 California Avenue, Boulder City. Decisions made by the Planning Commission are generally not effective until seven (7) calendar days after the meeting, in order to allow for potential appeals.

An application requiring subsequent consideration by the City Council is usually scheduled for such meeting within three to five weeks following action or recommendation by the Planning Commission, depending on the type of action. (Allotment applications must also be forwarded to the Allotment Committee prior to the City Council meeting; please consult with the Community Development Department regarding the scheduled dates for these meetings.)

Upon completion of the filing process, the application will be scheduled for the next available Planning Commission meeting. The applicant may check with the Community Development Department by telephoning **(702) 293-9282** to verify dates and deadlines for the Planning Commission meetings.

MINIMUM REQUIRED EXHIBITS:

Site Plan: A dimensioned site plan of the property, on a sheet not less than 8 1/2" x 11" in size, is required. The plan shall accurately depict property lines, adjacent streets, existing and proposed structures, driveways and parking areas, existing and proposed setbacks to property lines, and, if pertinent to the request, landscaping. A topographic contour map may also be required at the discretion of the Community Development Department.

Elevations: Dimensioned elevations (front, side, rear views), not less than 8 1/2" x 11" in size, shall be provided for any new structures, or for any proposed expansion or change in the elevations of existing structures. For Allotment requests, details on materials and color are required.

ADDITIONAL REQUIRED EXHIBITS:

Landscape Plan: A landscape plan is required for Conditional Use Permits, Tentative Maps and Allotment requests, and any other request that a landscape plan may be pertinent to (such as a variance from landscape code requirements). Reference Chapter 11-25 of the City Code.

Floor Plan: A detailed floor plan is required when relevant to the request.

FORM OF EXHIBITS:

- Exhibits (including photos, if provided) must be submitted electronically to the City Planner at planner@bcnv.org. PDFs of plans must be provided at their original size/scale.
- One set of paper exhibits must be provided at full scale.
- Additional paper exhibits may be required upon direction from City staff.

MASTER PLAN AMENDMENT

This action requires two advertised public hearings, one before the Planning Commission and one before the City Council. The scheduling of the public hearings must allow for public notice at least ten (10) days in advance of the dates of the public hearings. The City is required to publish the public hearing notices in a newspaper of general circulation in the community.

As per the requirements of State law (NRS 278.210.2), the applicant is responsible for conducting a Neighborhood Meeting to explain the proposed amendment to nearby property owners prior to the Planning Commission meeting. The applicant must notify property owners within 750' of the subject property (to a minimum of 30 surrounding properties), as well as each tenant of a mobile home park if the park is located within 750' of the subject property. Upon application and payment of the filing fee, staff will provide the applicant with the mailing list of said property owners and mobile home addresses.

As per State law (NRS 278.210.3), the Planning Commission must adopt a Master Plan or amendment by a two-thirds majority (5 of 7 members). The City Council must adopt a Master Plan or amendment by a simple majority (3 of 5 members).

(REV. 09-08-2008)

MASTER PLAN CRITERIA – Excerpt from NRS 278.220

2. The parts must thereupon be endorsed and certified as master plans thus adopted for the territory covered, and are hereby declared to be established to conserve and promote the public health, safety and general welfare.

ZONING AMENDMENT (REZONE OR TEXT)

This action requires two advertised public hearings, one before the Planning Commission and one before the City Council. The scheduling of the public hearings must allow for public notice at least ten (10) days in advance of the dates of the public hearings. (Scheduling must also allow for two Council meetings – one for introduction of the bill at which no discussion is permitted, and the second for public hearing and action on the bill.) Except as otherwise required by State law and the City Code, the City is generally required to publish the public hearing notice in a newspaper of general circulation in the community. In addition for rezonings, the City must also 1) mail a notice to all property owners within 750' of the subject property (to a minimum of 30 surrounding properties), as well as each tenant of a mobile home park if the park is located within 750' of the subject property, and 2) post a sign on the property, at least 2' x 2' in size, that is to remain in place through the final public hearing.

(REV. 04-14-2009)

REZONING OR ZONING TEXT AMENDMENT CRITERIA – Excerpt from Title 11

11-33-9 FINDINGS BY COUNCIL

In order to amend this Title, the 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.

In determining the above stated, the deliberating body shall consider, but is not limited to, the following factors: present land use; present zoning in adjacent areas; impact on traffic; impact on utilities; noise; drainage; and character of existing neighborhoods.

CONDITIONAL USE PERMIT

This action requires one public hearing before the Planning Commission. The scheduling of the public hearing must allow for public notice at least ten (10) days in advance of the date of public hearing. Except as otherwise required by State law and the City Code, the City is generally required to mail notice to all property owners within 500 feet of the subject property (to a minimum of 30 surrounding properties).

After holding the public hearing, the Planning Commission must render a decision. The decision may be for approval or denial. An approval action may include such conditions as deemed to be in the public interest. Any decision made by the Planning Commission may be appealed to the City Council. An appeal must be filed on a prescribed form in the office of the City Clerk within seven (7) calendar days after the date of Planning Commission action.
(REV. 09-08-2008)

CONDITIONAL USE CRITERIA - Excerpt from Boulder City Code Title 11

11-30-3 CONSIDERATION BY COMMISSION In considering an application for a conditional use, the appointed members of the Planning Commission shall consider the nature and condition of all adjacent uses and structures, and may impose such requirements and conditions as deemed necessary with respect to location, construction, maintenance and operation of the use, in addition to those expressly provided in this Title for the particular use, as may be necessary for the protection of adjacent properties and which are in the public interest. Before approving or conditionally approving a conditional use permit, the Commission shall determine that the establishment, maintenance and operation of a proposed conditional use will not be detrimental to the health, safety, morals or the general welfare of the City.

- A. In determining whether the application meets the requirements above, the Commission shall, as a minimum, find that satisfactory provisions and arrangements have been made for the following, where applicable:
1. That the use will be in substantial conformance with the Master Plan and Future Land Use Map, and any applicable Area Master Plan.
 2. That the use will be designed, constructed, and operated so as to be compatible with adjacent uses of land, the existing or planned character of the general vicinity, and the natural environment.
 3. That the building layout, including building height and bulk, lighting, landscaping and screening, on-site or off-site parking, ingress and egress, loading facilities, and waste disposal shall be designed to not be materially detrimental to uses and property in the immediate area.
 4. That the development shall be located and designed to avoid undue noise, odor, traffic or other nuisances and dangers to abutting property owners.
 5. That the use will be served by adequate essential public facilities and services including but not limited to streets, fire and police protection, electrical, water, storm and sanitary sewer service.
- B. When acting on a conditional use permit, the Planning Commission shall make written findings which shall specify facts relied upon by the Commission in rendering its decision and in attaching conditions and safeguards, and shall fully set forth wherein the facts and circumstances fulfill or fail to fulfill the requirements of this Section, which shall be included in the minutes of the meeting. (Ord. 1001, 03/25/1997)

SPECIAL USE PERMIT (for signs)

This action requires one public hearing before the Planning Commission. The scheduling of the public hearing must allow for public notice at least ten (10) days in advance of the date of public hearing. Except as otherwise required by State law and the City Code, the City is generally required to mail notice to all property owners within 500 feet of the subject property (to a minimum of 30 surrounding properties).

After holding the public hearing, the Planning Commission must render a decision. The decision may be for approval or denial. An approval action may include such conditions as deemed to be in the public interest. Any decision made by the Planning Commission may be appealed to the City Council. An appeal must be filed on a prescribed form in the office of the City Clerk within seven (7) calendar days after the date of Planning Commission action.
(09-08-2008)

SPECIAL USE PERMIT CRITERIA - Excerpt from Boulder City Code Title 11

11-24-14.B Special Use Permits Within each sign district, certain sign types require a special use permit for continued use, relocation or installation. It is the intent and purpose of this section to outline the process and review criteria for the Planning Commission to utilize during the review of the special use permit. The goal of the permit process is to be fair, comprehensive, and enforceable while allowing Boulder City to create and maintain safe and aesthetically pleasing building elevations and streetscapes. These special use permit review criteria serve to balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for adequate identification, communication and advertising for land uses. Special Use Permits shall follow the process used for notification for hearings for a conditional use permit, and shall be conducted as a public hearing.

1. Review Criteria for a Special Use Permit

- a. The sign shall be determined to be of significant historical interest.
- b. The proposed reuse of the sign shall be determined to eliminate the blighting effects of an otherwise dilapidated sign if properly restored or reused.
- c. The sign shall be determined to not create a vehicular or pedestrian traffic hazard.
- d. The sign shall preserve (if applicable) the historic appearance of the property, including maintaining the original sign exterior shell and lighting method.

2. Items to not be included in review of Special Use Permit. The Planning Commission shall not consider the following:

- a. The commercial or non-commercial message content of the sign.
- b. The coloring of a company logo (registered trademark or logo).

(Ord. 1272, eff. 11-30-2005)

VARIANCE

This action requires one public hearing before the Planning Commission. The scheduling of the public hearing must allow for public notice at least ten (10) days in advance of the date of public hearing. Except as otherwise required by State law and the City Code, the City is generally required to mail notice to all property owners within 500 feet of the subject property (to a minimum of 30 surrounding properties).

After holding the public hearing, the Planning Commission must render a decision. The decision may be for approval or denial. An approval action may include such conditions as deemed to be in the public interest. Any decision made by the Planning Commission may be appealed to the City Council. An appeal must be filed on a prescribed form in the office of the City Clerk within seven (7) calendar days after the date of Planning Commission action.
(REV. 09-08-2008)

NOTICE REGARDING HOMEOWNER ASSOCIATION APPROVAL: All applicants are advised to check whether or not there is an active Homeowners Association applicable to the property. If a Homeowners Association requires approval for construction, applicants are advised to seek approval of the Homeowners Association at this time. If staff can determine a mailing address for the Association, the Association will be notified of the variance request. (REV. 09-08-2008)

VARIANCE CRITERIA – Excerpt from Boulder City Code Title 11

11-32-4 REQUIRED CONDITIONS FOR VARIANCES Before a variance is granted, it shall be shown that:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property or to its intended use that do not apply generally to the other property or classes of use in the same vicinity and zone.
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right, possessed by other property in the same vicinity and zone, but which is denied to the property in question.
- C. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.
- D. The granting of such variance will not adversely affect, or be contrary to, the Comprehensive Plan.
- E. The conditions or situations of the specific piece of property, or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation of such conditions or situations.

APPLICATION FOR DEVELOPMENT ALLOTMENTS (AFDA) – SINGLE-FAMILY

Allotments are required for dwelling units and hotel/motel rooms as per the provisions of the latest Controlled Growth Management Plan as adopted by the voters on November 5, 1996. This application requires three meetings: one before the Planning Commission for zoning conformance review, one before the Allotment Committee for rating, and one before the City Council for award of allotments. No noticing of surrounding properties is required. (Permits for a single family dwelling by an owner-builder do NOT require this application, as these permits can be approved by staff and are not required to proceed to the three meetings.)

The Allotment Committee reviews the proposed development in accordance with criteria established by the Controlled Growth Management Plan (Title 11, Chapter 41). As per Section 11-41-11.B of the City Code, "Applications receiving a rating below 70 percent by the Allotment Committee shall be forwarded to the City Council with a recommendation that the allotments not be awarded, and if the City Council concurs with the recommendation, the allotments shall be denied." The City Council may award allotments up to the limitations established per the Plan (120 total per Construction Year, with no more than 30 allotments for any one development). (REV. 09-08-2008, 01-03-2013)

ALLOTMENT CRITERIA – Excerpt from Boulder City Code Title 11 (11-41-10.E)

The Allotment Committee shall examine each application for dwellings and rate it by the award of points as stated for each factor described below and applicable to the proposed development:

1. Architectural design quality as indicated by the architectural elevations of the proposed structures judged in terms of architectural style, size, height and innovations. (10 points)
2. Innovative site design quality as indicated by a lot layout, orientation of units on the lots, blending of construction to the natural landscape, and similar site design considerations. (20 points)
3. Site design quality as indicated by the amount and character of landscaping, screening and color of buildings. (10 points)
4. Site and architectural design quality as indicated by the arrangement of the site for efficiency of circulation, on and off site traffic, safety and privacy. (20 points)
5. Site and architectural design quality as indicated by the amount of private safety and security provided in the design of the development and in individual structures. (5 points)
6. The provision of public and/or private usable open space. (15 points)
7. Provision of foot or bicycle paths, equestrian trails or pathways. (5 points)
8. The extent to which the proposed development accomplishes an orderly and continuous extension of existing development rather than "leap frog" development. (15 points)
9. The provision of needed public facilities such as critical linkages in the major street system, school rooms or other vital public facilities. (15 points)

* The Allotment Committee has established a policy to only utilize City Code Criteria 11-41-10.E.1, 2, 3, and 5 when evaluating *individual* single-family allotment requests.

APPLICATION FOR DEVELOPMENT ALLOTMENTS (AFDA) – MULTI-FAMILY

Allotments are required for dwelling units and hotel/motel rooms as per the provisions of the latest Controlled Growth Management Plan as adopted by the voters on November 5, 1996. This application requires three meetings: one before the Planning Commission for zoning conformance review, one before the Allotment Committee for rating, and one before the City Council for award of allotments. No noticing of surrounding properties is required. (Permits for a single family dwelling by an owner-builder do NOT require this application, as these permits can be approved by staff and are not required to proceed to the three meetings.)

The Allotment Committee reviews the proposed development in accordance with criteria established by the Controlled Growth Management Plan (Title 11, Chapter 41). As per Section 11-41-11.B of the City Code, "Applications receiving a rating below 70 percent by the Allotment Committee shall be forwarded to the City Council with a recommendation that the allotments not be awarded, and if the City Council concurs with the recommendation, the allotments shall be denied." The City Council may award allotments up to the limitations established per the Plan (120 total per Construction Year, with no more than 30 allotments for any one development). (REV. 09-08-2008)

ALLOTMENT CRITERIA – Excerpt from Boulder City Code Title 11 (11-41-10.E)

The Allotment Committee shall examine each application for dwellings and rate it by the award of points as stated for each factor described below and applicable to the proposed development:

1. Architectural design quality as indicated by the architectural elevations of the proposed structures judged in terms of architectural style, size, height and innovations. (10 points)
2. Innovative site design quality as indicated by a lot layout, orientation of units on the lots, blending of construction to the natural landscape, and similar site design considerations. (20 points)
3. Site design quality as indicated by the amount and character of landscaping, screening and color of buildings. (10 points)
4. Site and architectural design quality as indicated by the arrangement of the site for efficiency of circulation, on and off site traffic, safety and privacy. (20 points)
5. Site and architectural design quality as indicated by the amount of private safety and security provided in the design of the development and in individual structures. (5 points)
6. The provision of public and/or private usable open space. (15 points)
7. Provision of foot or bicycle paths, equestrian trails or pathways. (5 points)
8. The extent to which the proposed development accomplishes an orderly and continuous extension of existing development rather than "leap frog" development. (15 points)
9. The provision of needed public facilities such as critical linkages in the major street system, school rooms or other vital public facilities. (15 points)

APPLICATION FOR DEVELOPMENT ALLOTMENTS (AFDA) – HOTEL-MOTEL

Allotments are required for dwelling units and hotel/motel rooms as per the provisions of the latest Controlled Growth Management Plan as adopted by the voters on November 5, 1996. This application requires three meetings: one before the Planning Commission for zoning conformance review, one before the Allotment Committee for rating, and one before the City Council for award of allotments. No noticing of surrounding properties is required. (Permits for a single family dwelling by an owner-builder do NOT require this application, as these permits can be approved by staff and are not required to proceed to the three meetings.)

The Allotment Committee reviews the proposed development in accordance with criteria established by the Controlled Growth Management Plan (Title 11, Chapter 41). As per Section 11-41-11.B of the City Code, "Applications receiving a rating below 70 percent by the Allotment Committee shall be forwarded to the City Council with a recommendation that the allotments not be awarded, and if the City Council concurs with the recommendation, the allotments shall be denied." The City Council may award allotments up to the limitations established per the Plan (120 total per Construction Year, with no more than 30 allotments for any one development). (REV. 09-08-2008)

ALLOTMENT CRITERIA – Excerpt from Boulder City Code Title 11 (11-41-10.F)

The Allotment Committee shall examine each application for a proposed hotel and rate it by award of points for each factor described below and applicable to the proposed development:

1. Architectural design quality as indicated by the architectural elevations of the proposed structures judged in terms of architectural style, size, height and innovations. (10 points)
2. Innovative site design quality as indicated by the lot layout, orientation of the building(s) on the lot, blending of construction to the natural landscape, and similar design considerations. (15 points)
3. Site design quality as indicated by the amount and character of landscaping, screening and color of building(s). (10 points)
4. Site and architectural design quality as indicated by the arrangement of the site for efficient traffic circulation, on and off site traffic, and safety. (15 points)
5. Design quality as indicated by the provision for the privacy, safety and security of guests. (10 points)
6. The provision for usable open space. (10 points)
7. The provision for concierge services. (5 points)
8. The provision for meetings rooms. (5 points)
9. The provision for on-site restaurant facilities. (15 points)
10. The provision for on-site weight room, spa, exercise room, and equipment, or similar facilities. (5 points)
11. The provision for a swimming pool, indoors or outdoors. (10 points)
12. The extent to which the proposed development accomplishes an orderly and continuous extension of existing development rather than "leap frog" development. (10 points)
13. The provision of needed public facilities such as critical linkages to the major street system. (10 points)