

ORDINANCE NO. 1295

AN ORDINANCE OF THE CITY OF BOULDER CITY, TO AMEND TITLE 11, ZONING,
BY ADOPTING CHAPTER 11-27, HISTORIC RESOURCES

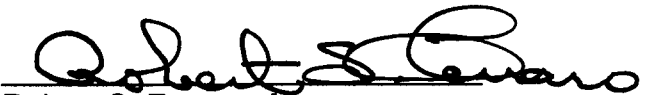
The City Council of Boulder City do ordain:

Section 1: Boulder City, Nevada does by this Ordinance hereby amend Title 11, Zoning, by adopting Chapter 11-27, Historic Resources, attached as Exhibit "A".

Section 2: Each section and each provision or requirement of any section of this Ordinance shall be considered severable, and the invalidity of any portion shall not affect the validity or enforceability of any other portion.

SECTION 3: This Ordinance shall become effective the 19th day of July, 2006.

SECTION 4. The City Clerk shall cause this Ordinance to be published in summary on Thursday, June 29, 2006 in the Boulder City News, a weekly newspaper published in Boulder City, Nevada.


Robert S. Ferraro, Mayor

ATTEST:


Pamella A. Malmstrom, City Clerk

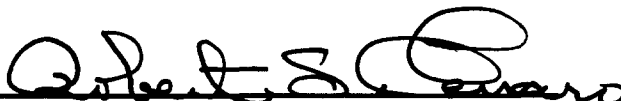
The Foregoing Ordinance was first proposed and read by title to the City Council on the 13th day of June 2006, which was a regular meeting; thereafter, on the 27th day of June, 2006, a regular meeting was held and the proposed Ordinance was adopted by the following vote:

VOTING AYE: Anderson, Burton, Ferraro, Tobler

VOTING NAY: None

ABSENT: Pacini

APPROVED:


Robert S. Ferraro, Mayor

ATTEST:


Pamela A. Malmstrom, City Clerk

CHAPTER 27 - **Historic Resources**

SECTION:

- 11-27-01 Purpose
- 11-27-02 Duties of Community Development Department and Historic Preservation Committee
- 11-27-03 Designation of Historic Areas, Districts, Landmark Sites, And Buildings of Historic Significance
- 11-27-04 Designated Historic Resources
- 11-27-05 Historic Development Guidelines
- 11-27-06 Demolition of Designated Historic Resources
- 11-27-07 Renovation/Rehabilitation of Designated Historic Resources

11-27-01 **Purpose**

The purpose of this Chapter is to provide regulations for those areas, districts, sites, and buildings which have been designated as having significant character, interest, or value as part of the development, heritage, or cultural characteristics of Boulder City, the State of Nevada, or the Nation.

11-27-02 **Duties of Community Development Department and Historic Preservation Committee**

- A. Community Development Department. The **Community Development Department** of Boulder City is hereby charged with the administration and enforcement of the provisions of this chapter of the ordinance.
- B. Boulder City Historic Preservation Committee. The **Boulder City Historic Preservation Committee**, hereinafter Historic Committee, shall be established to advise the Planning Commission and City Council and to aid property owners in maintaining and enhancing the worthwhile historical resources of Boulder City. The duties of the Historic Committee are as follows:
 - 1. To advise the Planning Commission and the City Council on the designation of Historic Areas, Districts, Landmark Sites and Buildings of Historic Significance;
 - 2. To advise the Planning Commission and City Council on matters pertaining to Historic Resources;
 - 3. To advise the Planning Commission on suggested guidelines for rehabilitation and new construction pertaining to Historic Resources; and,
 - 4. To aid property owners in maintaining and enhancing their properties in a manner consistent with adopted or otherwise established guidelines.
 - 5. To advise the Planning Commission and City Council on matters pertaining to the

drafting of new ordinances for implementation within the established historic districts of the City. Does not include ordinances applicable community-wide or of a non-zoning nature.

- C. Committee membership. The Historic Committee shall consist of no more than five (5) persons. Committee members shall be Boulder City residents, and shall not serve on any other City committees or commissions, nor hold any City office.
- D. Length of Term for Committee members. Term of service shall be limited to three (3) years, with no more than two (2) members having a term expire in any given year. Original appointments to the Committee shall have staggered terms assigned to new members with one member serving for one year, two members for two years, and two members for three years. All subsequent terms shall be for three years. Vacancies shall be filled by the City Council, with the replacement member to serve out the remaining term.
- E. Meetings. The Historic Committee shall meet on a monthly basis through the calendar year on the third Tuesday of the month.

11-27-03 **Designation of Historic Areas, Districts, Landmark Sites, And Buildings of Historic Significance**

- A. Qualification for Designation. An area, neighborhood, or district may be designated as a **Historic Area** or **Historic District**; and any site, natural feature, structure, or building may be designated as a **Landmark Site** or **Building of Historic Significance**, if it has significant character, interest, or value as part of the development, heritage, or cultural characteristics of Boulder City, the State of Nevada, or the Nation; and if it falls into one or more of the following categories:
 - 1. Historical Significance
 - a. It is the location of, or is associated in a significant way with, a historic event which had a significant effect upon the City, State, or Nation; or,
 - b. It is associated in a significant way with the life of a person important in the history of the City, State, or Nation; or,
 - c. It is associated in a significant way with an important aspect of the cultural, political, or economic heritage of the community, City, State or Nation.
 - 2. Architectural Significance
 - a. It embodies the distinctive visible characteristics of an architectural style, period, or a method of construction; or,
 - b. It is an outstanding work of a designer or builder; or,

- c. It contains elements of extraordinary or unusual architectural or structural design, detail, use of materials, or craftsmanship; or,
 - d. It portrays the environment of a group of people in an era of history characterized by a distinctive architectural style.
3. **Historic Area Significance.** Because of its prominent location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of the City, and contributed to the distinctive quality or identity of the City.

B. Procedure for Designation.

1. Any person, group, or association may nominate a prospective area, district, site or building for formal designation and inclusion in the **Boulder City Historic Registry**.
2. The Historic Committee shall review the nomination and make recommendations to the City Council. Any nomination regarding the creation of a historic area or district shall also require a review and recommendation by the Planning Commission.
3. Prior to an action by the City Council, a public hearing shall be held, notice of which shall be mailed to owners of the property proposed to be so designated [at least five, but not more than fifteen days], prior to the date of the hearing.
4. Following a determination of formal designation by the City Council, notice of the determination shall be mailed to the owners of property affected by the designation, together with a copy of this chapter and any pertinent development guidelines. Such designation shall also be entered in the **Boulder City Historic Registry**.

11-27-04 Designated Historic Resources

A. Historic Areas are relatively large areas which are generally distinguished by, but not limited to, a common development, heritage or cultural characteristic. Likely, they are synonymous with a particular neighborhood. A Historic Area may contain one or more Historic Districts within its boundaries, and will likely contain several Landmark Sites and Buildings of Historic Significance. Those areas within Boulder City which have been designated as Historic Areas are as follows:

1. Historic Boulder City Neighborhood



- a. **Boundaries.** The Historic Boulder City Neighborhood is that area which contains all or portions of the following streets: Denver, Hillside, Park, Utah, Colorado, Railroad, Ash, Date, Cherry, Birch, Nevada, Avenue A, Avenue B, Avenue C, Avenue D, California, Avenue F, Wyoming, Hotel Plaza, Avenue G, Avenue H, Avenue I as depicted above.
- b. **Purpose.** The Historic Boulder City Neighborhood encompasses the major part of the original townsite of Boulder City and contains a significant inventory of older and unique architectural styles. Lot and block sizes in this area are also characteristic of 1930's Nevada townsites, with Historic and other older dwellings which often do not conform to current development standards. The purpose of the Design Guidelines as they pertain to the Historic Boulder City Neighborhood is to:
 1. Preserve buildings and related structures of historic and architectural significance;
 2. Allow improvements to existing structures or new construction to be conducted

without conflict and without eroding the scale and historic character of the neighborhood; and,

3. Preserve and enhance entry ways into the Historic Boulder City Neighborhood through design and streetscape standards, where appropriate.
- B. Historic Districts are generally smaller and more distinctive than Historic Areas. Historic Districts will likely contain several Landmark Sites and Buildings of Historic Significance. Those areas within Boulder City which have been designated as Historic Districts are as follows:
1. -- No Historic Districts are currently designated --
- C. Landmark Sites and Buildings of Historic Significance are distinctive individual sites. Designated sites and buildings are as listed in the **Boulder City Historic Registry**.

11-27-05 **Historic Development Guidelines**

- A. Establishment of Guidelines. Guidelines for exterior design criteria shall be reviewed for recommendation and forwarded by the Planning Commission to the City Council upon the recommendation of the Historic Committee, to aid applicants in formulating plans for development or redevelopment relating to designated Historic Resources.
- B. Application of Guidelines. The guidelines may apply to the following instances:
1. All rehabilitation, restoration, or reconstruction of, or addition to, the exterior of any improvement which constitutes all or part of a **Historic Area, Historic District, Landmark Site** or a **Building of Historic Significance**;
 2. A demolition or relocation of any improvement which is all or part of a building within a **Historic Area, Historic District, Landmark Site** or a **Building of Historic Significance**;
 3. New construction within a **Historic Area or District**, upon any **Landmark Site** or on the property associated with a **Building of Historic Significance**;
 4. Any signs placed on any building within a **Historic Area or District**, upon any **Landmark Site**, or on the property associated with any **Building of Historic Significance**;
 5. Any fences, walls, and major landscaping elements within a **Historic Area or District**, on a **Landmark Site**, or on the property associated with a **Building of Historic Significance**.
- C. Compliance with Guidelines. Compliance with the adopted guidelines by any property owner **shall be voluntary** except in the case where a "Contract of Compliance" has been

agreed to by the property owner of a building or site within a designated **Historic District**, of a **Landmark Site**, or of a **Building of Historic Significance**.

11-27-06 **Demolition of Designated Historic Resources**

- A. When any application is made for a demolition permit for a building within a **Historic Area or District**, or a **Building of Historical Significance**, the Community Development Department shall delay approval of the demolition for a period of **30 days**, in order to:
1. Make a historical record, both written (history, floor plans and elevations) and photographic, of the structure and site.
 2. Review the condition of the building to determine the impact of the demolition to the neighborhood, and the technical feasibility of preservation of the structure.
 3. Allow the Historic Committee to consider and make recommendations regarding the application.
 4. Make the owner aware of economic incentives available to rehabilitate historic resources.
 5. Encourage the property owner not to demolish the building until an attempt can be made to locate either suitable tenants to make the building economically viable again or to find a purchaser who is willing to acquire and rehabilitate the structure.
- B. Upon findings of fact by the Historic Committee that preservation of the building is warranted and in the best interest of the City, the permit may be delayed for an additional 30 day period in order to find funding or other means to compensate the applicant for purchase of the building or for its preservation.
- C. A third 30 day delay may be instituted by the City Council upon a recommendation from the Historic Committee.

11-27-07 **Renovation/Rehabilitation of Designated Historic Resources**

- A. When any application is made for a renovation or rehabilitation permit for a building within a **Historic Area or District**, or a **Building of Historical Significance**, the Community Development Department may delay approval of the renovation or rehabilitation for a period of **up to 30 days**, in order to:
1. Make a historical record, both written (history, floor plans and elevations) and photographic, of the structure and site.
 2. Review the condition of the building to determine the impact of the renovation/rehabilitation to the neighborhood, and the technical feasibility of preservation of the structure.

3. Allow the Historic Committee to consider and make recommendations regarding the application.
 4. Make the owner aware of economic incentives available to rehabilitate historic resources.
 5. Encourage the property owner not to make unnecessary changes to the building until an attempt can be made to locate either suitable tenants to make the building economically viable again or to find a purchaser who is willing to acquire and rehabilitate the structure.
- B. Upon findings of fact by the Historic Committee that preservation of the building is warranted and in the best interest of the City, the permit may be delayed for an additional 30 day period in order to find funding or other means to compensate the applicant for purchase of the building or for its preservation.
- C. A third 30 day delay may be instituted by the City Council upon a recommendation from the Historic Committee.

NOTICE OF FILING

Notice is hereby given that Bill No. 1464, a proposed ordinance entitled, "AN ORDINANCE OF THE CITY OF BOULDER CITY AMENDING TITLE 11, ZONING, BY ADOPTING CHAPTER 11-27, HISTORIC RESOURCES" was introduced by Council Member Burton; and that a copy of such ordinance was filed with the City Clerk on the 13th day of June, 2006 for public examination.

Notice is hereby further given that action on the proposed ordinance, or the ordinance as amended, will be taken at a regular meeting of the City Council of Boulder City, Nevada, on the 27th day of June 2006 at the Council Chambers, City Hall, Boulder City, Nevada.

Dated this 13th day of June 2006.

/s/ Pamella A. Malmstrom
Pamella A. Malmstrom, City Clerk

Publish on June 15, 2006

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

Bonnie Lorence, being first duly sworn, deposes and says: That she is Clerk of the Boulder City, a weekly newspaper of general circulation,

printed in Las Vegas, Nevada, and published in Henderson, Nevada in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time(s).

From 06/15/06 to 06/15/06 inclusive, being the issues of said newspaper for the following date(s) to wit:

06/15/2006

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Bonnie Lorence

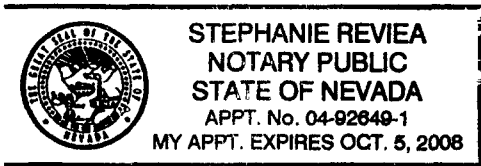
Sworn to and subscribed before me this 15th day of June, 2006

Notary Public in and for Clark County, Nevada

Stephanie Reviea
Stephanie Reviea

My commission expires October 05, 2008

Bill No 1464
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/s/ Pamella A. Malmstrom
Pamella A. Malmstrom, City Clerk
BC-June 15, 2006



PUBLIC NOTICE
ORDINANCE NO. 1295
AN ORDINANCE OF THE CITY OF BOULDER CITY, NEVADA

"AN ORDINANCE OF THE CITY OF BOULDER CITY AMENDING
TITLE 11, ZONING, BY ADOPTING CHAPTER 11-27, HISTORIC
RESOURCES"

On June 13, 2006, Bill No. 1464 was introduced by Council member Burton and read by title. On June 27, 2006, Bill No. 1464 was considered by the City Council and adopted as Ordinance No. 1295.

PUBLIC NOTICE is hereby given that a complete copy of the ordinance is available for inspection by all interested parties in the office of the City Clerk, City Hall, 401 California Avenue, Boulder City, Nevada. The ordinance will become effective July 19, 2006. Motion to adopt the ordinance was made by Council member Tobler; seconded by Council member Anderson; and approved by the following vote:

YEA: Anderson, Burton, Ferraro, Tobler
NAY: None
ABSENT: Pacini

/s/ Pamella A. Malmstrom
City Clerk

BC NEWS 06/29/2006

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

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From 06/29/06 to 06/29/06 inclusive, being the issues of said newspaper for the following date(s) to wit:

06/29/2006

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Bonnie Lorence

Sworn to and subscribed before me this 29th day of June, 2006

Notary Public in and for Clark County, Nevada

Stephanie Reviea
Stephanie Reviea

My commission expires October 05, 2008

1295
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YEA: Anderson, Burton, Ferraro, Tobler NAY: None
ABSENT: Pacini
/s/ Pamella A. Malmstrom
City Clerk
BC-June 29, 2006

