

RESOLUTION NO. 4166
(CPA-14-500427 – Aboveground Utility Corridor)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND THE COMPREHENSIVE PLAN OF THE CITY OF HENDERSON FOR THE PURPOSE OF ADOPTING AN ABOVEGROUND UTILITY CORRIDOR MAP AND REVISING CHAPTER 3, QUALITY DEVELOPMENT, TO INCLUDE POLICIES FOR LOCATING FUTURE AND EXISTING ABOVEGROUND UTILITY CORRIDORS (TRANSMISSION LINES), ON PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF HENDERSON, CLARK COUNTY, NEVADA, GENERALLY LOCATED EAST OF MAGIC WAY AND FOOTHILLS DRIVE (FOLLOWING THE EXISTING BLM UTILITY CORRIDOR), IN THE MISSION HILLS, RIVER MOUNTAIN, FOOTHILLS AND LAKE LAS VEGAS PLANNING AREAS, AND MATTERS PROPERLY RELATING THERETO.

WHEREAS, Community Development and Services has made application to amend the Comprehensive Plan to adopt the Aboveground Utility Corridor Map as depicted in Exhibit A attached hereto, consisting of one page; and revise Chapter 3, Quality Development, as depicted in Exhibit B attached hereto, consisting of two pages, to include policies for locating future and existing aboveground utility corridors (transmission lines), generally located east of Magic Way and Foothills Drive (following the existing BLM utility corridor); and

WHEREAS, the Nevada State Legislature adopted Assembly Bill 239 during their 2013 Session, which requires cities and counties to work collaboratively to ensure connectivity in the planning for aboveground utilities; and

WHEREAS, in accordance with Nevada Revised Statutes 278.165, the City of Henderson, Nevada, has deemed it necessary to adopt the Aboveground Utility Corridor Map and revise Chapter 3 of the Comprehensive Plan, which, if implemented, would affect territory within Henderson's jurisdiction; and

WHEREAS, the Henderson Planning Commission has conducted the appropriate public hearing, received public comment, duly deliberated the proposal, and recommends approval of the amendment to the Comprehensive Plan; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Nevada, that the amendment to the Comprehensive Plan be approved, and that Plan be revised to reflect the addition of the Aboveground Utility Corridor Map and textual changes to Chapter 3, Quality Development.

PASSED, ADOPTED, AND APPROVED THIS 2ND DAY OF DECEMBER, 2014, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

Those voting aye: Andy Hafen, Mayor
 Councilmembers:
 Sam Bateman
 Debra March
 John F. Marz
 Gerri Schroder

Those voting nay: None
Those abstaining: None
Those absent: None



Andy Hafen, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

Principle 9: Above Ground Utilities Will Be Appropriately Located to Minimize Impact on Existing and Future Development

Policy 9.a Existing Utility Corridors

As required by NRS 278.160(e)(3), the City of Henderson shall plan for the location of transmission lines designed and/or designated to operate at 200 kv or greater that is consistent with any Bureau of Land Management Resource Management Plan, any transmission plan prepared by the Office of Energy, and is coordinated with the plans of adjacent jurisdictions. Utility Providers will locate transmission lines within an established corridor, as depicted on the adopted Above Ground Utility Corridor Map, and in compliance with all zoning and permitting requirements, whenever technically feasible, and when it can be accomplished without undue impact on existing and planned development.

Policy 9.b New Utility Corridors

A developer of aboveground utility projects may request an amendment to the Comprehensive Plan to create, amend, or delete utility corridors as designated on the Above Ground Utility Corridor Map. As part of this process, and prior to any public workshops or hearings, the applicant will coordinate with the following entities to ensure consistency and continuity with other aboveground utility plans: any electric transmission service providers within the City of Henderson; adjacent jurisdictions; the Nevada State Office of Energy; and the Bureau of Land Management. The applicant will hold at least one public workshop to discuss the location of the aboveground utility corridors and provide information to the public about proposed changes to the Aboveground Utility Corridor Map. The City Council shall use the following criteria to approve or deny the amendments to the Comprehensive Plan:

- 1) Creation or amendment of corridors must involve cooperation with adjacent jurisdictions, the Nevada State Office of Energy, and the Bureau of Land Management (BLM) to ensure that the aboveground utility plan is consistent with any resource management plan prepared by the BLM, any transmission plan adopted by the Office of Energy or any above ground utility plan of any adjacent jurisdiction;
- 2) Corridors must not conflict with any existing or planned infrastructure or utility projects;

- 3) Proximity of the proposed corridor to any school, hospital, or urban residential area with a dwelling density greater than 2 units per gross acre should be taken into consideration and appropriate setbacks should be applied.
- 4) The project must be designed to ensure safety and minimize the impact on the community.

Upon approval by the City Council, a copy of the Aboveground Utility Plan section, or changes to the Aboveground Utility Plan section, of the Comprehensive Plan must be submitted to:

- 1) The Public Utilities Commission of Nevada, and
- 2) The Nevada State Office of Energy.

Compliance with all zoning regulations will be required prior to the issuance of any building permits.