

08/20/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-25-0501-RENEWAL, LLC:**

**USE PERMITS** for the following: **1)** public utility structures (overhead transmission lines and electric substations) and all ancillary equipment; and **2)** a communication tower and all associated equipment.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase structure height; **2)** eliminate street landscaping; **3)** eliminate buffering and screening; and **4)** waive full off-site improvements.

**DESIGN REVIEWS** for the following: **1)** public utility structures (overhead transmission lines and electric substations) and all ancillary equipment; **2)** a communication tower and all associated equipment; and **3)** final grading plans for a hillside development on a 211.30 acre portion of a 6,854.96 acre site in an RS80 (Residential Single-Family 80) Zone, an IH (Industrial Heavy) Zone, and a PF (Public Facility) Zone.

Generally located east and west of Needles Highway between the Nevada State Line and Hiko Springs Lane within Laughlin. MN/rg/cv (For possible action)

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RELATED INFORMATION:

**APN:**

List on file.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of public utility structures to 199 feet where 35 feet is the maximum height permitted per Section 30.02.02B (a 469% increase).
2. Eliminate street landscaping along Cougar Drive where two, 5 foot wide landscape strips on each side of a 5 foot wide detached sidewalk are required per Section 30.04.01D.
3. Eliminate buffering and screening requirements where required per Section 30.04.02.
4. Waive full off-site improvements (curb, gutter, streetlights, sidewalks, and partial paving) along Cougar Drive where required per Section 30.04.08C.

**LAND USE PLAN:**

LAUGHLIN - BUSINESS EMPLOYMENT

LAUGHLIN - CORRIDOR MIXED-USE

LAUGHLIN - INDUSTRIAL EMPLOYMENT

LAUGHLIN - OPEN LANDS

LAUGHLIN - PUBLIC USE

LAUGHLIN - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 211.30 (subject site)/6,854.96 (overall)
- Project Type: Overhead transmission lines, electric substations, fiber optic lines, and accessory structures
- Building Height (feet): 199 (maximum)
- Sustainability Required/Provided: 7/7

#### Site Plans

The plans show the proposed project will be divided into 3 parts: 1) an overhead electric transmission line starting at the proposed boundary with the solar electric generation facility that is the subject of UC-25-0499, and connecting through an electric substation on APN 264-15-301-003 and continuing on to the existing substations on APN 264-23-000-001; 2) the electric substations on APN 264-15-301-003; and 3) a series of overhead fiber optic transmission lines extending from the substations on APN 264-15-301-003 and continuing to existing communication facilities on the west and south sides of APN 264-27-101-003.

The proposed overhead electrical transmission line will serve as generation tie (gen-tie) line connecting the proposed solar electric generation facility to the south of the subject site to the grid through various substations. The gen-tie line will start at the southeastern border of APN 263-00-002-017. The gen-tie line will consist of three, 230kV overhead transmission lines and will be supported by 3 towers at various intervals along the gen-tie route. The gen-tie lines will be contained within a gen-tie easement that will follow the gen-tie line along its route and is 200 feet wide. The first set of towers is located 144 feet north of the southern property line of APN 263-00-002-017. The lines will continue to the northwest approximately 4,480 feet to the northeast corner of APN 263-00-002-017, where the gen-tie line route will then turn to the northeast for approximately 4.1 miles crossing through the southeast corner of APN 260-00-002-008, the central portion of APN 263-00-002-007, the northwest corner of APN 264-30-000-001, the southeast corner of APN 264-19-000-001, and the central portion of APN 264-20-000-001.

In the western portion of APN 264-20-000-001, the gen-tie line will turn northeast to reach the northeast corner of APN 264-20-000-001 for the last 1,500 feet of the 4.1 mile stretch to the northeast. From the northeast corner of APN 264-20-000-001, the gen-tie line route continues northeast 963 feet through the south-central portion of APN 264-17-000-012 at which point the route continues to the northeast approximately 4,000 feet to the east-central boundary of APN 264-17-000-012. At this point the gen-tie line route heads to the southeast about half a mile to the central portion of the western half of APN 264-16-000-003 crossing through the southwest corner of APN 264-16-000-001 on the way. The route will go northeast for 1,000 feet to intersect with Needles Highway. The gen-tie line will continue eastward 100 feet north of the southwest property line of APN 264-16-000-003 for 2,760 feet. The gen-tie line will continue along this trajectory through APN 264-15-301-003 for 2,000 feet where it will then connect with the proposed substation on this parcel. The gen-tie line will then continue through APN 264-15-301-003 for another 800 feet to enter APN 264-15-701-001 by 140 feet at which point the route will turn south for 1,233 feet to then be 200 feet north of the southern property line of APN 264-15-

701-001. The gen-tie line route will then turn east again for 2,935 feet crossing into the southwestern portion of APN 264-14-000-002. The gen-tie line will then run south for 2,720 feet crossing Bruce Woodbury Drive and entering the southwestern portion of APN 264-23-000-001. Finally, the gen-tie route turns west for 402 feet to connect with the existing Mohave Substation located in the southwest corner of APN 264-23-000-001. An unpaved 10 foot wide access road will provide access to the gen-tie lines to the west of the proposed substation. Existing access roads connecting to Bruce Woodbury Drive will provide access to the gen-tie areas east of the proposed substation.

Besides the electric transmission gen-tie lines and structures, fiber optic transmission lines and associated structures are also being proposed. The proposed lines are a mixture of overhead and underground lines. The plans show there are potential lines that are proposed within the subject site. The first line will start underground at the southwest corner of APN 264-15-301-003 and will run underground along Cougar Drive and cross Bruce Woodbury Drive where the lines will then become overhead lines along the south side of Bruce Woodbury Drive for 1.1 miles where the fiber optic lines will then turn south into APN 264-23-000-001. The fiber optic lines then continue south through APN 264-23-000-001 for 3,000 feet, just to south of the southwest corner of the existing Mohave Substation. At this point, the fiber optic lines will continue to the southwest for 3,000 feet as overhead transmission lines, crossing into APN 264-22-000-002. At this point, the lines will split direction just north of the southern boundary of APN 264-22-000-002 with one line running due south and another in a westward. The overhead fiber optic line running to the west will run another 4,200 feet before transitioning underground just to the east of the existing cul-de-sac for Cal Edison Drive and connecting with existing lines. The second overhead fiber optic line heading southward will continue 4,300 feet to the southwest and transition underground just to the north of Casino Drive, where it will connect with existing communication lines.

The plans show a proposed switchyard and substation site located on APN 264-15-301-003. The plans show there will be 3 pad sites for a switchyard and 2 substations. The switchyard will be 9.19 acres and located in the east-central portion of the site. The switchyard will be set back 350 feet from the north property line of APN 264-15-301-003, 400 feet from the east property line, and 310 feet from the south property line. Approximately, 50 feet to the west of the switchyard will be the 2 substation pads with a 3.48 acre northern substation area and a 2.42 acre southern substation area with the 2 substations separated by 50 feet. The northern substation will be set back 180 feet from the northern property line and 1,040 feet from Cougar Drive to the west, while the southern substation will be set back 360 feet from the south property line and 1,070 feet from Cougar Drive. The plans for both the substations and switchyard show the circuit equipment will generally be located centrally within the pad sites with a control building located to the south of the equipment of each area. The plans also show a microwave communication tower will be located centrally along the southern boundary of the switchyard area and will be set back 331 feet from the south property line. Both the substations and switchyard area will be enclosed by a 7 foot tall security fence and gated with a 24 foot wide security gate. Both the switchyard and substation area will have 2 points of access, each located in the northeast and northwest corners of their respective areas, except for the southern substation that will have access points in the northwest and southwest corners. These access points will connect to a 24 foot wide drive aisle that will access Cougar Drive in the southwest corner of the site. The access

drive will run north parallel to Cougar Drive but set back at least 100 feet. The access drive then turns to the east and then run along the northern boundaries of the northern substation and switchyard and is set back at 100 feet from the property to the north. Another access drive will split off to provide access to the southern substation.

Finally, the grading plans show an area of 27.26 acres will be graded with a total area of 4.16 acres being within a slope exceeding 12%. All the area within significant slope areas to be graded is within the western portion of the site where the gen-tie line will pass through mountainous areas of APNs 263-00-002-017, 263-00-002-008, 263-00-002-007, 264-30-000-001, 264-19-000-001, 264-20-000-001, and 264-17-000-012. The areas to be graded are primarily where the utility tower platforms will be located. Of the 4.16 acres of area with a slope 12% or greater is being graded, 3.03 acres will have a slope of 12% to 25% and 1.13 acres will have a slope of greater than 25%. This means 72.8% of the graded area will have slopes between 12% and 25% and 1.43% of the project site with a slope of 12% to 25% will be disturbed with 98.57% maintaining natural grade. Additionally, 27.2% of the graded area will have slopes greater than 25% and 0.53% of the project site with a slope greater than 25% will be disturbed with 99.47% maintaining natural grade.

#### Elevations

The plans show that the gen-tie line, 230kV overhead transmission line structures will primarily be tall poles with conductors typically 47 feet to 67 feet off the ground. The elevations indicate these structures will vary in height between 80 feet and 199 feet. Within the electrical substation and switchyard areas, various steel pole towers, transformers, and similar structures will be used with the tallest structure being 50 feet. The proposed fiber optic transmission line poles will be a maximum of 35 feet tall. Additionally, the control buildings within the switchyard and substation are shown to have painted metal exteriors with access doors on 3 sides and will be approximately 11 feet tall. Finally, the proposed communication tower will be up to 100 feet tall, and the metal exterior will be painted a neutral color. The tower will be able to accommodate up to 3 arrays.

#### Applicant's Justification

The elimination of buffer landscaping, screening, and street landscaping is justified as landscaping is not typical of rural PV projects and associated transmission lines. Additionally, landscaping would require the use of scarce water resources. The increase in height should not cause any negative impacts, as the area surrounding the project site is largely surrounded by undeveloped open lands and there are no adjacent land uses that would be negatively impacted by the requested height waiver. The elimination of off-site improvements is justified as the significant alluvial flows diverted from the Clark County School District property crosses the Cougar Drive alignment and connect via culvert to the Public Works managed existing drainage diversion channel. Additionally, these flows will be captured and conveyed south to the existing flood channel along the north side of the Vista Creek Apartment property. There is also a very limited scope of development, minimal traffic expectations, and the absence of any adverse drainage impacts. The subject use permit is identical to the related UC-25-0497 due to differences in ownership and possible differences in financing timelines of the solar PV electric generation station phases that are related to this project and are the subject of UC-25-0499 and UC-25-0502. This permit set-up allows the construction of the gen-tie line and subdivision

regardless of potential ownership issues or differing timelines related to the construction of electric generation station portion of the overall project.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-22-0166	Waived required roadway dedications and restrictive covenant requirements for full off-site improvements	Approved by PC	May 2022
UC-21-0753	Solar electric generating station, substation, overhead transmission lines, public utility structures, and ancillary structures - expired	Approved by BCC	February 2022
UC-0774-17	Communication tower in conjunction with an electric substation on APN 264-14-000-002	Approved by PC	November 2017
UC-0218-10	Allowed hazardous materials storage in conjunction with an existing wastewater treatment plant on APNs 264-14-000-002 and 264-15-701-001	Approved by BCC	July 2010
ZC-0171-10	Reclassified APN 264-15-301-003 from R-U to R-4 and U-V zoning for a mixed-use multi-family residential development - expired	Approved by BCC	July 2010
UC-112-98	Allowed the construction of a 3,500 square foot private club on APN 264-15-301-003 - expired	Approved by PC	March 1998
ZC-207-87	Reclassified APNs 264-14-000-002 and 264-15-701-001 from R-U to P-F zoning for a water treatment plant	Approved by BCC	October 1987
UC-20-87	Allowed water treatment plant expansion on APNs 264-14-000-002 and 264-15-701-001	Approved by BCC	April 1987
ZC-14-67	Reclassified APNs 264-22-000-002, 264-23-000-001, 264-23-000-002, and 264-27-101-003 from U to M-3 zoning for a proposed coal fired electric generation station (Mohave Generating Station)	Approved by BCC	May 1967

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Open Lands	RS80 & PF	Undeveloped, Laughlin High School, & water treatment plant
South	Open Lands; Entertainment Mixed-Use; Corridor Mixed-Use; Business Employment; Public Use; & Urban Neighborhood (greater than 18 du/ac)	RS80, RM32, & CR	Undeveloped & multi-family residential development
East	Open Lands; Industrial Employment; & Entertainment Mixed-Use	RS80, CG, CR, & RM32	Undeveloped & Casino Drive Strip

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
West	Lands; Public Use; Corridor Mixed-Use; Business Employment; Entertainment Mixed-Use; Mid-Intensity Suburban Neighborhood (up to 8 du/ac); Compact Neighborhood (up to 18 du/ac); & Urban Neighborhood (greater than 18 du/ac)	CG, RS3.3, RM18, RM32, RS5.2, PF, CP, RS80, IL, IP, & CR	Undeveloped, Mountain View Park, single-family residential developments, parking lot, mini-warehouse, & office/warehouse

**Related Applications**

<b>Application Number</b>	<b>Request</b>
UC-25-0497	A use permit for overhead transmission lines, public utility structures, electric substation, and ancillary structures including a communication tower is a related item on this agenda. This application is a duplicate of UC-25-0501.
UC-25-0499	A use permit for a solar generation station with a BESS facility, public utility structures, and ancillary structures including a communication tower is a related item on this agenda.
UC-25-0502	A use permit for a solar generation station with a BESS facility, public utility structures, and ancillary structures is a related item on this agenda.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis**

**Comprehensive Planning**

Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Overall, staff finds there is a history of electric generation facilities, transmission lines, and similar uses being approved on both the subject site and the surrounding area. Given the overall visual impacts that such facilities cause, staff finds to reduce impacts on the character of the area it is best to concentrate these types of structures in certain areas, such as the subject site, where there is reduced urban development located in the surrounding area and where such facilities can be clustered to prevent future impacts. There are also existing overhead transmission lines

adjacent or near almost the entire length of the proposed gen-tie route. Additionally, the proposed communication tower will be integrated into the proposed public utility structures through both height and the painting of the proposed structures with a neutral color. The towers will also be significantly set back from exterior property lines. Given the addition of the proposed substation and other public utility structures advances Master Plan Policies 3.2.1 and 3.2.2, which encourage the development of renewable energy and related distribution facilities, staff can support these requests. To address matters related to impacts caused by the project, a development agreement is requested to mitigate potential impacts.

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

#### Waiver of Development Standards #1

When it comes to the height of public utility structures, the proposed utility structures come in a variety of shapes and heights but are like structures that have been previously approved in the area. Staff finds the number of additional towers and their heights should not create any undue burdens in the area given that such towers have previously been approved and the scale of the towers in relation to the surrounding development should not increase any visual burden. Additionally, where the towers will be located adjacent to more urbanized development, the towers will be mainly located within properties that have industrial or public utility uses present already. Where the towers will be adjacent to residential developments on APN 264-15-301-003, the high voltage towers will be set back at least 100 feet which should help to reduce any negative impacts.

#### Waiver of Development Standards #2

The purpose of street landscaping is to allow for complete streetscapes that aid in the reduction of the heat island effect, and which promote pedestrian oriented developments. While staff can appreciate street landscaping along non-urban streets in the more rural portions of the gen-tie line would mostly likely be out of place, the focus of this request is along Cougar Drive. The portion of Cougar Drive under consideration is within the more urban portion of the Laughlin area and there are both residential and school uses north of the substation, which would have pedestrian traffic. As a result, while substations and switchyards are generally unmanned, the surrounding uses are not. Landscaping will make walking to and from the school both more comfortable and safer. Additionally, the adjacent multi-family residential development was developed with a 15 foot wide landscaping area including street trees and detached sidewalks. As a result, staff is unable to support this request.

#### Waiver of Development Standards #3

The purpose of screening and landscaping buffer is to allow for appropriate buffers between incompatible uses and to reduce the negative impacts between such uses, such as visual burdens,

odors, lighting, etc. In this case, similar to street landscaping, staff concurs the use of buffering landscaping within the more rural portions of the site and along the boundaries of the existing industrial and public utilities parcels would not satisfy the intent of screening and buffering landscaping. Within the rural areas, there is not much residential development, and such landscaping would be out of place or inherently difficult to maintain, while the existing public utilities and industrial properties have existed for several decades so there should already be certain expectations regarding the uses on these properties. Staff, however, finds the lack of buffering and screening along the boundaries of the school (APN 264-15-301-003) and residential development to the south is an issue. While the towers and other equipment will be significantly set back and generally should not be an issue otherwise, the addition of the required buffering and screening landscaping would not only enhance the site but also reduce any negative impacts that may not be currently known. For these reasons, staff cannot support this request.

### Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

### Design Reviews #1 & #2

Overall, staff finds that the design of the proposed substation, utility towers, and communication tower are like those previously approved in the area. The proposed structures properly account for existing topographical features and are integrated into the surrounding landscape and developments as much as possible. The proposed facilities are concentrated in areas where solar electric generation facilities and public utility uses and structures have been approved previously. In addition, the proposed structures have mitigated possible visual effects by locating within areas that are trending toward the development of solar generation facilities and other renewable energy and electrical substation projects and within existing public utility structures and use. Staff, however, is concerned regarding the design of the portion of the site along the east side of Cougar Drive. This portion of the site is in a more urban area and is adjacent to both an existing school and multi-family residential development. The structures should blend into the surrounding landscape due to their design and their location on the site but given the potential for unforeseen issues staff finds additional buffering landscaping should be provided particularly where the site is directly adjacent to the school and multi-family residential development. Additionally, given this site is located between the school and the residential development, which both have existing sidewalks, staff finds street landscaping should be provided to help create a more comfortable pedestrian path to school. For these reasons, staff cannot support these requests.

### Design Review #3

The purpose of the hillside development restrictions is to provide for the reasonable, safe and aesthetic use of the steep and inconsistent topography of natural hillsides within unincorporated Clark County. The site is in areas with slopes exceeding 12%. The final grading plan will allow the applicant to propose construction of a new gen-tie line with associated public utility

structures. Staff finds the grading and site design will help to reduce any visual impacts by generally maintaining the existing topography of the area and will integrate the structures into the existing topography as much as possible. The overall disturbance of the hillside is limited and will maintain the natural character of the area. Additionally, the grading design limits the number of retaining walls and their height. The proposed hillside development design will support Master Plan Policy 6.2.1, which supports development that is context specific and maintains the integrity of both the natural and built environment. For these reasons, staff can support this design review.

### **Public Works - Development Review**

#### Waiver of Development Standards #4

Historical events have demonstrated how important off-site improvements are for drainage control. Full width paving also allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Additionally, the proposed development will be in close proximity to an existing school, therefore, staff cannot support the waiver of development standards for full off-site improvements.

### **Staff Recommendation**

Approval of the use permits, waiver of development standards #1, and design review #3; denial of waivers of development standards #2 and #3 and design reviews #1 and #2.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- Prior to the issuance of building and grading permits, or subdivision mapping, mitigate the impacts of the project including, but not limited to, issues identified by the technical reports and studies, and issues identified by the Board of County Commissioners or commit to mitigating the impacts of the project by entering into a Development Agreement with Clark County;
- Prior to the issuance of building and grading permits, enter into a Performance Agreement with Clark County or provide evidence of an agreement with the Bureau of Land Management for any portion of the project within their boundaries which includes a Decommissioning Plan specifying the actions to be taken by the Developer or County in the event construction or use of the project is stopped or abandoned;
- Bond or other form of financial security, acceptable to Clark County or the Bureau of Land Management for any portion of the project within their boundaries, shall be provided with the Performance Agreement as security of the full and complete fulfillment of the decommissioning actions identified in the Decommissioning Plan;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance and a tree fee-in-lieu will be required for any required tree waived.

- Applicant is advised a bond (or other guarantee per Section 30.03.08B.2) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; and that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include 50 feet for Cougar Drive, 30 feet for the east unnamed street and associated spandrels;
- Road alignments shown on the Transportation Map must be dedicated at the widths shown on the map;
- Applicant acknowledges that right-of-way dedications may be required in the future if the use changes;
- Utility pole locations must comply with Subsection 30.04.08.H.1.IV. of County Code;
- Applicant to construct a 5 foot asphalt path along Cougar Drive.

#### **Fire Prevention Bureau**

- Applicant is advised that fire/emergency access; fire protection water supply must comply with the Fire Code as amended.

#### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** 328CH 8ME, LLC

**CONTACT:** LINDA BULLEN, BULLEN LAW, LLC, 8635 W. SAHARA AVENUE, SUITE 454, LAS VEGAS, NV 89117