

Development Code Amendment Application

Section 110.324 Communication Facilities

Submitted to Washoe County
December 8, 2021

ORIGINAL

Prepared for
Washoe County Technology Services
425 East Ninth Street
Reno, NV 89512

Prepared by



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Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: Amendment of Section 110.324 Communication Facilities			
Project Description: A request to amend Section 110.324 of the Washoe County Development Code to add a section specific to Emergency Service Communication Facilities (lattice towers and monopoles) located throughout Washoe County.			
Project Address: N/A			
Project Area (acres or square feet): N/A			
Project Location (with point of reference to major cross streets AND area locator): This request is not specific to any one property or site.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name:		Name: Wood Rodgers, Inc	
Address:		Address: 1361 Corporate Blvd	
Zip:		Reno, NV	Zip: 89502
Phone:	Fax:	Phone: 775-823-5258	Fax:
Email:		Email: shuggins@woodrodgers.com	
Cell:	Other:	Cell: 775-250-8213	Other:
Contact Person:		Contact Person: Stacie Huggins	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Washoe County Regional/Technology Services		Name:	
Address: 1001 East Ninth Street		Address:	
Reno, NV	Zip: 89512		Zip:
Phone: 775-328-2348	Fax:	Phone:	Fax:
Email: QKorbulic@washoecounty.us		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Quinn Korbulic		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Development Code Amendment Application Supplemental Information

(All required information may be separately attached)

1. What section of the Washoe County Code (WCC) 110 of the Development Code is being requested to be amended?

The request is to amend Section 110.324 Communication Facilities to include a new subsection specific to Emergency Service Communication Facilities that allows new lattice towers and/or monopoles to serve government entities.

2. Provide the specific language you are seeking to delete and/or add to the Development Code?

Refer to proposed new language for "Emergency Service Communication Facilities" in Section 2 Project Description.

3. What is the purpose to amend the Development Code?

The current code Section 110.324 does not address emergency service communication facilities, as typically owned and operated by a government entity, and specifically used for transmitting or receiving emergency service communications. The intent of this code amendment is to create a new subsection within Section 110.324 with standards and requirements specific to new lattice towers and/or monopoles needed for Emergency Service Communication Facilities located throughout Washoe County.

4. Are there any negative impacts to amending this section of the Development Code?

This new subsection will not have a negative impact on the Development Code. This new section is needed to support replacement of the existing Land Mobile Radio system with current and nationally recognized technology.

While private communication facilities and wireless communication antennas are addressed in Section 110.324, standards specific to government entity owned and operated emergency service communication facilities is not included.

This new section will codify requirements specific to emergency service communication facilities owned and operated by a government agency.

Executive Summary

Applicant: Washoe County Technology Services/Regional Services

Request: This is a request to:

- 1) Amend Section 110.323 of the Washoe County Development Code to codify requirements specific to emergency service communication facilities.

Location: Throughout Washoe County

Project Request:

On September 25, 2018, the Board of County Commissioners authorized an agreement to replace the existing Land Mobile Radio (LMR) system with a system of current and nationally recognized technology with requirements specific to emergency service communication facilities. The new system will replace the current system that was designed and built in the early 2000's and no longer provides adequate radio coverage in areas that have been or are planned to be developed over the next 15 – 20 years. The LMR project will allow the Nevada Department of Transportation (NVDOT), Washoe County Regional Communication System (WCRC) and NV Energy, to continue working together through the Nevada Shared Radio System (NSRS), a state-wide radio system, with infrastructure owned and maintained by each entity. The NSRS is only accessible on communication equipment used by key public service officials, public safety officials and private safety services statewide.

As a part of the new LMR system, new updated infrastructure such as communication facilities and/or antennas are necessary. On April 28, 2020, the Washoe County Board of County Commissioners adopted an ordinance amending Chapter 110.324 by adding new language to establish placement standards regulating emergency communication facilities which are owned and operated by Governmental Agencies. The amendment included the removal of a special use permit for government entities for certain monopoles or lattice towers operated for purposes of emergency communication systems, however, the amended code section limits the location of lattice towers to sites established as of January 1, 2004.

A number of the sites identified by Washoe County require lattice tower equipment but are not located on or at an established site and therefore are not permitted per the current code. At the risk of identifying a limited number or location of specific sites, Washoe County Regional Communications is proposing a new section that will allow lattice towers on non-established sites specific to Emergency Service Communication Facilities that are operated by a government agency.

A copy of the proposed code revisions is provided following the Findings below.

Findings

Washoe County Code Section 110.808.15(e) requires the Planning Commission to make at least one of the following findings of fact to recommend approval of the request. Staff provides the following evaluation for each of the findings of fact and recommends that the Planning Commission make all four findings in support of the proposed Development Code amendment.

- 1) **Consistency with Master Plan.** The proposed Development Code amendment is in substantial compliance with her policies and action programs of the Washoe County Master Plan.

Response: *The Master Plan establishes policies governing uses on properties in Washoe County, which are then regulated through the Development Code. This specific amendment is in substantial compliance with and consistent with appropriate Master Plan policies and will modify regulations addressing the placement of emergency service communication facilities, including antennas.*

- 2) **Promotes the Purpose of the Development Code.** The proposed Development Code amendment will not adversely impact the public health, safety or welfare and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code.

Response: *The proposed amendment will not create adverse impacts to the public health, safety or welfare as the new code section provides specific criteria regarding aesthetics and permitting related to emergency service communication facilities owned or operated by government entities throughout Washoe County. The proposed amendment is in keeping with the original purpose of the Development Code as noted in Section 110.918 and promotes public health, safety and general welfare by updating the current interagency communication system with current and nationally recognized technology.*

This new technology will ensure statewide communications needed for daily operations, interagency communication, and emergency communication continue to be available. Because the current Development Code primarily focuses on private communication antennas or wireless communication facilities, a new code section with specific standards related to emergency service communication facilities, owned and operated by government entities, is needed.

- 3) **Response to Changed Conditions.** The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allows for a more desirable utilization of land within the regulatory zones.

Response: *On September 25, 2018, the Board of County Commissioners approved an agreement with Harris Corporation to replace the entire Land Mobile Radio (LMR) system with a system of current and nationally recognized technology. On April 28, 2020, the Washoe County Board of County Commissioners adopted an ordinance amending Chapter 110.324 by adding new language to establish placement standards regulating emergency communication facilities which are owned and operated by Governmental Agencies. The amendment included the removal of a*

special use permit for government entities for certain monopoles or lattice towers operated for purposes of emergency communication systems, however, the amended code section limits the location of lattice towers to sites established as of January 1, 2004. The proposed code amendment responds to the BCC approval and allows emergency service communication facilities (lattice towers and/or monopoles) on sites not previously established in Code that are owned and/or operated by government entities.

- 4) **No Adverse Affects.** The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population element of the Washoe County Master Plan.

Response: *The amendment relates to the use, location, aesthetics and permitting of emergency service communication facilities owned and operated by Government agencies and will not adversely affect the policies and action programs of the Conservation or Population element of the Washoe County Master Plan.*

Section 110.324.XX Emergency Service Communication Facilities: General. An Emergency Service Communication Facility includes antennas mounted on structures, freestanding monopoles, and lattice towers and supporting equipment which is owned and operated by a governmental agency and used exclusively for emergency service transmitting or receiving communications.

Emergency service communication towers (monopole or lattice) shall be permitted with approval of a special use permit in all regulatory zones including sites not identified as an “established site” per Section 110.324 (f).

- (a) **Application.** In addition to the submittal requirements in Article 810, Special Use Permits, the applicant shall submit a statement explaining the purpose of the emergency service communication facility.
- (b) **Exemptions.** The following uses shall be exempt from the requirements of a special use permit.
 - (1) Antennas which are collocated on another tower or structure.
 - (2) New towers which are located at one of the following established communications sites (McClellan Peak, Chimney Peak, Fox Mountain, Marble Bluff, Mt. Rose Knob, Pah Rah Peak, Peavine Peak(s), Poito Mountain, Red Peak, Slide Mountain and Virginia Peak).
 - (3) New towers not located at an “established site” that are located over 2,000 feet from either a paved road or from an existing residence.
 - (4) Replacement of existing governmental monopoles to public safety grade lattice tower for the means of supporting growth in the public safety communications.
- (c) **Findings.** In addition to the findings required for approval in Article 810, Special Use Permit, the following findings must be made for approval of all emergency service community facilities:
 - (1) The proposed emergency service communication antenna is necessary to meet the applicant’s and the public’s needs.
 - (2) The proposed emergency service communication antenna is provided with adequate safety equipment and aesthetic treatments to be visually compatible with uses in the general vicinity.
- (d) **Location.** Emergency service communication facilities may be permissible in all regulatory zones with approval of a Special Use Permit.
- (e) **Right-of-Way.** Emergency service communication facilities may be permissible in the right-of-way provided:
 - (1) A lease is executed by the responsible public body;
 - (2) The execution of the lease guarantees that placement will not impair public safety and will not impede other public uses of the right-of-way; and
 - (3) The facility complies with the provisions of this section.
- (f) **Height and Standards.** To the extent possible, antennas (monopole or lattice) shall be placed in accordance with Table 110.324.50.2 ANTENNA PLACEMENT STANDARDS. Antenna’s shall be located in a manner that either natural features, built features or a combination of both provide a complete background to the antenna as seen from the nearest roadway or occupied structure. In no case will the new antenna be located on or adjacent to a protected ridgeline as identified on an area plan development suitability map.

**Table 110.324.50.2
ANTENNA PLACEMENT STANDARDS**

Design Standards	Distance from Residential Property ¹						
Distance from Residentially Zoned Property or Public Paved Right of Way (closest adjacent use will be applied)	50'	200'	400'	600'	1,000'	1,500'	2,000'
Permitted Height	50'	60'	70'	80'	90'	100'	+140'

¹ = Distance measured from the fenced enclosure at the base of the new facility.

- (g) Fencing. Fencing shall be erected around the emergency service communication antenna. Fencing shall be a minimum of 8-feet tall and constructed with chain link material with slats that provide at least 75 percent opacity; other similar screening may be approved if deemed acceptable by the Director of Planning and Building. In lieu of fencing, the antenna shall be secured with a commercial anti-climb device. The installation of the anti-climb device or security fencing shall assure the facility protected from climbing by unauthorized persons.
- (h) Antenna Types. All antennas and antenna support structure types, as defined on Section 110.324.40, are permissible for use as emergency service communication facilities.