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REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

**BOLD TEXT: NEW LANGUAGE**

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Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

**Summary: Amends the Washoe County Code at Chapter 110 (Development Code) by adding new language in Section 110.324.50(e), Monopole Antenna, and Section 110.324.50(f), Lattice Towers of the Washoe County Code to establish placement standards regulating emergency service communication facilities which are owned and operated by governmental agencies.**

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), by adding new language in Section 110.324.50(e), Monopole Antenna, and Section 110.324.50(f), Lattice Towers, to establish placement standards regulating emergency communication facilities which are owned and operated by governmental agencies; and other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires to amend Article 324 of the Washoe County Code Chapter 110 (Development Code) in order to amend Section 110.324.50(e) & (f) to allow for emergency communication facilities which are owned and operated by governmental agencies without the requirement for a special use permit.

- B. The Planning Commission held a duly noticed public hearing for WDCA19-0005 on January 7, 2020, and adopted Resolution Number 19-XX recommending adoption of this ordinance; and,
- C. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and,
- D. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS; therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Section 110.324.50 of the Washoe County Code is hereby amended to read as follows:

Section 110.324.50 Wireless Communication/Cellular Facilities Placement Standards. The following placement standards by type of antenna shall be complied with notwithstanding the preferred location and type of antenna enumerated in this section:

- (e) Monopole Antenna. The placement of a monopole antenna shall comply with the following criteria:
  - (11) No special use permit shall be required for the placement of a new monopole that is used to provide emergency communication services by a governmental agency, complies with all applicable requirements of this Article and meets one of the following location criteria:**
    - (i) The new monopole is located at one or 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).
    - (ii) The new monopole is located over 2,000 feet from either a paved road or from an existing residence. Also, the new monopole will not be located on or adjacent to a protected ridgeline as identified on an area plan's development suitability map.
- (f) Lattice Towers. Lattice towers may only be located at an established communication site as of January 1, 2004. These sites are commonly known as "McClellan Peak," "Chimney Peak," "Fox Mountain," "Marble Bluff," "Mt. Rose Knob," "Pah Rah Peak," "Peavine Peaks," "Poito Mountain," "Red Peak," "Slide Mountain," and "Virginia Peak."

- (9) **No special use permit shall be required for the placement of a new lattice tower that is used to provide emergency communication services by a governmental agency, complies with all applicable requirements of this Article and meets one of the following location criteria.**
- (i) **The new lattice tower is located at one of the established communications sites as identified in this section.**
  - (ii) **The new lattice tower is located over 2,000 feet from either a paved road or from an existing residence. Also, the new lattice tower will not be located on or adjacent to a protected ridgeline as identified on an area plan's development suitability map.**

SECTION 2. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chairman of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

**DRAFT: November 20, 2019**

Passage and Effective Date

Proposed on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2020.

Proposed by Commissioner \_\_\_\_\_.

Passed on \_\_\_\_\_ (month) \_\_\_\_\_ (day), 2020.

Vote:

Ayes: Commissioners \_\_\_\_\_

Nays: Commissioners \_\_\_\_\_

Absent: Commissioners \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chair  
Washoe County Commission

This ordinance shall be in force and effect from and after the  
\_\_\_\_\_ day of the month of \_\_\_\_\_ of the year \_\_\_\_\_.