

SUMMARY: An ordinance amending Washoe County Code at chapter 110 by eliminating the requirement for retaining a technical expert to perform a technical review on requests for building permits for facilities under Section 110.324.45, 110.324.50, 110.324.55 or other technical review requirements; and removing the public noticing requirement for building permits for wireless communication facilities in 110.324.60(c) and providing other matters properly relating thereto.

BILL NO. 1611

ORDINANCE NO. 1432

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110, ARTICLE 324, BY ELIMINATING THE REQUIREMENT FOR RETAINING A TECHNICAL EXPERT TO PERFORM A TECHNICAL REVIEW ON REQUESTS FOR BUILDING PERMITS FOR FACILITIES UNDER SECTION 110.324.45, 110.324.50, 110.324.55 OR OTHER TECHNICAL REVIEW REQUIREMENTS; AND REMOVING THE PUBLIC NOTICING REQUIREMENT FOR BUILDING PERMITS FOR WIRELESS COMMUNICATION FACILITIES IN 110.324.60(C) AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Section 110.324.60 of the Washoe County Code is hereby amended to read as follows:

Section 110.324.60 Wireless Communication/Cellular Facilities Permitting Requirements.

- (a) Information Required Prior to Issuance of Any Permit. In addition to the requirements of the Building and Safety Department, the following information must be provided to the Department of Community Development before any permit can be issued for the construction and installation of a wireless communication/cellular facility:
- (1) Site plan.
 - (2) If the wireless facility is not within the County's preferences identified in subsections (a) through (c) of Section 110.324.45 (facade mounted, rooftop mounted or collocation on existing facility), a justification as to why these were either not available or not chosen.
 - (3) Map identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.
 - (4) Type of antenna and support structure.
 - (5) Exact location of antenna and support structure.

- (6) Exact location of equipment shelter and/or cabinet.
 - (7) Height of antenna and horizontal width of supporting mechanism for antenna system.
 - (8) Whether antenna is being collocated.
 - (9) Whether antenna and equipment shelter/cabinet is being codeveloped.
 - (10) Siting and screening of antenna(s) to minimize visual impact.
 - (11) Copy of the Federal Communications Commission (FCC) license or construction permit.
 - (12) Color palette.
 - (13) Certification by a competent professional that the facility complies with Federal Communications Commission regulations for radio frequency emissions and plan for periodic recertification of compliance.
 - (14) In the case of a request to locate in the public right-of-way, a certification that the facility meets all applicable requirements of Nevada and Washoe County for use of public right-of-way and a copy of the encroachment permit and lease agreement.
 - (15) A minimum of eight (8) panoramic, true color photographs. The photographs must display the north, south, east and west views of the site and views of the adjacent properties. The Director of Community Development shall determine the final choice of color for the structure from a color palette submitted by the applicant. The color chosen shall blend with the background and surroundings and best meet the intent of this subsection.
 - (16) Landscape plans.
 - (17) Property owner's assurance shall be provided which includes a document signed and acknowledged by the property owner, accompanied by a recordation fee in the amount shown on the County Recorder's fee schedule, assuring the removal of the wireless facility should the facility's use be discontinued for twelve (12) months. The document shall include the property owner's permission, under such circumstances, for the County to enter onto the property and remove the facility, if feasible, with the cost thereof to constitute a lien against the property. If such removal is not feasible, the County may obtain a court order requiring the removal.
- (b) Administrative Review of Building Permit. Within ten (10) working days of receipt of the building permit, the Director of Community Development or his/her authorized representative shall review the building permit to determine whether it is in full compliance with the standards as enumerated in this article.

Proposed January 26, 2010.
Proposed by Commissioner
Passed February 9, 2010.

Bretternitz

Vote:

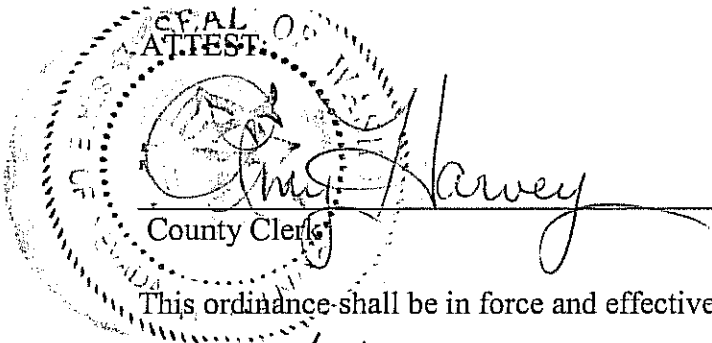
Ayes: Humke, Larkin, Weber, Jung & Bretternitz

Nays: NONE

Absent: NONE

David E. Humke

David E. Humke, Chairman
Washoe County Commission



This ordinance shall be in force and effective from and after the 19th day
of Feb., 2010.

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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **02/12/2010 - 02/19/2010**, for exact publication dates please see last line of Proof of Publication below.

Signed:

Kew H. Stewart

FEB 19 2010

Subscribed and sworn to before me



LINDA ANDERSON
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 08-5430-2 - Expires January 15, 2012

Linda Anderson

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1432 BILL NO. 1611 An Ordinance amending the Washoe County Code at Chapter 110, Article 324, by eliminating the requirement for retaining a technical expert to perform a technical review on requests for building permits for facilities under Section 110.324.45, 110.324.50, 110.324.55 or other technical review requirements; and removing the public noticing requirement for building permits for wireless communication facilities in 110.324.60(c) and providing other matters properly relating thereto. (Bill No. 1611) PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Commissioner Breternitz on January 26, 2010, and following a public hearing, was passed and adopted without amendment at a regular meeting on February 9, 2010, by the following vote of the Board of County Commissioners: Those Voting Aye: David Humke, Bonnie Weber, Bob Larkin, John Breternitz, Kitty Jung Those Voting Nay: None Those Absent: None This Ordinance shall be in full force and effect from and after February 19, 2010, i.e., the date of the second publication of such Ordinance by its title only. IN WITNESS

WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED: February 10, 2010 AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 682767 - Feb. 12, 19, 2010