

# TELECOMMUNICATION REGULATION ASSESSMENT

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City of Reno, Nevada

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Prepared By

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# 1 Introduction

This memorandum provides the written deliverable for Task 1.5 Revised Telecommunication Regulation Memo. It summarizes the Phase 1 Tasks completed to date, including:

- Task 1.1 Document Review
- Task 1.2 Kickoff Call
- Task 1.4 Public Outreach

This memorandum provides our evaluation of the City’s telecommunication regulations. The memorandum proposes concepts to completely revise the current telecommunication regulations to address the issues identified during the project kickoff meeting, our analysis of the current regulations, and stakeholder meetings.

## 2 Task 1.1: Document Review

### 2.1 Major Documents

We have reviewed the following documents:

- Article 3 of Chapter 18.03: *Use Regulations* of the Annexation and Land Development Code and related definitions in Chapter 18.09;
- Chapter 12.26: *Conditions for Small Cell Deployment* of the Reno Municipal Code;
- Other Reno Municipal Code provisions, including the Charter, General Provisions (Title 1) and Building and Construction Regulations (Title 14);
- Reimagine Reno Master Plan; and
- Chapter 707 of Title 58 of the Nevada Revised Statutes.

### 2.2 Summary of Observations and Plan Guidance

It is important to identify and understand key planning documents during the telecommunication regulation update process. The two main documents that help shape zoning code revisions are the comprehensive plan and the existing zoning ordinance. These documents provide critical information about the current conditions and future goals for the community.

#### 2.2.1 Reimagine Reno

The City of Reno adopted the current Master Plan, Reimagine Reno, in 2017 and updated the Plan in 2021. The Plan sets an implementation strategy to “incorporate wireless communications infrastructure as part of new development and major public improvements (i.e., street roadways)” (IMP-1.3f; Reimagine Reno p. 208). There are several topics that relate to telecommunications uses, and they primarily identify but do not resolve the tension between quality of life/aesthetics and economic development.

Quality of life concerns primarily address matters such as views in unspoiled areas and the height of structures near residential areas, including:

- Goal 1.5A (provide “a high quality of life in order to provide an attractive location for potential new workers” (p. 21)).
- Design Principal DPEA-G.10 (“encourage development that is sensitive to views from surrounding public lands by working with the topographic features of the site and using a neutral color palette that blends with the surrounding landscape.” (p. 135)).
- Employment Area Principal EA-ILA.3 (“Concentrate taller buildings away from adjacent residences (stepping down building heights along shared property lines) and mitigate noise, odor, lighting, and other potential impacts so as to minimize conflicts. Where industrial/logistics areas abut unincorporated land that is planned for future residential,

anticipate potential future impacts and take steps to mitigate them, such as through the incorporation of a buffer that is retained for open space.” (p. 136)).

The Plan also recognizes the importance of telecommunication to economic development. Guiding Principle 1.3E recognizes that advanced telecommunications technologies “support the growth of technology-based sectors and the expansion of live/work and telecommuting opportunities by facilitating expanded access to advanced telecommunications technologies.” (p. 20).

Another important factor to consider with telecommunication regulation is encroachment into flight paths around airports. The Master Plan recognizes this concern in Employment Area Principal EA-ATA.1: “AIRPORT COMPATIBLE USES Airport transportation areas may include a range of compatible uses which facilitate and/or are not detrimental to the continued viability of airport operations” (p. 140).

### 2.2.2 Communications and Broadcasting Use Regulations

Article 3 of Chapter 18.03: *Use Regulations* provides Reno’s use regulations, including telecommunication uses. Section 18.03.305(a) specifies the Communications and Broadcasting use regulations. These use regulations are brief but address many common issues with traditional telecommunication towers. Specific regulations include:

- Height – 55-foot height limit on towers limit except in I, IC, ME, and Mixed-Use Districts. The regulations do not specify a height limit in the I, IC, ME, and Mixed-Use Districts.
- Setbacks – 4 to 1 general setback ratio (of setback to tower height) and 2 to 1 setback ratio for camouflage towers from residentially zoned property and parks.
- Screening – Screening requirements include underground locations, locations in a building, or other screening for mechanical equipment, as well as Radome enclosures for antennas.
- Colocation – the regulations require that tower design allows future colocation of equipment.
- Procedures – the application must include alternative locations and analysis.
- Definitions – § 18.09.304 provides definitions of “Communication Facility, Equipment Only” and “TV Broadcasting and Other Communication Service.”

While the regulations limit tower heights in most districts, they are an allowed use in almost all districts. The Use Table in § 18.03.206 provides for “Communication Facility, Equipment Only” in the following districts:

- A minor conditional use in all residential districts;
- A permitted use in all mixed use districts except PO;
- A permitted use in all employment districts; and
- A minor conditional use in the PF District.

The Use Table also provides for “TV Broadcasting and Other Communication Service” as a permitted use in most mixed-use districts, employment districts, and the PF District.

The Airport Flight Path (AF) Overlay District in § 18.02.602(a) provides that a proposed structure of 45-feet in height triggers an additional review by the airport authority. However, this section does not include a clear substantive standard to evaluate or mandate compatibility for tall structures such as telecommunications towers.

The City regulates small wireless uses (also referred to as small cell or 5G) separately under Chapter 12.26: *Conditions for Small Cell Deployment*. Chapter 12.26 applies to small wireless deployments in the right-of-way, and Public Works administers the permitting process. The

### 3. Task 1.2: Kick-Off Meeting and Coordination

definition of small cell in § 12.26.010 cross-references the definition of “small wireless facilities” in the Code of Federal Regulations. The cross-referenced definition (47 CFR § 1,6002(l)) defines small wireless facilities based on physical characteristics:

- Height:
  - Mounted on structure less than 50 ft.; or
  - mounted on structure no more than 10% taller than other adjacent structures; or
  - do not extend existing structure on which located to height of more than 50 ft. or by more than 10%; and
- Each antenna no more than 3 cu. ft.; and
- All equipment no more than 28 cu. ft.

The small cell regulations only apply to deployments in the RoW, so the City does not currently review small cell facilities on private property. § 12.26.020. The regulations provide standards for the design of equipment, poles, landscaping, power, and identification. § 12.26.030. The regulations also provide for permitting requirements, including application information and review deadlines. § 12.26.040. The City must review applications within 60 days for a colocation on an existing structure and 90 days for deployment on a new structure. § 12.26.040(c). The regulations also require that the applicant enter into a license agreement for use of the RoW. § 12.26.050.

## 3 Task 1.2: Kick-Off Meeting and Coordination

### 3.1 Communication Plan

An internal communication plan is integral for a successful ordinance update. White & Smith seeks to communicate regularly by email with City staff and hold phone calls/online meetings every few weeks on an as-needed basis. Although the COVID pandemic may require continued flexibility in communication between the consultant team, staff, and stakeholders, it has also increased the capacity of staff, stakeholders, and decisionmakers to participate in virtual meetings. The consultant team and staff effectively communicated on the project’s timeline at an initial project call on October 18, 2022, and a project update call on January 24, 2023.

### 3.2 Summary of Staff Comments

On February 27, 2023, the consultant team from White & Smith, LLC (Mark White and Sean Scoopmire) joined staff (Angela Fuss, Grace Mackedon, Leah Brock, Nathan Gilbert, and Joseph Marynak) to discuss issues and concerns about the City’s telecommunications regulations. The major topics discussed were:

- **Overview.** The City’s wireless telecom regulations were adopted in early 2000s and have not been revisited since then. Staff believes it would be best to throw out the current regulations and begin with a clean slate and ensure compliance with federal regulations.
- **Public Interest.** The public does not generally comment on wireless telecommunication towers, but Scenic Nevada occasionally comments.
- **Applications.** The applications they receive are primarily antenna swaps. Most of the applications are for colocations on existing towers. Planning does not evaluate structural integrity. This is done by the Building Official. Generally, Planning and Building review applications concurrently.
- **Application Requirements.** Staff finds the alternative location analysis required in applications difficult to interpret and suggested removing this requirement. Several zones

## 4. Task 1.4: Public Engagement

require a minor use permit, and some zones require both a minor use permit and a site plan review.

- **Tower Height Limits.** For telecom towers, the site plan review limit is currently 55 ft, which is also the height standard for cell towers in most districts. In industrial districts, there is no height limit, which should be addressed. Staff suggested capping tower heights at the FCC limits. Staff believes that Reno needs to update the tower height limits to a new reasonable framework.
- **Tower Design.** Most new towers are monopole style towers with antennas camouflaged with radome covers.
- **Screening.** Staff believe that general screening standards are sufficient.
- **Nonconformities.** Staff prefers not to require removal or upgrades to nonconforming towers but to allow them under the same standards as general nonconforming uses.
- **Airport Overlay.** The airport overlay requires airport commission review of structures taller than 45 ft. Staff believes the airport review process works well. Generally, if a tower is in the airport's flight path, the airport identifies the applicable federal regulations and requires the applicant to comply.
- **Small Wireless.** Staff has not processed any small wireless (5G) projects under the Communications Facility use. They approve them as meter pedestals and believe Public Works has a franchise agreement and handles RoW installations of small wireless facilities. Planning does not review structures in the RoW and does not want to change the scope of their authority. However, staff was somewhat concerned that the installation of small wireless in the RoW would affect the aesthetics of the community, particularly in the downtown design district.

On May 22, 2023, City staff facilitated a second conversation on telecom regulations with a representative of the City's Public Works Department. During this call, the consultant team (Mark White and Sean Scoopmire) and City staff (Angela Fuss and Lauren Knox) discussed the current small wireless standards with Hans Meyer, a civil engineer with the City's Public Works Department who oversees small wireless permitting. The major topics discussed were:

- **Background.** The City adopted the current small wireless regulations to comply with the FCC's order mandating standards for small wireless deployment. Public Works developed Chapter 12.26 with the wireless providers to ensure the standards complied with FCC regulations and also worked for Reno.
- **Scope.** Chapter 12.26 applies to small wireless deployments in the RoW, and Public Works reviews the applications and issues permits. If the facility is on private property, Public Works has no authority to review it.
- **Applications.** Public Works frequently reviews small wireless applications. For example, there were eight pending applications when we talked with Hans.
- **Facility Design.** Staff agreed that the facilities are inconspicuous. Hans reported that there is an antenna camouflaged in the façade of the Virginian.
- **Preferred Approach.** Public Works and Planning staff agreed that the current regulations adequately address small wireless deployment in the RoW. They do not see a need to address small wireless use on private property in the LDC.

## 4 Task 1.4: Public Engagement

The consultant team conducted two stakeholder meetings with select community members to evaluate current conditions and community sentiment relating to wireless telecom uses. On March 16, 2023, the consultant team (Mark White and Sean Scoopmire) conducted a stakeholder meeting with Buzz Linn with Epic Wireless and Lissa Butterfield with the Reno-Tahoe Airport Authority. City staff (Grace Mackedon and Lauren Knox) facilitated the conversation. The

stakeholders' input provided a helpful perspective on issues and concerns about the City's telecom regulations and current conditions for telecom in the City. Major topics discussed included:

- **Frequency of Applications.** Mr. Linn works primarily on macro cell tower development projects through site selection and entitlement. He reported that carriers generally run in two-year cycles for developing new tower sites. He works with multiple carriers and generally works on 15 sites per year.
- **Permitting.** Mr. Linn reported that the City of Reno was great to work with on these projects. Mr. Linn also reported that the City required consecutive permits. The applicant must first obtain the entitlement before applying for a building permit.
- **Permitting Requirements.** Mr. Linn would like to eliminate the requirement for alternative location analysis. For the carriers, this involves attempting to identify a site for colocation. However, if a colocation site is not available, this becomes extra "homework." This requirement can be particularly difficult if the carrier uses an out-of-town consultant because he or she may not know the existing tower locations. He also thinks the carriers should not be required to show a need for service. Their engineers make this determination, and a carrier will not undertake to build a new tower if it wasn't necessary. In general, carriers are looking for predictable outcomes from the regulations.
- **Tower Modifications.** Mr. Linn believes that many jurisdictions do not understand or correctly apply the tower modification standards in § 6409 of the Spectrum Act of 2012. This generally allows height increases of up to the greater of 20 ft. or 10% of the height to allow for colocation of additional antennas. However, some jurisdictions strictly construe their height limitation.
- **Tower Height Limits.** Mr. Linn reported that colocation of antennas is not a viable option on towers 55 ft. in height because there is not adequate vertical separation between the antennas. He believes the City should increase tower height allowances to allow for colocation because multiple antennas cannot be located on a 55 ft. tower. He reported that Sparks allows towers up to 90 ft., and this is increased to 120 ft. if another carrier's antenna is also allowed on the tower. He reported that monopole towers can reach heights of 120 to 150 ft and believes that a height allowance increase to 120 ft. would be a significant improvement. He said that 75 ft. could also work for most commercial wireless applications. However, he thinks that even 55 ft. could work if there is no opportunity for public input and if separation distances between towers did not apply. Mr. Linn thinks colocation should not be required if tower heights remain at 55 ft.
- **Setback Distances.** Mr. Linn complained about the setback distance from residential uses. He said that this standard requires a CUP even if the tower is located on an industrially-zoned parcel if there is an adjacent residential use. He believes fall zones are an issue for the Building Department. If a tower is adequately designed, there should not be a meaningful fall risk to accommodate. He believes a 1-to-1 setback would be appropriate in industrial and commercial districts.
- **Tower Design.** Mr. Linn reported that lattice towers are only allowed in the IC, ME, and MU districts. He believes these towers are the most structurally sound but are not as aesthetically pleasing. He reported that monopole towers can reach heights of 120 to 150 ft.
- **Camouflage Requirements.** Generally, Mr. Linn was fine with camouflage requirements in certain districts. This should not be required in industrial districts, should be considered for some commercial districts, and could be required for residential districts. He believes stealthing standards should be flexible to allow for technological innovations in wireless equipment and stealthing materials. He explained that radome and other material to



## 5. Task 1.5: Analysis of Telecommunication Regulations

screen antennas interferes with several carriers' signals, and radome requirements can also decrease the ability to collocate additional antennas on the same tower.

- **Service Locations.** Mr. Linn reported that carriers generally need more service locations near residential uses. Often, he works with a PUD or HOA to locate a tower on their property. He said that objective criteria should apply to sites because elected officials listen to the constituents if they complain about a tower, even if it fully complies. He believes this applies most in residential zones.
- **Site Design and Maintenance.** Mr. Linn reported that carriers do not always fence their tower but always fence the ground equipment. For fencing, he reported that eight foot chain link fencing is preferred because it is easier to maintain and cannot be painted with graffiti. Carriers do not maintain landscaping crews and hire contractors for maintenance, which they do not like to do.
- **Decommissioning.** Mr. Linn reported that carriers don't track whether towers are in use. However, even unused towers can be considered an asset that might be used to secure pre-existing financing. Therefore, removal standards should be lenient. He suggested two years would be a reasonable period for removal. Ms. Butterfield reported that decommissioned towers can create problems for the FAA because it is not informed about the removal of towers and may consider them in reviewing future applications.
- **Airport Overlay.** The stakeholders reported that towers over 45 ft. in height are reviewed by the airport commission. In addition to height, the airport authority also reviews the frequency information to ensure that there will not be signal interference. They notify the applicant if any changes are requested. In addition, the airport provides the applicant with information on how to obtain FAA authorization. Sometime the FAA review can take up to 45 days, which may create difficulties in some applications. Mr. Linn believes the airport review process works well.
- **Small Wireless.** Mr. Linn reported that he did not work with small wireless in the right-of-way. He believes "small wireless" is more a marketing term than a technical standard. It allows for more data but works over a smaller distance. Line of sight is important in locating these facilities.

On April 3, 2023, the consultant team (Mark White and Sean Scoopmire) conducted a stakeholder meeting with representatives of Scenic Nevada, including Art Rangel, Stephen Shonts, Lori Wray, Joyce Thomspson, Mark Wray, Peter Chase Newman, John Hara, Brian Holm, Marilyn Naylor, Mercedes de la Garza, Leah Sanders, Pam McNeil, Kay Radzick, Jack Hawkins, Kerry Wermier, and Marshall Cowan. City staff (Angela Fuss, Grace Mackedon, and Lauren Knox) facilitated the conversation. The stakeholders are current and former board members of Scenic Nevada and other community members who are interested in community appearance, while the conversation primarily addressed the City's sign regulations, the Scenic Nevada representatives also addressed telecommunications towers. Major topics discussed included:

- **Overview.** While telecommunications towers are an issue of concern for Scenic Nevada, they find them to be a necessary use. However, they believe that notice requirements should apply.
- **Notice.** They believe that a notice requirement should apply if towers are proposed near parks and natural areas, and there should be a public hearing. They also suggested notice or at least notice to residents within a buffer distance around a proposed tower.
- **Colocation.** They prefer colocation as a strategy to minimize new cellular towers.

## 5 Task 1.5: Analysis of Telecommunication Regulations

This section evaluates the City's existing telecommunications regulations based on changes in telecommunications uses and discusses internal and external policy and regulatory compliance.



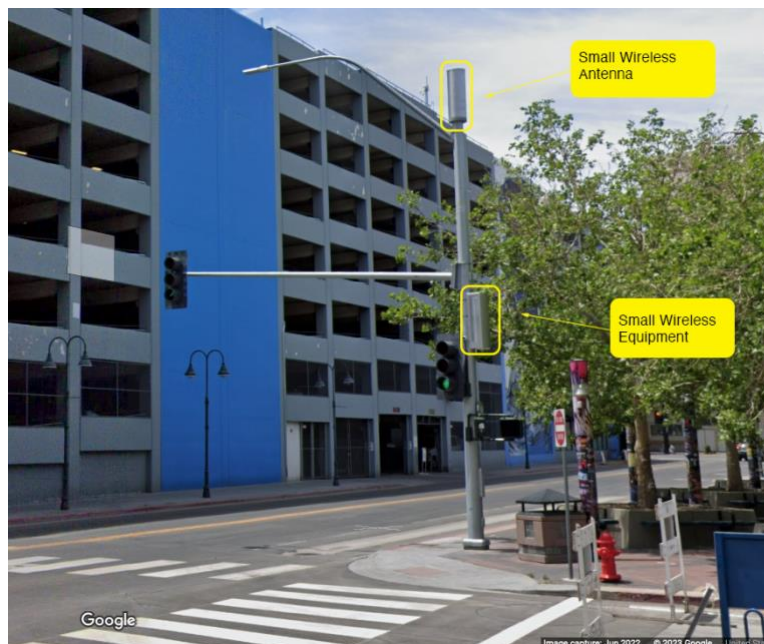
## 5. Task 1.5: Analysis of Telecommunication Regulations

The internal compliance review will identify conflicts with other City ordinances and regulations, while the external compliance review will focus on consistency with state and federal regulations. The section then outlines a general approach to draft telecommunication regulations that will achieve the City's goals while complying with other statutory and regulatory requirements.

### 5.1 New Wireless Communication Technologies

Small cellular, or fifth generation (5G) cellular, telecommunications technology promises to revolutionize wireless communication by providing increased data speeds for cell phone users. These small wireless facilities are, as suggested by the name, much smaller than traditional cellular towers. Generally, poles for small wireless facilities are 50 feet or less in height, and antennas cannot exceed three square feet. The signal range is much shorter than traditional cellular communications technologies and requires more location-specific site selection to ensure that the antennas are located near the users. Figure 4.1-1 illustrates the inconspicuous antenna and equipment for a small wireless facility installed on a pole at the intersection of Plaza Street and University Way in Downtown Reno.

Figure 5.1-1. Small Wireless Facility in Downtown Reno



The telecommunications industry suggests that one small wireless facility will eventually be necessary for every 75 customers. All of these factors imply that many small wireless facilities should be located close to residential uses. Many types of regulations associated with traditional cellular towers, such as setbacks, screening, and districting requirements, are not suitable to regulate small wireless facility deployment, which commonly occurs in the right-of-way on new or existing utility poles. Therefore, municipalities need to consider new strategies to facilitate the deployment of small wireless technology while also minimizing any aesthetic impacts of this use and complying with significant federal regulation in this area.

### 5.2 Internal Compliance Review

There are several inconsistencies and ambiguities in the treatment of telecommunication uses in the current code. Issues we have identified include:

## 5. Task 1.5: Analysis of Telecommunication Regulations

- Large setback ratios (4 to 1 and 2 to 1) from residentially zoned properties introduces some ambiguity because the use is an allowed use with minor conditional approval in all residential districts. It is not clear how this setback would apply on a residentially zoned lot.
- The regulations do not clearly address a possible ambiguity between general district height limits and the height limits applicable to communications facilities in § 18.03.305(a).
- The regulations do not clearly provide a substantive standard or procedure for review by the airport authority for proposed telecommunication uses in the AF Overlay.

### 5.3 External Compliance Review

Federal and state laws limit the City's ability to regulate telecommunications facilities. Federal law prohibits zoning regulations that unreasonably discriminate among providers of functionally equivalent service, or that prohibit (directly or effectively) the provision of personal wireless services. 47 U.S.C. §§ 253, 332(c). Federal law also requires findings of fact on wireless decisions and establishes time limits ("shot clocks") on zoning decisions governing the placement, construction, or modification of personal wireless service facilities. These time limits range from 60 days for the collocation of a small wireless facility on an existing pole to 150 days for a new traditional tower.

The Federal Communications Commission (FCC) has promulgated rules limiting local authority to review certain minor modifications to existing facilities, referred to as "eligible facilities requests." In response to advances in wireless technology and related federal legislation, the FCC also has promulgated rules and orders that also define the scope of permissible local zoning action relating to newer technology such as small cell facilities. Compliance with the requirements for time limits for review, eligible facilities requests, and 5G technology requires a reevaluation of the City's framework.

Nevada Revised Statutes §§ 707.550 to 707.585 includes standards and processes for land use approval of personal wireless service facilities. The state legislature adopted this law in 2003, and it does not address the specifics of subsequent technological changes and federal regulation relating to small wireless facilities. The Nevada Statutes generally require that local land use authorities provide clear procedures and application requirements, administratively review certain personal wireless service facilities, and issue written decisions on these applications.

### 5.4 Proposed Approach for Telecommunications

We recommend a complete revision of the current telecommunication regulations. We propose a draft of these regulations with the following concepts in mind:

- Provide new definitions for wireless communication and small wireless uses based on federal standards, including a clear identification of a new small wireless use. The distinction will allow the City to exempt all small wireless facilities from the applicability of Chapter 18, so that the regulations of small cell in the RoW under Chapter 12.26 will continue. Small cell uses on private property will not be specifically addressed.
- Provide a new definition for "eligible facilities requests" based on federal standards that will allow expedited review of these applications for minor modifications of existing facilities.
- Reduce setbacks for traditional towers.
- Add tower height limitations that will vary by district.
- Provide screening, camouflage, and tower or pole design standards to minimize aesthetic impacts. These standards will also vary by district.
- The procedures will comply with the federal "shot clock" and "eligible facilities request" requirements.

- Add an exception to allow consideration of a proposed location required to prevent an effective denial of service.
- Clarify the review procedures and standards (including height restrictions) for telecommunication uses proposed in the AF Overlay District.

## 6 Conclusion

This memo summarizes the first of a three-phase process that begins with a diagnosis of the existing telecommunications regulations, continues with several drafts of the new regulations, and concludes with adoption of the final regulation. Based on the currently available information, we propose to completely revise the telecommunication regulations.

The annotated outline in Section 7 provides an overview of the framework we propose for communications regulations for Reno. There have not been any comments requesting changes to the outline, so we will proceed with drafting the agreed approach.

## 7 Annotated Outline

This section provides an annotated outline of the new wireless communications regulations for discussion with City staff on the agreed approach. The outline includes a brief discussion of each paragraph but does not include correspondence to the existing ordinance because it is being fully replaced with the proposed regulations.

### § 18.03.305 Public and Quasi-Public Utilities and Service Uses

#### (a) Communications and Broadcasting

- (1) Purpose. This paragraph will outline the general purposes of communication facility regulations for Reno.
- (2) Applicability. This paragraph will specify the applicability of the communication facility regulations. It will provide that the regulations generally apply to all communication facility uses but will provide exceptions for:
  - a. Accessory communications structures less than 50 ft. in height; and
  - b. Small wireless facilities but will cross-reference Chapter 12.26: *Conditions for Small Cell Deployment*.

#### (3) Communication Facility, Equipment Only

- a. Permit Required. This paragraph will require a permit for uses to which this regulation applies. It will specify the districts and tower heights that require site plan review and minor conditional use review for new towers. These standards will maintain the current use table and procedures applicability standards. This paragraph will clarify that an exception for district regulations is available if there is an effective denial of service.
- b. Communication Facility Modifications. This paragraph will define facility modifications that qualify for fast-track approval under the FCC's rules interpreting "eligible facilities requests" under the Spectrum Act of 2012.
- c. General Standards and Design Requirements.
  1. Summary of Standards. This paragraph will provide a table for important standards by district, including height, setbacks, and the applicability of camouflage requirements.
  2. Height. This paragraph will refer to the standards table. Heights will be maintained at the current 55 ft. height in residential districts, increased to 120 ft. in commercial and mixed use districts, and cap tower height at 200 ft. in industrial districts.
  3. Setbacks. This paragraph will reduce the setback standards to 1-to-1 for tower height. The revisions will not include separation distances between towers, but separation distances can be added if desired.

4. Design. This paragraph will set out the design standards to require monopole towers for heights up to 120 ft. and allowing lattice construction for taller towers.
  5. Aesthetics and Camouflage Requirements. This paragraph will specify the districts and tower heights where camouflage is required and will outline the substantive requirements for camouflage.
  6. Lighting. This paragraph will provide for lighting standards.
  7. Colocation Requirements. This paragraph will express a preference (but not a mandate) for colocation of multiple antennas on a tower.
  8. Buildings and Other Structures. This paragraph will address equipment sheds and other structures on the site.
  9. Fencing. This paragraph will require fencing for tower sites.
  10. Landscaping. This paragraph will provide screening standards for towers.
  11. Signs. This paragraph will prohibit signs on towers and require an identification sign on the required fencing.
- d. Application Procedures. In general, the current procedures will be cross-referenced.
1. Pre-Application Meeting. This paragraph will cross-reference the voluntary pre-application conference standards in § 18.08.302: *Pre-Application Meeting*.
  2. Site Plan Review. This paragraph will cross-reference the site plan review standards in § 18.08.602: *Site Plan Review*.
  3. Minor Conditional Use Review. This paragraph will cross-reference the conditional use review standards in § 18.08.604: *Minor Conditional Use Permit*.
  4. Additional Review in AF District. This paragraph will clarify the requirement for the Airport Commission to review applications within the Airport Flight Path overlay district.
  5. Concurrent Reviews. This paragraph will clarify that the applicant can concurrently apply to zoning and building permits. This differs from the standard procedure that requires zoning approval before issuance of building permits.
  6. Application Requirements. This paragraph will address the specific technical information for communications applications, including FCC compliance. It will remove the requirements for alternative location analysis.
  7. Notice. This paragraph will cross-reference the site plan review standards in § 18.08.305: *Scheduling and Notice of Public Hearings*.
  8. Review Criteria. This paragraph will specify objective criteria for the review and approval of communications facilities.
  9. Decisions. This paragraph will cross-reference the review and decision standards in § 18.08.306: *Review and Decision*.
  10. Appeals. This paragraph will cross-reference the review and decision standards in § 18.08.307: *Post-Decision Actions and Limitations*.
- e. Nonconformities. This paragraph will allow the continued use of nonconforming communication facilities, including modifications that qualify as “eligible facilities requests” under the Spectrum Act of 2012.
- f. Abandonment and Removal. This paragraph will provide an extended two-year period for disuse before removal of the tower is required.
- (4) **TV Broadcasting and other Communication Service.** This paragraph will carry forward the current standards for this use.

**Definitions** - The telecom definitions in Chapter 18.09 will be revised to ensure they match current standards. Definitions will be clarified, and some new definitions may be added.