

STAFF REPORT FOR PLANNING COMMISSION MEETING OF AUGUST 28, 2019

FILE NO: SUP-19-121

AGENDA ITEM: E.8

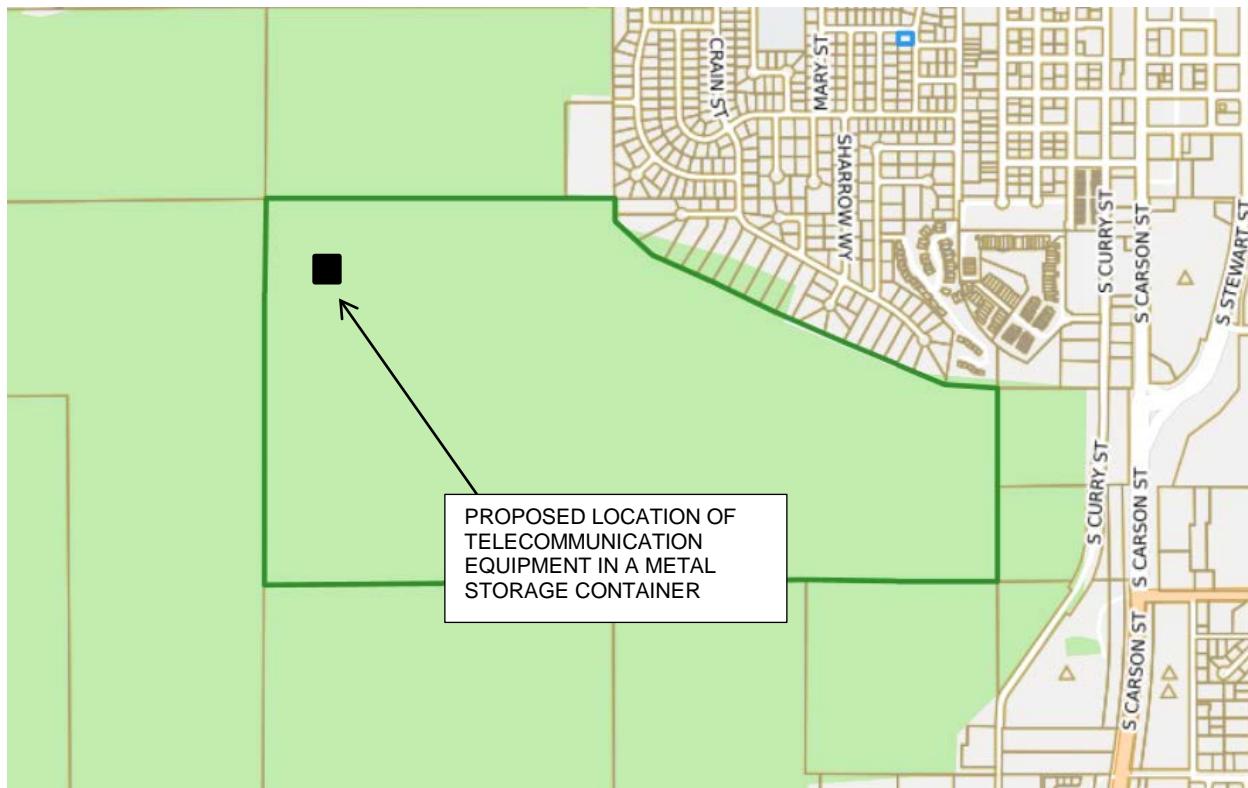
STAFF CONTACT: Kathe Green, Assistant Planner

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a request for a Special Use Permit for a wireless telecommunications facility in the designated Skyline area on property zoned Conservation Reserve, located south of "C-Hill", APN 009-021-02. (Kathe Green, kgreen@carson.org)

STAFF SUMMARY: The applicant is requesting to place wireless communications equipment in a metal storage container to support local internet services. The container would house equipment for internet, battery backup and solar panels. The Skyline area includes various areas around Carson City above specific elevations, and is intended to minimize visual impacts from development of hillside areas. A Special Use Permit is required for all development within the designated Skyline area.

RECOMMENDED MOTION: "I move to approve SUP-19-121, based on the findings and subject to the conditions of approval contained in the staff report."

VICINITY MAP:



RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further considerations.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. Provide a 2A:10BC extinguisher mounted inside the container. Fire extinguisher must have a current service tag per Nevada Administrative Code (NAC) 477.
5. Provide and maintain a 15-foot vegetation clearance on all sides of the container.
6. Prior to commencement of the use, provide documentation from a Nevada registered design professional indicating ballast provided in container will meet design wind speeds.
7. Sealed AGM batteries must be used in order to eliminate hydrogen production during charging cycles.
8. No hazardous materials shall be stored within the container.
9. The container housing the equipment and all ancillary equipment must be painted and maintained with neutral exterior paint. Color to be approved by the Planning Division prior to being applied. Graffiti shall be removed within 48 hours. The container and equipment must be maintained free of rust, peeling paint or other forms of deterioration. With the application of paint, no shiny surfaces should remain.
10. Advertising is prohibited on site.
11. It is recognized that the use has established without a Special Use Permit. Should this Special Use Permit be approved, no additional equipment or structures, including fencing, may be erected outside of the container. Also, the "mountain peaks" that have been attached to the container to avoid horizontal lines must be maintained in place.
12. A 12 inch by 12 inch sign advising of owner's name and a 24 hour emergency phone number must be posted on the container.
13. Either the applicant or co-applicant must be a carrier licensed by the Federal Communications Commission and submit documentation of the legal right to install and use the proposed facility.
14. The applicant shall reasonably allow for co-location of at least one other provider's antennas and equipment on and in the structure by limiting the cost to the providers to a fair and equitable share of the ground lease, design, capital costs for construction, and reasonable maintenance consistent with industry standards. New equipment associated with a co-location will require a modification to the Special Use Permit.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.04.165 (Conservation Reserve (CR)), and 18.08 (Hillside Development, Development Standards); 18.15 (Communication Facilities and

Equipment), and 1.9 Development Standards (Wireless Telecommunication Facilities and Equipment)

MASTER PLAN DESIGNATION: Open Space (OS)

PRESENT ZONING: Conservation Reserve (CR)

KEY ISSUES: Does the application meet the regulations for skyline development, and meet the required findings for approval of a Special Use Permit?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Public Community (PC)/ Open Space and a church
NORTHEAST: Single Family 6,000 (SF6)/ residential
SOUTH: Conversation Reserve (CR)/ vacant
SOUTHEAST: Public (P)/ vacant
EAST: Public (P)/ vacant
WEST: Conservation Reserve (CR)/ Vacant

ENVIRONMENTAL INFORMATION:

FLOOD ZONE: Unknown
SLOPE/DRAINAGE: Steep sloping to the east, south, and southwest.
FAULT: On-site

SITE DEVELOPMENT INFORMATION:

PARCEL AREA: 248.7 Acres
PROPOSED PROJECT: Wireless telecommunication equipment
PROJECT HEIGHT: Approximately eight feet overall, with two antennas approximately 20 feet in height
EXISTING LAND USE: Vacant
REQUIRED SETBACKS: Front 30, Side 20, Street Side 20 and Rear 30
PARKING EXISTING: None

DISCUSSION:

A Special Use Permit was required for the following reasons:

The subject improvements are located in a designated skyline area. Per CCMC 18.08.030.2

“Development of skylines and hilltops as designated on the skyline area map must be carefully regulated and strongly discouraged. The applicant must explore every opportunity to construct below the skyline area. If there is no other feasible alternative, the applicant may apply for approval of a special use permit before construction may take place within a skyline designated area. Development of any portion of a parcel which is in a skyline areas requires compliance with [the municipal code], Division 7 of the development standards and the prior issuance of a special use permit.”

Per CCMC 18.15.030, telecommunication facilities in non-residential zoning districts that meet the height and setback requirements of the zoning district in which the facility is located are permitted subject to a building permit and subject to Division 1 of the Development Standards.

The requested use is in the Conservation Reserve zoning district, where the maximum allowed height is 40 feet, and the required setbacks are:

Front: 30

Side: 20
Rear: 30

The proposed use will not exceed a height of 20 feet, and is proposed setbacks are in excess of 100 feet from each property line.

Of note, the use has established without a Special Use Permit, or any permit. In June 2019, the City was notified that a container had been placed on "C Hill", on the hillside site to the southwest of the "C". The container is proposed to be utilized as a means of holding equipment which will be used to provide telecommunication and internet services. The applicant has covered the exterior of the container with a beige colored Hardie board, and added cutouts to the top of the container. The storage container is approximately 40 foot long, eight foot high and eight foot wide. Antennas and a solar panel have been added to the container.

PUBLIC COMMENTS: Public notices were mailed on August 9, 2019 to 264 property owners within 900 feet of the subject site, pursuant to the provisions of NRS and CCMC. As of the writing of this report, three letters have been received. Any other comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting on August 28, 2019, depending on their submittal date to the Planning Division.

CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS:

Engineering Department: no concerns

Health Department: no concerns

Fire Department:

1. Project must comply with the current edition of the International Fire Code and northern Nevada fire code amendments as adopted by Carson City.
2. Project must comply with the current edition of the International Wildland-Urban Interface code and northern Nevada wildland urban interface amendments as adopted by Carson City.
3. Provide a 2A:10BC extinguisher mounted inside the container. Fire extinguisher must have a current service tag per NAC 477.
4. Provide a 15 foot vegetation clearance on all sides of container.
5. Provide documentation from a Nevada registered design professional indicating ballast provided in container will meet design wind speeds.
6. Sealed AGM batteries must be used in order to eliminate hydrogen production during charging cycles.
7. Exterior lighting at the facility is not permitted except as required by building code. If lighting is required, it must be the minimum necessary to meet the building code, and must be dark sky compliant.

Parks, Recreation and Open Space Department:

The Parks, Recreation & Open Space Department has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 13.02 and 13.06 as well as the Open Space Plan and Unified Pathways Master Plan.

C.C.M.C. 13.06.010 Purpose

The objective of the Open Space Program is to promote quality of life for citizens of Carson City through the preservation and protection of the quality of the natural environment including the "spectacular views of the mountains."

The subject parcel and project site is adjacent to C-Hill, which is managed by the Open Space Division. Since C-Hill is a prominent landmark in Carson City, the container could be a visual impact to the mountains. Therefore, measures should be implemented to minimize impacts.

Unified Pathways Master Plan (UPMP)

The UPMP was revised in 2018 to include single-track trails around Carson City. There are several proposed trails within the project vicinity. The request is not in conflict with the trails; however, there could be a negligible impact on recreational users.

FINDINGS: As noted below, staff finds the required findings identified in Carson City Municipal Code Section 18.02.062 (Special Use Permits) can be met.

1. Will be consistent with the objectives of the Master Plan elements.

Staff finds the following portions of the Master Plan to be applicable to the consideration of this application.

Guiding Principle 3: Stewardship of the Natural Environment

The City will identify and strive to conserve its natural, scenic, and environmentally sensitive areas including important wildlife habitat, the floodplains of the Carson River and other significant watercourses, and visually sensitive areas, such as prominent hillsides surround the community. In addition, the City will plan for future development to minimize the impacts of potential natural disaster events, such as wildfire and flooding on the community. In addition, the City will plan for future development to minimize the impacts of potential natural disaster events, such as wildfire and flooding, on the community.

Goal 3.2 – Protect Visual Resources

Policy 3.2a – Hillside Development

Limit future hillside development through the retention of public lands at a Local, State or Federal level, and by discouraging hillside development on private lands through the use of existing cluster development and steep slope provisions as contained in Chapter 18.08 of the City's zoning ordinance.

Policy 3.2c – Communication Facilities and Equipment

Ensure that communication facilities and equipment, such as cellular towers, are located and designed so as to not detract from the City's visual quality. Facilities and equipment will be evaluated according to Chapter 18.15 of the City's Municipal Code.

The requested facility is located on private property. Because the improvement was installed without permission, the visual impact can be analyzed based on the actual installation as opposed to a photo simulation. Staff finds that with the exception of antennas that have not been painted, the installation does not detract from the visual quality of the hillside. The antennas are shiny, and visible when the sun is on them. To avoid the glare that detracts from the visual quality, staff recommends that the entire facility, including ancillary equipment, be painted a neutral color.

2. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of

surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare of physical activity.

The facility is in a remote location, and does not create noise, vibrations, fumes, odors, dust, or physical activity. The unpainted portions of the facility create a glare. Staff is also concerned that given the topographical difference in this property, any lighting on the property will compromise the peaceful enjoyment of surrounding properties. Therefore, staff has recommended conditions that the entire facility be painted a neutral color, even ancillary equipment. Staff further recommends that no external lighting be provided on site except for that which is necessary to meet building code. For lighting necessary to meet building code, staff recommends it be limited to dark sky compatible lighting.

3. Will have little or no detrimental effect on vehicular or pedestrian traffic.

The telecommunication facility will not have a detrimental effect on vehicular or pedestrian traffic. This is not a “manned” facility, and will have infrequent visits for maintenance.

4. Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

The facility is located in the Wildland Urban Interface zone. Therefore, given the risk of wildfire and the remoteness of the site, the Fire Department has recommended a fifteen foot vegetation clearance around the equipment, and that a fire extinguisher be maintained on the property. Furthermore, staff proposes that the contact name and phone number be provided on site in the case of a problem. With these mitigations, the use will not overburden the fire department. Given the nature of the use, it will not overburden existing public services and facilities.

5. Meets the definition and specific standards set forth elsewhere in this title for such particular use and meets the purpose statement of that district.

Development Standards 1.9 provides for design standards for wireless telecommunication facilities and equipment, as follows.

Regulations and standards set forth in this section are designed to address wireless telecommunication facilities and equipment used for the commercial broadcasting/receiving of transmissions regulated under the Telecommunications Act of 1996. Definitions for the various uses and terms referenced in this section are included in the Section 18.03 (Definitions). Electrical or mechanical equipment that creates video or audio interference in customary residential electrical appliances or causes fluctuations in line voltage outside the dwelling unit is prohibited.

1. *Location and Placement Standards.*
 - a. *Facilities and equipment shall be located according to the following priorities, (#1 is the most acceptable, #5 is the least acceptable):*
 - (1) *Concealed within an existing structure;*
 - (2) *Camouflaged or screened within an existing structure;*
 - (3) *Camouflaged or screened on an existing structure, particularly existing telecommunications facilities, utility poles and towers, water towers, and commercial, industrial or public facility buildings;*

- (4) *Co-located with existing wireless communication service facilities;*
- (5) *Erection of a new, freestanding facility subject to other requirements of this section and where visual impact can be minimized and/or mitigated.*

The applicant has erected a new, freestanding facility where visual impact can be minimized and/ or mitigated.

- b. *The applicant shall adequately justify the location proposed based on a consideration of the above priorities.*

The applicant has advised that the elevated location is necessary to transmit internet services.

- c. *Placement on existing structures shall not jeopardize the character and integrity of the structures as determined by the building and/or engineering department.*

Placement on existing structures is not proposed.

- d. *If ground mounted, facilities and equipment shall not be located in the front yard portion of a parcel with an existing structure.*

The structure is not proposed in the front yard portion of a parcel with an existing structure.

- e. *Either the applicant or co-applicant must be a carrier licensed by the Federal Communications Commission and submit documentation of the legal right to install and use the proposed facility.*

Staff has recommended a condition of approval reflecting this requirement.

2. *Height and Dimensional Standards.*

- a. *The height of the facility shall include any antenna, array or other appurtenances.*

The highest portion of the facility is proposed to be 20 feet.

- b. *Facilities shall not exceed 120 feet in height above grade. The applicant must provide a written justification for the proposed use and adequately demonstrate that the proposed height is necessary, including co-location opportunities. The applicant shall submit a report from an independent, accredited source providing justification for the proposed height or an alternative lower height.*

The proposed height is 20 feet. The applicant has advised that there are no alternative sites that would allow it to collocate equipment onto another structure. The applicant has submitted a report from Desert Engineering providing justification for the proposed height.

3. *Setbacks.*

- a. *All facilities, equipment and equipment shelters shall comply with the building setback provisions of the zoning district in which they are located.*

The facility complies with the setback provisions of the zoning district.

- b. *Roof mounted facilities shall be stepped back from the front facade in order to limit their impact on the building's silhouette and/or concealed, camouflaged or screened.*

Roof mounted facilities are not proposed.

c. *Facilities and equipment shall be located no closer than 4 times the facility height from any residentially zoned property.*

The height is 20 feet, and the facility is more than 100 feet from any property line.

4. Design Standards.

- a. *Ground mounted facilities and equipment not camouflaged by design, existing buildings or structures shall be screened according to adopted Carson City standards, including landscaping and screen walls.*
- b. *Facilities and equipment that are side mounted on buildings shall be consistent with the architectural style and color of the building on which it is mounted.*
- c. *Ground and roof mounted facilities shall be painted a non-glossy color that blends with the surrounding natural and built environment.*
- d. *Equipment shelters not placed underground shall be appropriately screened according to adopted Carson City standards.*
- e. *New, stand-alone facilities shall be designed to allow additional wireless service providers to co-locate antennas on the structure.*
- f. *The exterior of facilities and equipment shall not be lighted unless required by the Federal Aviation Administration (FAA) with the exception of manually operated emergency lighting.*
- g. *All ground mounted facilities and equipment shall be surrounded by a security barrier. The barrier shall contain adequate controlled access and be posted with a 1 square foot sign indicating the facility owner(s) and a 24-hour emergency telephone number.*

The equipment is camouflaged by design. Staff has included a condition of approval that the entire facility be painted a neutral color. Staff has included a condition that the applicant must allow additional wireless service providers to co-locate. Equipment will be stored in the container, so an additional barrier is not necessary. Staff has included a condition of approval that a one square foot sign be mounted indicating the facility owners name and a 24 hour emergency telephone number.

6. *The use will not be detrimental to the public health, safety, convenience and welfare.*

As conditions, staff does not find that the use will be detrimental to public health, safety, convenience and welfare.

7. *Will not result in material damage or prejudice to other property in the vicinity.*

As conditioned, the use will not result in material damage or prejudice to other property in the vicinity.

Attachments:

- Engineering Department comments
- Fire Department comments
- Parks Recreation and Open Space Department comments
- Letter Dated August 20, 2019 from Desert Engineering
- David Digini e-mail
- Pat Bursell e-mail
- Wilkerson and Crews Letter
- Application SUP-19-121

**Engineering Division
Planning Commission Report
File Number SUP—19-121**

TO: Kathe Green - Planning Department
FROM: Stephen Pottéy – Development Engineering Department
DATE: August 21, 2019

SUBJECT TITLE:

Engineering Comments for SUP-19-121 for Highlands Wireless Container on APN 009-021-02

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request and offers no conditions of approval.

ENGINEERING DISCUSSION:

The Engineering Division has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. The Engineering Division offers the following discussion:

C.C.M.C. 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans.

C.C.M.C. 18.02.080 (5b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians

The container has a negligible impact on backcountry vehicular and pedestrian traffic.

C.C.M.C. 18.02.080 (5d) - Public Services

The container has no impact on sewer or water services and has a negligible impact to storm drainage.

C.C.M.C. 18.02.080 (5e) – Title 18 Standards

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5f) – Public health, Safety, Convenience, and Welfare

The project meets engineering standards for health and safety.

Engineering Division
Planning Commission Report

C.C.M.C. 18.02.080 (5g) – Material Damage or Prejudice to Other Property

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5h) – Adequate Information

The plans and reports provided were adequate for this analysis.

Fire Department Comments

08/01/2019

Comments for SUP 19-121:

1. Project must comply with the current edition of the International Fire Code and northern Nevada fire code amendments as adopted by Carson City.
2. Project must comply with the current edition of the International Wildland-Urban Interface code and northern Nevada wildland urban interface amendments as adopted by Carson City.
3. Provide a 2A:10BC extinguisher mounted inside the container. Fire extinguisher must have a current service tag per NAC 477.
4. Provide a 15' vegetation clearance on all sides of container.
5. Provide documentation from a Nevada registered design professional indicating ballast provided in container will meet design wind speeds.
6. Sealed AGM batteries must be used in order to eliminate hydrogen production during charging cycles.

Dave Ruben

Fire Marshal
Carson City Fire Department
777 S. Stewart Street
Carson City, NV 89701

Direct 775-283-7153
Main 775-887-2210
FAX 775-887-2209



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITOL

Planning Commission Report

File Number SUP-19-121

TO: Kathe Green – Planning Division

FROM Ann Bollinger – Parks, Recreation & Open Space Department

DATE: August 16, 2019

SUBJECT TITLE: Parks, Recreation & Open Space Department comments for SUP-19-121 for Highlands Wireless Container on APN 009-021-02

RECOMMENDATION:

Parks, Recreation & Open Space Department has no preference or objection to the special use request, but our department suggests the burial of or painted tan/brown color on the container.

PARKS, RECREATION & OPEN SPACE DEPARTMENT DISCUSSION:

The Parks, Recreation & Open Space Department has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 13.02 and 13.06 as well as the Open Space Plan and Unified Pathways Master Plan.

C.C.M.C. 13.06.010 Purpose

The objective of the Open Space Program is to promote quality of life for citizens of Carson City through the preservation and protection of the quality of the natural environment including the “spectacular views of the mountains.”

The subject parcel and project site is adjacent to C-Hill, which is managed by the Open Space Division. Since C-Hill is a prominent landmark in Carson City, the container could be a visual impact to the mountains. Therefore, measures should be implemented to minimize impacts.

Unified Pathways Master Plan (UPMP)

The UPMP was revised in 2018 to include single-track trails around Carson City. There are several proposed trails within the project vicinity. The request is not in conflict with the trails; however, there could be a negligible impact on recreational users.





DESERT ENGINEERING

26 E. PURSEL LANE
YERINGTON, NV 89447

775-463-3478
775-463-9526

NV Contractors Lic. #0039479
CA Contractors Lic. #888971

8/20/2019

Hope Sullivan, AICP
Planning Manager
Carson City, NV 89701

Upon the request of the Highlands Wireless (HWI) owners, we have visited the site and requested some of the information that we believe to be required for the facility that has been placed on the Carson Hill. Our findings are as follows:

***The HWI Internet equipment and structure are 15 feet above grade.

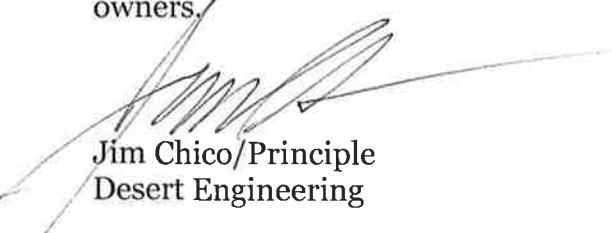
***There are no alternative sites in the vicinity that would allow HWI to collocate their equipment.

***The structure is situated to maintain a concealed aspect behind a rock out-cropping so that nothing would be seen from the East.

***The structure is designed to make it resemble a rock out-cropping so that no defined horizontal line would be noticed in Carson City from the North. South and West sides are not seen by virtue of the mountain layout.

***HWI kept the single incoming and outgoing galvanized 3" pole as short as possible to maintain the stealth aspect of our site.

If there is anything else that may be in question, please feel free to contact either myself or the owners.


Jim Chico/Principle
Desert Engineering

Kathe Green

From: Planning Department
Sent: Monday, August 12, 2019 8:18 AM
To: Kathe Green
Subject: FW: SUP-19-121

From: Incline Dave [mailto:InclineDave@hotmail.com]
Sent: Sunday, August 11, 2019 12:01 PM
To: Planning Department
Subject: SUP-19-121

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

Regarding SUP-19-121 Equipment near C-Hill:

I am an adjacent property owner to this proposed project (Lake Glen Dr.) I believe this equipment will benefit the growing telecommunication needs of our area. I approve of and encourage this project.

/s/ David Digini
Carson City

Kathe Green

From: Planning Department
Sent: Tuesday, August 20, 2019 3:02 PM
To: Kathe Green
Subject: FW: Comments on Special Use Permit, File No. SUP-19-21

From: Pat Bursell [<mailto:pbursell@hotmail.com>]
Sent: Tuesday, August 20, 2019 2:57 PM
To: Planning Department
Subject: Comments on Special Use Permit, File No. SUP-19-21

This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.

There are three concerns with this project.

First, the wording in the official request treats the public using the trails on the property as *trespassers* rather than *users* and indicate future use is not desired. I have used these trails in the past and have seen others while walking. It would be a shame to have these trails from and around C-Hill discouraged or restricted for public use.

Secondly, the company, Highlands Internet, already built without due consideration, without a permit, seeming rather suspect. I have tried to view the their internet site but it is currently down for maintenance.

Thirdly, if Carson City wants to promote the area as a natural recreation destination, more technology visible from the main street and hotels, is not consistent with this goal.

Patricia Bursell
633 Highland Street
Carson, City, NV

Bob Wilkerson and Kalie Crews
616 Terrace Street
Carson City, NV 89703
530-320-4977
kaliecrews@yahoo.com

Dear Ms. Sullivan:

We are submitting comments to File No. SUP-19-121 per the public notice received by postal mail on August 11, 2019.

1. Who is requesting a special use permit?
 - a. Please provide a viewshed analysis and visual simulation for the requested special use permit?
 - b. Please provide a detailed description of the requested special use permits (e.g., height, width, footprint, fencing, color, etc.).
 - c. Please provide the purpose and need. Why here and why now?
2. What are the communication style facilities that have appeared on C-Hill in the last couple of weeks?
 - a. Please provide the environmental documentation to support the road construction and communication facilities that recently appeared in the land identified for rezoning?
 - b. Please provide the letter from the State Historic Preservation Officer concurring on the undertaking, or at a minimum the Programmatic Agreement and stipulations that permitted the undertaking.
 - c. Please provide the legal documentation and citations for permitting these facilities on lands currently identified as conservation reserve and prior to rezoning?
3. It is my understanding that the land identified for rezoning was transferred from the United States Forest Service to Carson City Open Space and identified as "Conservation Reserve" in the "Carson City Vital Community Act of 2008". The lands bill is the result of years of negotiation between numerous federal and local land management agencies.
 - a. Are there stipulations in the lands bill preventing undesirable actions such as this? This action is in direct opposition to the Carson City Vital Community Act of 2008 and likely contrary to the understanding of federal partners who agreed to the lands bill.
 - b. How can the public be assured that other lands currently identified as "open space" or "conservation reserve" will not be subsequently rezoned?
 - c. Will Federal agencies support future requests for land transfers? Is this action jeopardizing that potential?
4. Since it appears the facilities were installed prior to approval, what are the legal ramifications?
 - a. What is the City's plan to remove and rehabilitate the site until proper environmental compliance and rezoning can occur?
 - b. How will the city prevent this from happening in the future?
5. If the Planning Division changes the zoning from conservation reserve, what will the new zoning be and what will be the permitted uses?
 - a. Since it appears that the facility was installed prior to rezoning and the city doesn't plan on changing course, is it possible to "sub-zone" the parcel?

- b. Will other communication facilities be permitted on C-Hill?
- 6. What is the process for public engagement on future proposals within lands currently identified as Carson City Open Space and other special use requests on C-Hill?
 - a. Please provide references to city regulations, codes, polies, etc. regarding public engagement on special use authorizations and rezoning.
- 7. Please provide us the opportunity to comment on all future actions (in advance!) related to Carson City Open Space, specifically around “C-Hill”.
- 8. Please provide us the opportunity to comment on all future special use applications in and around C-Hill.

We are adamantly opposed to rezoning the parcel. This is Carson City Open Space and should remain that way. Additionally, we do not support the desecration of C-Hill and the destruction of the Carson City viewshed.

We will be attending the meeting on August 28, 2019 at 5:00 pm. Please be prepared to address the apparent discrepancies and dishonest request for public comments on the special use permit and rezoning that has already taken place.

Thank you.

Kalie Crews and Bob Wilkerson

Hst Copy

RECEIVED

JUL 25 2019

CARSON CITY
PLANNING DIVISION

Carson City Planning Division
108 E. Proctor Street • Carson City NV 89701
Phone: (775) 887-2180 • E-mail: planning@carson.org

FILE # SUP - 19-121

APPLICANT	PHONE #
HIGHLANDS WIRELESS, INC	775-847-4000 EXT 406
MAILING ADDRESS, CITY, STATE, ZIP	
4590 TYBO RD, RENO, NV 89521	
EMAIL ADDRESS	
BARRY @ HIGHLANDS WIRELESS.NET	
PROPERTY OWNER	PHONE #
STANTON PARK DEVELOPMENT, INC	
MAILING ADDRESS, CITY, STATE, ZIP	
1885 E. LONG ST, C.C., NV 89706	
EMAIL ADDRESS	
DWIGHT DWIGHT @ MILLARDREALITY.COM	
APPLICANT AGENT/REPRESENTATIVE	PHONE #
BARRY BRANNOV	775-847-4000 EXT 6
MAILING ADDRESS, CITY STATE, ZIP	
4590 TYBO RD RENO NV 89521	
EMAIL ADDRESS	
BARRY @ HIGHLANDS WIRELESS.NET	

FOR OFFICE USE ONLY:

CCMC 18.02.080

SPECIAL USE PERMIT

FEE*: \$2,450.00 MAJOR

\$2,200.00 MINOR (Residential
zoning districts)
+ noticing fee*Due after application is deemed complete by
staff SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies) including:

- Application Form
- Detailed Written Project Description
- Site Plan
- Building Elevation Drawings and Floor Plans *x/✓*
- Special Use Permit Findings
- Master Plan Policy Checklist
- Applicant's Acknowledgment Statement
- Documentation of Taxes Paid-to-Date
- Project Impact Reports (Engineering)

 CD or USB DRIVE with complete application in PDF

Application Received and Reviewed By:

Submittal Deadline: Planning Commission application
submittal schedule.Note: Submittals must be of sufficient clarity and detail for
all departments to adequately review the request. Additional
information may be required.

Project's Assessor Parcel Number(s):

009-021-02

Street Address

N/A

Project's Master Plan Designation

05

Project's Current Zoning

CR

Nearest Major Cross Street(s)

S. CURRY ST / RHODES ST

Please provide a brief description of your proposed project and/or proposed use below. Provide additional pages to describe your request in more detail.

20' CONTAINER TO PROVIDE INTERNET SERVICES INTO CARSON CITY

PROPERTY OWNER'S AFFIDAVIT

I, DWIGHT MILLARD, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Dwight C. Millard

Signature

1885 E. Long St

Address

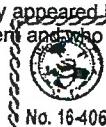
7-17-19

Date

Use additional page(s) if necessary for additional owners.

STATE OF NEVADA
COUNTY Carson CityOn July 17th, 2019, *Dwight C. Millard*, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.*M. Carmen Molina*

Notary Public

NOTARY PUBLIC
STATE OF NEVADA
My Appt. Exp. Oct. 18, 2020

NOTE: If your project is located within the Historic District or airport area, it may need to be scheduled before the Historic Resources Commission or the Airport Authority in addition to being scheduled for review by the Planning Commission. Planning staff can help you make this determination.

If there is any additional information that would provide a clearer picture of your proposal that you would like to add for presentation to the Planning Commission, please be sure to include it in your detailed description.

Please type and sign the statement on the following page at the end of your findings response.

ACKNOWLEDGMENT OF APPLICANT

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City code requirements.

Barry Brannon
Applicant's Signature

Barry Brannon
Print Name

7-15-2019
Date



PO Box 877
Virginia City, NV 89440
775-847-4000

Project Description:

This project application for a Special Use Permit is to create a small internet site to be used to support the local residential and commercial community of central and north Carson City, NV.

Our company goal is to offer options to the local citizens of Carson City high-quality high-speed internet services for their technological home and office needs. We have received hundreds of calls from Carson City residents requesting better quality service than what is currently available in Carson by the other "national" providers.

This Special Use Permit will be for a 20' container, which will house our equipment for internet, battery backup, solar panels and everything will be consolidated to the container as a self-contained internet site. The container will be camouflaged so that from a distance, it will not distort the City's District Skyline. We have covered the container sides, that will be visible to Carson City, with Hardy Board which is a neutral color that matches the adjacent rock outcropping, and created mountain peaks on top of the container so that no horizontal line from the structure is visible to Carson City.

We have located the site on private property and have the container behind a rock out-cropping to help conceal the site from view and trespassers on this private property.



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Carson City Hilltop Project

SPECIAL USE PERMIT APPLICATION FINDINGS

Section Master Plan: 3.2.C

5.a. – Communications Facility & Equipment

- Site is located and designed so as to minimize any effect to the local community. Site was designed to not distract from the Carson City's visual quality while supporting the local community with High-Speed / High Reliability internet services and giving more options to the local community by a local company rather than the national entities.

- Hardy-Board was installed to the visible sides of the shelter to ensure a natural neutral color of the shelter and to blend in with the surrounding area and rock out-cropping which the shelter is behind.

- Additional structure was added to the horizontal roof line of the shelter and cut in a jagged feature so that it looks like additional rock out-cropping peaks.

- We have discussed with the Planning Department and delivered BLM paint color chart and will paint the structure a color that has been chosen by the Planning Dept. which will ensure that the structure blends in with the surrounding scenery.

5.b. – The structure was placed in the middle of the property, behind a natural rock out-cropping. Since this is an elevated area, we have made every effort to make this site less noticeable by physical viewing from Carson City. Our goal was to preserve the natural character of the area and to not disturb any ground that was not necessary. We encompass a total of **160 sq. ft. out of the 248.7 acres**, thus this is a very small site on the property. This shelter produces no noise, vibrations, fumes, odors, dust or glare. This is a self-contained unit.

5.c. – Since this is Private Property with no vehicular roads or pedestrian traffic, there is zero detriment to the area.

5.d. – Since this is Private Property with absolutely no other encumbrances on the property, there is no “overburden” of public services, utilities, water, police, school, roads, drainage or other public improvements. This area is natural and original and has not had any construction on this parcel. This technological site will be an improvement to the community supporting the residential and commercial area of Carson City.

5.e. – There are no plans of further development to this site but the property does have potential for development of which the infrastructure being proposed here will help to support growth of our community.

5.f. – Since this is Private Property with no structures on it, there is no detrimental effect to public health, safety, convenience and welfare. This site is to provide a very much needed Public Service as requested by citizens of Carson City.

5.g. – There is no Prejudice to others in the area as we have taken measures to mitigate any esthetic issues. Again, hardy-board was affixed to the shelter to lessen the visual contact as well as added enhancements to make the shelter look like the adjacent rock out-cropping and blend in with the natural scenic area.

5.h. – As the burden of proof is on our firm, we have provided pictures and topo photos of the location in conjunction with the local rock out-cropping's. We have made every effort to lessen the visibility of this site as explained above. Our objective here is to have this site as esthetically appealing as possible. We also do not want any trespassers in this area that would see our shelter and potentially cause damage to our equipment. For this reason, we as well as the Permitting Department, we want this site as invisible as possible for security and safety reasons.

We will also be installing cameras on this site, not only for the security of this site, but also to support an initiative that we have partnered with regarding Fire Protection to hilltop sites. That entity being Nevada State Seismological Laboratory: Dr. Graham M. Kent - Director, Nevada Seismological Laboratory

NV State Seismologist - ALERT-Wildfire early detection and situational network being deployed throughout the west. Due to our companies tower and hilltop locations, they have reached out for assistance. The significant benefit to our proposed site is: Early Fire Detection, by the deployed cameras on our hilltop sites which will save damage to the local area and personal property, scenic areas, animal life, human life, vegetation that supports the animal life, and the ability to impede a fires progress to the surrounding areas.

parcel property lines inputted



Property Information

$$1'' = 887 \text{ ft}$$

Property Information

Property ID 00902102

Location SEC 19 15/20 N2

Owner STANTON PARK DEVELOPMENT

Acres 248.7



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Carson City, NV makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/17/2018
Data updated 11/17/2018



1" = 160 ft

Property Information

Property ID 00902102
Location SEC 19 15/20 N2
Owner STANTON PARK DEVELOPMENT INC
Acres 248.7



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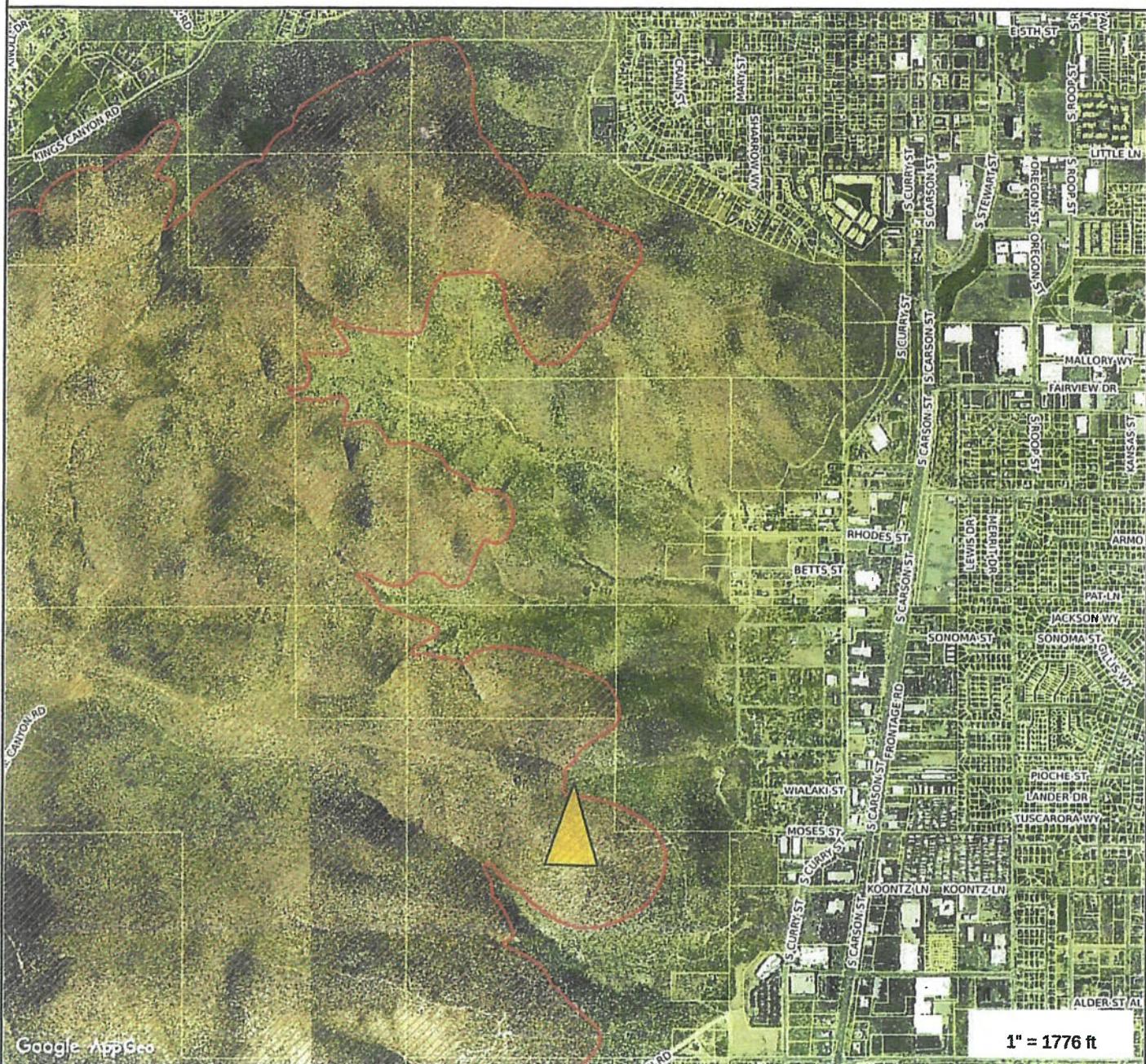
Geometry updated 11/17/2018
Data updated 11/17/2018

CURRENTVIEW





OPTIONAL TOWER SITE



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

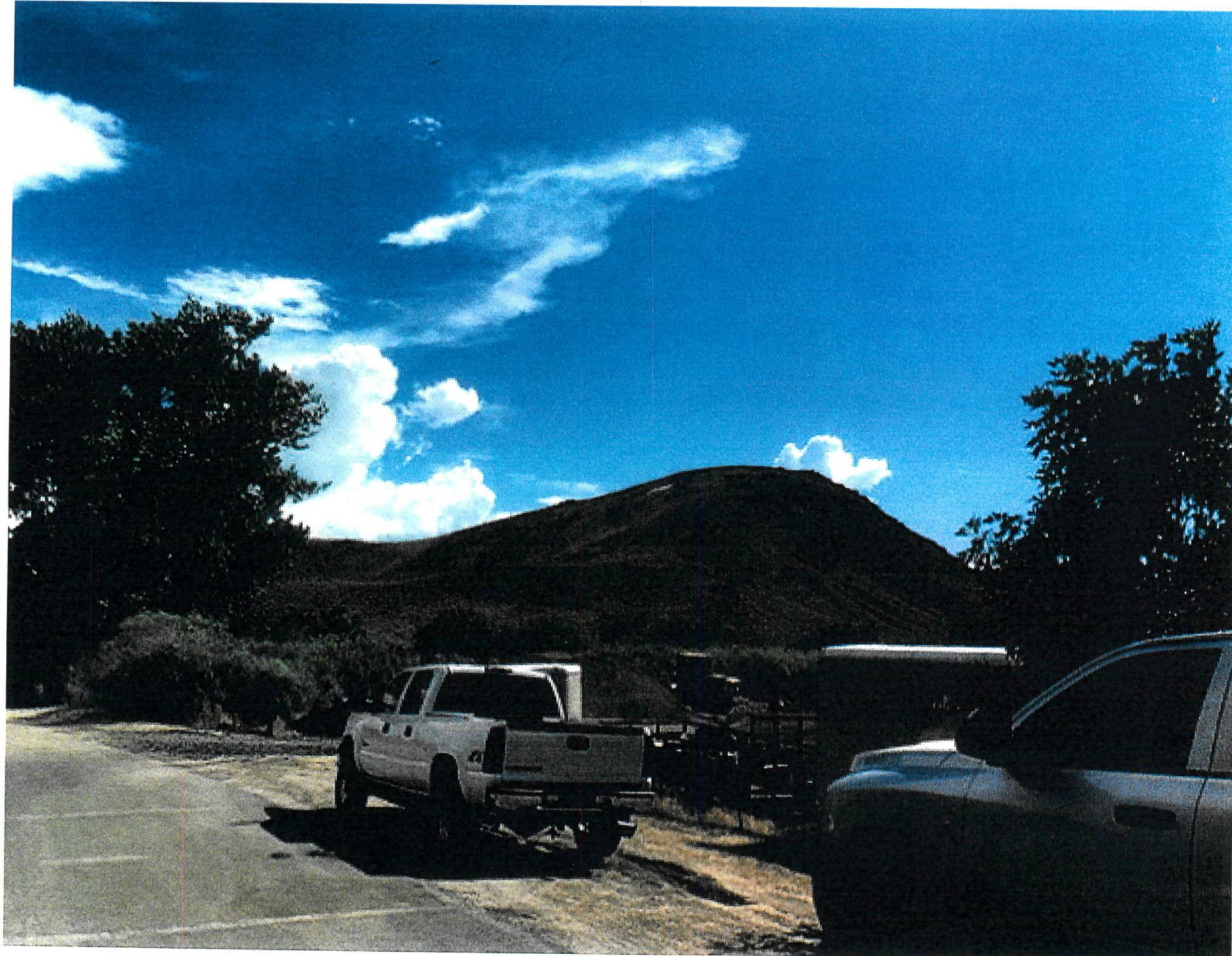
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Data updated 11/17/2018





















PO Box 877
Virginia City, NV 89440
775-847-4000

TO:

Hope Sullivan, AICP
Planning Manager
Carson City, NV 89701
775-283-7922

Question: Facilities shall not exceed 120 feet in height above grade. The applicant must provide a written justification for the proposed use and adequately demonstrate that the proposed height is necessary, including colocation opportunities. The applicant shall submit a report from an independent, accredited source providing justification for the proposed height or an alternative lower height.

In response to the above question:

Our internet equipment and structure are only 15 feet above grade.

There are no alternative sites that would allow HWI to collocate our equipment onto another structure. We maintained the concealed aspect behind a rock out-cropping so that nothing would be seen from the East. We decorated the structure to make it resemble a rock out-cropping so that no defined horizontal line would be noticed in Carson City from the North. South and West side are not seen by virtue of the layout and no inhabitants reside on either of those two sides. Both of these aspects were successful as you can see from the supplied photographs. HWI kept the single incoming and outgoing galvanized 3" pole as short as possible to maintain the stealth aspect of our site.

The purpose and use of the site are to supply more of Carson City commercial and residential inhabitants, an option for internet services which have been requested by our Carson City inhabitants. The Carson City customers have expressed their displeasure with Spectrum/Charter and AT&T services which are inadequate and expensive for the bandwidth and have requested technological options to the large national brands.