



Board of Adjustment Staff Report

Meeting Date: August 6, 2026

Agenda Item: 8B

SPECIAL USE PERMIT CASE NUMBER: WSUP26-0011 (Fox Mountain Cell Tower)

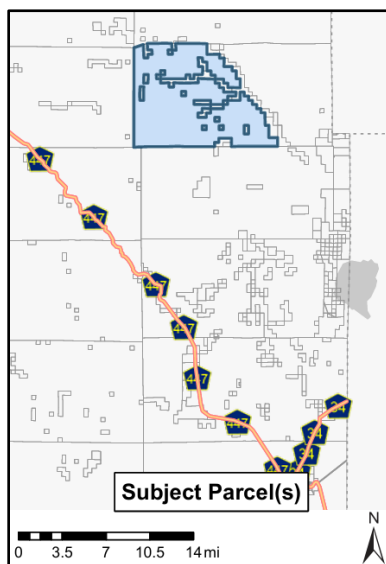
BRIEF SUMMARY OF REQUEST: To erect a new, unmanned wireless communication facility including a 100' monopole and ground equipment.

STAFF PLANNER: Jolene Bertetto, Planner
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CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for a new, unmanned wireless communication facility consisting of a 100-foot monopole telecommunications tower and associated ground equipment on Fox Mountain. The subject property is federally owned and managed by the Bureau of Land Management. This application is submitted by Commnet Wireless, LLC. The subject property is located at 10140 A Fox Mountain Road (APN 066-080-33) and consists of approximately 23,229 acres. The applicant is seeking to vary noise & lighting, parking, and landscaping standards.

The proposal is being reviewed under Development Code Article 810, Special Use Permit and Article 324, Communication Facilities, and is situated within Commission District 5 - Commissioner Herman. The site is currently governed by the Rural Master Plan land use designation and the General Rural Regulatory Zone, within the boundaries of the High Desert planning area.



Vicinity Map

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

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Special Use Permit

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. The Board of Adjustment is authorized to issue special use permits under NRS 278.315 and Washoe County Code (WCC) Article 810. Certain notice requirements must be met, which are discussed in this report. In approving the special use permit, the Board must consider and make five Findings of Fact, which are discussed below. [WCC Section 110.810.30] The notice requirements and findings are discussed in this report. The Board of Adjustment is allowed to grant approval of the special use permit that is subject to Conditions of Approval.

Conditions of approval are requirements that need to be completed during different stages of the proposed project, including conditions prior to permit issuance, prior to obtaining a final inspection and/or certificate of occupancy, prior to issuance of a business license, or ongoing “operational conditions” which must be continually complied with for the life of the project. The conditions of approval for this case are attached to this staff report as Exhibit A and will be included with the action order.

Request to Vary Standards.

Additionally, Article 810 (Special Use Permits) allows the Board of Adjustment to vary development code standards in conjunction with the approval process per WCC 110.810.20(e). The applicant is seeking to vary noise & lighting, parking, and landscaping standards. The Board of Adjustment will also be ruling on the requests to vary standards below:

Requested Standards to be Varied	Relevant Code
Waive all parking standards	Article 410
Waive all noise and lighting standards	Article 414
Waive landscaping standards	110.412.40(a)-(d); 110.412.65(a)-(h)

Special Communications Facility Requirements

The proposed facility is a “communications facility” under Article 324 of the County Development Code which imposes specialized requirements and provides that when approving a special use permit, the Board must adopt the three additional findings listed in WCC Section 110.324.75 which are discussed in this staff report.

Special Federal and State Rules

The proposed facility is a “personal wireless service facility” protected by federal law (Telecommunications Act of 1996, 47 U.S.C. Section 332 (c) (7)) and state law (NRS 707.550 – 707. 920). Generally, federal and state laws provide that when regulating the placement, construction or modification of wireless facilities:

- We shall not unreasonably discriminate among providers of functionally equivalent services;

- We shall not prohibit or have the effect of prohibiting the provision of personal wireless services;
- We must act within a reasonable time on applications for permits (presumed to be 150 days under FCC “shot clock” rules);
- If we deny a request to place, construct, or modify personal wireless service facilities, we must do so in separate writing, and the decision must be supported by substantial evidence (evidence that a reasonable mind might accept as adequate to support a conclusion) contained in a written record. State law (NRS 707.585) requires that a decision denying an application must set forth with specificity each ground on which the authority denied the approval of the application, and must describe the documents relied on by the Board in making its decision.
- We may not regulate the placement, construction and modification of personal wireless facilities based on environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations concerning such emissions.

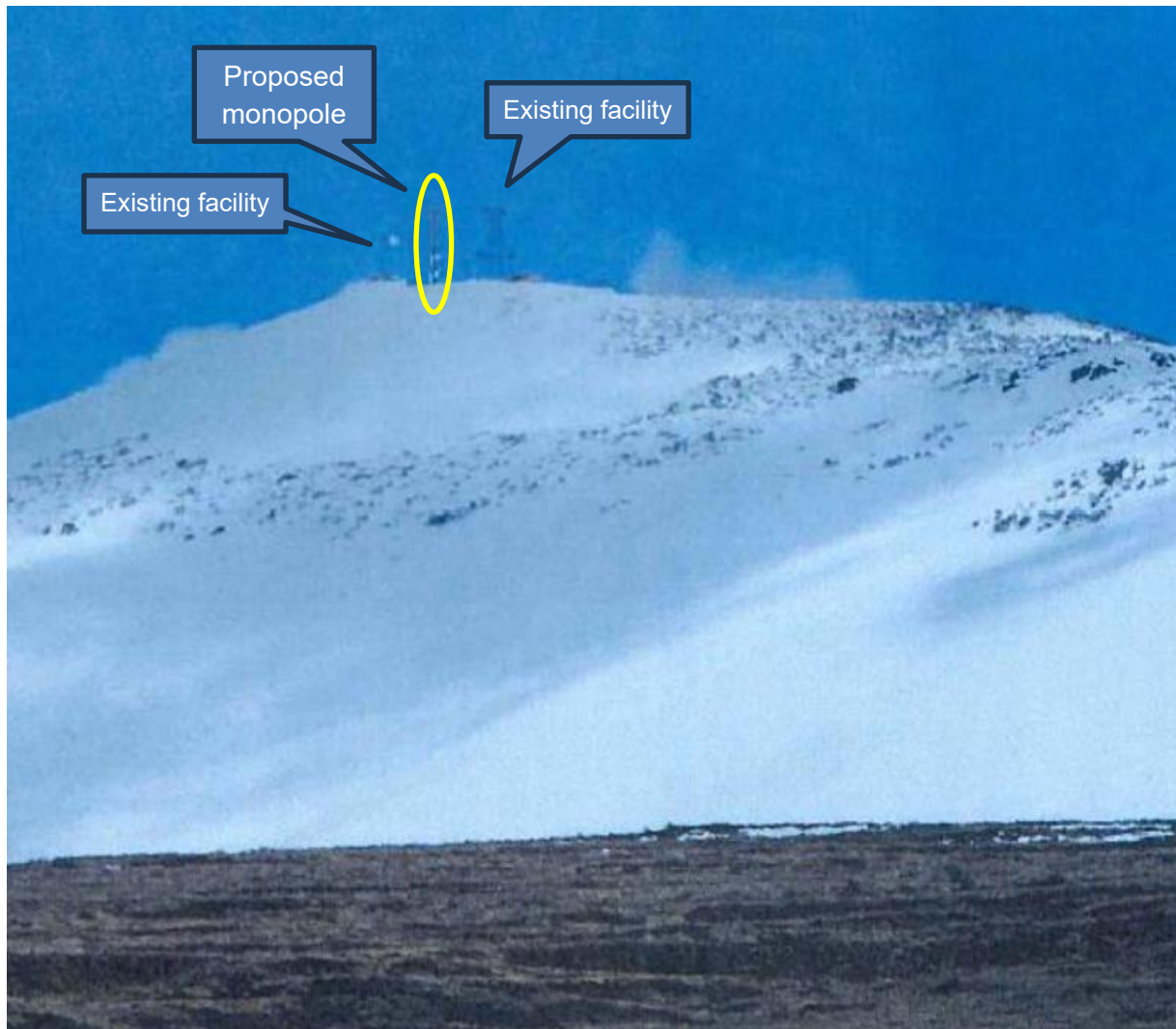
Section 110.324.40 Wireless Communication/Cellular Facilities: Definitions

Wireless communication facilities, including antennas mounted on structures and freestanding monopoles and lattice towers and supporting equipment which are used for the commercial broadcasting/receiving of telecommunication transmissions that are regulated under the Telecommunications Act of 1996 are a principal use and are classified under the communication facilities use type in Article 304, Use Classification System. The following definitions apply to the regulation of wireless communication facilities contained in this article:

- (a) Antenna An antenna is defined for the purposes of Sections 110.324.40 through 110.324.75 as a device that transmits and/or received an electronic signal for the purposes of facilitating the communication of personal wireless services that has the meaning ascribed to it in 47 U.S.C. §332(c)(7)(C) as that provision existed on July 1, 2003.
- (5) Monopole Mounted Antenna. A monopole mounted antenna means a communications receiving and/or transmitting device that is attached to a ground mounted, free-standing pole that is erected for the purposes of supporting one (1) or more antennas.

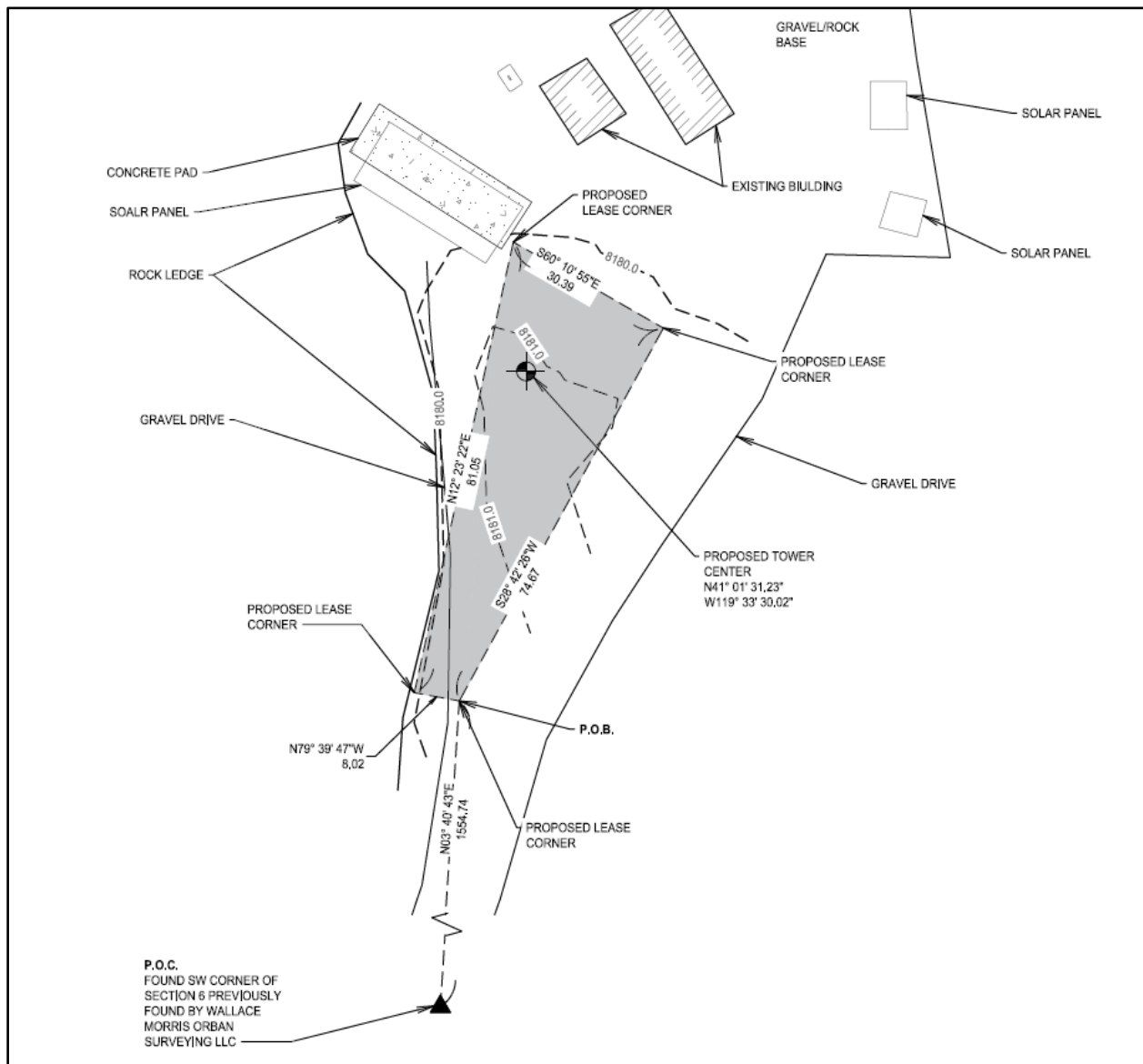
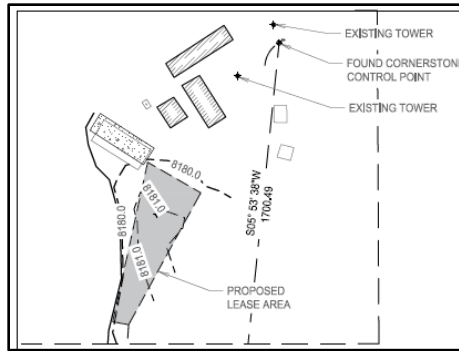
The following placement standards by type of antenna shall be complied with notwithstanding the preferred location and type of antenna enumerated in this section:

- (e) Monopole Antenna. The placement of a monopole antenna shall comply with the following criteria:
 - (2) Antennas shall be permitted in the General Rural (GR) and Open Space (OS) land use designations (see Open Space limitations within this article) with the placement standards depicted in Table 110.324.50.1, Antenna Placement Standards.

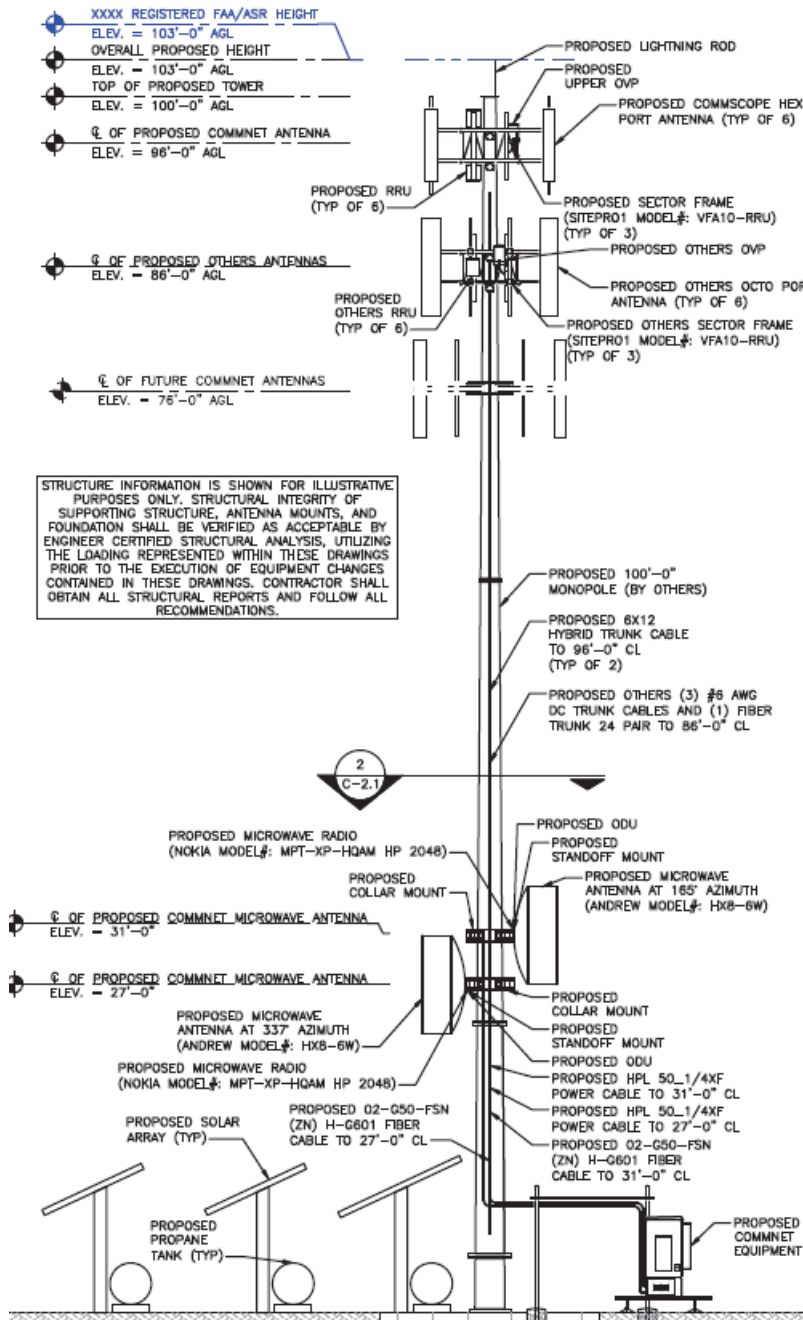


Looking Nort East Toward Proposed Monopole

Photo Simulation



Site Plan



Tower Elevation

Project Evaluation

Commnet Wireless proposes installation of a new unmanned telecommunications facility consisting of a 100-foot monopole with antennas/dishes, steel platforms, equipment cabinets, solar arrays, generator and LP tanks, and protective bollards. Construction would be conducted in one phase, taking between one and two months.

The purpose of the project is to improve AT&T and Verizon Wireless coverage as well as wireless broadband coverage for the FirstNet emergency responders. The new communications facility is intended to address existing gaps in wireless coverage within the Fox Mountain area and along key transportation corridors in northern Washoe County. According to the applicants, the facility would improve cellular service along approximately 35 miles of State Route 447 northwest of Gerlach, Nevada, approximately 9 miles of State Route 34 north of the site, and various local roads and reservoir areas within the region.

In addition to providing improved commercial wireless service, the facility would support the FirstNet Nationwide Public Safety Broadband Network, ensuring reliable communications capabilities for first responders, including law enforcement, fire protection agencies, emergency medical services, and other public safety personnel operating within the service area.

In 2019, a special use permit was approved by the BOA for construction of a 150-foot Commnet tower at this same location. However, construction did not commence due to budgetary constraints. According to the applicants, the project has since been funded and Commnet is ready to move forward with the redesigned tower.

Existing Site Conditions

The subject property is zoned General Rural (GR) and is owned by the United States of America managed by the Bureau of Land Management (BLM). Surrounding properties are likewise federally owned and managed. The nearest residential area is located near the community of Gerlach, Nevada, approximately 28 miles from the proposed facility. Due to the site's remote location and surrounding federal lands, the proposed facility will have minimal impact on neighboring properties and land uses.

The facility will be situated adjacent to existing communications infrastructure- a Washoe County Tower, Los Angeles Water & Power tower, and a BLM tower. The three existing towers were evaluated as potential locations for the new Commnet tower and it was determined that no existing structure within the vicinity could reasonably accommodate the proposed equipment or achieve the required coverage objectives.



Existing Site Evaluation Locations

Antenna Height

As the nearest residential zone is over 2,000' from the proposed site, allowable height for antenna placement is 100+ feet as stated in Table 110.324.50.1. The proposed monopole is 100' and meets the design standards.

Table 110.324.50.1

ANTENNA PLACEMENT STANDARDS

Design Standards	Distance from Residential Property						
Distance from Residentially Zoned Property or Public Paved Right of Way (closest adjacent use will be applied)	50'	200'	400'	600'	1,000'	1,500'	2,000'
Permitted Height of Pole	45'	50'	60'	70'	80'	90'	+100'
Supporting Mechanism for Antenna System	2*	2.5*	3*	4*	5*	6*	+7*

Note: * = Specified number times diameter at base of pole equals allowed supporting mechanism for antenna system diameter.

Source: Washoe County Planning and Building Division

Access

No new access or parking spaces will be required, as the facility is an unmanned facility. Access to the facility is by way of Old Camp Canyon Road /Fox Mountain Road located

WSUP26-0011

FOX MOUNTAIN CELL TOWER

off County Road 447, approximately 31 miles northwest of Gerlach. No road improvements are planned as Commnet will utilize the existing gravel road.

In lieu of perimeter fencing, the proposed monopole tower will incorporate anti-climbing features to prevent unauthorized access.

Radio Frequency

WillCo Telecom Consulting evaluated the proposed installation for compliance with Federal Communications Commission (FCC) radio-frequency (RF) emissions regulations. WillCo Telecom Consulting found that, at the time of installation, this facility would be transmitting at less than 5% of the applicable RF emissions limits for the General Public in generally accessible areas, thus the facility will be in compliance. Re-evaluation of the site for compliance will happen if other carriers locate at the facility, if the current wireless providers add additional frequencies, or if other equipment is added or changed.

Wildlife Impacts

The application was reviewed by the Nevada Department of Wildlife (NDOW). The department determined that, because the project is largely surrounded by areas that are already developed with other communication facilities, the risk to wildlife at this location is low. While the project is within mapped crucial summer mule deer habitat and summer pronghorn habitat, NDOW does not anticipate significant impacts to wildlife species and does not recommend a Wildlife Mitigation Plan or compensatory mitigation.

The project is also located within Priority Habitat Management Area (PHMA) for Greater Sage-grouse. Commnet consulted with the Sagebrush Ecosystem Technical Team (SETT), who completed a preliminary analysis (using the Conservation Credit System's Habitat Quantification Tool (HQT)). The SETT determined that the project resulted in zero (0) debits and does not require mitigation credits due to the finding of no residual impacts to greater sage-grouse habitats. A letter from the SETT stating their findings is included with the agency comments in Exhibit B.

Noise and Lighting Standards to be Varied

Applicant seeks to vary Article 414 Noise and Lighting Standards. As the subject property is located within the General Rural (GR) zone and does not abut residential, industrial, or public/quasi-public uses, the wireless communication facility is not regulated by a specific noise standard.

For lighting, the facility is unmanned with minimal proposed lighting. Exterior lighting will only be provided outside the equipment cabinet and will be used during periodic maintenance visits. A condition of approval, as recommended by NDOW, is that all lighting be fully shielded, downward-directed fixtures and warm LEDs (≤ 3000 K) to minimize light spill and disturbance to nocturnal species.

Parking Standards to be Varied

Table 110.410.10.3 (Commercial Use Types) specifies parking requirements of 1 parking space per antenna tower. Due to remote and rural location of the proposed facility, the applicants are requesting to vary the standard and remove the parking requirement. The facility is not open to the public and will typically be visited by a qualified technician once or twice per month for routine maintenance.

Landscaping Standards to be Varied

The proposed facility is located within a remote, federally managed area approximately nine miles from the nearest public roadway and surrounded by extensive public lands. The site is not visible to the general public except from limited vantage points within the immediate vicinity of the existing communications compound. Additionally, the surrounding mountain-top environment contains existing native vegetation and natural tree cover that provides visual buffering and screening.

The proposed facility is in an arid environment with limited access to water resources. Landscaping would require ongoing irrigation and maintenance visits that are not otherwise necessary for operation of the facility. In addition, the size of the parent parcel (approximately 23,299 acres), would prevent Commnet from being able to meet the County's landscape coverage and buffering requirements.

Neighborhood Meeting

Due to the remote location of the proposed facility and the previous construction on the site, staff determined that a neighborhood meeting was not required.

Master Plan Consistency

The following are the pertinent priorities, principles, & policies for the High Desert planning area.

Priority Principles & Policies	Explanation of Conformance with Priority Principles & Policies
RFC Principle 2. utilize land use and transportation decisions to support a healthy economic base.	
Policy 2.5. Ensure that land use practices and regulations accommodate needs of rural communities, and changing trends regarding businesses, including home and accessory rural occupations	The proposed facility will improve wireless coverage throughout the project area, providing enhanced connectivity for residents, businesses, visitors, and motorists traveling along State Routes 447 and 34.
NCR Principle 1. Maintain scenic resources within the County.	
Policy 1.1. Collaborate with all planning partners to identify and protect the region's significant visual gateways and viewsheds including ridge lines, buttes, mountains, and riparian corridors.	Given its location within an existing communications site and among other telecommunications facilities, the project will have minimal visual impact while providing public safety and communications benefits.

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation.

Agencies	Sent to Review	Responded	Provided Conditions	Contact
BLM - NV State Office	X			
BLM - US Fish & Wildlife	X			
Environmental Protection	X			
NDOW (Wildlife)	X	X	X	Cheyenne Acevedo, cheyanne.acevedo@ndow.org
Washoe County Building & Safety	X			
Washoe County Parks & Open Space	X			
Washoe County Water Rights Manager (All Apps)	X	X		
Washoe County Engineering (Land Development) (All Apps)	X	X	X	Rob Wimer, rwimer@washoecounty.gov
Washoe County Engineering & Capital Projects Director (All Apps)	X			
NNPH Air Quality	X			
NNPH Environmental Health	X			
TMFPD	X	X	X	Jenny Williamson, jewilliamson@tmfpd.us
Airport Authority	X			
Washoe-Storey Conservation District	X	X	X	Jim Shaffer, shafferjam51@gmail.com
Gerlach GID	X			

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Findings required by WCC Section 110. 810.30 for a Special Use Permit:

- (a) **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert Planning Area;

Staff Comment: Staff found the project consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert Planning Area.

- (b) **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven of the Development Code;

Staff Comment: The subject project is an unmanned facility that creates no need for sanitation, water supply, or other facilities associated with manned facilities. Washoe County's Engineering division reviewed the application and will evaluate drainage and grading, if needed, at the time of the building permit. No road improvements are proposed.

- (c) **Site Suitability.** That the site is physically suitable for a telecommunications facility (monopole) for the intensity of such a development;

Staff Comment: The site is physically suitable and in an area with already established communication facilities, minimizing impact from development.

- (d) Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: Issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

The Radio Frequency (RF) exposure level will be well below the maximum allowable by FCC Regulations.

- (e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There is no military installation nearby.

Findings required by Section 110.324.75, for a telecommunications facility:

- (f) That the communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of Community Development and/or his/her authorized representative;

Staff Comment: Staff reviewed sections 110.324.40 through 110.324.60 and conclude that the standards have been met.

- (g) That public input was considered during the public hearing review process;

Staff Comment: The Board will hear and consider public comment during the public hearing.

- (h) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

Staff Comment: Based on a review of the photographs and drawings in the Staff Report and Application, the proposed monopole will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

After a thorough analysis and review, Special Use Permit Case Number WSUP26-0011 is recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP26-0011 for Comment Wireless, LLC, having made all five findings in accordance with Washoe County Code Section 110.810.30 and all three findings in accordance with Section 110.324.75, subject to the conditions contained in Exhibit A to the Staff Report.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Conditions of Approval

Special Use Permit Case Number WSUP26-0011



The project approved under Special Use Permit Case Number WSUP26-0011 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on August 6, 2026. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable codes.

Unless otherwise specified, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division of the Washoe County Community Services Department.

Compliance with the conditions of approval related to this special use permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the special use permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this special use permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "conditions of approval" are referred to as "operational conditions."

These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of the Planning and Building Division of the Washoe County Community Services Department, which shall be responsible for determining compliance with these conditions.

Contact Name – Jolene Bertetto, Planner, 775.328.6101, jbortetto@washoecounty.gov

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall include a condition response memorandum with each subsequent permit application. That memorandum shall list each condition of approval, shall provide a narrative describing how each condition has been complied with, and the location of the information showing compliance with each condition within the improvement plan set that has been submitted.**
- c. All applicable building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- e. Construction hours are 7am to 7pm Monday through Saturday.
- f. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- g. Prior to the issuance of a building permit, the applicant shall provide a certification by a professional that the facility complies with Federal Communications Commission (FCC) regulations for Radio Frequency Emissions (RFE).
- h. Prior to the issuance of a building permit the applicant shall record a statement of assurance that the wireless communications facility shall be removed if the use of the facility is discontinued for a period of twelve (12) consecutive months.
- i. The monopole shall not exceed 100 feet in maximum height, as approved under this special use permit.
- j. All disturbed areas shall be revegetated with a seed mix consisting of native plants in consultation with the Washoe-Storey Conservation District.

Washoe County Conditions of Approval

- k. All lighting shall be dark-sky-compliant to minimize impacts on wildlife. Lighting should use fully shielded, downward-directed fixtures and warm LEDs (≤ 3000 K) to minimize light spill and disturbance to nocturnal species.
- l. The following **operational conditions** shall be required for the life of the project:
 - i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - ii. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Building Division.
 - iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Building Division staff to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Building Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Engineering

- 2. The following condition is a requirement of Washoe County Engineering Division, which shall be responsible for determining compliance with this condition.

Contact Name – Robert Wimer, P.E. 775.328.2059, rwimer@washoecounty.gov

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed to be conveyed onto adjacent property.
- b. Final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submitting the subsequent individual building permits.
- c. Prior to acceptance of public improvements and release of any financial assurances, the developer shall provide as-built construction drawings in an acceptable digital format prepared by a civil engineer and/or surveyor licensed in the State of Nevada.
- d. Any existing easements, facilities, or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
- e. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
- f. Add the following note to the building permit civil improvement plans: "All public utilities shall be placed underground, except in the case where underground

placement of utilities is shown not to be feasible, in which case the County Engineer may approve exceptions to this requirement.”

- g. With each affected building permit application, provide written approval from all utility provider(s) for any improvements located within their easement, or under or over their facilities.
- h. Appropriate easements shall be granted for any existing or new utilities, with each affected building permit application.
- i. The following note shall be added to the construction drawings; “All properties, regardless of if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties.”

Truckee Meadows Fire Protection District

- 3. The following condition is a requirement of Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Jenny Williamson, Fire Marshal, 775.444.8521, jewilliamson@tmfpd.us.

- a. IFC 102.9 This project shall meet the requirements of the currently adopted International Fire Code, International Wildland Urban Interface Code, TMFPD Fire Amendments.

*** End of Conditions ***



Date: July 1, 2026

To: Jolene Bertetto, Planner

From: Janelle K. Thomas, P.E., C.F.M., Senior Licensed Engineer
Robert Wimer, P.E., Licensed Engineer

Re: Special Use Permit for ***Fox Mountain Cell Tower WSUP26-0011***
APN 066-080-33

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff have reviewed the above referenced application. The Special Use Permit is for the construction of a telecommunications facility and is located on approximately 23,229 acres at the intersection of Old Camp Road and Fox Mountain Road. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement the applicable County Code and are based upon our review of the site and the application prepared by CIS Communications LLC. The County Engineer shall determine compliance with the following conditions of approval.

For questions related to sections below, please contact the staff's name referenced.

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

Conditions:

1. The applicant shall include a condition response memorandum with each subsequent permit application. That memorandum shall list each condition of approval, shall provide a narrative describing how each condition has been complied with, and the location of the information showing compliance with each condition within the improvement plan set that has been submitted.
2. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed to be conveyed onto adjacent property.

GRADING (COUNTY CODE 110.438)

Contact Information: Robert Wimer, P.E. (775) 328-2059

Conditions:

1. Final construction drawings shall comply with all applicable statutes, ordinances, rules, regulations, and policies in effect at the time of submitting the subsequent individual building permits.

WSUP26-0011
EXHIBIT B

2. Prior to acceptance of public improvements and release of any financial assurances, the developer shall provide as-built construction drawings in an acceptable digital format prepared by a civil engineer and/or surveyor licensed in the State of Nevada.
3. A complete set of construction improvement drawings, including an onsite grading plan, shall be submitted to the County Engineer for approval prior to finalization of any portion of the special use permit. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading and drainage on each lot, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or disposal of any excavated material shall be indicated on the grading plan.
4. Any existing easements, facilities, or utilities that conflict with the development shall be relocated, quitclaimed, and/or abandoned, as appropriate.
5. Any easement documents recorded for the project shall include an exhibit map that shows the location and limits of the easement in relationship to the project.
6. Add the following note to the building permit civil improvement plans: "All public utilities shall be placed underground, except in the case where underground placement of utilities is shown not to be feasible, in which case the County Engineer may approve exceptions to this requirement."
7. With each affected building permit application, provide written approval from all utility provider(s) for any improvements located within their easement, or under or over their facilities.
8. Appropriate easements shall be granted for any existing or new utilities, with each affected building permit application.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059

Conditions:

1. The following note shall be added to the construction drawings; "All properties, regardless of if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

1. No Traffic and Roadway comments or conditions.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Katrina Pascual, P.E. (775) 954-4648

1. No Utilities comments or conditions

**WSUP26-0011
EXHIBIT B**



Date: July 1, 2026

To: Jolene Bertetto, Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Special Use Permit Case Number WSUP26-0011 (Fox Mountain Cell Tower)

GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to approve a special use permit for a new, unmanned wireless communication facility consisting of a 100-foot monopole telecommunications tower and associated ground equipment on Fox Mountain. The subject property is federally owned and managed by the Bureau of Land Management. This application is submitted by Comment Wireless, LLC. The proposed site is located at 10140 A Fox Mountain Road (APN 066-080-33) and consists of approximately 23,229.211 Acres.

The proposal is being reviewed under Development Code Article 810, Special Use Permit and Article 326, Communication Facilities and is situated within Commission District 5 - Commissioner Herman. The site is currently governed by the Rural Master Plan land use designation and the General Rural Regulatory Zone, falling within the boundaries of the high desert planning area.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No water rights conditions for this SUP.

**WSUP26-0011
EXHIBIT B**



Permit # WSUP26-0011 (Fox Mountain Cell Tower)

10140 A Fox Mountain Rd. (APN: 066-080-33)

Reviewed By: Jenny Williamson

Contact: jewilliamson@tmfpd.us or 775-444-8521

Planner: Jolene Bertetto

jbortetto@washoecounty.gov 775-328-6101

The following comments are for a pre-development review and are not all encompassing. Additional comments may be found during permit submittal review.

Plan Review Comments

1. IFC 102.9 This project shall meet the requirements of the currently adopted International Fire Code, International Wildland Urban Interface Code, TMFPD Fire Amendments.
2. No other comments at this time.



WSUP26-0011
EXHIBIT B



1365 Corporate Blvd.
Reno NV 89502
775 857-8500 ext. 131
nevadaconservation.com

Washoe-Storey Conservation District

Bret Tyler Chairmen
Jim Shaffer Treasurer
Cathy Canfield Storey app
Jean Herman Washoe app

June 26 ,2026

Washoe County Community Services Department

C/O Jolene Bertetto, Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

Re: WSUP26-0011 Fox Mountain Cell Tower

Dear Jolene,

In reviewing the special use permit for a 100-foot monopole telecommunications tower, the Conservation District has the following comments.

The District recommends that all ground equipment for Fox Mountain painted a brown color to reflect the high desert landscape.

While the existing vegetation and natural tree coverage provides buffering and screening, the District proposes a natural seed mix for the exposed area to provide additional treatment.

Thank you for providing us the opportunity to review the project.

Sincerely,

Jim Shaffer

**WSUP26-0011
EXHIBIT B**



JOE LOMBARDO
Governor

STATE OF NEVADA

DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120

Reno, Nevada 89511

Phone (775) 688-1500 • Fax (775) 688-1595

ALAN JENNE
Director

JORDAN GOSHERT
Deputy Director

CALEB MCADOO
Deputy Director

MIKE SCOTT
Deputy Director

June 15, 2026

Jolene Bertetto, Planner
Washoe County Community Services Department
Planning and Building Division
1001 E. 9th Street
Reno, NV 89512
JBertetto@washoecounty.gov

RE: 5. Special Use Permit Case Number WSUP26-0011 (Fox Mountain Cell Tower)

Dear Ms. Bertetto,

The Nevada Department of Wildlife (the "Department") appreciates this opportunity to provide comment on the Special Use Permit for the Fox Mountain Cell Tower project.

Please see Department comments below:

Both direct and indirect disturbances from development can significantly affect wildlife by altering movement and seasonal use patterns, breeding and nesting behavior, and overall demographic rates. Even when a project's physical footprint is relatively small or does not overlap with critical habitat or designated seasonal use areas, indirect and cumulative impacts from ongoing habitat encroachment can still lead to habitat loss, degradation, and fragmentation, ultimately causing long-term negative effects on wildlife populations.

Project location

The Department's review of the project application indicates that the planned project is largely surrounded by areas that are already developed. Therefore, the Department has determined that the risk to wildlife and their habitats at this location is lower.

Wildlife Considerations

The proposed project is within mapped crucial summer mule deer habitat and summer pronghorn habitat. Because it is surrounded by existing development and infrastructure, the Department does not anticipate significant impacts to wildlife species and does not recommend a Wildlife Mitigation Plan or compensatory mitigation for this project. The Department notes that the proposed project is located within Priority Habitat Management Area (PHMA) for Greater Sage-grouse. The Department recommends coordinating with the Sagebrush Ecosystem Technical Team (SETT), if this has not already occurred, to determine whether any additional review or mitigation requirements apply under Nevada's Greater Sage-grouse conservation regulations (NAC 232.400–232.480). If fencing is proposed, the Department recommends incorporating wildlife-friendly Best Management Practices (BMPs) in fence design and installation to reduce the risk of injury or mortality to mule deer or other wildlife. Fencing designs that can cause harm include arrow-shaped post tops, barbed wire that does not meet rangeland specifications, and posts configured in a way that may result in wildlife entanglement.

To the extent practicable, the Department recommends limiting disturbance to native vegetation outside the approved project footprint and utilizing existing roads and previously disturbed areas for construction access

and staging. The Department also recommends implementing appropriate wildfire prevention measures during construction and maintenance activities. Equipment should be maintained in proper working order, vehicles should remain on designated roads and disturbed areas where practicable, and all applicable federal, state, and local fire restrictions should be followed. Preventing human-caused ignitions is particularly important in sagebrush ecosystems, where wildfire can result in long-term habitat loss and fragmentation for mule deer, pronghorn, and other wildlife species.

The Department recommends incorporating dark-sky-compliant lighting measures to minimize further impacts on wildlife. Lighting should use fully shielded, downward-directed fixtures and warm LEDs (≤ 3000 K) to minimize light spill and disturbance to nocturnal species. Uplighting and floodlighting of structures, vegetation, and water surfaces should be avoided where possible. Where feasible, the Department recommends considering the use of timers, motion sensors, or dimming controls to ensure lighting operates only when necessary. Reducing the duration, intensity, and extent of nighttime lighting will help minimize potential impacts on bats, migratory birds, and other wildlife that utilize the surrounding sagebrush ecosystem.

The Department appreciates your continued coordination on this project and is available to discuss these recommendations further. Please get in touch with me directly regarding any questions about our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cheyenne Trueblood', is positioned above the typed name.

Cheyenne Trueblood
Western Region Supervising Habitat Biologist
Nevada Department of Wildlife
(775) 688-1145
cheyenne.trueblood@ndow.org



Sagebrush Ecosystem Program

201 Roop Street, Suite 101
Carson City, Nevada 89701
Telephone (775) 687-2000

www.sagebrusheco.nv.gov

Kathleen Steele, Program Manager
Vacant, Wildlife
Casey Adkins, Forestry/Wildland Fire
Sarah Hale, State Lands
Skyler Monaghan, Agriculture

STATE OF NEVADA
Sagebrush Ecosystem Program

June 25, 2026

Alexis Leidigh
Commnet Wireless
1562 N. Park Street
Castle Rock, CO 80109

Dear Alexis Leidigh,

The Sagebrush Ecosystem Technical Team (SETT) has completed a preliminary analysis (using the Conservation Credit System's Habitat Quantification Tool (HQT)) of the Fox Mountain Tower Project as currently planned and based on the project data provided by the project proponent. The proposed project has resulted in zero (0) debits. The proponent is compliant with State Mitigation Regulation NAC 232.400–232.480, and the SETT will not request further consultation due to the finding of no residual impacts to greater sage-grouse habitats at this time.

Please note that changes to the proposed disturbance may require re-analysis of the project using the HQT and may also result in compensatory mitigation being required. If this occurs, it is incumbent upon the project proponent to contact the SETT immediately for determination if further analysis is necessary.

Continued coordination with appropriate agencies (such as NDOW) may still be required to address adequate avoidance and minimization measures that ensure conservation and protection of wildlife and their associated habitats. Reach out to us if you have any questions or something changes. Thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Steele".

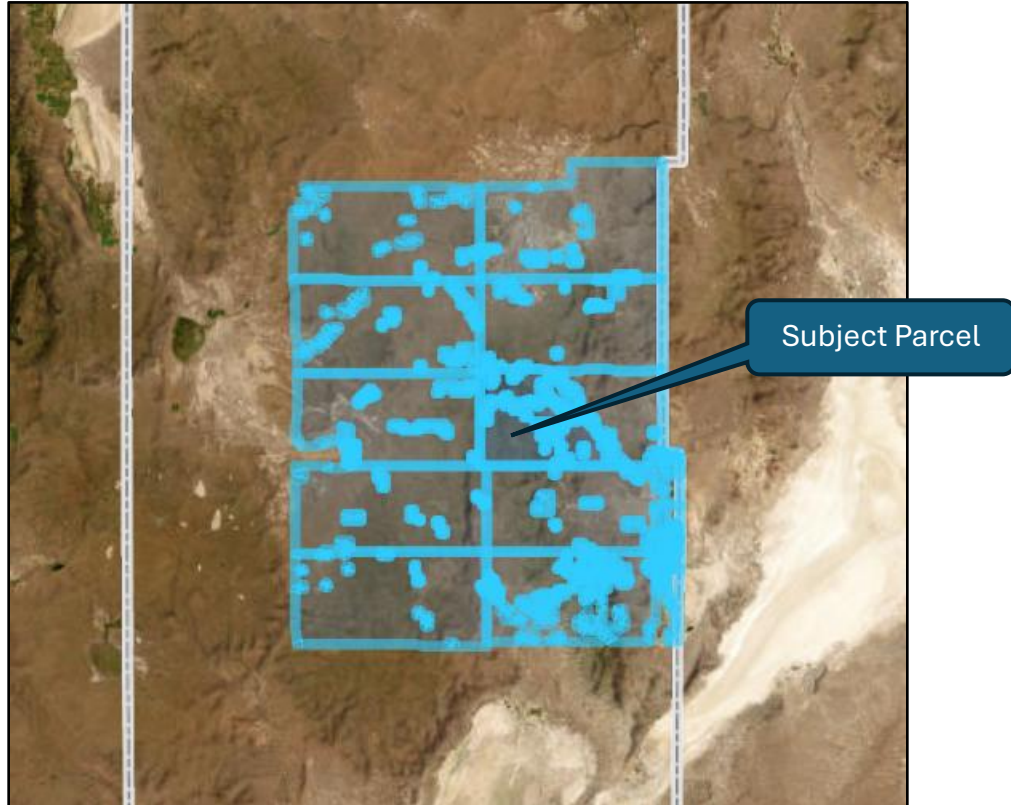
Kathleen Steele
Program Manager
Sagebrush Ecosystem Program

CC:
Adan Macias Hurtado, BLM
amaciashurtado@blm.gov

WSUP26-0011
EXHIBIT B

Public Notice

Notices were sent to 44 property owners within 45,000 ft. of the subject property.





Via OneNV.us

June 8, 2026

Washoe County
Planning and Development Division
1001 E. Ninth Street
Reno, NV 89512
Attn: Treavor Lloyd

RE: Application for Special Use Permit– Fox Mountain, NV 10140A Fox Mountain Road, Gerlach, NV 89412

Please find attached a Special Use Permit submittal application for a new Commnet Wireless, LLC telecommunications facility located at the above referenced location. The submittal contains the following documents.

This application is for the June 8, 2026, submittal.

1. Filing Fee submitted via OneNV.us
2. Commnet-CIS letter of Authorization
3. Development Application – Special Use Permit
4. Project Support Statement
5. Bureau of Land Management Owner's Affidavit
6. Zoning Drawings -Site Plans
7. Photo simulations
8. Coverage Maps
9. Radio Frequency Statement
10. Treasurer Statement
11. Site Photos
12. Recorded Easement Agreement with private landowner for site access
13. E-911 Address

*Neighborhood Meeting waived by Washoe County, NV

If you have any questions or need additional materials, I can be reached at (314) 640-5182.

Sincerely,

Julie Krekeler
General Manager

Attachments

749 Old Ballas Road, Creve Coeur, MO 63141 / (314) 569-2275 www.ciscomm.com



June 3, 2006

Washoe County
Planning and Development Division
1001 E. Ninth Street
Reno, NV 89512
Attn: Treavor Lloyd

RE: LETTER OF AUTHORIZATION - Application for Special Use Permit– Fox Mountain, NV 10140A Fox Mountain Road, Gerlach, NV 89412

Dear Mr. Lloyd:

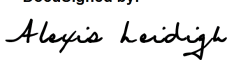
Please be advised that Commnet Wireless, LLC, authorizes CIS Communications to act as an agent on our behalf in all matters related to Commnet's application submittal for a Special Use Permit for the above referenced. Julie Krekeler, General Manager for CIS Communications, will be the primary contact for this project and her contact information is listed below:

Julie Krekeler
CIS Communications
749 Old Ballas Road
St. Louis, MO 63141
(314) 569-2275

Commnet understands and agrees that we shall remain responsible for all permit conditions, permit provisions, fees, deposits, additional charges and collections resulting from permit application processing, permit issuance and inspection of work.

Please feel free to contact me at (501) 351-4004 or at [redacted] with any questions or concerns.

Best regards,

DocuSigned by:

E812FD341469451...

Alexis Leidigh
Associate Director Regulatory & Environmental Compliance
Commnet Wireless
500 Cummings Center, Suite 2450
Beverly, MA 01915

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name:			
Project Description:			
Project Address:			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets AND area locator):			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Special Use Permit Application
Supplemental Information
(All required information may be separately attached)

1. What is the project being requested?

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

3. What is the intended phasing schedule for the construction and completion of the project?

4. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

5. What are the anticipated beneficial aspects or affects your project will have on adjacent properties and the community?

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

7. Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

8. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

☐ Yes	☐ No
------------------------------	-----------------------------

9. Utilities:

a. Sewer Service	
b. Electrical Service	
c. Telephone Service	
d. LPG or Natural Gas Service	
e. Solid Waste Disposal Service	
f. Cable Television Service	
g. Water Service	

For most uses, Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required.

h. Permit #		acre-feet per year	
i. Certificate #		acre-feet per year	
j. Surface Claim #		acre-feet per year	
k. Other #		acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

--

10. Community Services (provided and nearest facility):

a. Fire Station	
b. Health Care Facility	
c. Elementary School	
d. Middle School	
e. High School	
f. Parks	
g. Library	
h. Citifare Bus Stop	

COMMNET WIRELESS PROJECT SUPPORT STATEMENT

Project Name: Fox Mountain

Project Address: 10140 A Fox Mountain Road Gerlach, NV 89412

Project APN: 066-080-33

Introduction

Commnet Wireless LLC (“Commnet”) is dedicated to expanding reliable, affordable, carrier-grade telecommunications services throughout rural America. By deploying communications infrastructure in underserved and remote areas, Commnet enhances public safety, supports economic development, and improves quality of life for residents, businesses, travelers, and emergency responders.

The proposed Fox Mountain Wireless Communications Facility is intended to address existing gaps in wireless coverage within the Fox Mountain area and along key transportation corridors in northern Washoe County. Specifically, the facility will improve cellular service along approximately 35 miles of State Route 447 northwest of Gerlach, Nevada, approximately 9 miles of State Route 34 north of the site, and various local roads and reservoir areas within the region.

In addition to providing improved commercial wireless service for AT&T and Verizon Wireless customers, the facility will support the FirstNet Nationwide Public Safety Broadband Network, ensuring reliable communications capabilities for first responders, including law enforcement, fire protection agencies, emergency medical services, and other public safety personnel operating within the service area.

Location

Commnet proposes the construction of a new wireless communications facility consisting of a 100-foot monopole telecommunications tower and associated ground equipment at Fox Mountain, Nevada. The subject property is zoned General Rural (GR) and is owned by the United States of America, with land management responsibilities administered by the Bureau of Land Management (BLM).

Surrounding properties are likewise federally owned and managed. The nearest residential area is located near the community of Gerlach, Nevada, approximately 28 miles from the proposed facility. Due to the site’s remote location and surrounding federal lands, the proposed facility will have minimal impact on neighboring properties and land uses.

Project Description/Design

The proposed facility will consist of a 100-foot monopole telecommunications tower supporting the following equipment:

Twelve (12) panel antennas; Twelve (12) remote radio units (RRUs); Two (2) surge suppressors; Two (2) hybrid fiber/power cables; One (1) fiber optic cable; Three (3) DC power cables; Two (2) microwave dishes with associated outdoor units (ODUs); and Eight (8) coaxial transmission lines.

Ground equipment will include two (2) 8-foot by 10-foot steel equipment platforms, outdoor communications cabinets, a backup generator mounted on a concrete pad, three (3) propane storage tanks, and three (3) solar array systems. These improvements will be located within an approximately 1,555-square-foot irregularly shaped lease area protected by safety bollards.

Underground gas lines will connect the propane tanks to the backup generator and associated equipment as required. The facility will be unmanned and will operate continuously, providing wireless communications services twenty-four (24) hours per day, seven (7) days per week.

All equipment and installations will comply with applicable federal, state, and local safety standards and regulations.

Public and Safety Benefits of Improved Wireless Service

Reliable wireless communications infrastructure is essential for public safety, emergency response, commerce, and daily communications. As wireless devices increasingly serve as the primary means of communication for residents, businesses, and travelers, the need for expanded coverage in rural areas continues to grow.

The proposed facility will significantly improve wireless coverage and network reliability throughout the project area, providing enhanced connectivity for residents, visitors, recreational users, and motorists traveling along State Routes 447 and 34.

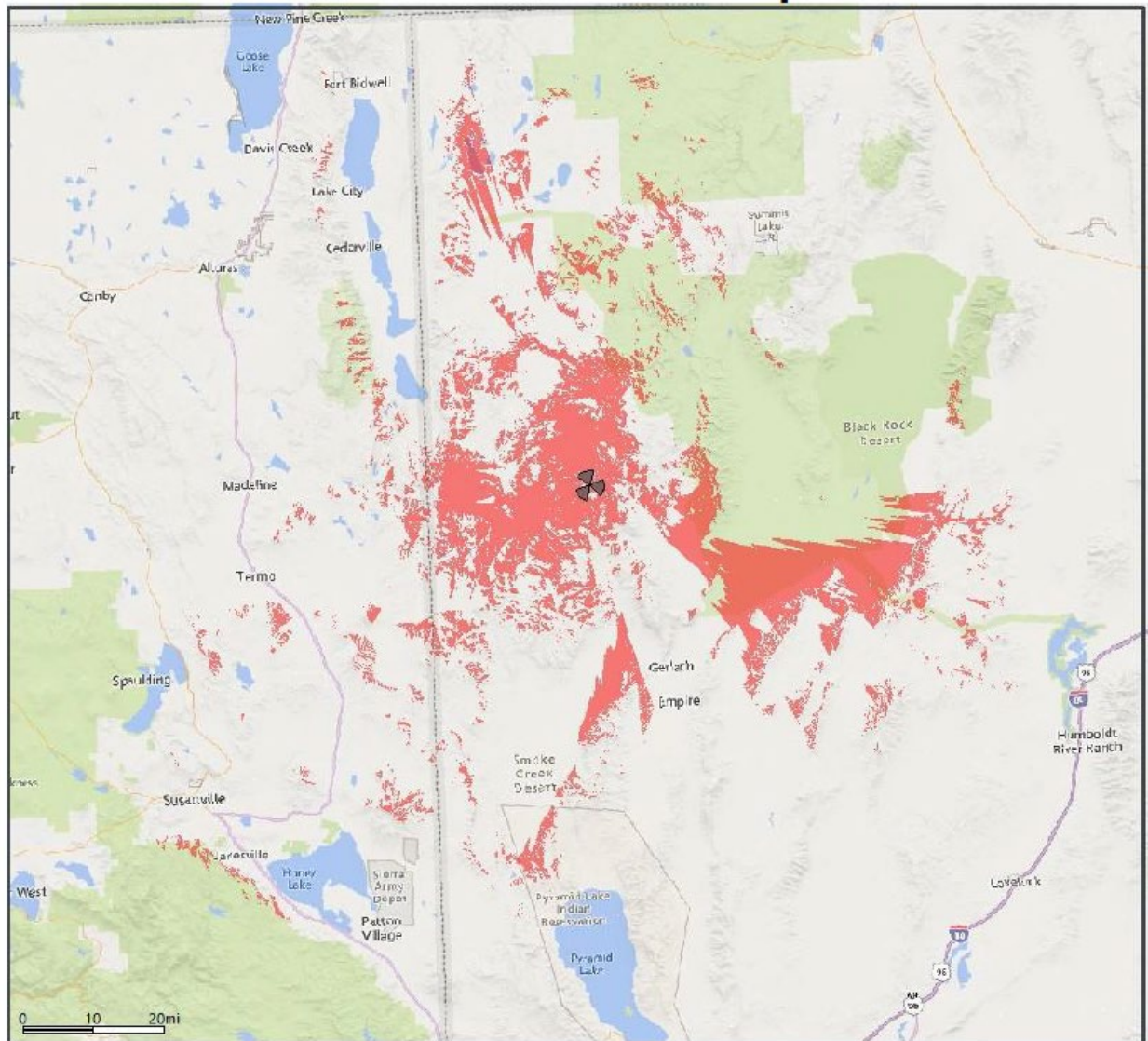
Importantly, the facility will support the FirstNet Nationwide Public Safety Broadband Network, which provides dedicated communications resources for first responders. Enhanced FirstNet coverage will improve emergency response capabilities by enabling public safety personnel to communicate effectively on a secure and reliable broadband network during routine operations, emergencies, and natural disasters.

The project will therefore provide substantial public benefits by improving emergency communications, enhancing traveler safety, increasing network reliability, and supporting the continued economic vitality of the region.

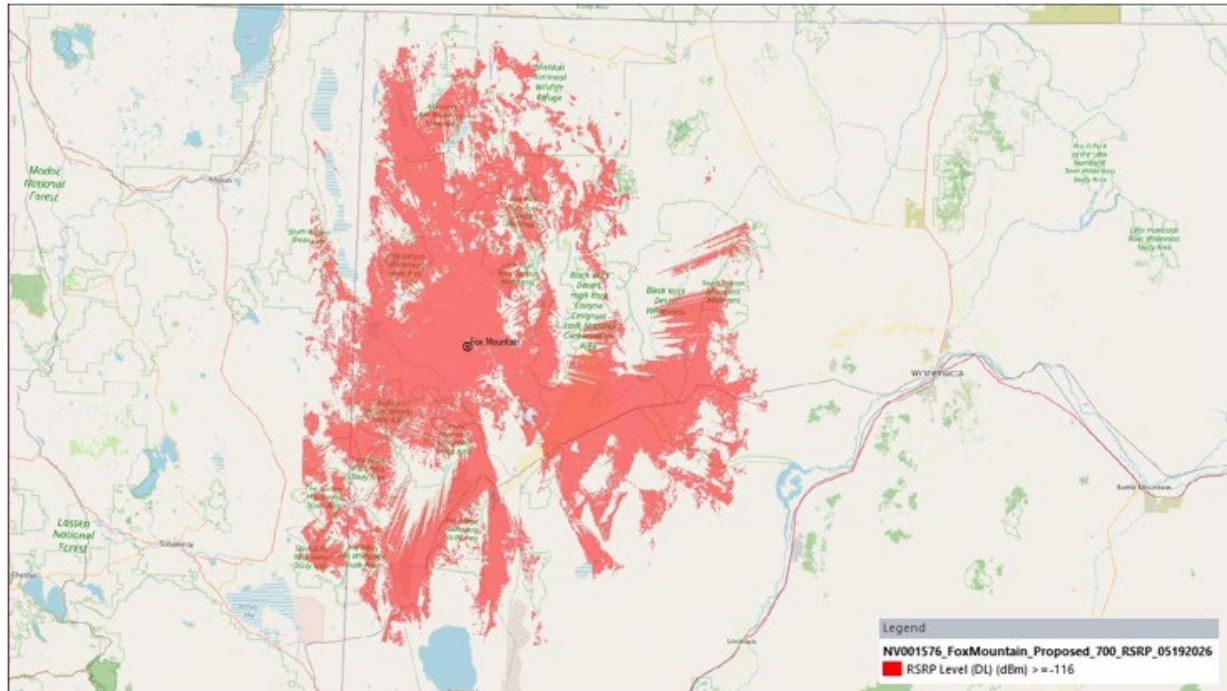
Coverage with Proposed Facility

The proposed facility has been strategically located and engineered to provide the greatest practical coverage benefit within the project area while minimizing environmental and visual impacts. Coverage modeling demonstrates that the facility will substantially improve wireless service throughout the Fox Mountain area and along surrounding transportation corridors.

AT&T Coverage Map



Verizon Wireless Coverage Map



Aesthetic Impacts

Commnet proposes the installation of a 100-foot monopole telecommunications tower designed to be compatible with the existing communications infrastructure located at Fox Mountain. The proposed tower height is necessary to achieve the required coverage objectives while accounting for the area's challenging topography and terrain.

The facility will be situated adjacent to existing communications infrastructure and aligned with the established site layout. Due to the remote location, existing development pattern, and limited visibility from public roadways, the proposed facility will not adversely affect the visual character of the surrounding area.

Given its location within an existing communications site and among other telecommunications facilities, the project will have minimal visual impact while providing substantial public safety and communications benefits

Alternative Site Analysis

As part of the site selection process, Commnet's primary objective is to utilize existing telecommunications infrastructure whenever feasible. Consistent with industry best practices and federal collocation policies, Commnet first evaluated opportunities to collocate on existing towers and structures within the search area that could accommodate the required antenna elevations, equipment loading, ground space, access, and operational requirements necessary to meet the project's coverage objectives.

An analysis of existing communications facilities within the Fox Mountain area identified three (3) existing tower sites as potential collocation candidates. Each facility was evaluated for structural capacity, available space, operational feasibility, and ability to achieve the required wireless coverage objectives. Following this evaluation, Commnet determined that none of the existing facilities could reasonably accommodate the proposed installation.

As a result, Commnet concluded that construction of a new wireless communications facility is necessary to provide the desired coverage improvements and public safety benefits. The proposed facility location was selected through coordination with the Bureau of Land Management (BLM) and is situated within an established communications site, minimizing impacts to surrounding lands and resources.



The following summarizes the evaluation of each existing facility and the reasons it was determined to be unsuitable for collocation:

1. Washoe County Communications Tower (Option 1)

Commnet evaluated the existing Washoe County communications tower located north of the proposed facility as a potential collocation candidate. Discussions with Washoe County determined that collocation was not feasible due to several factors, including restrictions associated with the County's land authorization with the Bureau of Land Management, limited electrical capacity available at the site, and insufficient structural capacity to accommodate additional telecommunications equipment. Furthermore, the County indicated that existing and anticipated future operational needs require retention of the tower's remaining structural capacity.

2. Los Angeles Department of Water and Power Tower (Option 2)

Commnet investigated the possibility of collocating on the existing tower owned and operated by the Los Angeles Department of Water and Power (LADWP). Multiple attempts were made to contact the responsible real estate and facility management representatives to discuss collocation opportunities. Despite repeated outreach efforts, no response was received, preventing further evaluation or negotiation of a potential collocation arrangement. Consequently, this facility cannot be considered a viable alternative.

3. Bureau of Land Management Repeater Tower (Option 3)

Commnet also evaluated the existing Bureau of Land Management repeater tower located near the proposed site. The facility was determined to be unsuitable for collocation due to its limited height and insufficient structural capacity to support the proposed telecommunications equipment. As a result, the tower could not meet the project's operational and coverage requirements.

Based on the evaluation of available collocation opportunities, Commnet determined that no existing structure within the search area could reasonably accommodate the proposed equipment or achieve the required coverage objectives. Accordingly, construction of a new wireless communications facility represents the least intrusive and most practical alternative for providing improved wireless service, enhancing public safety communications, and supporting FirstNet emergency response operations throughout the Fox Mountain area.

Commitment to Future Collocation

The proposed tower has been structurally designed to accommodate future communications providers in addition to Commnet's planned equipment installation. Commnet supports the collocation of compatible communications facilities whenever feasible and will make space available for future users subject to structural, technical, and regulatory requirements.

Lighting and Signage

Unless specifically required by the Federal Aviation Administration (FAA), no exterior lighting is proposed for the facility.

All required Federal Communications Commission (FCC), safety, and regulatory signage will be installed on the equipment cabinet door.

The facility will comply with Washoe County's dark-sky objectives by eliminating unnecessary exterior lighting. Exterior lighting will be provided outside the equipment cabinet and will be used only during periodic maintenance visits.

Noise and Lighting Variance Request

Commnet respectfully requests a waiver from the provisions of Washoe County Code Section 110.414.00 related to noise and lighting requirements.

The facility will receive power by solar arrays, batteries, and a generator and propane tanks as back-up power supply, which is consistent with the other facilities at Fox Mountain. The site will contain FirstNet public safety communications equipment, which qualifies as emergency communications infrastructure. Pursuant to Section 110.414.20(b), emergency equipment is exempt from these requirements.

Because the facility is unmanned and no exterior lighting is proposed, the intent of the County's noise and lighting standards is effectively achieved.

Access, Utilities, and /Parking

Access to the facility is by way of Old Camp Canyon Road /Fox Mountain Road which is located off County Road 447, approximately 31 miles northwest of Gerlach. No road improvements are planned as Commnet will utilize the existing gravel road.

The facility will be powered by solar arrays, batteries, and a generator and propane tanks as back-up power supply.

Parking Variance Request

Commnet respectfully requests a waiver from the requirements of Washoe County Code Section 110.410.00 related to parking.

Due to communications facility remote rural location, strict compliance with standard parking design requirements would be unnecessary and impractical. The facility is not open to the public and will typically be visited by a qualified technician only once or twice per month for routine maintenance where there is adequate parking. Therefore, the requested parking waiver is appropriate and consistent with the operational characteristics of the proposed use.

Maintenance and equipment back-up power

The proposed wireless communications facility is in a remote rural location. Because FirstNet responder emergency equipment will be located at this facility, it is imperative that the facility is operable in the event of a power outage or a natural disaster. The facility will utilize a multi-layered backup power system consisting of batteries, solar power infrastructure, and a standby propane-fueled generator. Under normal operating conditions, the site will be powered by its primary power system. In the event of a power outage, the battery system will immediately provide uninterrupted power to the communications equipment. Should the outage extend beyond the battery system's capacity, the backup generator will automatically activate to maintain continuous operation of the facility. A cell technician will visit the site approximately once or twice a month to perform regular equipment maintenance.

Fencing

Commnet is not proposing fencing for the proposed facility. The site is located within a remote, established communications area where existing facilities are not enclosed by fencing, and the addition of fencing would not provide a significant security or safety benefit.

In lieu of perimeter fencing, the proposed monopole tower will incorporate industry-standard security measures designed to prevent unauthorized access. The tower will be constructed in accordance with applicable Occupational Safety and Health Administration (OSHA) requirements and telecommunications industry standards, including anti-climbing features and other access-control measures.

Landscaping Variance

Commnet respectfully requests a waiver from the requirements of Washoe County Code Section 110.412.00 related to landscaping.

The proposed facility is located within a remote, federally managed area approximately nine miles from the nearest public roadway and surrounded by extensive public lands. The site is not visible to the general public except from limited vantage points within the immediate vicinity of the existing communications compound. Additionally, the surrounding mountain-top environment contains existing native vegetation and natural tree cover that provides visual buffering and screening of communications facilities in the area.

Because the facility is unmanned and located in an arid environment with limited access to water resources, installation and long-term maintenance of landscaping would be impractical and inconsistent with responsible water conservation practices. Landscaping would require ongoing irrigation and maintenance visits that are not otherwise necessary for operation of the facility. Furthermore, given the size of the parent parcel (approximately 23,299 acres), it would be unreasonable for Commnet to meet the County's landscape coverage and buffering requirements.

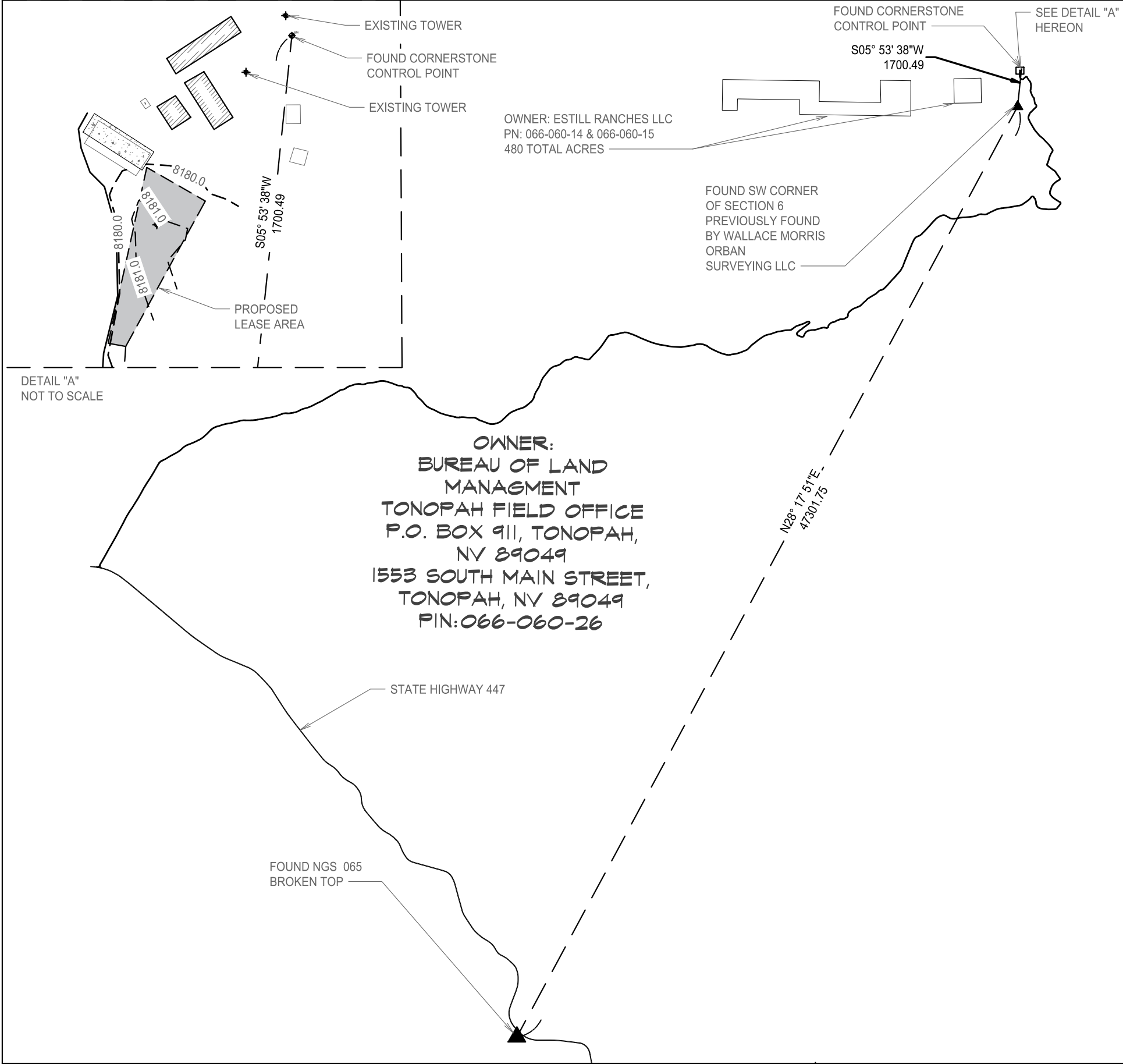
Grading

Not applicable. Commnet is not proposing any grading for this project.

Significant Hydrological Resources

The project site is located within the High Desert Planning Area. Pursuant to Washoe County Code Section 110.418.05(e), the provisions of the Significant Hydrological Resources article do not apply to development within the High Desert Planning Area.

Accordingly, the project is exempt from the requirements of this section.



SURVEYOR NOTES

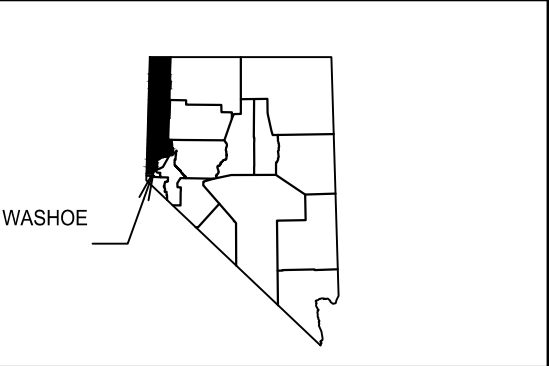
NO SEARCH OF PUBLIC RECORDS HAS BEEN COMPLETED TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE PARENT PARCEL.

THIS PROPERTY IS SUBJECT TO ANY RECORD EASEMENTS AND/OR RIGHT OF WAY SHOWN HEREON OR NOT.

SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

NO UTILITIES UNDERGROUND OR ABOVE GROUND WERE LOCATED EXCEPT AS SHOWN HEREON.

THIS SURVEY WAS PREPARED WITHOUT THE AID OF A TITLE COMMITMENT.



STATE MAP LOCATION



SITE MAP

UTILITY NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT LOCAL 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

BENCHMARK

BM1 - LOCATED NORTHEAST OF LEASE AREA AT CORNERSTONE CONTROL. ELEV.=8179.49' AMSL

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM NEVADA STATE PLANES, NEVADA WEST ZONE, U.S. FEET, DETERMINED BY GPS OBSERVATIONS AND THE RTX NETWORK, COMPLETED ON 6/24/2025

I-A ACCURACY CERTIFICATION

THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE OF THE GEODETIC COORDINATES FALL WITHIN TWENTY (20) FEET. THE ELEVATIONS (NAVD88) OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.

FLOOD INFORMATON

THE TOWER AREA SHOWN HEREON IS NOT LOCATED IN A 100-YEAR FLOOD PLAIN PER FLOOD HAZARD BOUNDARY MAP, COMMUNITY-PANEL NO. 32031C1150G, DATED 03/16/2009. THE TOWER AREA IS LOCATED IN ZONE X

GEOGRAPHIC COORDINATES

LATITUDE: 41° 01' 31.23" OR 41.025342° (NAD83)

LONGITUDE: 119° 33' 30.02" OR -119.558339° (NAD83)

SITE ELEVATION: 8181 FEET

SURVEYOR'S CERTIFICATION

DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION. THE HORIZONTAL DATUM (COORDINATES) ARE IN THE TERMS OF THE NORTH AMERICAN DATUM OF 1983 (NAD83) AND ARE EXPRESSED AS DEGREES, MINUTES AND SECONDS, TO THE NEAREST HUNDREDTH OF A SECOND. THE VERTICAL DATUM (HEIGHTS) ARE IN TERMS OF NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND ARE DETERMINED TO THE NEAREST TENTH OF A FOOT. I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND THAT ANY VISIBLE ENCROACHMENTS ARE SHOWN HEREON.

Timothy L. Fish DATE: 08/06/25

TIMOTHY LEIGH FISH NEVADA PROFESSIONAL LAND SURVEYOR LICENSE NO. 25137

THIS IS NOT A CERTIFIED BOUNDARY SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE REGULATIONS. THIS SURVEY IS INTENDED FOR THE PARTIES AND PURPOSES SHOWN, AND MAP IS NOT FOR RECORDATION.



DATE: 08/06/25

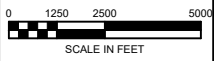
REV NUMBER	SHEET TITLE	SITE NAME: FOX MOUNTAIN	
0	SITE SURVEY	SITE NUMBER: NV000113	
		10140 A FOX MOUNTAIN ROAD - GERLACH, NV - WASHOE	
SHEET NUMBER		DATE: 08/06/25	PROJECT NUMBER: 25-03-15
41 OF 2		DRAWN BY: WAVELENGTH	- FINAL SURVEY-08/06/25
		APPROVED: WCB	-



1-800-642-2444

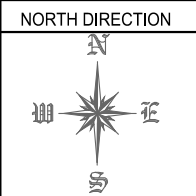
SHEET SCALE

1"=5000'

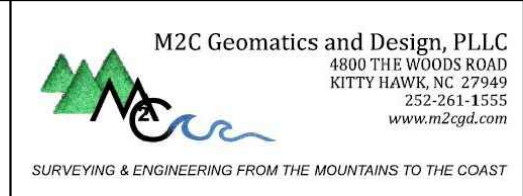


SCALE IN FEET

NORTH DIRECTION







M2C Geomatics and Design, PLLC
4800 THE WOODS ROAD
KITTY HAWK, NC 27949
252-261-1555
www.m2cgd.com

SURVEYING & ENGINEERING FROM THE MOUNTAINS TO THE COAST



WSUP26-0011
EXHIBIT D

PROJECT INFORMATION

RAW LAND BUILD

FOX MOUNTAIN, NV

10140A FOX MOUNTAIN RD
GERLACH, NV 89412

PROJECT OWNER



LOCATION MAP



PROJECT INFORMATION

RAW LAND BUILD

FOX MOUNTAIN, NV

10140A FOX MOUNTAIN RD
GERLACH, NV 89412

PROJECT OWNER



Commnet
Connecting Rural America

**Looking North East Toward
Proposed Monopole (Before)**



PROJECT INFORMATION

RAW LAND BUILD

FOX MOUNTAIN, NV

10140A FOX MOUNTAIN RD
GERLACH, NV 89412

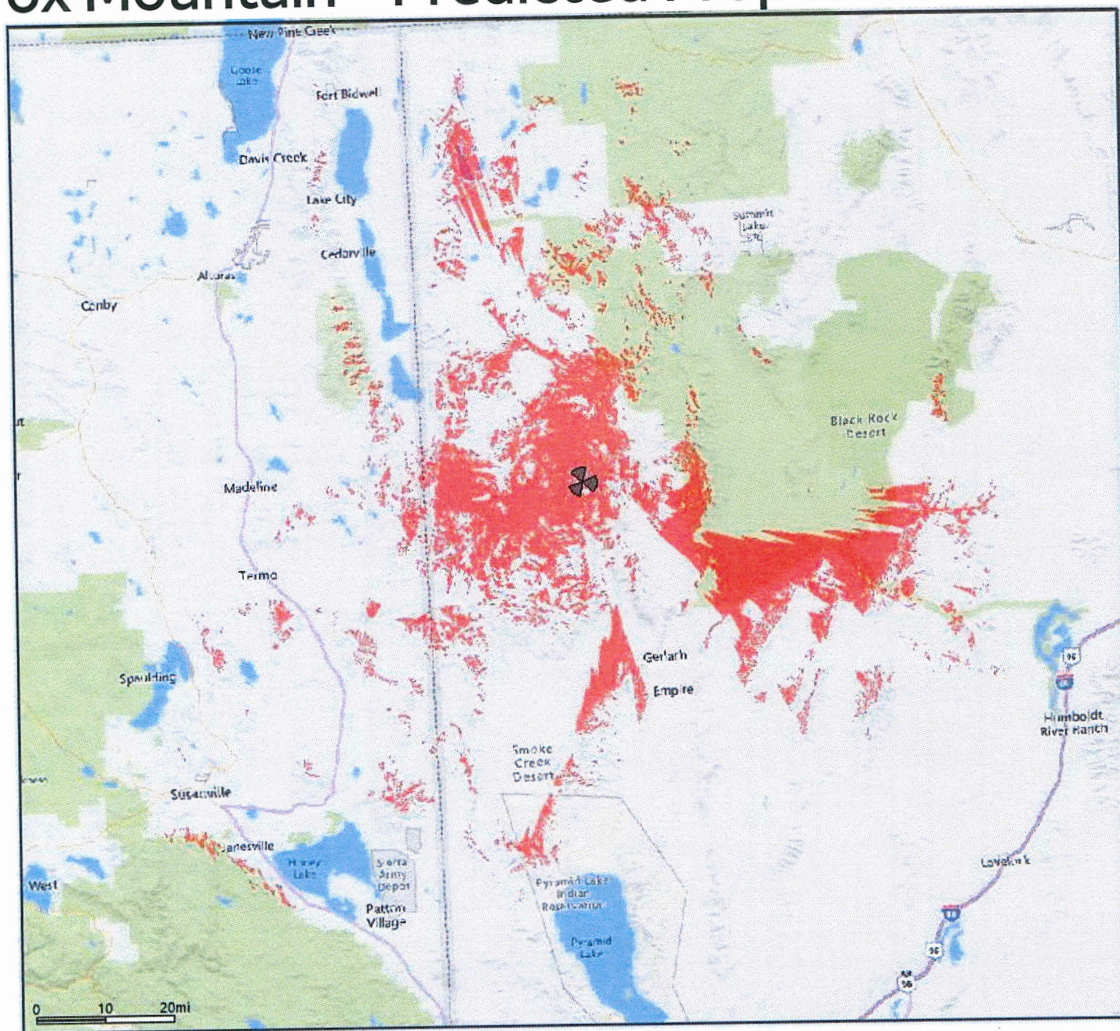
PROJECT OWNER



**Looking Nort East Toward
Proposed Monopole (After)**



Fox Mountain – Predicted Proposed Coverage for 700 Carrier AT&T



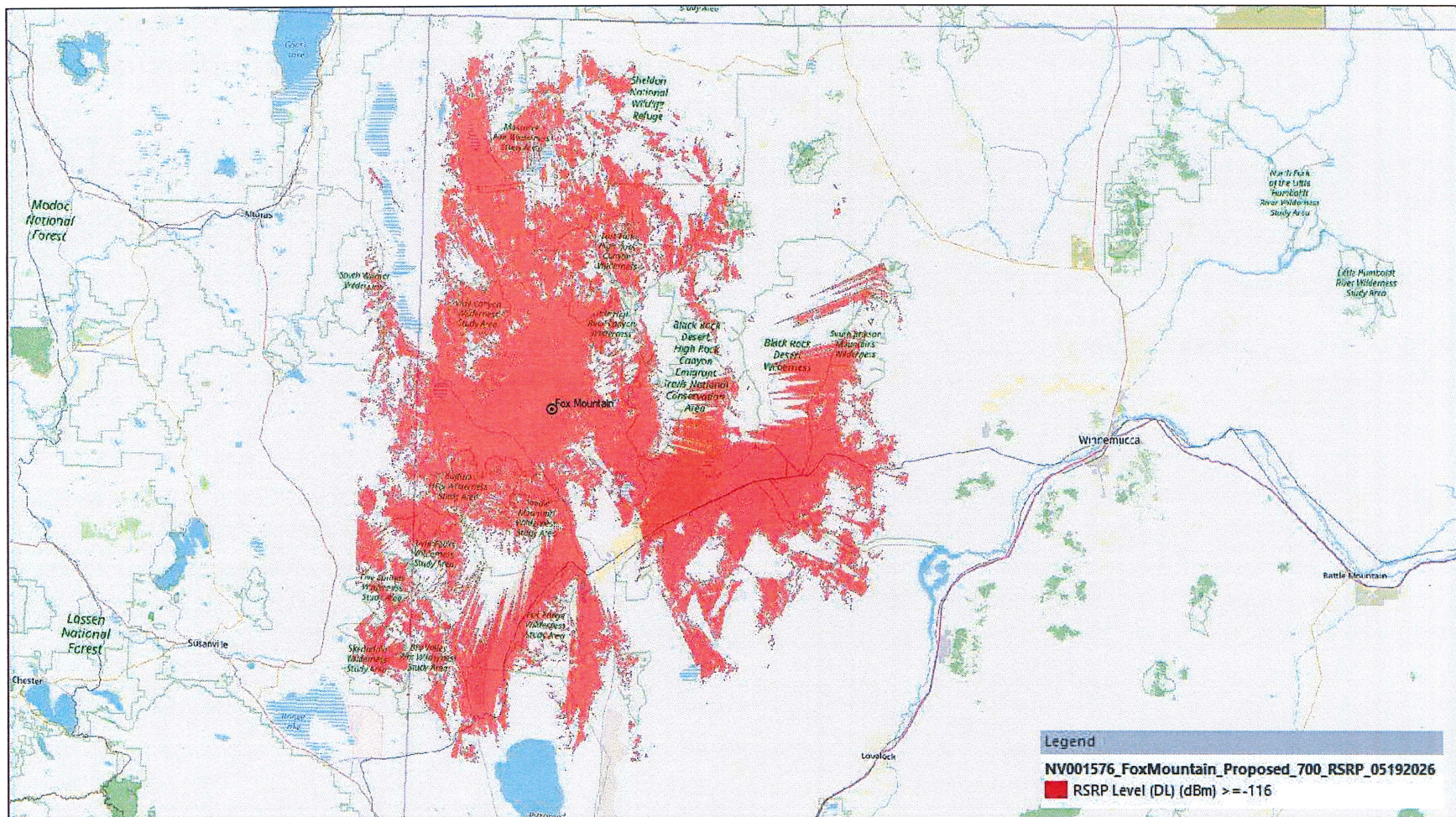
Legends

RSRP DL ≥ -116 (dBm)

Disclaimer: "AT&T PROPRIETARY -- This information constitutes confidential trade secrets and commercial or financial information owned by AT&T and is shared for Critical Infrastructure Protection purposes only. It is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552), Exemptions (b)(3)&(4), and its disclosure is prohibited under the Trade Secrets Act (18 U.S.C. 1905), the Critical Infrastructure Information Act of 2002, 6 U.S.C. § 133, and any State or local law requiring disclosure of information or records. This information must not be copied or distributed to others not agreed upon by AT&T, but in all events do not copy or distribute to such others without notification pursuant to Executive Order 12600."

AT&T Business

Fox Mountain – Verizon Predicted Coverage of Proposed 700 Carrier – May 15, 2026



WillCo Telecom Consulting

2000 Mallory Lane Ste 130-346
Franklin, TN 37067



May 22, 2026

From: E. Wayne Neal, Principal Engineer

Re: RF Emissions Analysis of Proposed Facility – Fox Mountain, NV

Commnet Wireless, LLC is proposing to install a wireless telecommunications facility at Gerlach, NV, in Washoe County at the following coordinates: 41° 1' 31.23" N, 119° 33' 30.02" W.

The proposed installation was evaluated for RF Emissions compliance. The computations, analysis, and conclusions were based on applicable FCC guidelines and regulations for maximum permissible exposure to humans consistent with FCC OET Bulletin 65. At the time of installation, this facility will be transmitting at less than 5% of the applicable RF Emissions limits for the General Public in generally accessible areas, thus the facility will be in compliance with applicable FCC regulations.

Re-evaluation of the site for compliance will happen if other carriers locate at the facility, if the current Wireless providers add additional frequencies, or if other equipment is added or changed.

I certify that the analysis is correct to the best of my knowledge, and all calculations, assumptions and conclusions are based on generally accepted engineering practices.

Sincerely,

Wayne Neal
Principal
Willco Telecom Consulting

Fox Mountain, NV Photos

Fox Mountain Tower Center Looking North



Fox Mountain Tower Center Looking West



Fox Mountain Tower Center Looking East



Fox Mountain Tower Center Looking South





This instrument was prepared by
and after recording return to:

Commnet of Nevada, LLC
1562 Park Street
Castle Rock, CO 80109
Attn: Cindy Phillips
Ref: Fox Mountain, NV

MEMORANDUM OF EASEMENT AGREEMENT

THIS MEMORANDUM OF EASEMENT AGREEMENT ("Memorandum") is made this 29
day of August, 2018 ("Effective Date"), by and between Estill Ranches, LLC, with
an address of 1875 Plumas Street, Suite 3, Reno, NV 89509 ("Grantor") and Commnet of Nevada, LLC,
with an address of 1562 Park St., Castle Rock, CO 80109 ("Grantee").

Grantor and Grantee have entered into an Easement Agreement (the "Easement Agreement") which sets
forth, among other things, the terms of an easement granted by Grantor to Grantee on, over, to, through,
and across an existing road which is located on property owned and controlled by Grantor (the
"Property") which Property is described on Exhibit A attached hereto and incorporated herein by this
reference.

The term of the Easement, unless sooner terminated under provisions of the Easement Agreement, shall
be perpetual, with the provisions regarding the Easement set forth in detail in the Easement Agreement.

This Memorandum of Easement is not intended to amend, modify, supplement, or supersede any of the
provisions of the Easement Agreement and, to the extent there may be any conflict or inconsistency
between the Easement Agreement. The provisions of and covenants contained in this Memorandum
shall run with the land and shall bind and inure to the benefit of the Grantor and Grantee and their
respective successors and assigns.

IN WITNESS WHEREOF, the parties have duly executed this Memorandum.

GRANTOR:
Estill Ranches, LLC,
a Nevada limited liability company

GRANTEE:
Commnet of Nevada, LLC,
a Delaware limited liability company

By: [Signature]

By: [Signature]

Print Name: John Estill

Print Name: Mark Hansen

Title: Estill Ranches LLC
manager

Title: V. P. Network Support

[ACKNOWLEDGEMENTS ARE ON THE FOLLOWING PAGE]

GRANTOR ACKNOWLEDGMENT

STATE OF Nevada

COUNTY OF Washoe

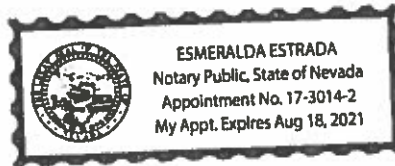
The foregoing instrument was acknowledged before me this 29th day of August, 20 18,

by John Sstill as the Manager
of Estill Ranches, LLC.

WITNESS my hand and official seal.

ES
Notary Public

My Commission Expires: Aug 18, 2021



GRANTEE ACKNOWLEDGMENT

STATE OF Colorado

COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 16th day of October, 20 18,

by Mike N as the V.P. N/SS
of Commnet of Nevada, LLC.

WITNESS my hand and official seal.

Samantha Black
Notary Public

My Commission Expires: 3/20/2022

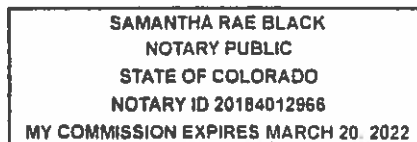


EXHIBIT A

Property Description

LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada, County of Washoe, described as follows:

TOWNSHIP 36 NORTH, RANGE 21 EAST, M.D.B.M.

Section 19: South Half of the Northeast Quarter, Southeast Quarter of the Northwest Quarter

Section 20: North Half of the South Half

Section 21: Southwest Quarter of the Northwest Quarter

APN: 066-060-16, 17 and 18



Washoe County

TECHNOLOGY SERVICES DEPARTMENT

Regional Services / Geographic Information System

COMPANY:

SEE LIST BELOW

FROM:

DIXIE RUDEBUSCH (328-2342)

E-MAIL

drudebusch@washoecounty.us

DATE:

JANUARY 11, 2019

RE:

TOTAL NO. OF PAGES INCLUDING COVER:

ADDRESSING

2

This notification is sent to all listed email addresses:

RENO- only City of Reno addresses

911 GIS

W.C. ASSESSOR:

W.C. TREASURER

BUILDING & SAFETY:

CSD - FINANCIAL AND ADMIN

ANIMAL SERVICES

VOTER REGISTRATION:

W.C. GIS:

W.C. SCHOOL DISTRICT

NV Energy

Southwest Gas Corporation

AT&T

CSD – OPERATIONS (Utilities)

RENO DISPOSAL SERVICES/WASTE MANAGEMENT

TECHNOLOGY SERVICES/MSAG

US Postal Service:

Reno Sewer

W.C. Sheriff (Tiberon database)

TMWA Customer Service Group

TMFPD

Sun Valley GID :

Incline Village Roads:

IVGID Engineering:

North Lake Tahoe Fire Protection District

addressing@reno.gov

johnsonrj@reno.gov

JMunoz@washoecounty.us

tax@washoecounty.us

KPaholke@washoecounty.us BSoffiotto@washoecounty.us

SRacy@washoecounty.us

SCardinal@washoecounty.us

SBerry@washoecounty.us TSchultz@washoecounty.us

SWarr@washoecounty.us DSpikula@washoecounty.us

BKaneyuki@washoecounty.us DRudebusch@washoecounty.us

Brett.Rodela@WashoeSchools.net RBaxley@washoeschools.net

MBenuzz@nvenergy.com TLopez1@NVEnergy.com

NNDEngineering@swgas.com

slicbox@att.com

waterbilling@washoecounty.us

canvdataentry@wm.com

JGrundy@washoecounty.us

Local and Regional post office personnel

renosewer@reno.gov

RSoderblom@washoecounty.us JBarainca@washoecounty.us

CSR-Group@tmwa.com pparenti@tmwa.com

lbeaver@tmfpd.us mobrien@tmfpd.us

edowling@svgid.com dgarcia@svid.com

RThomsen@washoecounty.us CPitts@washoecounty.us

Ronnie.Rector@IVGID.org Brad.Johnson@IVGID.org

MRegan@NLTFPD.net

Additional UTILITY ADDRESS

REQUESTOR:	CIS Communications / Commnet Wireless, LLC
Current Parcel Owner:	United States of America TTEE
APN	066-080-33
ADDRESS(es):	10140 A FOX MOUNTAIN RD <i>new installation</i> 10130 A FOX MOUNTAIN RD <i>existing Washoe County 800 mhz utility</i>
911 Community / ZIP	GERLACH / 89412
Notes:	North Washoe County Site plan provided
REASON:	Construction of Fox Mountain area communications tower and unmanned shelter.