

Evaluation of a request for an AMENDMENT TO THE MOHAVE COUNTY ZONING ORDINANCE SECTION 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES to clarify the application requirements and process for proposed towers in Mohave County.

This evaluation is to determine whether approval should be granted for an Amendment to the Mohave County Zoning Ordinance, as requested by Mohave County.

Mohave County has seen a recent influx in cell phone tower applications, and federal laws limit the reasons for which a wireless communication tower and/or facility can or cannot be denied.

This Amendment is meant to clarify the application process and procedure to ensure the Planning and Zoning Commission and the Board of Supervisors have the necessary information to make informed decisions on applications for a Special Use Permit for wireless communication towers and facilities within Mohave County

FINDINGS OF FACT:

- a. All notices have been advertised and posted according to regulations.
- b. The proposed action and effect comply with the Mohave County General Plan.
- c. The proposed action and effect comply with the Arizona Revised Statutes.

STAFF RECOMMENDATION:

Staff recommends **AMENDING** Section 37.R of the Mohave County Zoning Ordinance as follows (wording to be deleted is ~~struck~~; wording to be added is **bolded and double underlined**):

Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS

R. Wireless Communication Towers and Facilities

5. Special Use Permits

- c. Application. Each application shall be on the Special Use Permit ~~form~~ **application** provided
 - 6) A narrative explaining the need for the tower, the proposed height and design, of the tower and shall include a list of alternative sites that were considered by the applicant , and an explanation why each site is not suitable or viable for the applicant's proposed tower.**
- d. Standards. ~~In addition to any standards for consideration of Special Use Permit Applications, the following shall be considered in determining whether to issue a~~ Special Use Permit: height proposed, proximity to other uses, historic sites, landmarks, vehicle traffic routes, medical facilities, air routes, topographical features, utilities, access and suitability of alternative sites

- 1) In addition to any standards for consideration of Special Use Permit Applications, the following shall be considered in determining whether to issue a Special Use Permit: height proposed, proximity to other uses; historic sites; landmarks; vehicle traffic routes; medical facilities; air routes; topographical features; utilities; access; suitability and feasibility of alternative sites; aesthetic features of the tower relative to residential zones areas; public input that is not based on the environmental effects of radio frequency emission; and professional opinions and reports from any County staff, contractors, and experts.
- 2) Mohave County will not deny a permit based on the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.
- 3) Mohave County will not unreasonably discriminate among wireless providers of functionally equivalent services.