

**CITY OF LAS VEGAS
PLANNING COMMISSION AND CITY COUNCIL
RECOMMENDATIONS / COMMENTS**

FROM: CLARK COUNTY DEPARTMENT OF AVIATION

APPLICATION NUMBERS: SUP-28496

PROJECT: 80 FOOT CELL TOWER

LOCATION: 138-11-804-021

MEETING DATES: 7/24/08 PLANNING COMMISSION AND 8/20/08
CITY COUNCIL

COMMENTS:

Federal Aviation Regulations (Title 14, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway, or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine whether the development requires obstruction marking or lighting.

Also, Clark County Code (Title 20, Subsection 13), pursuant to Chapter 497 of the Nevada Revised Statutes, requires that when the applicant is required to file FAA Form 7460-1, a Permit from the Clark County Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) must also be obtained prior to construction.

The proposed development will exceed the 100:1 notice requirement. **Therefore, applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation. If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction.**

Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved. Applicant is advised that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments. Applicant is advised that the FAA's airspace determinations include expiration dates and that the separate airspace determinations will be needed for construction cranes or other temporary equipment.