



## COMMUNICATION FACILITY PERMIT INFORMATION

### WHAT IS A COMMUNICATION FACILITY?

Any facility used for the transmission and/or reception of communication services.

**\*Note:** *For existing towers, changes that do not increase the height or significantly change the dimensions of the tower, will no longer require a Communication Facility permit. Please contact the Planning Department to determine if your project requires a CF permit.*

### THE PROCESS

A Communication Facility Permit normally involves having a pre-application meeting with County Planning Staff to discuss the application, answer questions, and resolve any issues at the front end of the process. Next, a completed Communication Facility application is submitted, which will be sent out for review and comment to local and State agencies as well as neighboring property owners within 300 feet of the subject property. The Planning Administrator will review the information submitted to ensure the proposal will conform with the development regulations set forth in Benton County Code 11.47 and the application will either be approved, approved with conditions, or denied.

### CRITERIA FOR APPROVAL

#### **Height**

1. An attached communication facility shall not add any height to a communication tower to which it is attached and shall not add more than twenty (20) feet in height to an existing building or other structure to which it is attached.
2. Communication towers shall have the following maximum height as measured from the ground to the highest point on the communication facility, including the associated antenna array:
  - i. Sixty-five (65) feet in the Rural Lands 5 District (RL-5), Rural Lands 20 District (RL-20), Community Commercial District (CC), General Commercial District (GC), Interchange Commercial District (IC), Light Industrial District (LI), and Parks District (P).
  - ii. One hundred and fifty (150) feet in the Heavy Industrial District (HI) and Unclassified District (U).
  - iii. One hundred and fifty (150) feet anywhere in the Growth Management Act Agricultural District (GMAAD) or up to four hundred and fifty (450) feet in the GMAAD if:
    - a. the ground elevation of the location of the communication tower is at least two thousand and fifty (2,050) feet above mean sea level as determined by a licensed Washington State Professional Land Surveyor; and
    - b. the communication tower is located within one half (1/2) mile from five (5) or more communication towers existing as of October 8, 2001.
  - iv. Accessory equipment structures shall have a maximum height of forty (40) feet as measured from the ground to the highest point on the structure.

#### **Setbacks**

1. Attached communication facilities may extend up to five (5) feet horizontally beyond the edge of a properly set back building or structure to which it is attached, so long as the attached communication facility does not encroach upon any easements nor upon an adjoining parcel.
2. All communication towers shall be set back from all property lines the greater of the following distances: fifty (50) feet or one (1) foot for every foot in height of the communication tower.
3. All communication towers in excess of one hundred and fifty (150) feet in height also must be set back at least one thousand (1,000) feet from all dwelling units.
4. Accessory equipment structures shall meet the setback requirements for accessory buildings in the underlying zoning district in which they are located.

### **Lighting and Fencing**

1. Lighting, if any, of an attached communication facility shall be as required by the Federal Aviation Administration (FAA) and shall, to the extent feasible, be installed in a manner to minimize impacts on adjacent residences.
2. Communication towers shall not be artificially lighted, except for:
  - i. security and safety lighting of accessory equipment structures if such lighting is appropriately down-shielded to keep light within the boundaries of the site; and,
  - ii. such lighting of the communication tower as may be required by the Federal Aviation Administration (FAA) and shall, to the extent feasible, be installed in a manner to minimize impacts on adjacent residences.
3. Communication facilities that include a communication tower shall be enclosed by a security fence not less than six (6) feet in height; provided, that guy wires are not required to be within the enclosed security fence.

### **Painting**

1. All painting of communication facilities shall be consistent with any such requirements of the FAA.
2. If there are no painting requirements by the FAA, communication facilities sixty-five (65) feet in height or less shall be painted one of the following neutral, non-reflective colors that blend with the surrounding landscaping: shades of gray, beige, sand, taupe, or light brown.
3. Absent painting requirements by the FAA, communication facilities exceeding sixty-five (65) feet in height shall be painted in alternate bands of aviation orange and white. The alternate bands shall be:
  - i. a width of one-seventh (1/7) the height of the communication tower; provided, each band may not be less than one (1) foot six (6) inches (1.5 feet);
  - ii. equal in width;
  - iii. perpendicular to the vertical axis of the communication tower, with the bands at the top and bottom ends colored aviation orange; and,
  - iv. odd in number.

### **Aviation Requirements**

1. All communication facilities must comply with Federal Aviation Regulation Part 77, Objects Affecting Navigable Airspace, including but not limited to, providing such notices to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposed communication facility.
2. All communication towers shall be located at least forty (40) feet for every one (1) foot of tower height or one mile, whichever is greater, from the ends of and at least five thousand (5,000) feet from the sides of all runways which are available for private use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO).

### APPEALS

The decision of the Planning Administrator may be appealed to the Benton County Hearings Examiner.

### EXPIRATION

The Communication Facility permit shall continue to be valid while the facility is in use and the conditions of approval are met. If the use of the facility is discontinued for a period of one (1) year or more, the permit shall become void.



## COMMUNICATION FACILITY CHECKLIST

- | <u>Applicant</u>         | <u>Staff</u>             |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Completed Communication Facility Permit Application</b> – must include signatures of all parties with ownership interest. Incomplete applications will not be accepted.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Site Plan Map</b> – A detailed map drawn to scale showing the outer boundary and dimensions of the property, location and height of the proposed communication facility, accessory equipment structures, and fences surrounding communication facility site, complete with distances to buildings and all property lines. As well as, location and size of existing structures, all public and private roads, easements, and rights-of-way located on or adjacent to the property and the distance of the proposed communication facility to the nearest runway/airport available for public use. <i>No site plans larger than 11" x 17" and only maps drawn in <b>black ink</b> will be accepted</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>Topographical Map</b> – For proposed towers in excess of one hundred and fifty (150) feet in height, a topographical map prepared by licensed Washington State Land Surveyor must be submitted that indicates the ground elevation where the communication tower is to be located and a scaled site plan identifying all dwelling units within one thousand (1,000) feet of the proposed communication tower.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>FAA Compliance</b> <i>(if required)</i> – Documentation which confirms the FAA has reviewed the proposal and has provided an official response, comments, or requirements set forth by the FAA if the CF will be constructed within four (4) miles of an airport.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>\$500.00 Communication Facility Permit Fee</b> – The fee must be paid at the time of application submittal, cash or checks only. Checks made payable to the <b>Benton County Treasurer</b> . All application fees are non-refundable.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>\$300.00 Environmental Checklist Fee</b> <i>(if required)</i> – Environmental Checklist application (SEPA) must be submitted concurrently with the Communication Facility application if a new tower is proposed. Please contact the Planning Department for assistance in determining if your proposal requires an Environmental Checklist   |

Applications may be submitted between the hours of 8am-12pm and 1pm-5pm Monday through Friday to the Planning Department at 1002 Dudley Ave./PO Box 910, Prosser, WA 99350 or to the Benton County Building Department (*see address below*). A Planner is typically available at the Building Department on Thursdays from 9am – 12pm.

Please contact the following departments/agencies to ensure your proposal will comply with their regulations:

- **Benton County Building Department**  
5600C W. Canal Drive  
Kennewick, WA 99336  
(509) 735-3500

**Planning Department**  
P.O. Box 910  
1002 Dudley Avenue  
Prosser, WA 99350



Phone (509) 786-5612  
Fax (509) 786-5629  
planning.department@co.benton.wa.us  
co.benton.wa.us

## COMMUNICATION FACILITY PERMIT APPLICATION

Application No. \_\_\_\_\_

### APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

**Applicant/Agent:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ ZIP: \_\_\_\_\_ Phone: \_\_\_\_\_ Work: \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Property Owner(s)** (if different): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ ZIP: \_\_\_\_\_ Phone: \_\_\_\_\_ Work: \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*\*If there are additional owners please copy this section, sign, and attach to the application*

**Land Surveyor/Engineer:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ ZIP: \_\_\_\_\_ Phone: \_\_\_\_\_ Work: \_\_\_\_\_

Email Address: \_\_\_\_\_

***If the property is owned by a corporation, trust, partnership or LLC please complete the entity signature block below showing that the person signing has the authority to sign on behalf of the company.***

### ENTITY SIGNATURE BLOCK

**Applicant/Legal Owner:** \_\_\_\_\_

Officer name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

THE ABOVE SIGNED OFFICER OF \_\_\_\_\_ (name of entity)  
WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO  
PERMIT \_\_\_\_\_ (name of applicant) TO SUBMIT THIS APPLICATION AND THAT THE  
ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

1. Application type:

- New Tower
- Replacement Tower
- Modifications to existing tower

Type of Tower:  Monopole  Lattice tower  Guyed tower  Building mounted

Other (describe): \_\_\_\_\_

If this is a replacement or modification of a current Communication Facility, check all that apply to this project:

- Increase in tower height
- Increase the footprint of the tower
- Change the size of the enclosure
- Change/add ground structure(s)
- Change ground equipment
- Other (describe): \_\_\_\_\_

2. Parcel number: \_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_

3. TCNS or E106 number (issued by FCC): \_\_\_\_\_

4. Describe proposed Communication Facility: \_\_\_\_\_

\_\_\_\_\_

5. Tower height (as measured from the ground to the highest point): \_\_\_\_\_

6. Describe existing structures/uses currently on the property: \_\_\_\_\_

\_\_\_\_\_

7. Describe the surrounding land uses: \_\_\_\_\_

\_\_\_\_\_

8. Will the proposed CF be within four (4) miles of a public airport?  Yes  No

a) Has FAA compliance documentation been submitted with this application?  Yes  No  N/A

9. Is any painting proposed?  Yes  No

If yes, please describe: \_\_\_\_\_

10. Is any lighting proposed?  Yes  No

If yes, please describe: \_\_\_\_\_

11. Is any fencing proposed?  Yes (If yes, show on site plan)  No

If yes, please describe the type and location of fencing: \_\_\_\_\_

IF FURTHER EXPLANATION IS NEEDED FOR ANY OF THE QUESTIONS PLEASE ATTACH ADDITIONAL PAGES

(FOR STAFF USE ONLY)

Application Complete: Y N

Critical Areas: N Y: \_\_\_\_\_

Zoning: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_