



Fairbanks North Star Borough
Department of Community Planning
 907 Terminal Street/P.O. Box 71267
 Fairbanks, Alaska 99707-1267
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 planning@fnsb.us

For Office Use Only
 Received By: _____
 Receipt No.: _____
 Sign #: _____
 Date Submitted: _____

CONDITIONAL USE PERMIT APPLICATION TELECOMMUNICATIONS TOWER

Major Tower Minor Tower

File No. _____

- FEES: \$2,000 conditional use permit application
 \$2,000 (deposit for actual cost) Expert Review Fee
 \$200 sign deposit (check or cash only)

Applicant:		Property Owner:	
Contact Name:		Name:	
Business Name:		Mailing Address:	
Mailing Address, City, State Zip:		City, State Zip:	
Phone:	Cell:	Phone:	Cell:
E-mail:		E-mail:	

Property Information:	
Property Description:	
Street Address:	Lot Size:
Parcel Account Numbers (PAN):	Zoning District:
Existing Use(s):	

Conditional Use Request Information:
Proposed Use(s): Proposed total height of tower, including all antenna and lightning rods, etc.
<u>Request Description and Reasons for the Request:</u>

APPLICANT SIGNATURE*: _____ DATE: _____

OWNER SIGNATURE (if different): _____ DATE: _____

*If the applicant is not the property owner, written consent of all property owners must be provided (FNSBC 18.104.040(B)).

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

Revised 4/21/2017

TELECOMMUNICATIONS TOWER – CONDITIONAL USE PERMIT REQUIRED SUBMITTALS CHECKLIST

Please submit the required documentation listed below. Applications will not be assigned to a Planning Commission meeting agenda until these items have been submitted and the application has been deemed complete.

A. A legible site plan drawn to a verifiable scale (i.e. 1" = 10' or 1" = 20', etc.), with north arrow and dimensions in feet including all of the following:

More than one site plan of different scales may be used to illustrate the site.

- Location and dimensions of property lines.
- Location and dimensions of utility easements and access easements including section line easements.
- Name of the access road and any other roads adjacent to the property lines and widths of all right-of-ways.
- Location and dimensions of all existing and proposed buildings and structures, including all cabinets. Label each building or structure as existing, proposed, or to be demolished/removed. Provide number of stories for all buildings to be utilized for the conditional use.
- Uses of all existing and proposed buildings and structures, portions of buildings, and areas of the property, clearly identifying which uses are included in the CUP and which are not included.
- Setback distances of all existing and proposed buildings and structures from property lines.
- Distances between all existing and proposed buildings and structures.
- Location of security fencing and gates including clearance width of all gates; if applicable.
- Location, type and depth of surface material and dimensions of existing and proposed driveways including any aprons and distances to property corners. Include location and dimensions of existing and proposed curb cuts and sidewalks; if applicable.
- Location, type and depth of surface material and dimensions of each off-street parking space. Off-street parking spaces are required to be at least 9' by 18', with sufficient back-up and maneuvering area such that all back-up and maneuvering actions occur on the site (*FNSBC 18.96.060*). Label parking spaces with dimensions.
- Location, and type and depth of surface material of all traffic circulation areas. Provide dimensions of drive aisles, backing and maneuvering areas and all areas where motor vehicles will travel on the site.
- Show any obstructions located within the parking and vehicle maneuvering areas, such as a wall, post, guard rail, or other obstruction.
- Location and area of existing or proposed landscaping, screening, and existing vegetation to be retained; if applicable.
- Show any buffer and open space areas; if applicable.
- Vehicle maneuvering diagram(s) may be required to demonstrate adequate fire and emergency vehicle access.

B. Attach a detailed written narrative and documentation demonstrating compliance with:

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Revised 4/21/2017

1. FNSBC 18.96.160(A), if applying for a major communications tower.

In all zones in which major communications towers are a permitted or conditional use, the following standards apply:

1. One freestanding tower with a maximum height of 150 feet is permitted per lot. Additional freestanding towers and those with a height exceeding 150 feet are conditional uses and are subject to the requirements of subsection (C) of this section. Collocation shall grant an additional 15 feet above the base height for each qualifying antenna to a maximum of 30 feet of additional height. "Height" of a communications tower is the distance from the base of the tower to the top of the structure.
2. Communications towers and antennas must comply with all federal, state and local laws.

2. FNSBC 18.96.160 (B), if applying for a minor communication tower.

In all zones in which minor communications towers are a permitted or conditional use, the following standards apply:

1. One freestanding tower with a maximum height of 60 feet is permitted per lot; or
2. One nonfreestanding tower and/or antenna, affixed atop a building or structure, is permitted per lot.
3. Additional towers or roof-mounted antennas are a conditional use subject to the requirements of subsection (C) of this section.
4. Communications towers and antennas must comply with all federal, state and local laws.

3. FNSBC 18.96.160 (C)

The following standards shall apply to major or minor communications towers when conditional use permit is required pursuant to this section or other sections of this title:

1. Application Requirements. In addition to providing the information specified in this title for conditional uses, an application for a conditional use permit for the construction of a communications tower or placement of a telecommunications antenna on an existing structure other than a tower or antenna previously permitted must include the following information:

A. One copy of the specifications for the proposed structures and antennas, including description of the design characteristics and material;

B. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscaping, and existing land uses on adjacent property;

C. A current map showing locations of all of the applicant's antennas, facilities, existing towers, and proposed towers within the borough;

- D. Names of the owners of the tower, antennas and equipment to be located on the site;
- E. Evidence that a valid FCC license for the proposed activity has been issued, if required;
- F. A copy of the FAA determination as to whether the tower poses an aviation hazard, including the safety lighting and marking required by FAA, if any, and whether preferences or requests for deviations from such marking and lighting systems were submitted;
- G. A written agreement, approved by the borough attorney, to remove the tower and/or antenna within 180 days after the tower or antenna is substantially unused for a period of 12 consecutive months;
- H. A visual impact analysis that quantifies the amount of visual impact on properties located within 500 feet of any proposed tower; for major communications towers, additional analysis must be conducted at 2,500 feet, and two miles from the proposed communications tower site. Such analysis should include, to the extent practicable, the visual impact from at least two of the four compass directions, and show the relationship of the tower and its facilities against the massing of surrounding structures, trees, and other intervening visual masses. This analysis will include recommendations to mitigate adverse visual impacts on other properties;
- I. An alternative site analysis including the availability of suitable existing towers and other alternative structures or locations for the proposed tower considered by the applicant;
- J. Additional information required by the planning department for determination that all applicable laws are met.

2. Approval Criteria. The planning commission shall approve, approve with conditions or deny a permit under this section after considering all of the following criteria:

A. Location and Visual Impact. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by the applicable communications regulations and applicant's technical design requirements. Conditions may be imposed, including camouflage, screening, vegetative buffers and/or site requirements, to ensure this criteria is met.

B. Inability to Locate on an Existing Structure. A permit should not be issued unless a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical requirements without unreasonable modifications on any existing structure or tower under control of the applicant.

C. Necessity for Location in a Residential Neighborhood. A permit should not be issued in a residential neighborhood unless the area cannot be adequately served by a facility placed in a nonresidential area for valid technical reasons. Conditions may be imposed to lessen the impact of a communications tower on a residential neighborhood, including limitations on times for maintenance work to be performed, number of vehicles present, yard maintenance, and similar requirements.

D. Design for Future Use. A new tower must be designed to accommodate additional antennas equal in number to the applicant's present and reasonably foreseeable future requirements.

E. Collocation. A permit shall be conditioned to require the applicant to make the tower available for use by as many other licensed carriers as can be technically collocated thereon when the use will not result in substantial injury to the owner or in substantial detriment to the service to the customers of the owners. All licensed carriers shall cooperate with each other in collocating additional facilities upon such towers. All licensed carriers shall exercise good faith in collocating with other licensed carriers and in the sharing of towers, including the sharing of technical information to evaluate the feasibility of collocation.

F. Illumination. A communications tower may not be illuminated unless otherwise required by state or federal law or regulations or unless evidence has been presented that lighting is necessary to ensure the safety of the public. To prevent direct light reflection on other property, tower structure lighting shall be shielded to the extent permitted by the Federal Aviation Administration.

G. Distance from Existing Tower. A permit for a proposed tower within 1,000 feet of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet the applicant's structural specifications and the applicant's technical design requirements, or that a collocation agreement could not be obtained.

H. Yard Requirements. Yards shall be a distance equal to 50 percent or greater of the height of the tower from a lot line. The planning commission may modify this requirement if the tower and equipment will be adequately screened to mitigate its visual impact and no safety hazards are presented.

I. Height. The permitted height of a proposed tower shall be the minimum required to meet the applicant's technical needs and will consider the impact on the surrounding uses.

J. Zoning District Standards. Nothing in this section alters the requirements for visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, or other general zoning district regulations, except yard and height requirements, of any specific zone. Yard and height requirements in this section shall apply.

K. Design Drawings and Specifications. A permit shall be conditioned to require the applicant to submit design drawings and specifications stamped by a registered professional in the state of Alaska certifying compliance with the building code of the authority having jurisdiction.

L. Compliance with Other Laws. A proposed tower must comply with all local, state, and federal laws.

4. FNSBC 18.104.050(C)

Demonstrating conformance with conditional use approval criteria (FNSBC 18.104.050(C) 1-3) including Title 18, the FNSB Regional Comprehensive Plan, other FNSB ordinances and applicable state statutes

*The planning commission shall review, hear and decide whether or not to approve a request for a conditional use. **The planning commission shall also consider and adopt findings in each of the following:***

- 1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes;**
- 2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use;**
- 3. Whether or not the proposed conditional use will protect the public health, safety and welfare.**

The planning commission may approve or deny a conditional use request or may approve a conditional use request with conditions to ensure the protection of the public health, safety and welfare.

C. Complete the Public Notice Sign Posting Affidavit. The form is included in the application packet.

Additional information may be required beyond the items listed above. If you have questions about the conditional use permit application requirements, the public hearing process and timelines, or any other concerns, please contact the Community Planning Department located on the second floor of the Juanita Helms Administrative Center at 907 Terminal Street or by phone at 907-459-1260.

Post By: _____
Date

Instructions to comply with FNSBC 18.104.010.C.3:
1. Post the sign(s) in accordance with #2 below.
2. Take a photograph of the posted sign.
3. Return this affidavit and the photograph to the Department of Community Planning at least 20 days prior to the Planning Commission meeting (see the 'Post By' date). If these items are not received by the 'Post By' date, your application may be postponed to a future meeting.
4. This affidavit must be notarized. The Borough has notaries on staff or you may use your own notary.

PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA)
) ss.
FOURTH JUDICIAL DISTRICT)

I, being first duly sworn, depose and state that:

- 1. I have submitted an application identified as _____.
- 2. I have posted and will maintain public notice sign # _____ in accordance with the following provisions:
 - a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
 - b. Sign is clearly visible from streets and roads.
 - c. Sign will be maintained free of snow or other materials which impede readability.
 - d. Sign is posted between an elevation of 2' and 8' above ground level and no further than 50' from the edge of the road to further ensure readability from streets.
 - e. Sign was posted on _____ (date) and complies with posting requirements of 20 days prior to the public hearing date.
 - f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.
- 3. I understand a refund check of \$200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.
- 4. This document is null and void when necessary action has been completed as provided in Item #2 f.

Signature

(Print Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this _____ day of _____, 20_____

Notary Public in and for Alaska

Commission Expires

DEPOSIT / REFUND FORM
PUBLIC NOTICE SIGN DEPOSITS &
EXPERT REVIEW DEPOSITS

FILE/CASE # _____

DEPOSITS

SIGN DEPOSIT

EXPERT REVIEW DEPOSIT (see box below)

Sign # _____
(if required)

DATE Prepared: _____

Prepared By: _____
Fairbanks North Star Borough

RECEIPT Number: _____

PAID By: Cash Check # _____ Credit Card Last 4 digits # _____

(if paying by check we **MUST** refund to name & address showing on check)

Name & Address on Check _____

Name & Contact # on Credit Card _____

If cash name and address for refund: _____

I understand that I owe the actual cost for the expert review of my telecom application and that this is only a deposit towards the cost.

(applicant initials)

REFUNDS

Sign Returned: _____ Date: _____

Initiate Refund: YES NO

Staff who took sign in: _____

Be sure application has been completely acted on and the reconsideration has expired prior to taking in the sign. For Rezones, be sure the Assembly decision is final prior to taking in the sign.

Additional Damage Yes No

Partial Refund Yes \$ _____

Describe _____

Applicant Initial _____