

# **COMMERCIAL COMMUNICATION TOWERS**

## **Administrative Level Approval:**

1. An attached Wireless Communication Facility to be attached to an existing monopole, tower, or structure.
2. Facilities to be located in M-1 (Light Industrial) and M-2 (Heavy Industrial) zoning district.
3. Facilities to be located in parks or other public areas upon approval by the City Council and property owners(s).

*\*Note: If the City Staff does not approve a TUP for any of the above, the Applicants may elect to apply for a Special Use Permit under the conditions set forth in Article VI.*

## **INSTRUCTIONS FOR MAKING APPLICATION FOR ACOMMERCIAL COMMUNICATIION TOWERS**

***(For Administrative Review Only)***

The applicant will complete the attached application form and submit it to Russellville Public Works, Planning Department, 716 North El Paso, Russellville, AR 72801.

The applicant will submit as part of the application:

1. A scaled development plan.
2. A scaled elevation view and other supporting drawings.
3. Calculations and other documentation showing the location and dimensions of the WCF and all improvements associated therewith, including information concerning specifications, antenna locations, equipment storage facilities, landscaping, parking, access, fencing, and if relevant as determined by staff, topography, adjacent uses, and existing vegetation.
4. A collocation letter in case of attached WCF.

**COMMERCIAL COMMUNICATION TOWER APPLICATION FOR  
ADMINISTRATIVE LEVEL APPROVAL**

DATE: \_\_\_\_\_

WCF CASE FILE: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_

ZONING CLASSIFICATION: \_\_\_\_\_ ABUTTING RESIDENTIAL: YES \_\_\_\_ NO \_\_\_\_

PROPERTY LOCATION IN FLOODPLAIN DISTRICT: \_\_\_\_ YES \_\_\_\_ NO

ATTACHED: \_\_\_\_\_ OR WITH SUPPORT STRUCTURE: \_\_\_\_\_

**Setbacks:**

	Height	Front	Rear	Sides	Comments
Allowed, WCF Structure					
Proposed					
Allowed, Equipment Structure					
Proposed					

SECURITY FENCING HEIGHT: \_\_\_\_\_

LIGHTING: YES \_\_\_\_ NO \_\_\_\_ COLLOCATION STATEMENT/AGREEMENT ATTACHED: \_\_\_\_\_

ADDITIONAL DEVELOPMENT STANDARD INFORMATION: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NO: \_\_\_\_\_ FAX NO: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

EASEMENT CLEARANCE: APPROVED / DENIED

APPLICATION: APPROVED / DENIED

**NOTE: OBTAIN A BUILDING PERMIT BEFORE BEGINNING ANY CONSTRUCTION.**

DENIAL REASONS: \_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_ PLANNING OFFICIAL: \_\_\_\_\_

(ANY INFORMATION NOT PROVIDED REGARDING EASEMENT OR FLOODWAY/PLAIN, WHICH IMPACTS THE DECISION REGARDING THIS APPLICATION IS THE RESPONSIBILITY OF THE APPLICANT).

**The following applications are subject to acquisition of a Special Use Permit requiring approval by the Planning Commission and City Council:**

1. Facilities to be located in any residential use zoning district.
2. Facilities to be located in any commercial use zoning district.

**All TUP applications for new tower construction will be considered only after the Application has demonstrated to the satisfaction of the Public Works Department that:**

1. No existing towers or structures are located within the geographic area that would meet applicant's engineering requirements.
2. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
5. The fees, cost, or contractual provisions required by the owner in order to share an existing tower or structure, or to adapt in existing tower or structure for sharing, are unreasonable. Any such costs that exceed the cost of new tower development are presumed to be unreasonable.
6. Applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
7. The applicant has a binding lease agreement with at least one user of the proposed tower.

## INSTRUCTIONS FOR MAKING APPLICATION FOR TOWER/SPECIAL USE PERMIT

1. The applicant (owner or authorized agent) will complete the application for the Tower/Special Use Permit attached. The application must be submitted to the Planning Office 20 days prior to the next regular Planning Commission meeting. The Planning Commission meets on the 4<sup>th</sup> Monday of each month at 5:30 p.m. in the Council Chamber.
2. The applicants shall submit, as part of the application, a cover letter setting forth the request. The letter should include such information as is necessary to inform the Commission of the issue. Any known issue, which will require a variance or waiver, should be outlined in the letter.
3. The applicant shall submit as part of the application
  - Two copies of a recent survey to scale, certified by a registered land surveyor showing the location and intended use of the site, all boundary lines, location of buildings on the property, existing land uses within 200 feet of the boundary line of the property.
  - Sixteen (16) copies of a scaled development plan.
  - A scaled elevation view and calculations.
  - Location and dimensions of the WCF and all improvements associated therewith, including information concerning specifications, antenna locations, equipment storage facilities, landscaping, parking, access, fencing, and if relevant as determined by staff, topography, adjacent uses, and existing vegetation.

NOTE: Site plans not involving the entire ownership shall be tied to the survey by showing distances to property lines from lease lot lines.
4. A \$50 filing fee.
5. A "Notice of Publication" shall be published in the newspaper of general circulation in the City of Russellville at least 15 days prior to the Planning Commission. The notice shall state the time and place of said hearing.
6. The petitioner shall provide evidence prior to the public hearing that he had notified the owners of all properties within 200 feet, indicating the time and place of the public hearing and the specific use shall be in written form and receipt acknowledged.
7. You must place a sign on the property fifteen (15) days prior to the public hearing, which shall notify the general public of the proposed use and the public hearing date.
8. The applicant or property designated representative shall be present at the Public Hearing and Technical Review Meeting in order to answer any questions the members or interested parties may have.

**PLEASE NOTE NONCOMPLIANCE WITH THE ABOVE MAY CAUSE YOUR APPLICATION TO BE WITHHELD AND NOT CONSIDERED AT THE MEETING, AND MAY REQUIRE THE PAYMENT OF AN ADDITIONAL FILING FEE AND/OR RENOTIFICATION OF PROPERTY OWNERS.**

**\* The Planning Staff and the Planning Commission strongly encourage the applicant to meet with the neighbors/neighborhood prior to the public hearing if the potential for opposition exists.**

If you have any questions about the application or procedures, please do not hesitate to contact Lequitta A. Jones at Russellville Public Works, Planning Department, 716 North El Paso, Russellville, AR 72801. (479) 968-2406.

# APPLICATION FOR TOWER/SPECIAL USE PERMIT

CASE FILE NO. \_\_\_\_\_

PLANNING COMMISSION MEETING, dated for \_\_\_\_\_ r, \_\_\_\_\_

at \_\_\_\_\_ p.m.

Application is hereby made to the Russellville Planning Commission pursuant to Ordinance No. 1740, requesting a Tower/Special Use Permit on the following property:

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

General Location: \_\_\_\_\_

Legal Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Title to this property is vested in \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone)

**If an individual other than the titleholder files this application, attachment of a completed affidavit is required authorizing this person to act on behalf of the titleholder.**

Subject property is presently zoned: \_\_\_\_\_

A Tower/Special Use Permit is requested to allow use of the property for: \_\_\_\_\_

There (are) (are not) private restrictions pertaining to the proposed use.

The applicant agrees that the design and construction of the facility shall accommodate co-location.

Applicant (owner or authorized agent): \_\_\_\_\_  
(Signature and printed name)

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

Telephone: \_\_\_\_\_

\_\_\_\_\_

Planning Commission Approved: \_\_\_\_\_

Conditions of Approval: \_\_\_\_\_

\_\_\_\_\_

**TOWER/ SPECIAL USE PERMIT**  
**STREET RIGHT-OF-WAY**  
**DEDICATION AGREEMENT**

LOCATION ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

DOCKETED FOR MEETING ON: \_\_\_\_\_

I, \_\_\_\_\_, do hereby agree/disagree to dedicate to the public any needed right-of-way as required by the Master Street Plan for a public street abutting property owned by me adjacent to the property requested for a tower use permit.

I, \_\_\_\_\_, agree/disagree to provide at my expense an easement deed and/or other documents as necessary conveying such right-of-way to the public.

APPLICANT/OWNER \_\_\_\_\_ DATE \_\_\_\_\_

(THE ABOVE SIGNATURE REPRESENTS AN APPLICANT, ATTACHMENT OF A LETTER IS REQUIRED AUTHORIZING THIS PERSON TO ACT IN BEHALF OF THE TITLE-HOLDER.)

(Please use letterhead if possible)

## WIRELESS COMMUNICATION FACILITY STATEMENT OF CO-LOCATION CAPABILITY

Date

Company Name

Site Name

In compliance with the City of Russellville Ordinance No. 1740,     (Name)     hereby certifies that the 150' monopole proposed for this location will be structurally capable of supporting at least one additional carrier.     (Name)     further certifies that it will welcome co-location agreement requests for this site from other carriers, competitors and non-competitors alike, and will accept such agreement at prevailing market terms and conditions.

In addition,     (Name)     hereby testifies that search attempts were made to find sites in the specified need area in which the possibility of co-locating on an existing tower and/or attaching to an existing structure would be possible. No such candidate's sites were found.

Sincerely,

\_\_\_\_\_  
Agent

\_\_\_\_\_  
Date

SAMPLE ONLY

**APPOINTMENT OF AGENT**  
**RUSSELLVILLE, ARKANSAS**

I, \_\_\_\_\_ certify by my signature below that I hereby  
authorize \_\_\_\_\_ to act as my agent  
regarding the \_\_\_\_\_ of the below described property.

Property described as: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Title Holder

\_\_\_\_\_  
Date

Subscribed and sworn to me, a Notary Public on this \_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_  
Notary Public

My commission expires, \_\_\_\_\_

\_\_\_\_\_