



CHELAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
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**WIRELESS COMMUNICATIONS FACILITY (WCF)
 SUPPLEMENTAL INFORMATION**

This supplement will assist you in preparing your application for a Wireless Communications Facility (WCF). Per Resolution No. 2021-140, Chelan County Code (CCC) has been updated to remove obsolete WCF regulations and bring the code into better alignment with industry practices and technology.

WCFs are classified in three types, primarily based on the size and visual impact each may have to its surrounding property. Most Type 1 WCFs are processed through limited administrative review, such as building permit approval; however, the "Spectrum Act" permits minor modifications and routine repairs are exempt per CCC Section 11.91.050.

Type 1 and 2 WCFs that are not exempt from SEPA must receive full administrative review by applying for an Administrative Determination (AD).

Any new WCF in the Rural Waterfront (RW) zoning district, and all Type 3 WCFs require Conditional Use Permit (CUP) approval.

If applying for an AD or CUP, the following information is required at the time of submittal. **A deficient application will not be processed.**

- General Land Use Application Form. Include narrative describing the WCF request.
- SEPA Checklist (State Environmental Policy Act) (if applicable)
 - RCW 43.21C.0384 exempts from SEPA any tower less than sixty (60) feet in height that is located in a commercial, industrial, manufacturing, forest or agricultural zone, unless in a designated critical area. Towers proposed in residential zoning districts will be subject to SEPA review.
- Submittal Items. (Refer to CCC Section 11.91.070 for full list of required items)
- Review Criteria Answers. (Refer to CCC Sections 11.91.060 and 11.93.040, if applicable)

Types of Wireless Communications Facilities (See CCC Section 11.91.030 for details)		
Type 1	Type 2	Type 3
Height = 100 ft or less	Height = Greater than 100 ft but less than 200 ft	Height = 200 ft or more
4 ft or less radius from center axis	Greater than 4 ft radius from center axis	Otherwise do not constitute Type 1 or 2
Platform: does not exceed 8 ft width/length and 2 ft off ground	Platform: does not exceed 16 ft width/length and 2 ft off ground	
9 ft or less diameter antennae, rotors, other equipment	Greater than 9 ft diameter antennae, rotors, other equipment	
Co-locations <ul style="list-style-type: none"> - Does not increase height by more than 10% or 20 ft (whichever is greater) - Less than 9 ft diameter antennae, rotors, other equipment 		

Within twenty-eight (28) days of receiving an application, the applicant will receive a written Determination of Completeness or a notice of Incomplete, identifying required additional information. After issuing the Determination of Completeness, a Notice of Application will be issued within fourteen (14) days. The application is then routed to all agencies with jurisdiction and surrounding properties for a fourteen (14) day review and comment period. For WCFs requiring a conditional use permit, an open record hearing date will be set before the Chelan County Hearing Examiner and the applicant and all parties of record will be notified of the date, time, and place of the hearing. Testimony regarding the proposal will be taken and the applicant will be able to provide a rebuttal to all testimony presented. Upon closing the public hearing, the Hearing Examiner will then have ten (10) working days to approve, approve with conditions, or deny the application. The Hearing Examiner decision can be appealed (CCC Chapter 14.12). **Any questions regarding this process should be directed to Chelan County Department of Community Development.**

RESOLUTION NO. 2021- 140

Re: Adoption of development regulation amendments to wireless communication facilities (WCF) in Title 11 and 14 (ZTA 2021-075).

WHEREAS, a request to amend the application and review standards for wireless communication facilities (WCFs) in Chelan County has been submitted and reviewed;

WHEREAS, the proposed text amendments will remove obsolete development regulations and bring the code into better alignment with industry practices and technology;

WHEREAS, the proposed tower height thresholds correspond with RCW 43.21C.0384, which exempts from SEPA requirements any tower less than sixty (60) feet in height that is located in a commercial, industrial, manufacturing, forest or agricultural zone;

WHEREAS, the Chelan County Planning Commission held a duly advertised public hearings on October 27, 2021, to consider the proposed amendment and public comment, and make a recommendation to the Board of Chelan County Commissioners; and

WHEREAS, the Board of Chelan County Commissioners conducted a duly advertised public hearing on December 7, 2021, to examine the record and file of the Chelan County Planning Commission and invite public testimony for or against the proposal; and

WHEREAS, the Board of Chelan County Commissioners found that:

FINDINGS OF FACT:

1. Chelan County adopted Title 14, Development Permit Procedures and Administration outlining provisions relating to the amendment of Development Regulations consistent with RCW 36.70A. The County followed the procedures required for text amendments.
2. Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and Chelan County Code outline provisions relating to the amendments to Development Regulations. The County used the applicable guidelines and regulatory review criteria for the proposed text amendment.
3. RCW 36.70A.210 requires that the Comprehensive Plan be consistent with the provisions of the adopted County-Wide Planning Policies. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.
4. The requirements of RCW 43.21C, the State Environmental Policy Act, and WAC 197-11 SEPA Rules have been satisfied.

5. The required state agency review with the Department of Commerce (COM) and other state agencies initiated on July 13, 2021, Submittal ID No. 2021-S-2897, pursuant to RCW 36.70A.106.
6. The proposed amendments are consistent with the Chelan County Comprehensive Plan and are necessary to realize opportunities for more consistent, predictable, and desired development outcomes with regard to development regulation implementation.
7. Any Finding of Fact that is more correctly a Conclusion is incorporated herein as such by this reference.

CONCLUSIONS:

1. The amendments to the Development Regulations are consistent with the requirements of the Growth Management Act (RCW 36.70A), Chelan County Comprehensive Plan and County-Wide Planning Policies.
2. The amendments are necessary to address a public land use issue or problem.
3. The amendments are programmatic and do not adversely affect designated resource lands of long-term commercial significance or designated critical areas in ways that cannot be mitigated.
4. Reviewing agencies and the general public were given an opportunity to comment on the proposed amendments.
5. The amendments are consistent with Chelan County Code Title 14 Development Permit Procedures and Administration.
6. The requirements of RCW 43.21C, the State Environmental Policy Act, and WAC 197-11 SEPA Rules have been satisfied.
7. The adoption of the amendments is in the best interest of the public and furthers the health, safety, and welfare of the citizens of Chelan County.
8. Any Conclusion that is more correctly a Finding of Fact is incorporated herein as such by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chelan County Commissioners hereby adopts the development regulation amendments to wireless communication facilities (WCF) in Title 11 and 14, ZTA 2021-075, with Attachment A: WCF Text Amendment.

BE IT FURTHER RESOLVED that this decision is hereby signed into authentication on the following date,

Dated this 7th day of December, 2021.

BOARD OF CHELAN COUNTY COMMISSIONERS



ATTEST: ANABEL TORRES

Anabel Torres
Deputy Clerk of the Board

Bob Bugert
BOB BUGERT, CHAIRMAN

Kevin Overbay
KEVIN OVERBAY, COMMISSIONER

Tiffany Gering
TIFFANY GERING, COMMISSIONER

The Chelan County Code, Title 11 Zoning, Section 11.04.020 District Use Chart, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

* * *

11.04.020 District use chart.

(1) The use chart located on the following pages is made a part of this section.

(2) The following acronyms and notes apply to the following use chart. If a cell in the table is blank, the use listed in the left hand column is a prohibited use in the zone that is the heading for that cell.

- P — Permitted use
- P(1) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards
- P(2) — Permitted use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards, except for on parcels that are twelve thousand square feet or smaller, the use/structure must be located on a lot with an existing single-family residence
- P(3) — For short-term rentals newly permitted and first established after September 27, 2021, the minimum lot size requirement to establish a short-term rental is as provided in 11.88.290(2)(D).
- P(4) — **PERMITTED USE SUBJECT TO DEVELOPMENT STANDARDS IN CHAPTERS 11.91 AND/OR WITHIN THE APPLICABLE ZONING DISTRICT STANDARDS, EXCEPT FOR TYPE 3 WCFS AND CERTAIN WCFS IN RW SHALL REQUIRE APPROVAL OF A CUP .**
- A — Accessory use
- A(1) — Accessory use subject to development standards in Chapters 11.88, 11.93 and/or within the applicable zoning district standards
- CUP — Conditional use permit – subject to development standards in Chapter 11.93 and/or within this chapter.

(3) Short-term rental land uses are commercial uses subject to all provisions of 11.88.290 except where expressly stated otherwise in this section.

District Use Chart

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
* * *													
PUBLIC/GOVERNMENT USES													
* * *													
Utilities, High Impact	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Utilities, Low Impact	P	P	P	P	P	P	P	P	P	P	P	P	
Swimming Pools	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)			P(1)	P(1)	
WIRELESS COMMUNICATION FACILITIES	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	
SERVICE USES													

* * *

The Chelan County Code, Title 11 Zoning, Section 11.88 Supplementary Provisions and Accessory Uses, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

* * *

11.88.120 Exception to building height limitation.

The following types of structures or structural parts are not subject to the building height limitations of this title: aerials, belfries, chimneys, church spires, cupolas, domes, fire and hose towers, flagpoles, monuments, observation towers, radio, ~~tele~~communication and television towers, smoke stacks, water towers, windmills and other similar projections. None of these exemptions, except chimneys, shall be used for or attached to residential structures. (Res. 2020-68 (Exh. B) (part), 6/16/20: Res. 2015-73 (Atts. A, B) (part), 8/4/15: Res. 2007-98 (part), 7/2/07: Res. 2001-60 (part), 4/17/01: Res. 2000-129 (part), 10/17/00).

The Chelan County Code, Title 11 Zoning, Section 11.91 Wireless Communication Facilities, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

Chapter 11.91

WIRELESS COMMUNICATION FACILITIES (WCF)

Sections:

11.91.010 Purpose.

11.91.020 Applicability.

11.91.030 TYPES OF WIRELESS COMMUNICATION FACILITIES

11.91.0430 Third party review.

11.91.0540 Exemptions.

11.91.060 General criteria.

11.91.070 Application.

11.91.080 APPLICATION REVIEW AND APPROVAL

11.91.010 Purpose.

The purpose of this chapter is to establish guidelines for the location of wireless communication, radio and television facilities. The goals of this chapter are to:

- (1) Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the county;
- (2) Strongly encourage the joint use of new and existing tower sites;
- (3) Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact to the community is minimal;
- (4) Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas;
- (5) Enhance the ability of the providers of ~~tele~~communications services to provide such service to the community quickly, effectively and efficiently; and
- (6) Limiting exposures to **RADIO FREQUENCY SIGNALS** ~~NIER~~ consistent with FCC statutes.

11.91.020 Applicability.

The provisions of this chapter apply to all lands and zoning districts lying outside of the urban growth areas for the cities of Cashmere, Chelan, Entiat, Leavenworth and Wenatchee.

For the area within Leavenworth's urban growth area, the standards set forth in Ordinance 1205, "Wireless Telecommunications Facilities," adopted by the Leavenworth city council on April 22, 2003, and adopted by Chelan County shall apply, with the exception of any sections of the ordinance requiring permits from the city of Leavenworth. Chelan County is the regulatory authority for development within the urban growth area.

11.91.030 TYPES OF WIRELESS COMMUNICATION FACILITIES.

WIRELESS COMMUNICATION FACILITIES (WCFS) ARE CLASSIFIED IN THREE TYPES, PRIMARILY BASED ON THE SIZE AND VISUAL IMPACT EACH MAY HAVE TO ITS SURROUNDING PROPERTY.

(1) TYPE 1 FACILITIES HAVE LIMITED VISUAL IMPACT DUE TO THE SIZE OF NEW STRUCTURES, CO-LOCATION EFFORTS, AND EXISTING STRUCTURE MODIFICATIONS.

TYPE 1 WCFS INCLUDE THE FOLLOWING:

A. WCFS THAT ARE SELF-SUPPORTING, HAVE A FOUR (4) FOOT OR LESS RADIUS FROM THE CENTER AXIS OF THE BASE OF THE WCF, HAVE A HEIGHT OF ONE HUNDRED (100) OR LESS, AND HAVE ANTENNAE, ROTORS, AND OTHER ATTACHMENTS WITH A DIAMETER OF NINE (9) FEET OR LESS. TYPE 1 WCFS MAY BE LOCATED ON A CONCRETE OR SIMILAR PLATFORM WHOSE DIMENSIONS DO NOT EXCEED EIGHT (8) FEET IN WIDTH AND LENGTH, AND TWO (2) FEET ABOVE THE GROUND IN HEIGHT.

B. WCFS THAT ARE PROPOSED TO BE CO-LOCATED ON EXISTING TOWERS, BUILDINGS, STRUCTURES AND FACILITIES THAT DO NOT INCREASE THE HEIGHT OF SUCH TOWER, BUILDING, STRUCTURE, OR FACILITY BY MORE THAN TEN PERCENT (10%) OR TWENTY FEET, WHICHEVER IS GREATER; AND HAVE ANTENNAE, ROTORS, STANDOFFS AND OTHER ATTACHMENTS WITH A DIAMETER OF LESS THAN NINE (9) FEET.

C. MODIFICATIONS TO OR REPLACEMENT OF EXISTING WCFS, TOWERS, OR BASE STATIONS THAT DO NOT SUBSTANTIALLY CHANGE THE PHYSICAL DIMENSIONS OF SUCH WCF, TOWER, OR BASE STATION IN ACCORDANCE § 6409 OF THE "MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012" (THE "SPECTRUM ACT") (PL-112-96; CODIFIED AT 47 U.S.C. § 1455(A)).

(2) TYPE 2 FACILITIES HAVE A MORE SIGNIFICANT VISUAL IMPACT THAN THOSE IN TYPE 1 DUE TO THEIR LARGER SIZE.

TYPE 2 WCFS INCLUDE THOSE WCFS THAT ARE NOT SELF-SUPPORTING, OR HAVE A RADIUS GREATER THAN FOUR (4) FEET FROM THE CENTER AXIS OF THE BASE OF THE WCF, OR HAVE ANTENNAE, ROTORS, STANDOFFS AND OTHER ATTACHMENTS WITH A DIAMETER OF GREATER THAN NINE (9) FEET, OR THE HEIGHT OF THE WCF IS GREATER THAN ONE HUNDRED (100) FEET BUT LESS THAN TWO HUNDRED (200) FEET. TYPE 2 WCFS MAY BE LOCATED ON A CONCRETE OR SIMILAR PLATFORM SO LONG AS THE DIMENSIONS OF THE PLATFORM DO NOT EXCEED SIXTEEN (16) FEET IN WIDTH OR LENGTH AND TWO (2) FEET ABOVE GROUND IN HEIGHT.

(3) TYPE 3 FACILITIES HAVE THE MOST SIGNIFICANT VISUAL IMPACT ON SURROUNDING PROPERTIES DUE TO THE INCREASED HEIGHTS PERMITTED AND FEWER REQUIREMENTS FOR CONCEALMENT.

TYPE 3 WCFS INCLUDE THOSE WCFS WHOSE HEIGHT IS TWO HUNDRED (200) FEET OR MORE, OR THAT OTHERWISE DO NOT CONSTITUTE TYPE 1 OR 2. A CONDITIONAL USE PERMIT SHALL BE REQUIRED.

11.91.0430 Third party review.

Wireless communication services providers use various methodologies and analysis tools to determine the specific technical parameters of wireless communication services, such as expected coverage area, antenna configurations and topographic constraints that affect signal paths. FOR TYPE 2 AND 3 WCFS, ~~In certain instances~~ there may be a need for expert review by a third party of the technical data submitted by a wireless communication services provider. The county may require such technical review to be paid for by the applicant. The selection of the third

party expert shall be by mutual agreement between the applicant and the county or at the discretion of the county. The expert review is intended to be a site-specific review of the technical aspects of the **TYPE 2 OR 3** WCF and not a subjective review of the site selection. Such a review should address the accuracy and completeness of the technical data, possible interference problems and whether the analysis techniques and methodologies are legitimate. A determination on the validity of the applicant's conclusions, and any specific technical issues outlined by the county or other interested parties shall be made. Based on the results of the third party review, the county may require changes to the application for the WCF that comply with the recommendations of the expert.

11.91.0540 Exemptions.

The following are exempt from the provisions of this chapter:

- (1) VHF and UHF receive-only television antenna(s), provided they are fifteen feet or less above the existing or proposed roof;
- (2) Small ~~tele~~communication devices or antenna(s) used to communicate with intelligent devices related to the operation of public utilities, except main control reception facilities and towers;
- (3) ~~TeleC~~ommunication facilities within public road rights-of-way, provided such facility or structure is not located within a clear view triangle, ~~and the structure~~ does not exceed a height of **NINETY-SIX (96) ~~forty-two~~ inches AND COMPLIES WITH ALL FRANCHISE AGREEMENT REQUIREMENTS;**
- (4) Radar systems for military and civilian communication and navigation;
- (5) Wireless radio or other temporary WCF utilized for temporary emergency communications in the event of a disaster;
- (6) Satellite dish antennas less than two meters in diameter, including direct-to-home or business satellite service, when used as an accessory use on a property;
- (7) Routine maintenance or repair of a WCF or related equipment.
- (8) LOW IMPACT UTILITIES, WHICH INCLUDES SMALL WIRELESS COMMUNICATION FACILITIES (SWF).**

11.91.060 General criteria.

The location and development of wireless communication facilities shall meet the applicable provisions of this code and the following criteria:

- (1) Co-Location.
 - (A) Co-Location Encouraged. In order to minimize proliferation, WCFs shall be required, to the greatest extent practicable, to be co-located. Applicants shall design, orient, construct, and operate WCFs so as to facilitate sharing facilities with other utilities, to co-locate with other existing WCFs, and to accommodate the co-locations of future WCFs, where technically, practically and economically feasible. Co-location will be a requirement for approval **FOR TYPE 2 AND 3 WCFs** unless the applicant submits a demonstration that supports, to the satisfaction of the approving authority, the conclusion that sharing space on existing facilities is not feasible or possible based on one or more of the following factors:
 - (i) Available space on existing facilities;
 - (ii) The facility owner's ability to lease space;
 - (iii) The facility's structural capacity;
 - (iv) Radio frequency interference;
 - (v) Geographic service area requirements;

- (vi) Mechanical or electrical incompatibilities;
- (vii) The comparative costs of co-location and new construction;
- (viii) Any FCC limitation on facility or structural support sharing.

(B) Cooperation. No wireless communication services provider, lessee, or agent thereof shall act to exclude or attempt to exclude any other wireless services provider from using the same support structure or location. Wireless services providers, lessees, or agents thereof shall cooperate in good faith to achieve co-location of WCFs and equipment with other wireless services providers. If a dispute arises regarding the feasibility of co-locating, the county may require a third party technical study at the expense of either or both parties to resolve the dispute prior to issuing any development permit or approval. The administrator may impose permit conditions based on the results of any third party review.

(2) Color and Lighting. Except as specifically required by the FAA or FCC, antenna and antenna support structures shall adhere to the following:

- (A) To the extent technically feasible and in compliance with safety regulations, specific colors of paint shall be required for the antenna and antenna support structure in order to blend better with its surroundings.
- (B) If an antenna is installed on an alternative antenna support structure, the antenna and supporting electrical and mechanical equipment must be of a neutral color so as to make the antenna and related equipment as visually unobtrusive as possible.
- (C) When lighting is required and permitted by the FAA or other federal or state authority, it shall be oriented so as not to project onto surrounding property. Strobe lighting on wireless communication facilities is not permitted. **OTHERWISE, ANTENNA AND ANTENNA SUPPORT STRUCTURES SHALL NOT BE ILLUMINATED.**

(3) Setbacks.

(A) WCF TOWERS AND ~~Antenna~~ **AND** support structures shall be located on the lot or license area so that the distance from the base of the tower or structure to any property line, license area boundary or adjacent/supporting structure is at least one hundred percent (100%) of the proposed structural height. Towers or structures that cannot satisfy this one hundred percent (100%) setback may be approved; ~~provided, that IF~~ the applicant presents a certification from a licensed structural engineer that the structure is designed for a basic wind speed of ninety miles per hour in accordance with the currently adopted edition of the ANSI-EIA/TIA-222E.

(B) EXCEPT FOR TOWERS AND SUPPORT STRUCTURES, ALL WCFs AND ITEMS AFFIXED THERETO, GUY WIRES, OR SUPPORTS, SHALL MEET THE SETBACK STANDARDS OF THE UNDERLYING ZONING IN WHICH THEY ARE LOCATED.

(4) ~~Equipment ENCLOSURES; FENCING Structures. Ground-level equipment, buildings, and the tower base shall be screened from public view pursuant to this section and Title 15 of this code. The standards for the equipment buildings are as follows:~~

(A) EQUIPMENT ENCLOSURES MOUNTED ONTO A WCF BASE OR ONTO A WCF TOWER SHALL BE LOCKED AND PROHIBIT ACCESS BY THE PUBLIC. EQUIPMENT STRUCTURES MOUNTED ON A ROOF SHALL HAVE A FINISH SIMILAR TO THE EXTERIOR BUILDING WALLS. EQUIPMENT FOR ROOF-MOUNTED ANTENNA MAY ALSO BE LOCATED WITHIN THE BUILDING ON WHICH THE ANTENNA IS MOUNTED. EQUIPMENT ENCLOSURES MEASURING SIX (6) FEET OR LESS IN ALL DIMENSIONS THAT ARE NOT MOUNTED ONTO A WCF BASE OR ONTO A WCF TOWER SHALL BE LOCKED AND PROHIBIT ACCESS BY THE PUBLIC, SHALL BE LOCATED NO MORE THAN TWENTY-FIVE (25) FEET FROM THE WCF BASE, AND SHALL BE LOCATED IN SUCH POSITION BY THE WCF TOWER BASE SO AS TO MINIMIZE PUBLIC VIEW.

(B) EQUIPMENT ENCLOSURES WITH ANY DIMENSION GREATER THAN SIX (6) FEET SHALL BE SCREENED FROM PUBLIC VIEW PURSUANT TO THIS SECTION AND TITLE 15 OF THIS CODE AND SHALL MEET THE FOLLOWING STANDARDS, UNLESS WAIVED OR MODIFIED BY THE ADMINISTRATOR DUE TO SURROUNDING AREA, PROPERTY DIMENSIONS, PROPOSED WCF DETAILS, OR OTHER SITE SPECIFIC CONDITIONS:

(IA) The floor area shall be the minimum necessary; however, in no instance shall the equipment ENCLOSURE ~~structure~~ be greater than two hundred square feet and the maximum height is twelve (12) feet for each provider. The equipment building may be located no more than two hundred fifty (250) feet from the tower or antenna and shall comply with the setback regulations for the underlying zone.

(IIB) Ground-level buildings shall be screened from view by landscape plantings, fencing, or other appropriate means as specified herein or in Title 15 of this code. Required landscape plantings shall be installed around the perimeter of the required security fence.

(III) FOR NEW WCFs WITH EQUIPMENT ENCLOSURES WHOSE HEIGHT IS GREATER THAN SIX (6) FEET, A SOLID FENCE NO LESS THAN SIX (6) FEET IN HEIGHT FROM THE FINISH GRADE SHALL BE PROVIDED. ACCESS TO SUCH EQUIPMENT ENCLOSURE SHALL BE THROUGH A LOCKED GATE VIA KNOX BOX OR OTHER SAFETY AND SECURITY DEVICES.

~~(C) Equipment structures mounted on a roof shall have a finish similar to the exterior building walls. Equipment for roof mounted antenna may also be located within the building on which the antenna is mounted.~~

~~(5) Fencing. For new telecommunication towers and equipment shelters, a wall, slatted chain link fencing, or wooden fence no less than six feet in height from the finish grade shall be provided. Access to the tower shall be through a locked gate via Knox box. This standard shall not apply to towers and equipment shelters mounted onto or located inside an existing building.~~

~~(56) Required Parking. At least one parking stall shall be provided in accordance with Chapter 11.90 of this code. THE COUNTY ENGINEER MAY APPROVE ALTERNATIVE SURFACES AND PARKING LOCATIONS IN REASONABLE PROXIMITY TO EACH WCF.~~

~~(67) Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas.~~

~~(78) No advertising or display shall be located on any antenna support structure, antenna or security fencing; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.~~

~~(89) The owner of the WCF shall notify the department when the tower is no longer operating as part of a wireless communication system authorized and licensed by the FCC. Within six months of the date the facility ceases to operate as part of an authorized system, the facility must be removed from the site.~~

~~(940) All proposals must be reviewed by the Chelan County fire marshal for compliance with applicable fire safety regulations.~~

(10) CONDITIONAL USE PERMIT APPLICATIONS FOR THE PLACEMENT AND OPERATION OF WCFs UNDER THIS SECTION SHALL BE MADE AVAILABLE FOR AGENCY REVIEW AND COMMENT, INCLUDING THE APPROPRIATE MILITARY PERSONNEL WHEN LOCATED IN AREAS WHERE MILITARY TRAINING AND OPERATING FLIGHTS OCCUR. THE APPLICANT IS REQUIRED TO PROVIDE SUFFICIENT EVIDENCE THAT THE PROPOSED WCF IS COMPATIBLE WITH OTHER USES IN THE SURROUNDING AREA, INCLUDING ANY MILITARY TRAINING AND OPERATING ACTIVITIES, AS WELL AS MEETS THE CRITERIA OF THIS SECTION AND 11.93, CONDITIONAL USE PERMITS.

11.91.070 Application.

Applicants for a proposed WCF must submit the following information:

- (1) Site Plan. A scaled site plan showing the location, point of reference, type, height and horizontal location of the proposed support structures and antennas, existing buildings, on-site land uses and zoning, adjacent land uses and zoning, adjacent rights-of-way, parking areas if applicable, the method of camouflage, noise screening, and illuminations shall be indicated. The applications shall also include elevation drawings of the proposed support structure and any other proposed structures.
- (2) Proof of Legal Access. Proof that the service provider has legal access to the proposed site.
- (3) Landscaping Plan. **IF APPLICABLE**, A landscaping plan in accordance with the provisions of Chapter 15.50 of this code.
- (4) Service Area Map. A current map showing the location of the proposed support structure, the locations and service areas of other WCFs operated by the applicant and those proposed by the applicant that are close enough to impact service within the county.
- (5) Co-location Demonstration. **FOR TYPE 2 AND 3 WCFs, AA** demonstration meeting the requirements of Section 11.91.0630(1).
- (6) Co-location Statement. A statement by the applicant as to whether construction of a new support structure will accommodate co-location of additional antennas for future users. If so, a signed statement shall be included indicating that the applicant and leaseholder agree they will diligently negotiate in good faith to facilitate co-location of additional WCFs by other providers on the applicant's structure or within the same site location.
- (7) Compliance Letter. A letter signed by the applicant stating the support structure and antenna will comply with all applicable federal, state and local laws and regulations, EIA standards and this section.
- (8) Interference Certification. Certification that the ~~WCF antenna usage~~ will not interfere with **TRANSMISSION OR RECEPTION FUNCTIONS OF LICENSED FREQUENCIES OF** other adjacent or neighboring WCFs ~~transmission or reception functions of other communication facilities.~~
- (9) Licenses. Copies of any FCC licenses required under FCC regulations for the provisions of service within the county.
- (10) Documentation that the proposed WCF meets or exceeds current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas.
- (11) All providers shall attest to and demonstrate compliance with FCC and Washington State laws relating to emergency 911 regulations.
- (12) **SUFFICIENT EVIDENCE THAT THE PROPOSED WCF IS COMPATIBLE WITH OTHER USES IN THE SURROUNDING AREA, INCLUDING ANY MILITARY TRAINING AND OPERATING ACTIVITIES, AS WELL AS MEETS THE CRITERIA OF THIS SECTION AND 11.93, CONDITIONAL USE PERMITS.**

11.91.080 Application Review and Approval.

TYPE 1 AND 2 WCFs:

APPLICATIONS THAT ARE CATEGORICALLY EXEMPT FROM SEPA SHALL BE SUBJECT TO LIMITED ADMINISTRATIVE REVIEW IN ACCORDANCE WITH SECTION 14.10.020. SUCH APPLICATION SHALL BE APPROVED IF THE DEPARTMENT DETERMINES THAT THE PROPOSED WCF MEETS ALL CRITERIA OF THIS SECTION RELATED TO TYPE 1 OR TYPE 2, AS APPLICABLE, AND THE APPLICATION COMPLIES WITH THE PROVISIONS OF SECTION 11.91.070.

APPLICATIONS THAT ARE NOT CATEGORICALLY EXEMPT FROM SEPA SHALL BE SUBJECT TO FULL ADMINISTRATIVE REVIEW IN ACCORDANCE WITH SECTION 14.10.030; UNLESS

SUCH APPLICATION IS FOR A NEW WCF TOWER LOCATED WITHIN THE RURAL WATERFRONT (RW) ZONING DISTRICT, WHICH SHALL REQUIRE APPROVAL OF A CONDITIONAL USE PERMIT, PURSUANT TO CHAPTER 11.93 AND SHALL BE SUBJECT TO QUASI-JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 14.10.040.

TYPE 3 WCFS:

APPLICATIONS SHALL REQUIRE A CONDITIONAL USE PERMIT, PURSUANT TO CHAPTER 11.93 AND SHALL BE SUBJECT TO QUASI-JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 14.10.040.

The Chelan County Code, Title 11 Zoning, Section 14.98 Definitions, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

Chapter 14.98

DEFINITIONS

* * *

14.98.200 Antenna support structure.

“Antenna support structure” means a structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing antennas at a height, altitude or elevation which is significantly above the base of such structure; antenna support structures include the following:

(1) “Lattice tower” means a vertical support structure consisting of a network of crossed metal braces, forming a tower which may be three, four, or more sided;

(2) “Monopole tower” means a vertical support structure consisting of a single vertical metal, concrete, or wooden pole, typically round or square, and driven into the ground or attached to a foundation.

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14.98.405 Co-location.

“Co-location” means the use of a single antenna support structure, alternative antenna support structure, or underground conduit or duct, by more than one wireless communication service provider to accommodate wireless communications facilities of two or more wireless communications service providers.

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14.98.425 Communication tower.

“Communication tower” means any tower, pole, mast, whip, antenna, or any combination used for radio, television, cellular, or microwave telecommunications broadcast transmission or line-of-sight relay, including amateur radio service.

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14.98.685 Equipment enclosure.

“Equipment enclosure” means a small structure, shelter, cabinet, box or vault designed for and used to house and protect the electronic equipment necessary and/or desirable for processing wireless communications signals and data, including any provisions for air conditioning, ventilations, or auxiliary electricity generators.

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14.98.1915 Utility, high impact.

“Utility, high impact” means buildings, structures and facilities in public or private ownership relating to the furnishing of utility services such as electric, gas, telecommunication, water, sewer and technology infrastructure. High impact public utilities shall include, but are not limited to, generating and switching stations, substations,

pumping stations and antennas or repeaters when not installed on a building. **HIGH IMPACT UTILITIES DO NOT INCLUDE WIRELESS COMMUNICATION FACILITIES (WCFS).**

14.98.1920 Utility, low impact.

“Utility, low impact” means buildings, structures and facilities in public or private ownership relating to the furnishing of utility services such as electric, gas, ~~tele~~communication, water, sewer and technology infrastructure. Low impact utilities shall include, but are not limited to, poles, lines, pipes, antennas, ~~or~~repeaters, **OR SMALL WIRELESS COMMUNICATION FACILITIES (SWF)**, when installed on a building, carrier hotels and similar technology infrastructure.

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14.98.2010 Wireless communications facility.

“Wireless communications facility” means an unstaffed facility for the transmission and/or reception of radio frequency (RF), microwave, **ELECTRONIC COMMUNICATION**, or other signals for commercial communications purposes, typically consisting of an equipment enclosure, an antenna support structure, **A COMMUNICATIONS TOWER**, or an alternative antenna support structure, and one or more antennas.

14.98.20XX WIRELESS COMMUNICATIONS FACILITY, SMALL.

“SMALL WIRELESS COMMUNICATIONS FACILITY” MEANS A PERSONAL WIRELESS SERVICES FACILITY THAT MEETS BOTH OF THE FOLLOWING QUALIFICATIONS:

(I) EACH ANTENNA IS LOCATED INSIDE AN ANTENNA ENCLOSURE OF NO MORE THAN THREE CUBIC FEET IN VOLUME OR, IN THE CASE OF AN ANTENNA THAT HAS EXPOSED ELEMENTS, THE ANTENNA AND ALL OF ITS EXPOSED ELEMENTS COULD FIT WITHIN AN IMAGINARY ENCLOSURE OF NO MORE THAN THREE CUBIC FEET; AND

(II) PRIMARY EQUIPMENT ENCLOSURES ARE NO LARGER THAN SEVENTEEN CUBIC FEET IN VOLUME. THE FOLLOWING ASSOCIATED EQUIPMENT MAY BE LOCATED OUTSIDE THE PRIMARY EQUIPMENT ENCLOSURE AND IF SO LOCATED, ARE NOT INCLUDED IN THE CALCULATION OF EQUIPMENT VOLUME: ELECTRIC METER, CONCEALMENT, TELECOMM DEMARCATION BOX, GROUND-BASED ENCLOSURES, BATTERY BACK-UP POWER SYSTEMS, GROUNDING EQUIPMENT, POWER TRANSFER SWITCH, AND CUT-OFF SWITCH.

14.98.2015 Wireless communications service.

“Wireless communications service” means the providing or offering for rent, sale, lease or, in exchange for other consideration, of the transmittal and reception of voice, data, image, graphic, and other information by the use of wireless communications facilities; this term includes any personal wireless services as defined in the Telecommunications Act of 1996, which includes FCC-licensed commercial wireless telecommunications services including cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed.

14.98.2020 Wireless communications service provider.

“Wireless communications service provider” means every person who provides wireless telecommunications service for rent, sale, lease or in exchange for other consideration, through the use of wireless communications facilities, whether or not such facilities are owned by or under the control of such person.

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