



City of Seattle

Department of Planning and Development  
Diane M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3011309  
**Applicant Name:** Sarah Telschow for Clearwire  
**Address of Proposal:** 2356 15<sup>th</sup> Ave S

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a minor communication utility consisting of four panel antennas, two microwave dishes and the equipment cabinet all to be located on the rooftop of an existing residential building (Clearwire).

The following approval is required:

**SEPA - Environmental Determination** – Chapter 25.05, Seattle Municipal Code (SMC)

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**BACKGROUND INFORMATION**

Site and Vicinity Description

The subject site is located on the northeast corner of 15<sup>th</sup> Ave S and S Bayview St. The site is zoned Neighborhood Commercial 2 (NC2) with a 40 foot height limit. The property appears to be developed consistent with the underlying zoning.



### Proposal Description

The proposed project consists of a minor communication facility for Clearwire US, consisting of four (4) panel antennas, two (2) microwave dishes, and a roof mounted equipment cabinet which will house radio equipment and batteries. The approximately 165 square foot areas of proposed housing/screening structures are to be painted to match the existing building. The proposed screening will conceal the proposed antennas, microwave dishes, equipment cabinet, and all associated mounting hardware. The existing building height is 37'. The height of the two (2) proposed screening structures are 45' and 52' (at or less than 15' above the rooftop allowed by the development standards). The height of the proposed installation will not exceed the height of the existing minor telecommunication rooftop screening.

### Notice and Comment Period

Notice of the application was published on October 21, 2010. The required public comment period ended on November 3, 2010.

The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000<sup>1</sup>.

### **SEPA ANALYSIS**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.554D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,”* subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Greenhouse Gas

Construction/maintenance activities including worker commutes by vehicle, and the operation of equipment and machinery — resulting in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the increased contribution of greenhouse gas emissions from this project.

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<sup>1</sup> <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

### Short-term Impacts

The following temporary construction-related impacts are expected: 1) decreased air quality due to the increase dust and other suspended particulates from building activities; 2) increased noise and vibration from construction operations and equipment; 3) increased traffic and parking demand from construction personnel; 4) blockage of streets by construction vehicles/activities; 5) conflict with normal pedestrian movement adjacent to the site; and 6) consumption of renewable and non-renewable resources. Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically, these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way, and sidewalk repair); and 2) Building Code (construction measures in general). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. The other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

### Long-term Impacts

Long-term or use-related impacts are also anticipated, as a result of approval of this proposal including: increased traffic in the area and increased demand for parking due to maintenance of the facility; and increased demand for public services and utilities. These impacts are minor in scope and do not warrant additional conditioning pursuant to SEPA policies.

### Environmental Health

The Federal Communications Commission (FCC) has pre-empted state and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions. As such, no mitigation measures are warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The applicant has submitted an "Evaluation of Compliance with Guidelines for Human Exposure to Radio Frequency Radiation" report and engineering certification for this proposed facility giving the calculations of radiofrequency power density at roof and ground levels expected from this proposal and attesting to the qualifications of the professional engineer who made this assessment. This complies with the Seattle Municipal code Section 25.10.300 that contains Electromagnetic Radiation standards with which the proposal must conform. The City of Seattle, in conjunction with Seattle King County Department of Public Health, has determined that Personal Communication Systems (PCS) operate at frequencies far below the Maximum Permissible Exposure standards established by the Federal Communications Commission (FCC) and therefore, does not warrant any conditioning to mitigate for adverse impacts.

