City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT TO THE SUPERINTENDENT OF SEATTLE CITY LIGHT

Application Number: 3020001

Applicant Name: Tanya Friese for Crown Castle

Address of Proposal: 5820 P Phinney Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to locate a minor communication utility (CrownCastle) on an existing Seattle City Light utility pole #1372328 within the right-of-way. The project includes attaching two antennas to the existing pole. Final decision on placement of antennas will be made by Seattle City Light.

The following Master Use Permit component is required:

Administrative Conditional Use – Class II Attachment Siting, Review and Recommendation to Superintendent of Seattle City Light – SMC 15.32.300C4b

BACKGROUND INFORMATION

Site and Vicinity Description

The proposal site is a Seattle City Light utility pole. The utility pole is located eastside of Phinney Avenue N right-of-way situated between the curb and sidewalk on the east side. Phinney Avenue North is an improved street with curbs, sidewalks and gutters. Also Phinney Avenue N is classified as a minor arterial street. There are no street trees on this block, however there are street trees across the street from the subject sites.

The area is zoned Single Family 5000 (SF 5000). Surrounding properties and blocks are also zoned Neighborhood Commercial-2 with 40' height limit. Development in the area consists of a variety of one and two-story single-family houses, multifamily apartment buildings of varying age and architectural style on a variety of lot sizes, consistent with the zoning designation.

Proposal Description

CrownCastle Wireless proposes to install a minor communication utility facility consisting of 2 panel (2-sector) antennas to be mounted atop a new 33'-7" wood utility pole. The antennas are located at 33' slightly below the 33'-7" overall height of the new pole at the same location in the Phinney Avenue North public right-of-way. The utility pole would be painted brown to be similar to the existing utility poles in the area. The connecting cables to the external antennas will be buried underground and concealed inside the utility pole.

The applicant has submitted a "Statement of Federal Communication Commission Compliance for Personal Wireless Service Facility" and an accompanying "Affidavit of Qualification and Certification" for this proposed facility giving the calculations of radiofrequency power density 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 Department's experience with review of this type of installation is that the EMR emissions constitute a small fraction of that permitted under both Federal standards and the standards of SMC 25.10.300 and therefore pose no threat to public health.

ANALYSIS - SITING RECOMMENDATION TO SUPERINTENDENT OF SEATTLE CITY LIGHT

The Street and Sidewalk Use Chapter of the Seattle Municipal Code allows Class II Special Attachments (minor communication utilities) to be placed on utility poles owned by Seattle City Light that are located on public rights of way. Class II Special Attachments are specifically regulated by SMC Section 15.32.300. This Section allows for minor communication utilities, or other Class II Special Attachments, to extend above the electrical facilities (wires) on top of an existing pole, or the replacement of an existing pole to achieve adequate height for the applicant's purposes. Section 15.32.300 further requires that all costs of such replacements be borne by the communications provider, and that the visual impacts of minor communication utilities and other Class II Special Attachments shall be reduced to a degree acceptable to the Superintendent of City Light.

Where a request for Class II attachment is made, and the proposed location is on an arterial street located within a Single Family Zone, the applicant shall apply to DPD and pay for an attachment siting review and recommendation consistent with the application, fee, notice, timeline and criteria for an Administrative Conditional Use (ACU) permit. The DPD recommendation shall be advisory to the Superintendent of City Light. The specific ACU criteria can be found in SMC Section 23.57.010, subsection C2. The criteria, which must be satisfied in order for the proposal to receive a positive recommendation from DPD, are as follows:

a. *The proposal shall not be significantly detrimental to the residential character of the surrounding residentially zoned area, and the facility and the location proposed shall be the least intrusive facility at the least intrusive location consistent with effectively providing service. In considering detrimental impacts and the degree of intrusiveness, the impacts considered shall include but not be limited to visual, noise, compatibility with uses allowed in the zone, traffic, and the displacement of residential dwelling units.*

As previously mentioned in the proposal description section, the entire proposal also includes a wood utility pole to be located in the Phinney Avenue North Street right-of-way within the Single Family 5000 (SF 5000) residential zone. The height of the utility pole, including the antennas, would be 33'-7". This new wood utility pole would replace an existing 33'-7" Seattle City Light (SCL) utility pole. The antennas would be mounted will be painted to match the color of the proposed wood pole. All conduits (cables) would be partially concealed within the wood utility pole and buried underground to connect with the equipment cabinets located on the pole.

Certain aspects of this proposal-such as the associated mechanical equipment also located on the new utility pole and the conduit concealed within the utility pole and buried underground-would not be detrimental to the residential character of the surrounding neighborhood. However, the proposed 33'-7" utility pole and the cellular antennas would be detrimental to the visual character of the surrounding single family neighborhood. An appearance comparison chart and reasons why are noted below:

Appearance	**Existing SCL Utility Pole**	**Proposed SCL Utility Pole**
Shape	Cylinder-like shape	Prism-like shape
Color	Natural brown wood	Artificial brown wood
Width	Varies per Seattle City Light	2' wide with a 2' and brackets affixed to the pole
Height	33'-7"	33" height with a (overall pole height equals 33'-7")
Material	Solid wood	Wood
Equipment Atop of Pole	None	2 antennas attached shroud

1. The proposed SCL utility pole would not be taller (10'8") than the existing SCL utility pole and other utility poles on the same block front.

2. The proposed utility pole design has both a shape and overall bulk that is slightly larger than that of a typical round wood utility pole. Also, no street trees are located in the planting strip which would aid in camouflaging the proposed utility pole and antennas from a distance.

3. The proposed antennas and the antenna shroud are atypical of other equipment, including transformers, located in single family zoned public rights-of-way. Specifically, the size and location of the shielded antennas would make them highly visible. This is largely due to the fact that the proposed antenna would be located above the existing utility lines 19 ft. taller than the existing utility pole. Furthermore, portions of the antenna shield are proposed to project beyond the shape of the pole.

As proposed, the minor communications utility will constitute a visual intrusion that conflicts with the existing residential character of the surrounding neighborhood. Painting the antennas exterior brown and concealing the conduits is not enough minimize the visual impacts for this proposal. Therefore, the proposed minor communication utility would be visually obtrusive and would, therefore, be detrimental to the residential streetscape and character of this neighborhood**.**

In addition, the applicant does not provide a strong case that the proposed design and this particular location is the least intrusive location consistent with effectively providing service, whether in the public right of way or on private property. The applicant states that CrownCastle RF engineers have determined a need for additional coverage in this area. A "before" plot coverage map submitted by the applicant, indicates that the existing coverage at this location and the surrounding area is poor. They have prepared a preliminary design analysis that takes into account a series of variables such as terrain data, antenna height, population density, available radio frequencies and wireless equipment characteristics. The engineers have noted the need for the utility to be at the proposed height if sited in this location. Unfortunately, the entire search ring appears to be zoned single family and the carrier feels that locating antennas atop of a Seattle City utility pole is a better alternative than constructing a new monopole. In addition, the applicant states that since there were no viable institutional buildings or willing landlords in the area to locate a new monopole, the proposed antenna site is the least intrusive location.

Based on the zoning map and site assessment conducted by the Land Use Planner, neighborhood commercial -2 zone with a 40' height limit across the street west of Phinney Avenue North within blocks of the chosen site. Unfortunately the applicant does not provide substantial evidence that other alternative locations and designs were sought out as possible solutions but could not meet service needs. Nor does the applicant explain why other Seattle City Light (SCL) utility poles located near commercial zone within the "poor/weak" area weren't chosen as viable candidates.

b. The visual impacts that are addressed in Section 23.57.016 shall be mitigated to the greatest extent practicable.

The only provision contained with SMC Section 23.57.016 that applies to the proposal is subsection J. However, even that subsection applies to freestanding transmission towers. Technically, utility poles are not freestanding transmission towers. However, the similarities of the two warrant consideration of subsection J, which reads as follows:

> *Freestanding transmission towers shall minimize external projections from the support structure to reduce visual impacts and to the extent feasible shall integrate antennas in a screening structure with the same dimensions as external dimensions of the support structure, or shall mount antennas with as little projection from the structure as feasible. External conduits, climbing structures, fittings, and other projections from the external face of the support structure shall be minimized to the extent feasible.*

The applicant has attempted to demonstrate compliance with Section 23.57.016 by proposing the installation of a wood pole. The wood pole has an interior cavity designed to conceal electrical cable conduits to run through it. The applicant has also proposed to paint the utility pole and the antennas the same color in an attempt to conceal the proposed minor communication utility. The antenna and screening is proposed to have a rectangular shape with a diameter somewhat larger

than the width of the rectangular pole. While this design attempts to integrate the antenna with the pole, it is not clear that this design accomplishes this to the fullest extent feasible.

c. Within a Major Institution Overlay District, a Major Institution may locate a minor communication utility or an accessory communication device, either of which may be larger than permitted by the underlying zone, when:

i. the antenna is at least one hundred feet (100') from a MIO boundary; and
ii. the antenna is substantially screened from the surrounding neighborhood's view.

The proposed site is not located within a Major Institution Overlay; therefore, this provision is not applicable.

d. If the minor communication utility is proposed to exceed the permitted height of the zone, the applicant shall demonstrate the following: (i) The requested height is the minimum necessary for the effective functioning of the minor communication utility, and (ii) Construction of a network of minor communication utilities that consists of a greater number of smaller less obtrusive utilities is not technically feasible.

Although, the proposed antennas will be located 33' height of the new 33'-7" on a wood utility pole and exceeds the 30' height limit of the SF 5000 zone. The height of the existing SCL pole is 33'-7"with the power line.

According to the applicant, the specific location (or position) of the proposed site has been selected to maximize capacity and coverage/penetration while minimizing the antenna height requirement. Significant deviation from this location will result in reduced effectiveness and possible invalidation of the proposed site altogether. In regards to the antenna height, the specified centerline is the minimum acceptable to provide the needed coverage with respect to that from neighboring cell sites. Lowering the antenna height would result in reduced effectiveness. In the applicant's opinion, strict application of the standards would preclude the applicant from providing wireless services for the intended coverage area.

Due to SCL clearance and separation requirements, it does appear that the applicant is attempting to request a height that is the minimum necessary for the effective functioning of the minor utility for this particular location. But, the applicant does not provide evidence as to why a greater number of smaller less obtrusive facilities on commercial properties in and near the designated search ring and nearby neighborhood commercial and lowrise zones are not technically feasible meet CrownCastles service objectives.

e. If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction of a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.

Although, the proposed SCL utility pole with antennas is not by definition a new freestanding transmission tower, the applicant has not demonstrated that it is not technically feasible for the

proposed facility to be sited on another utility pole in the nearby commercial corridor along Phinney Avenue North and Greenwood Avenue North in a manner that meets the applicable development standards. The location of proposed minor communication on an alternative site or sites in a commercial zone, including construction of a network that consists of a greater number of smaller less obtrusive utilities, should be further explored by the applicant.

SITING RECOMMENDATION TO SUPERINTENDENT OF SEATTLE CITY LIGHT

Based on the above analysis the Director of the Department of Development and Planning recommends to the Superintendent of Seattle City Light to **deny** the application to install a minor communication utility on Seattle City Light pole in the public right-of-way in a residential zone.

Signature: *Betty Galarosa for* Date: May 28, 2015
Onum Esonu, Land Use Planner Supervisor,
Department of Planning and Development

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