



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**

Applicant Number: 3020130
Applicant Name: George Johnston
Address of Proposal: 599 P N 45th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to locate a minor communication utility (Verizon Wireless) on replaced Seattle City Light utility pole #1309171 in the right-of-way. The project includes replacing the existing 38'-4" light pole with a 65' pole and attach six (6) panel antennas, flushed-mounted to the pole. Final decision on placement of antennas will be made by Seattle City Light. Equipment cabinet will be located inside an 11' x 26' shelter at grade.

This project was noticed with a SEPA component however during review it was decided that SEPA is not required.

The following approvals are required:

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

BACKGROUND DATA

Site Location and Description

The existing pole is located on the WSDOT property on North 45th Street and 5th Avenue Northeast right-of-way (R/W) in a Neighborhood Commercial 3 with 65' height limit (NC-3/65') zone. The height of the existing pole is 38'. The adjoining chain link fenced property is owned by the City of Seattle, Seattle Public Utilities. There is a concrete pad, fence and landscaping around with tall trees on this WSDOT property between the North 45th Street right-of-way and 5th Avenue NE.

Proposal Description

Verizon Wireless is proposing to install 6-flushed mounted antennas on a replacement Seattle City Light Utility Pole in the right-of-way. The associated cabinet equipment will be located on the concrete pad in a shelter screened with six foot high fence with landscaping and existing tall

trees. The current Seattle City Light utility pole has a tip height of 38'-4". The replacement pole is proposed to have a tip height of 65', with six (6) flush mounted antennas at the top of the pole. The new pole will be in the same location where the existing pole is currently sited per SCL specifications.

All antennas would be painted to match the new Seattle City Light utility pole.

Public Comments

DPD did receive four public letters during the comment period which ended on June 10, 2015.

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.

Whereas request for Class II attachment is made, and the proposed location is I-5 Interstate Highway corridor located within a Neighborhood Commercial-3 zone with 65' height limit which will be the height proposed replacement utility pole. 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 for this site and application can be found in SMC Section 23.57.012, subsection B. The criteria, which must be satisfied in order for the proposal to receive a positive recommendation from DPD, are as follows:

B. Uses Permitted by Administrative Conditional Use. In Neighborhood Commercial, Commercial, and the Seattle Cascade Mixed zones, an Administrative Conditional Use shall be required for the establishment or expansion of a free standing transmission tower, regardless of height, and for minor communication utilities and accessory communication devices that exceed the height limit of the underlying zone as modified by subsection C of this section. Approval shall be pursuant to the following criteria, as applicable:

1. The proposal shall not result in a significant change in the pedestrian or retail character of the commercial area.

The proposed minor communication utility would include replacing the existing 38'-4" Seattle City Light utility pole with a new 65' replacement utility pole in the same location. There are other utility poles along the streets in this area. The base of the pole would not be significantly larger than the existing pole, as shown on the photo simulations submitted by the applicant. The

material of the replacement utility pole would be similar in appearance to the existing wood utility poles along North 45th Street side of the right-of-way. The antennas would be mounted at 39' in an enclosure above sidewalk level. The replacement pole and proposed antennas would not impact the pedestrian ability to move by the pole at street level, and would not significantly impact the pedestrian character. All antennas would be painted to match the new Seattle City Light utility pole.

The proposed development would not result in a significant change to the pedestrian environment or retail character of the commercial area.

- 2. If the minor communication utility is proposed to exceed the zone height limit as modified by subsection C of this section, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.*

The proposed antennas would exceed the zone height limit for the Neighborhood Commercial 3 with 65' zone. The applicant has provided coverage maps indicating that the proposed minor communication utility would provide coverage where there is currently a lack of in-building coverage. The applicant has also provided a letter from an RF Engineer that states the proposed height at 65' is the minimum necessary for the effective functioning of the minor communication utility.

- 3. 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.*

The proposed minor communication utility would be located on a utility pole, and would not be a new freestanding transmission tower. This criterion does not apply.

SITING RECOMMENDATION TO SUPERINTENDENT OF SEATTLE CITY LIGHT

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

Recommended Condition:

For the Life of the Permit

1. Paint to match the color of the pole.

Signature: retagonzales-cumnetabby for _____ Date: August 13, 2015
Onum Esonu, Land Use Planner