City of Seattle
Edward B. Murray, Mayor

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

CITY OF SEATTLE
RECOMMENDATION REGARDING INSTALLATION OF COMMUNICATION UTILITIES ON SEATTLE CITY LIGHT UTILITY POLES

Applicant Number: 3021734

Applicant Name: Sunny Ausink for Verizon

Address of Proposal: 2115 N Northlake Pl

SUMMARY OF PROPOSED ACTION

Application to locate a minor communication utility (Verizon) on a replaced Seattle City Light utility pole #1309910 in the right-of-way. The project includes attaching two antennas and one equipment cabinet to the pole. Final decision on placement of antennas will be made by Seattle City.

The following is required:

Class II Attachment Siting, Review and Recommendation to General Manager of Seattle City Light – SMC 15.32.300C4b

BACKGROUND DATA

Site and Vicinity Description

The proposal site is a Seattle City Light utility pole. The utility pole is located on south side of North Northlake Place Street right-of-way situated between the curb and sidewalk. North Northlake Place is an improved street with curbs, sidewalks and gutters. There are tall mature street trees along south side of North Northlake Place characteristic of streetscape Industrial Buffer/Commercial Corridor.

The area is zoned Industrial Buffer with Unlimited/ 45’ height limit. Surrounding properties and blocks are also zoned Industrial commercial with 45’ height limit and Commercial 1 and 2 with 40’ height light. Development in the area consists of a variety of one and two-story commercial buildings of varying age and architectural style on a variety of lot sizes, consistent with the zoning designation.

Proposal Description

Verizon Wireless proposes to replace an existing Seattle City Light pole and to install a minor communication utility facility consisting of 2 small panel antennas on top. The associated conduits connected to a small cell enclosure attached to the new utility pole. The proposed new 38.6’ utility pole will replace the existing 24.1’ high pole in the same location in North Northlake Place Street right of way per SCL specifications.

The associated equipment enclosure and a power meter are attached to the replacement pole. The conduits will be used for housing cables and electrical lines running from the antennas to the equipment and from the power meter to the equipment enclosure per plan. All antennas would be painted to match the new Seattle City Light utility pole.

Public Comments

DPD received two public letters during the comment period which ended on October 11, 2015.

ANALYSIS - SITING RECOMMENDATION TO GENERAL MANAGER 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 on an arterial street located within an Industrial Buffer with an unlimited height limit for certain uses and 45' height limit for some commercial uses. However, the proposed 38.6' high pole is lower than the limit of the 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 General Manager of City Light.

The specific ACU criteria for this site and application can be found in SMC Section 23.57.015, subsection B. The criteria, which must be satisfied in order for the proposal to receive a positive recommendation from DPD, are as follows:

B. Approval shall be pursuant to the following criteria, as applicable:

1. Height Limits of the zone shall not apply to antennas or the support structures. The proposal shall not result in a significant change in the pedestrian or retail character of the commercial area.

The zoning designation at this location is Industrial Buffer with an unlimited height limit for certain uses and 45' height limit for some commercial uses. Therefore, height restriction does not apply to this application. However, the impact of the proposal to the pedestrian, retail and industrial character of the right of way is further analyzed below.

The proposed minor communication utility would include replacing the existing 24.1' Seattle City Light utility pole with a new 38.6 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 this industrial buffer and commercial corridor street right of way. The antennas would be mounted at 38.6' in an enclosure above sidewalk level. The replacement pole and proposed antennas would not impact the pedestrian ability to walk 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. *Access to transmitting minor communication utilities and accessory communication devices shall be restricted to authorized personnel when located on rooftops or other common areas. Warning signs at every point of access to the rooftop or common area shall be posted with information on the existence of radiofrequency radiation*

Per plan the antennas are attached to the pole at the height of 38.6' and small cell equipment enclosure is 15' high on top of the utility pole. At these heights access is restricted only to authorized personnel. Also per the plans, the applicant has a warning sign posted on the pole with information on the existence of radiofrequency radiation.

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 38.6' is the minimum necessary for the effective functioning of the minor communication utility.

3. *Visual Impacts. All minor communication utilities and accessory communication devices, except for facilities located on buildings designated by the Seattle Landmarks Preservation Board, facilities governed by Section 23.57.014, and amateur radio towers, shall meet the standards set forth in Section 23.57.016.*

As proposed, the minor communications utility will not constitute a visual intrusion that conflicts with the existing pedestrian and commercial character of the surrounding Industrial Buffer zone because the antenna in the enclosure is attached on top of the new utility pole. The accessory cabinet looks like a typical city light transformer. Painting the antennas exterior brown and accessories is adequate to minimize the visual impacts for this proposal. The site location is between tall street trees which provides nature cover and concealment to the antenna. Therefore, the proposed minor communication utility would not be visually obtrusive and would, therefore, will not be detrimental to the industrial and commercial streetscape and character of this neighborhood**.**

In addition, the applicant has provided 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 Verizon 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. Although, the entire search ring appears to be zoned Industrial Buffer, Commercial, and residential zones, the carrier feels that locating antennas atop of a Seattle City utility pole is a better alternative than constructing a new monopole.

C. *Reception Window Obstruction. When, in the case of an accessory communications device or minor communications utility that would otherwise comply with this section, the strict adherence to all development standards would result in reception-window*

obstruction in all permissible locations on the subject lot, the Director may grant a waiver from the development standards of this section and Section 23.57.016, subject to the following criteria:

1. *The applicant shall demonstrate that the obstruction is due to factors beyond the control of the property owner, taking into account potential permitted development on adjacent and neighboring lots with regard to future reception-window obstruction.*

2. *The applicant shall use material, shape and color to minimize visual impact.*

The proposed antennas will be on a wood utility pole that is proposed to be 38.6' height is below the 45' height limit of the IB U/45' zone. The height of the existing SCL pole is 24.1'.

According to the applicant, the specific location 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 residential zones are not technically feasible meet Verizon Wireless service objectives.

Painting the antennas exterior brown and accessories is adequate to minimize the visual impacts for this proposal.

SITING RECOMMENDATION TO GENERAL MANAGER OF SEATTLE CITY LIGHT

Based on the above analysis the Director of the Department Planning and Development recommends to the General Manager 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.

CONDITION

For the Life of the Permit

Paint to match the color of the pole.

Onum Esonu, Land Use Planner,
Department of Planning and Development

Date: November 23, 2015

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