



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

619 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682 Larry Keeton, Director
(360) 337-5777 FAX (360) 337-4415 HOME PAGE - www.kitsapgov.com/dcd/



NOTICE OF ADMINISTRATIVE DECISION

March 26, 2015

To: Interested Parties and Parties of Record
RE: Project Name: Verizon Wireless Blaine Avenue Facility
Application: Administrative Conditional Use Permit
File Number: 14 04160

Enclosed is the Administrative Decision issued by the Kitsap County Department of Community Development (DCD) for the above referenced application.

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS APPEALED TO THE KITSAP COUNTY HEARING EXAMINER BEFORE THE CLOSE OF BUSINESS ON April 9, 2015 PLEASE NOTE: THE DEPARTMENT OF COMMUNITY DEVELOPMENT IS OPEN MONDAY TO THURSDAY FROM 8:00 A.M. TO 4:00 P.M. AND ON FRIDAY FROM 9:00 A.M. TO 1:00 P.M. EXCEPT HOLIDAYS.

Pursuant to the Kitsap County Land Use and Development Procedures, an appeal may be filed objecting to the Department's Decision. An appeal must be made in writing, and received by the Department of Community Development (DCD). At the time of filing the appeal, the appellant shall pay the sum of **five hundred dollars (\$500.00)**. This fee is non-refundable and subject to change. Make check payable to Kitsap County Department of Community Development (DCD).

The written appeal shall be made on, or attached to, an appeal form provided by DCD, and shall contain the following information.

The project name, project applicant, application type, and file number designated by the County;

1. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact with the DCD Director and the Office of the Hearing Examiner. All contact between the County and the appellants regarding the appeal, including notices, shall be through this contact representative; and



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2. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error as a matter of fact or law, and show the evidence relied upon to prove the error.

The complete application file will be available for review at the Department of Community Development, Monday through Thursday from 8:00 A.M. to 4:00 P.M. and Fridays from 9:00 A.M. to 1:00 P.M, except holidays. You may make an appointment by calling Constance Blackburn at (360) 337-4487.

If you have questions, please contact Constance Blackburn at (360) 337-4487 or Scott Diener at (360) 337-5777.

Sincerely,

Constance Blackburn
Clerk of the Hearing Examiner

C: Seattle SMSA Limited Partnership, DBA Verizon Wireless Attn: Lelah Vaga 3245 158th Avenue SE MS-231, Bellevue, WA 98008

KDC Architects, Attn: Bill Powell, 4720 200th Street SW, Lynwood, WA 98036
Bill.powell@kdcarchitects.com

Apollo Property Management LLC, PO Box 1121, Tracyton, WA 98393
chh@telebyte.com

Interested Parties:
(None)



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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Larry Keeton, Director

STAFF REPORT

ADMINISTRATIVE DECISION

Decision Date: March 26, 2015

Application Date: November 12, 2014

Complete Date: November 12, 2014

Project: Verizon Wireless Communication Facility

This staff report was prepared by Jeff Smith, Shawn Alire, and Steve Heacock, based on information available up until the time the report/decision was prepared.

Project Description:

The request is approval of through an Administrative Conditional Use Permit to construct an unmanned wireless communication facility. The proposal is for a 35-foot high monopole, and 500 square foot fenced compound for ground equipment in the corner of and parking facility for an existing commercial office building. The tower is limited to a height 35 feet due to the relatively small coverage area.

The application was be reviewed for consistency with Kitsap County Code (KCC) Section 17.382.030, Design Standards, and 17.470 Wireless Communication Facilities to see if the applicant has demonstrated the development is physically suitable for the site, and compatible with the character for existing and future permitted land uses in the area. The Review Authority will be the Department of Community Development consistent with Title 21 of the KCC.

Type of Application: Administrative Conditional Use Permit

Permit #:14 04160

Project Location: The development site is located at 9119 Ridgetop Boulevard NW, with nearest road intersection Ridgetop Boulevard NW and Blaine Avenue NW in Silverdale and in Central Kitsap County.

Assessor's Account #: 162501-3-024-2004

Applicant:

Seattle SMSA Limited Partnership
Db a Verizon Wireless
Attn: Lelah Vaga,
3245 158th Avenue SE, MS 231
Bellevue, WA 98008

Applicant's Representative:

KDC Architects
Attn: Bill Powell
4720 200th Street SW
Lynnwood, WA 98036

Owner:
Apollo Property Management LLC
PO Box 1121
Tracyton, WA 98393

State Environmental Policy Act (SEPA) Status:

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant, and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may be a determination of Non Significance, Mitigated Impacts, or Significant for an EIS is called a threshold determination. The County gives a separate notice of the threshold determination. If it is not appealed, it becomes part of the hearing record.

Pursuant to WAC 197-11-800, the Responsible Official determined the project is SEPA Exempt under KCC 18.04 State Environmental Policy Act.

Physical Characteristics:

The subject property is a flag lot, flat, 1.04 acres in size located near the northeast corner of the intersection of Silverdale Way NW, and Ridgetop Boulevard. The proposed tower site is located within the NE corner of approximately a 44 space off-street parking lot. The parking is associated with a two-story 9,024 square foot multi-tenant (eight suite) commercial office building.

Comprehensive Plan Designation and Existing Zoning:

Kitsap County has designated and zoned the development site Regional Commercial (RC). *This zone is intended to provide sites for the shopping and services for the region. These sites are typically include big box retailers.*

The following are development standards for the RC zone per 17.382.070 Commercial, Mixed–Use Density and Dimensions Table:

- Minimum Lot Area = None
- Minimum Lot Width = None
- Minimum Lot Depth = None

- Maximum Impervious surface coverage = 85%
- Maximum lot and /or building coverage = N/A

- Minimum Setbacks = 20 feet front yard
= 10 feet side yard

= 10 feet rear yard

Surrounding Land Use and Zoning:

The surrounding properties include commercial office and retails uses within similar sized buildings within the same RC zone.

Public Utilities and Public Services:

Water: Silverdale Water District
Power: Puget Sound Energy
Sewer: Kitsap County Waste Water
Police: Kitsap County Sheriff
Fire: Fire Protection District #1
Schools: Central Kitsap School District #401

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

The following are policies from the Utility Element of Comprehensive Plan addressing wireless communication facilities:

Utilities Element Policies

UT-11 Encourage the joint use of utility corridors and sites provided such joint use is consistent with applicable law and prudent utility practice.

UT-18 Encourage siting of large, above ground utilities (e.g. antennas, towers) in industrial or commercial areas or along appropriate transportation and utility corridors.

UT-19 Minimize the visual impact of utility facilities on view corridors, vistas, and adjacent properties by developing design guidelines for cellular towers, antennas and other types of utility facilities.

Policies and Regulations Applicable to the Subject Proposal:

*Kitsap County Zoning Ordinance (February 15, 1999)
Road Standards, Title 11
Stormwater Drainage, Title 12
Zoning, Title 17, (February 15, 1999/ as amended)*

- Chapter 110 Definitions
- Chapter 355 Regional Commercial Zone
- Chapter 382 Density, Dimensions and Design

- Chapter 385 Landscaping
- Chapter 400 Land Use Review
- Chapter 420 Administrative Conditional Use Permit
- Chapter 435 Off-Street Parking and Loading
- Chapter 470 Wireless Communication Facilities
- Chapter 520 Appeals
- Chapter 525 Revocations of Permits or Variances

*KCC, State Environmental Policy Act, Section 18.04
Critical Areas Ordinance, Title 19*

Kitsap County Land Use and Development Procedures Title 21, (May 18, 1998 and as amended)

Kitsap County Comprehensive Plan (May 7, 1998 and as amended)

Administrative Conditional Use Permit Review

The Kitsap County Board of Commissioners has determined that this application, pursuant to KCC Chapter 21 Land Use and Development Procedures is a mechanism by which the County can place special conditions on the use or the development of property to ensure that the new development is compatible with the surrounding properties and achieves the intent of the Comprehensive Plan.

Staff Communication:

<u>Document</u>	<u>Dated or date stamped</u>
Development Engineering Memo	January 26, 2014
Determination of Nonsignificance	N/A
Fire Marshal's Conditions	November 26, 2014
Kitsap Public Health District	N/A

(For all other documents and reports, see the project index to be included into the public record for the Conditional Use Permit.)

Project Analysis

The following comments are based on project review of the revised site plan, dated January 21, 2015, for the Administrative Conditional Use Permit:

Transportation Review:

The commercial site has vehicular access off both streets, Ridgetop Boulevard NW and Silverdale Way NW. Both roads have a federal functional classification as arterials. Development Service and Engineering has reviewed the transportation proposal for the project and has issued a preliminary approval dated January 26, 2015.

Stormwater Facilities:

The proposal falls below the threshold for a major development review and will not require a Site Development Activity Permit. All applicable stormwater information will be included with the Building Permit for best management practices to control storm

drainage. Development Services and Engineering has reviewed the stormwater proposal for the project and has issued a preliminary approval dated January 26, 2015.

Off-Street Parking:

The applicant is proposing to construct an unmanned wireless communication facility (WCF), which will generate minimal vehicular traffic. There is sufficient parking for service vehicles and the commercial building. Approximately four spaces will be impacted and the applicant has demonstrated the reduction of parking will not significantly affect the off-street parking for the eight suites. The lot will be re-striped to improve traffic flow when the lot is full. The project is consistent with KCC Chapter 17.435 *Off-Street Parking and Loading* standards.

KCC Chapter 17.470 Wireless Communication Facilities

The proposed Verizon Wireless Communication facility is regulated pursuant to KCC Chapter 17.470 Wireless Communication Facilities. This chapter encourages the use of alternative technology, and creative approaches to first locating wireless facilities on existing support structures. The intent is to minimize the visual impacts to properties in the vicinity of the WCF. The final site plan and elevations are dated January 21, 2015.

The WCF antenna support structures is proposed to be 35-feet in height is processed as an Administrative Conditional Use Permit per KCC Section 17.470.100, WCF Review Process Table. The tower is below the threshold for land use review but the ground equipment is required to be reviewed through land use. The Kitsap County decision criteria are set forth in KCC 17.470.060 and are listed below with a response discussing how the proposed WCF satisfies each criterion.

The applicant states that Verizon Wireless has need to improve existing coverage within and adjacent to Silverdale commercial center. The proposed facility will provide coverage to an area along Silverdale Way where Verizon Wireless coverage is currently impacted due the volume calls/customer in the Silverdale area. The need for the new 35-foot tall support structure is required as there is not an existing support structure (communication towers, water tanks, and or other buildings) that would provide the vertical clearances to meet Verizon Wireless's radio frequency parameters.

Kitsap County Conditional Use Permit Decision Criteria, KCC 17.470.060

The following decision criteria are to determine conditions of approval. The conditions imposed will ensure compatibility of the use with other permitted uses in the surrounding area. Staff responses to the criteria are indicated in italics.

1. It must be demonstrated that there is a need for a WCF to be located within or near (300-feet) a residential zone.

The proposed structure does not exceed 35 feet in a commercial zone with no residential homes in the vicinity.

Staff Comments: Staff believes that the applicant has demonstrated that there is a need for the facility to be located in this urban area to provide coverage.

2. The applicant's evaluation of operational needs and alternative of other sites within one mile.

The applicant previously said there are no other alternative structures (water tanks, power poles, buildings, or existing communication towers) that can be utilized for collocation of the proposed Verizon Wireless antenna array within the proposed coverage area.

Staff Comments: The applicant stated above, there is not a reasonable alternative to collocate on another support structure.

3. The proposal is required to be compliant with KCC Section 17.470.050 Site Development Standards.

A. Viewscapes–Visual Impact Analysis:

Staff Comments: This section is not applicable due to the height.

- B. Landscaping and Screening: The applicant states that the equipment will be surrounded by a dark coated chain link fence as required. A five foot landscape screening buffer will surround the equipment compound on the north and west perimeter. This will be included in the lease area and will be recorded with the County.

Staff Comments: The applicant's proposal will be supportable to screen the ground equipment as required by Code. Staff will require fence slates to provide screening along the property lines until landscaping can provide a functional screen.

- C. Color and Lighting: Pursuant to KCC Section 17.470.050.C.2, the support structure and antennas are painted a non-reflective, earth tone color that will blend with other WCF and surroundings

The applicant states this section is not applicable.

Staff Comments: The tower height may not trigger visual impact analysis, but because the permit is reviewed under KCC 17.420 Administrative Conditional Use Permit, the tower is still reviewed for compatibility. The WCF should be painted a non-reflective dark forest green (support structure, coax, mounting brackets and antenna arrays).

- D. The applicant is required to document to the Federal Aviation Administration (FAA) that the tower does not require any support structure lighting.

Applicant states this requirements is not applicable.

Comments: *Not applicable due to tower height.*

- E. Electromagnetic Field/Radio (EMF): Frequency Radiation Standards
The proposed Verizon Wireless WSF will comply with Kitsap County, State, and Federal guidelines applicable to FCC standards for EMF.

Applicant states the WCF will meet all standards and regulations.

Staff Comments: *Review of the frequency radiation is outside of the County's jurisdiction, but staff expects that Verizon Wireless will adhere to all Federal frequency EMF standards.*

- F. Sharing of Support structure and Collocation of Facilities.

Verizon had no comment.

Staff Comments: *The facility is designed by the applicant for specific coverage objectives and the proposed tower height is expected to prevent collation of other carriers.*

Staff Evaluation of Decision Criteria:

The Department is the review authority for this Administrative Conditional Use Permit application under KCC, Sections 17.420.020 and 21.04.030.

1. The proposal is consistent with the comprehensive plan.
2. The proposal complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal will not be materially detrimental to uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Comments: *The proposal is consistent with KCC Chapter 17.470 Wireless Communication Facilities. The project incorporates features to improve compatibility such as dark coated vinyl fencing with slats around the perimeter of the ground*

equipment and base of the WCF, and the painting of the monopole with a dark green flat earth tone will help reduce visual impacts.

Decision:

Based upon the above findings, the request for the Administrative Conditional Use Permit for the Verizon Blaine Avenue WCF is **approved**, subject to the following conditions:

1. Final Site Plan will be reviewed by Commercial Building Permit Application.
2. Artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than 1 candle foot of illumination leaves the site.
3. The applicant shall install dark coated vinyl coated fencing with slats and the WCF painted a non-reflective dark forest green (support structure, coax, mounting brackets and antenna arrays).
4. Submit a landscaping plan consistent with KCC 17.385 Landscaping, to enhance landscaping along the north and west sides of the ground equipment to provide a functional screen.
5. Prior to final inspection, off-street parking area should be restriped where appropriate to enhance the flow and backup movement of vehicular traffic.
6. Prior to issuance of a Building Permit, the applicant shall record a Land Use Binder with the Kitsap County Auditor's Office pursuant to KCC Section 17.420.090 Land Use Binder. The Notice of Land Use Binder shall serve both as an acknowledgment of and as agreement to abide by the terms and conditions of the conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared by the Department and recorded at the applicant's expense. The applicant shall provide recorded copies of the Binder to the Department. The Binder shall be recorded within 30 days of the final land use decision and notification by the Department.
7. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review, pursuant to the requirements of the KCC. Unless in conflict with the conditions stated above and /or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
8. This Administrative Conditional Use Permit approval shall become void if no building permit application to build the storage facility dwelling is accepted as complete, by the Department of Community Development, within three years of the date of the Director's decisions and resolution of any appeals.

9. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
10. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.
11. The applicant shall adhere to all applicable Kitsap Public Health District requirements.

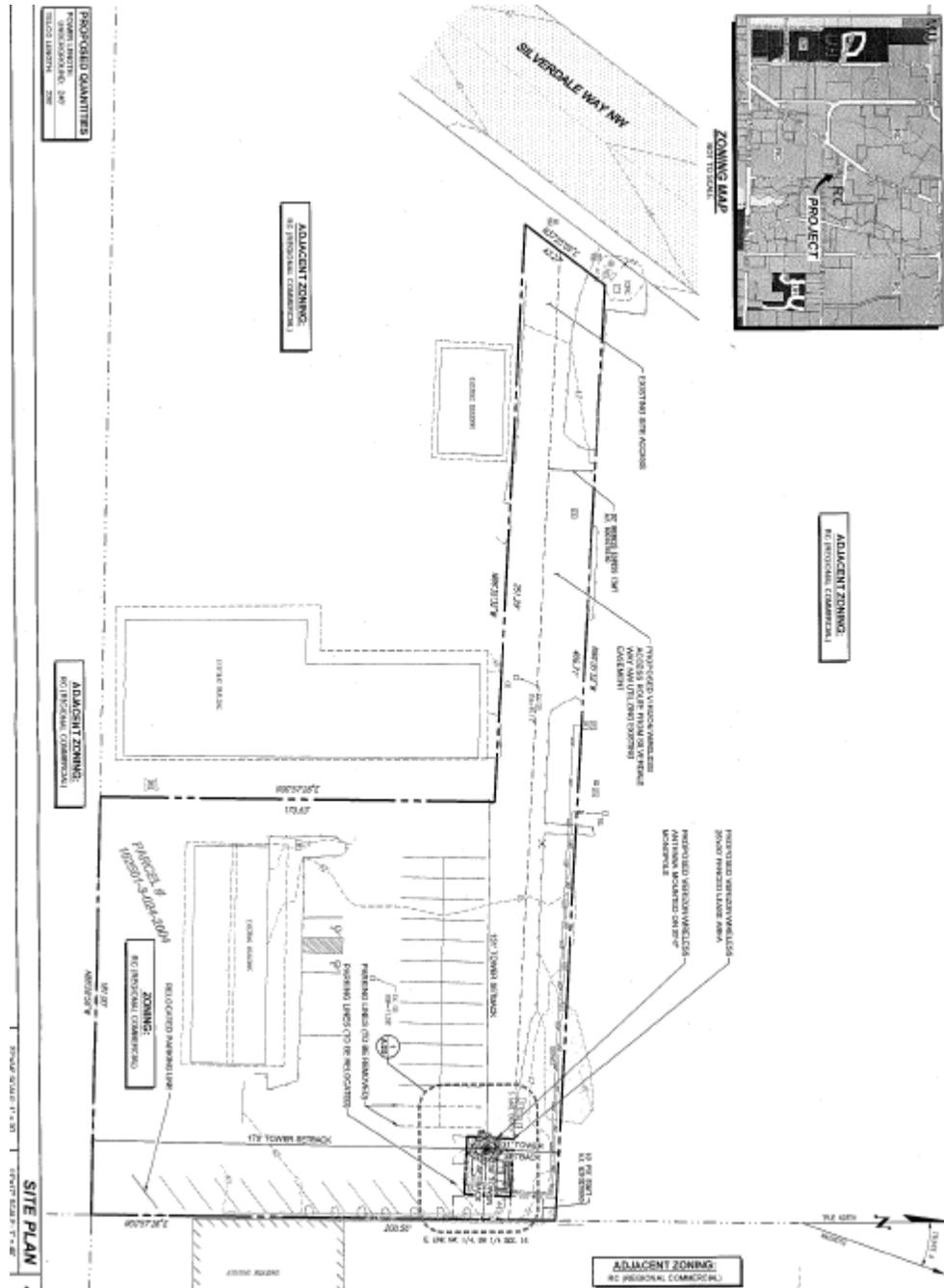
The applicant shall adhere to all requirements of the Kitsap County Fire Marshal's Office requirements, including the following:

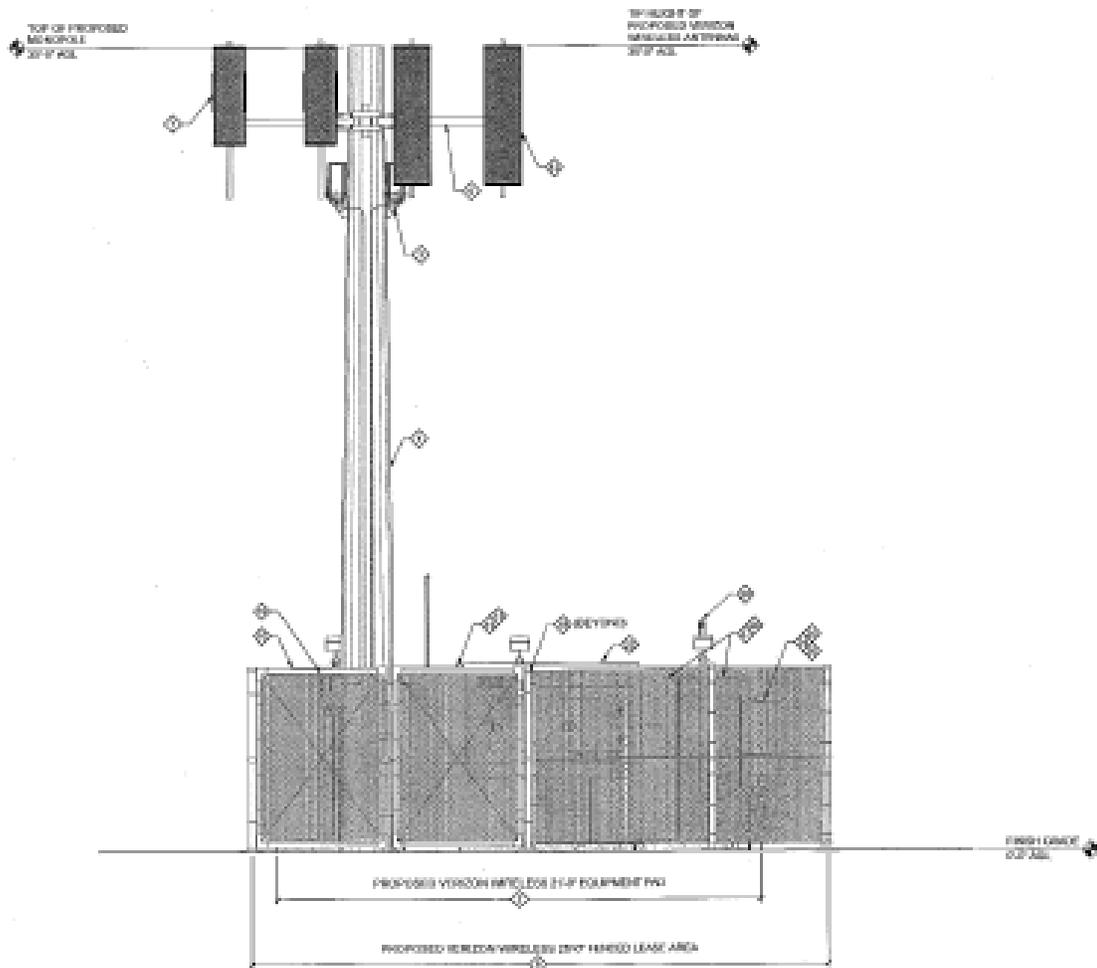
12. A fire code permit FCPC-FCLIQ for diesel generator is required.
13. The applicant shall adhere to all applicable Development Engineering requirements.

(See Attached Site Plan Below)

This Administrative Decision issued on March 26, 2015. This Decision of the Director of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner, pursuant to Section KCC 21.04.290 Appeals of *Title 21, Kitsap County Land Use, and Development Procedures*. Appeals must be filed with the Department of Community Development by the close of business on April 9, 2015.

cc: Seattle SMSA Limited Partnership
KDC Architects
Apollo Property Management LLC
Interested Parties: **(None)**
Kitsap County Health District, MS-30
Kitsap County Parks & Recreation Dept., MS-6
Kitsap County Development Engineering / Public Works
DCD Staff Planner Jeff Smith
DCD Code Enforcement
Clerk of Hearing Examiner
DCD File
DCD Building Permit File





PROPOSED SOUTH ELEVATION (LOOKING NORTH)

TOP OF TOWER: 20' 0" ASL | TOP OF RACK: 20' 0" ASL

BRE Blaine Ave



Photo Location 9119 Ridgeloop Blvd NW
Silverdale, WA 98383



Existing



Proposed

Project Information

Project type: New tower
Overall height: 30' 0"
Latitude: 47° 35' 16.58" N
Longitude: 122° 41' 15.71" W
Ground elevation: 42.50' AMSL
Jurisdiction: Kitsap County
Zoning: RC (Regional Commercial)

North View (Looking South)
from Parking Lot of off Silverdale Way NW

Issue Date: 1-21-15



REVISED

KITSAP COUNTY
COMMUNITY DEVELOPMENT

JAN 21 2015

RECEIVED

14 04160