

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF REDMOND**

In the Matter of the Application of)	NO. L100279
)	
Michael Cady,)	
on behalf of T-Mobile)	Redmond Road Wireless
)	
)	FINDINGS, CONCLUSIONS,
For a)	AND RECOMMENDATION
Conditional Use Permit)	
_____)	

SUMMARY OF DECISION

The request for approval of a conditional use permit to allow replacement of an existing 61-foot utility pole with a 70-foot wood pole topped by a 10-foot canister containing three wireless communications antennae to be located in the right-of-way along NE 40th Street in Redmond, Washington **SHOULD BE APPROVED subject to conditions.**

SUMMARY OF RECORD

Request:

Michael Cady, on behalf of T-Mobile (Applicant), requested a conditional use permit to allow replacement of an existing 61-foot utility pole located in the right-of-way along NE 40th Street in Redmond, Washington with a 70-foot wood pole topped by a 10-foot canister containing three wireless communications antennae.

Hearing Date:

The City of Redmond Hearing Examiner conducted an open record hearing on the request on October 5, 2011.

Testimony:

At the open record hearing, the following individuals presented testimony under oath:

Thara Johnson, Associate Planner, City of Redmond
Michael Cady, T-Mobile Applicant Representative

Exhibits:

At the open record hearing, the following exhibits were admitted in the record:

Exhibit 1 Technical Committee Report to the Examiner, prepared for the October 5, 2011 hearing, with the following attachments:

1. Vicinity Map

2. Zoning Map
3. General Application Form
4. SEPA Application Form
5. Notice of Application and Certificate of Publishing
6. Neighborhood Meeting Notice and Sign in sheet
7. Community Involvement Plan
8. SEPA DNS and Certificate of Publishing
9. Environmental Checklist
10. Correspondence between citizen and T-Mobile
11. Notice of Public Hearing and Certificates of Posting
12. Site Plans (including Landscaping and Tree Retention Plans)
13. Special Exceptions Narrative
14. Special Exceptions Review from Third Party Consultant
15. Radio Frequency Analysis
16. Noise Study
17. Non Ionizing Electromagnetic Report
18. Conditional Use Permit Decision Criteria Analysis
19. Remote Access Enclosure Solution And Antenna Specifications
20. Material Safety Data Sheet
21. Photosimulations
22. Comprehensive Planning Policies
23. Federal Communications Commission Wireless Telecommunications Bureau Fact Sheet #2, dated September 17, 1996

Exhibit 2 Staff's PowerPoint Presentation (16 slides)

Upon consideration of the testimony and exhibits admitted, the Hearing Examiner enters the following findings and conclusions in support of the recommendation:

FINDINGS

1. The Applicant requested a conditional use permit to allow replacement of an existing 61-foot utility pole located in a public right-of-way with a 70-foot wood pole topped by a 10-foot canister containing three wireless communications antennae. The site is at approximately 16800 NE 40th Street, Redmond, Washington 98052. *Exhibit 1, page 1; Exhibit 1, Attachment 3, Application.*
2. The application was submitted July 27, 2010 and determined to be complete on the same day. The proposal is reviewed for compliance with the substantive Redmond Community Development Guide (RCDG) regulations in effect on the date of application completeness, rather than the subsequently adopted Redmond Zoning Code regulations.¹ *Exhibit 1, page 4.*

¹ The Hearing Examiner takes official notice that vesting applies to substantive regulations but not to procedural regulations. "[U]nless the ordinances alter the vesting point of an application or reserve the ability to change the rules in response to a developer's application, the government may change procedural rules, such as those dealing with timing or the payment of fees." *New Castle v. City of LaCenter*, 98 Wn. App. 224, 237-38 (1999).

3. T-Mobile has experienced rapid growth in demand in the last few years at an average rate of 40% nationally. This rate of growth is forecasted to continue. Customer demand has expanded from historical use at work and on the road into residential areas. Wireless phone service has become part of the public safety network, with an average of 200,000 wireless 9-1-1 calls daily by people seeking emergency services and reporting crime. *Exhibit 1, Attachments 13 and 15; Cady Testimony.*
4. The project is subject to the special use criteria established at RCDG 20D.170.45 governing telecommunications facilities. The RCDG criteria specify that combined broadcast and relay tower and antenna(s) may not extend more than 15 feet above the maximum height of the zone in which they are proposed to a maximum of 60 feet. The code provides for a height bonus of up to 15 feet, at the discretion of the approval authority, when co-location is specifically provided by the facility. *RCDG 20D.170.45-060 .2.b.* Special exceptions may be granted in cases in which conformance to the applicable special use criteria would result in a physical barrier that would block signal reception or transmission. *RCDG 20D.170.45-080.* Special exceptions criteria for broadcast/relay towers in residential zones require proposals that exceed height maximums to go through the essential public facilities process for site and height approval. *RCDG 20.170.45-080.4.a.i.*
5. According to Applicant's Radio Engineer Site Analysis, T-Mobile must provide adequate coverage to satisfy its responsibilities pursuant to its FCC license. The Applicant seeks to provide -76dBm of signal strength to customers in all areas. Cellular phone facilities work by relaying signals from one to another, necessitating specific placement locations in order to achieve coverage objectives. The general location of the instant facility was selected to address an identified coverage gap in T-Mobile service in residences in the Overlake area. *See Exhibit 1, Attachment 15, Figure 1-A.* Because indoor residential service is the target, the project must be placed in a residential zone. The "search ring", or area of potential placement to address a coverage gap, is east of SR 520 in southern Redmond, surrounding the intersection of Bel-Red Road and NE 40th Street. *See Exhibit 1, Attachment 13, page 3, Map-1.* The Applicant searched for co-location opportunities on structures with suitable height for signal to clear surrounding tree canopies. Co-location at an existing Clearwire site at approximately 170th Pl NE and NE 40th Street was considered; however, the pole on which the Clearwire facility is sited would not support additional co-location. The finally proposed location was chosen because: it is adjacent to a utility corridor; the existing poles would not necessitate outages for maintenance; and the site is in the most compatible residential zone within the search ring. *Exhibit 1, Attachments 13, 14, and 15; Cady Testimony.*
6. A Puget Sound Energy (PSE) utility pole located in the public right-of-way was selected as the best location to address the coverage gap in the search ring and allow co-location. The existing 61-foot PSE pole has power lines at 60 feet. PSE requires ten feet of separation between its electric transmission lines and the wireless communication facility (WCF). The proposed WCF would be placed in a ten-foot canister at the top of a 70-foot pole, to provide the required separation. The final proposed structure height is 80 feet.

To be approved in the selected location, the proposal must satisfy the above cited special exceptions requirements. *Exhibit 1, Attachment 13, Special Exceptions Narrative.*

7. The project would replace the existing PSE pole with a 70-foot glu-lam pole. The antennae would be enclosed within a 10-foot canister. Cables connecting the antennae to the ground equipment would be concealed within the pole. The Applicant proposes to place all related equipment in two low profile pole-mounted cabinets. No wireless communications equipment would be mounted on or under the ground. The facility would provide an opportunity for future co-location by another telecommunications carrier. All proposed development would occur within the NE 40th Street right-of-way, adjacent to an R-12 residential area. The exact location of the replacement pole would be finally determined at time of construction by PSE. *Exhibit 1, pages 4-6; Exhibit 1, Attachment 3, Application.*
8. There are no critical areas in the general vicinity of the existing pole. There are 52 significant trees within 15 feet of the anticipated lease area but all work would be done in the right-of-way where there are no trees. All 52 trees would be retained. *Exhibit 1, pages 4-6.*
9. In order to minimize visual impacts on surrounding uses, known in the industry as "stealthing", the Applicant proposed a round wood glu-lam pole, which would blend with surrounding utility poles. The antennae would be hidden within a metal canister, painted brown to match the wood pole as nearly as possible. All necessary equipment would be placed inside pole-mounted cabinets, also painted brown. Cables connecting the equipment to the antennae would run inside the pole for concealment. *Exhibit 1, Attachment 13.* The proposal includes six arborvitae and other plants of varying sizes to be planted on either side of the pole-mounted equipment to create a visual screen consistent with the intent of the City's Type I planting requirements. *Exhibit 1, page 5; Exhibit 1, Attachment 11, Sheets L-1 and L-2.* Color photos of the existing pole compared to color photosimulations of the proposed pole, cabinets, and landscaping show that the canister at the top of the pole would be relatively unnoticeable. The proposed landscaping would substantially minimize the visibility of the equipment cabinets near the base of the pole. *Exhibit 21.*
10. The Applicant submitted an acoustical report to evaluate projected noise impacts. The report considered existing ambient noise and all design information, including proposed structure height and equipment. Noting the residential nature of adjacent property, the consultant determined that the use would result in sound pressure levels of 42 dBA at the nearest receiving property, which would satisfy the City's noise ordinance. *Exhibit 1, Attachment 16.*
11. The application materials included a professionally prepared non-ionizing electromagnetic exposure analysis and engineering certification (NIER report). After considering the proposed design, equipment, and location, the NIER report's author concluded that the proposed facility would comply with current Federal Communications Commission guidelines for human exposure to radiofrequency electromagnetic fields.

Only trained persons would climb the pole for maintenance operations. The general population near the utility pole, including people at the ground level, at surrounding properties, and in nearby structures, would receive far less exposure than the FCC approved maximum power exposure. *Exhibit 1, Attachment 17.*

12. The City hired a third party consultant to review the Applicant's site analysis to review: whether the site is justified, or whether alternatives exist; and whether the proposed design is suitable for the surrounding area and minimizes impacts. The City's consultant reviewed the Applicant's February 22, 2011 and August 10, 2010 submittals, as well as aerial photographs, the NIER report, and an acoustical report and conducted a site visit. Existing cellular sites in the area are significantly to the west, and topography and existing tree cover prevent existing facilities from providing adequate service to the search ring. The consultant agreed that no co-location opportunities exist in the vicinity and concluded that the area is underserved and requires additional signal level. Regarding impacts of the proposed facility, the consultant concluded that the proposed wood pole would blend with existing wood utility poles and existing tree cover, not resulting in significant visual change. Impacts of the new facility would be mitigated by the proposed new landscaping. The consultant reviewed the NIER and acoustical studies and concluded they were prepared in accordance with industry standards and raised no concerns. *Exhibit 1, Attachment 14.*
13. The project would not modify any existing buildings. All construction would occur within the public right-of-way. An existing sidewalk between the pole and the street would provide a setback from the driving surface to ensure that the improvements would not impact on vehicular and pedestrian. *Exhibit 1, page 9; Johnston Testimony.*
14. The facility would be in operation 24 hours per day. It would be an unmanned facility. Approximately one employee visit per month would occur for routine maintenance. No hazards or conflicts with existing or anticipated traffic in the neighborhood are anticipated. *Exhibit 1, pages 9-10; Johnston Testimony.*
15. The facility would use power and telephone service but would otherwise create no demand or adverse impact on public services or facilities. The project would increase telephone service in the area. *Exhibit 1, page 10.*
16. The City of Redmond Comprehensive Plan contains policies governing the placement and height of telecommunications facilities. Staff identified the following policy as applicable to the instant application:

UT-106 When the need for line of sight transmission creates a need to have telecommunications facilities mounted at heights exceeding the structures or trees generally found in an area, they shall be required to first consider mounting the facilities on existing high structures such as water towers or existing telecommunications towers. In cases where new facilities are built, they shall locate in close proximity to other

such tall structures or be incorporated into the design features of other structures.

Exhibit 1, Attachment 22.

17. The Applicant submitted a Community Involvement Plan, which was approved by the Planning Director, and scheduled a neighborhood meeting on May 18, 2011. Notice of the neighborhood meeting was mailed to all residents and property owners within 500 feet of the project site. City Staff and qualified Applicant representatives were present at the meeting to answer questions relating to health concerns and radio frequency issues. Two people attended the meeting, expressing concerns relating to health effects, visual and aesthetic concerns, and property values. The T-Mobile health effects consultant provided attendees with studies and information regarding health effects from telecommunication facilities and committed to providing some additional analysis relative to radiation levels. Attendees were also provided with the proposed stealth design and a detailed screening plan. *Exhibit 1, page 11; Johnson Testimony; Exhibit 1, Attachments 7 and 10.*
18. This facility is intended to serve the citizens of Redmond and improve cellular coverage in the Overlake area. The Director did not require a multi-jurisdictional review process. The proposed telecommunications facility would not result in any fiscal impacts to the City of Redmond. *Exhibit 1, pages 11-12; Johnson Testimony.*
19. The notice of application for this proposal was: published on August 12, 2010; posted at City Hall, the Redmond Regional Library, and at the site; and mailed to property owners within 500 feet of the site. The City received no comments on the application. *Exhibit 1, page 3; Exhibit 1, Attachment 5.*
20. The City of Redmond was designated lead agency for review of the proposal's compliance with the requirements of the State Environmental Policy Act (SEPA). Based on a review of the Applicant's SEPA Environmental Checklist and SEPA Application, the City determined that the requirements of environmental analysis and protection would be adequately addressed through compliance with the City's regulations and Comprehensive Plan, as well as applicable state and federal regulations. The City issued a determination of non-significance (DNS) on June 10, 2011, concluding that the project would not have probable significant adverse impacts on the environment. Notice of the DNS was issued on June 10, 2011 through posting at City Hall, the Redmond Regional Library, and at the site. Notice of the DNS was also to state and local agencies, parties of record, and residents within 500 feet of the site. No appeals were filed and the DNS became final. *Exhibit 1, page 5; Exhibit 1, Attachments 8 and 9.*
21. Notice of public hearing for this project was posted on the site, at City Hall, and at the Redmond Regional Library on September 14, 2011. The notice was mailed to property owners within 500 feet of the site and parties of record and was included in a one-time newspaper. *Exhibit 1, page 5; Exhibit 1, Attachment 11.* There was no public comment at the hearing.

22. After reviewing all submitted information, the Technical Committee recommended approval of the conditional use permit with conditions. *Exhibit 1, pages 13-17; Johnson Testimony.*
23. The Applicant reviewed and concurred with the recommended conditions of approval. *Cady Testimony.*

CONCLUSIONS

Jurisdiction:

Pursuant to RCDC 20F.40.80-030 and 20F.30.45-015, the Hearing Examiner has jurisdiction to hear conditional Essential Public Facilities requests and make a recommendation to the Redmond City Council for approval, approval with conditions, or denial of the application.

Criteria for Review:

Pursuant to the City of Redmond's wireless communication facilities provisions at RCDG 20D.170.45-020(1)(e)(v) and 20D.170.45-070 (1), wireless monopoles are regulated by the subsections that govern broadcast and relay towers.²

Pursuant to 20D.170.45-080, Special Exceptions, subsection (4), an applicant of a proposed broadcast and relay tower that exceeds height limits shall be required to use the Essential Public Facilities³ process at RCDG 20F.40.80 for site and height approval.

Pursuant to RCDC 20F.40.80-050, the following criteria shall be used to make a determination on an application for Essential Public Facilities:

- (1) An applicant may have one or more alternative sites considered at the same time during this process.
- (2) The Director has the authority to require the consideration of sites outside the City of Redmond. Alternative sites shall cover the service area of the proposed

²The preamble to the City's broadcast/relay tower provisions provides as follows: In addition to implementing the general purposes of the Comprehensive Plan and development regulations, this section addresses the issues of appearance and safety associated with broadcast and relay towers, ... and related equipment. It provides adequate siting opportunities at appropriate locations within the City to support existing communications technologies and to encourage new technologies as needed for Redmond businesses and institutions to stay competitive. A wide range of locations and options for the provision of wireless technology which minimize safety hazards and visual impacts sometimes associated with wireless communication facilities are provided. The siting of facilities on existing buildings or structures, collocation of telecommunication facilities on a single support structure, and visual mitigation tactics are encouraged to preserve neighborhood aesthetics and reduce visual clutter in the community. *RCDG 20D.170.45-010.*

³ 20F.40.80-010 (Essential Public Facilities) The purpose of this section is to provide a process to site necessary public uses that may otherwise be difficult to site. This process involves the community and identifies and minimizes adverse impacts. Essential public facilities ... include (but are not limited to) schools, water transmission lines, sewer collection lines, fire stations, hospitals, jails, prisons, airports, solid waste transfer stations, highways, and storm water treatment plants. ...

essential facility. This criteria is not applicable to secure community transition facilities.

- (3) An amplified public involvement process shall be required. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts if the involvement process has the potential to lead to a more appropriate design/location. The public involvement process could also lead to development of incentives or to address modifications to the facility which would make siting of that facility more acceptable.
 - (a) The applicant shall propose an acceptable public involvement process to be reviewed and approved by the Director.
 - (b) Public involvement activities shall be conducted by and paid for by the applicant.
 - (c) The public involvement process shall be initiated by the applicant as early as feasibly possible.
- (4) The Director may require a multi-jurisdictional review process if the facility serves a regional, Countywide, Statewide, or national need. If this process is required, the applicant shall design an acceptable process to be reviewed and approved by the Director. Applicants shall be required to pay for this process. This requirement is not applicable to secure community transition facilities.
- (5) An analysis of the facility's impact on City finances shall be undertaken. Mitigation of adverse financial impacts shall be required.
- (6) The following criteria shall be used to make a determination on the application:
 - (a) Whether there is a public need for the facility;
 - (b) The impact of the facility on the surrounding uses and environment, the City and the region;
 - (c) Whether the design of the facility or the operation of the facility can be conditioned, or the impacts otherwise mitigated, to make the facility compatible with the affected area and the environment;
 - (d) Whether a package of incentives can be developed that would make siting the facility within the community more acceptable;
 - (e) Whether the factors that make the facility difficult to site can be modified to increase the range of available sites or to minimize impacts on affected areas and the environment;

- (f) Whether the proposed essential public facility is consistent with the Redmond Comprehensive Plan;
- (g) If a variance is requested, the proposal shall also comply with the variance criteria;
- (h) Essential public facilities shall comply with any applicable State siting and permitting requirements.

Other code provisions with which the Applicant must demonstrate compliance:

*20D.170.45-080 Special Exceptions.*⁴

- (1) Special Exception Criteria.
 - (a) The applicant shall justify the request for a Special Exception by demonstrating that the obstruction or inability to receive a communication signal is the result of factors beyond the property owner's or applicant's control, taking into consideration potential permitted development on adjacent and neighboring lots with regard to future reception window obstruction. Pictures, drawings (to scale), maps and/or manufacturer's specifications, and other technical information as necessary, should be provided to demonstrate to the City that the Special Exception is necessary.
 - (b) The applicant for a Special Exception shall demonstrate that the proposed materials, shape, and color of the antenna(s) will, to the greatest extent possible, minimize negative visual impacts on adjacent or nearby residential uses and recreational uses in the Agriculture and Urban Recreation zones and shoreline areas. The use of certain materials, shapes and colors and landscaping may be required in order to minimize visual impacts.

Conclusions Based on Findings:

Essential Public Facilities

- 1. The proposal included review of multiple sites within the search ring, including one existing wireless facility and other existing utility poles. *Findings 5, 6, and 12.*

⁴ The preamble to the City's special exceptions provisions for WCFs provides as follows: When adherence to all development standards of this section would result in a physical barrier which would block signal reception or transmission or prevent effective communication in all permissible locations, a Special Exception may be permitted provided [...] criteria ... are met. ... The final approval authority for granting of the Special Exception shall be the same as that of the permit approving the antenna(s) location. A request for a Special Exception shall be processed in conjunction with the permit approving the antenna(s) location and shall not require any additional application or fees. Upon review of Special Exception requests, the approval authority shall consider first those standards having the least effect upon the resulting aesthetic compatibility of the antenna(s) or tower with the surrounding environment. The approval authority shall review setback, size, screening requirements, and height limits. *RCDG 20D.170.45-080.*

2. The identified coverage gap exists in the Overlake area. Available technology requires placement of a new facility near the area intended to be covered. The Director's decision not to require evaluation of sites outside the city or multijurisdictional review was appropriate and is final. No fiscal impacts were identified, making mitigation of fiscal impacts unnecessary. *Findings 5, 12, and 18.*
3. The Applicant's Community Involvement Plan was reviewed and accepted by the Planning Director. The Applicant hosted a neighborhood meeting to address any concerns raised by the public. The meeting was noticed in advance. The Applicant continued to answer questions of the members of the public via email after the meeting. The Council should conclude that the amplified community involvement requirement was satisfied. *Finding 17.*
4. The Council should conclude that there is a public need for a new wireless communications facility at the proposed location. The record presented supports the assertion that the availability of wireless service is increasingly a matter of public safety as more people come to rely on wireless phones in more places. Evidence in the record from the Applicant's engineer and the City's third party consultant confirms the existence of a coverage gap for T-Mobile service in the project vicinity. *Findings 3, 5, and 12.*
5. The Council should conclude that, as conditioned, the proposed facility would not adversely affect surrounding uses or the environment, and that adequate incentives are shown that make the proposed siting in the R-12 zone acceptable. Multiple locations were considered, including co-location on an existing facility. The photo simulations submitted show that the WCF would blend with the other utility poles and tall trees in the area without resulting in significant visual impacts. Recommended conditions of approval would ensure that the landscaping adequately screens the appearance of the equipment cabinets from adjacent residential uses. The use of a wood pole with cables concealed inside, a brown metal canister at the top, and brown pole-mounted equipment cabinets near the ground would not be inconsistent with surrounding uses or zoning. Given the implications for public safety and convenience, improved wireless service is an incentive that makes the WCF acceptable in the R-12 zone. No trees would be removed. The proposal was reviewed for compliance with the requirements of SEPA and a DNS was issued. The DNS was not appealed. There would be no significant adverse environmental impacts from the project. *Findings 7, 8, 9, 10, 11, 12, and 20.*
6. The Council should conclude that the proposal is consistent with the Comprehensive Plan. Comprehensive Plan Policy UT-106 acknowledges and supports the assertion that the proposed 80-foot pole height is required to provide service because of tall trees in the area and topography, and due to PSE's requirement for separation between electric and communications facilities. The proposed new WCF would provide a future co-location opportunity for another cell service carrier and would co-exist with existing electric utilities. *Findings 6, 7, 12, and 16.*

7. No variances were requested; the project was reviewed under special exception standards via the essential public facilities process. If approved, it would exceed the allowed height by only five feet. *Findings 6 and 7.*
8. No State siting requirements were identified in the record.

Siting Requirements, Special Exception Criteria:

9. The City Council should conclude that the inability to receive and transmit signal is beyond the Applicant's control. The requested structure height exception is the result of terrain, existing vegetation, and PSE's separation requirements. *Findings 5, 6, and 12.*
10. The Council should conclude that the proposed materials and configuration of the WCF minimize impacts to surrounding residential uses. Although the photosimulations show the pole would be visible, it would not be out of character with existing utility poles within the right-of-way. The antennae would be enclosed and the equipment cabinets would be screened from view. The WCF would look like a tall utility pole located in a right-of-way with electric lines located approximately 20 feet from the top. *Findings 5, 6, 7, and 9.*

RECOMMENDATION

Based on the preceding findings and conclusions, the requested essential public facilities conditional use permit to allow replacement of an existing 61-foot utility pole with a 70-foot wood pole topped by a 10-foot canister containing three wireless communications antennae **SHOULD BE APPROVED** in the right-of-way along NE 40th Street in Redmond, Washington, subject to the following conditions:

A. Site Specific Conditions of Approval

The following table identifies those materials that are approved with conditions as part of this decision. The “Date Received” is the date that is stamped as “Received” by the Development Services Center.

Item	Date Received	Notes
Plan Set, [pages T-1, G-1], [pages A-1, A1.1-A1.2], [Pages A-2 – A-5, Pages C-1 – C-2, E1 – E4; RF-1 – RF-2] Conceptual Landscaping & Tree Preservation Plan [pages L1 – L3.0, L3.1]	02/22/11	<i>and as conditioned herein.</i>
SEPA Checklist	02/22/11	<i>and as conditioned herein and as conditioned by the SEPA threshold determination on 06/10/2011].</i>

The following conditions shall be reflected on the Civil Construction Drawings, unless otherwise noted:

1. Public Works Transportation and Engineering

Reviewer: Kurt Seemann, Engineer

Phone: 425-556-2881

Email: kseemann@redmond.gov

- a. Location of proposed pole situated between the back of existing sidewalk and within existing right-of-way is acceptable as shown.

- b. The applicant shall submit a complete telecommunications franchise application in accordance with RMC 12.14.210.

(Code Authority: RMC 12.14)

- c. All equipment proposed along NE 40th Street and NE 41st will need a Right-of-Way Use Authorization agreement.

(Code Authority: RMC 12.14)

2. Public Works – Water and Sewer

Reviewer: Jim Streit, P.E., Sr. Utility Engineer

Phone: 425-556-2844

Email: jstreit@redmond.gov

- a. **Water Service.** Water service is not required for this project.
(Code Authority: RCDG 20D.220.020)

- b. **Sewer Service.** Sewer service is not required for this project.
(Code Authority: RCDG 20D.220.020)

3. Public Works – Stormwater/Clearing and Grading

Reviewer: Jeff Dendy, Senior Engineer

Phone: 425-556-2890

Email: jdendy@redmond.gov

- a. **Temporary Erosion and Sediment Control (TESC).**
 - i. Rainy season work permitted October 1st through April 30th with an approved Wet Weather Plan.
(Code Authority: RMC 15.24.080)

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4. Planning Department

Reviewer: Thara Johnson, Associate Planner

Phone: 425-556-2470

Email: tmjohnson@redmond.gov

- a. Tree Preservation Plan.** Prior to issuance of the building permit the applicant shall submit a Tree Preservation Plan depicting all significant and landmark trees required to be preserved as part of the site development. A plan showing the location of preserved trees shall be shown on the face of the deed or similar document and shall be recorded with the King County Department of Records and Elections.

(Code Authority: RCDG 20D.80.20-070(4)(b))

- b. Landscaping.** Prior to issuance of the building permit the applicant shall submit a final landscape plan to the Planning Department for review and final approval. The plan shall comply with and/or identify the following;

1. A qualified landscape architect shall prepare the plan.
2. The plan shall identify proposed plantings at the base of the monopole and around the pole mounted equipment. A variety of native, drought tolerant species, including medium and tall shrubs, soil amendments and other planting related details shall be identified at the base of the of monopole and around the pole mounted equipment screening. A detailed Plan Schedule shall also be provided.

(Code Authority: RCDG 20D.80.10-040)

- c. Monopole.** The monopole shall comply with the following standards:

1. The monopole (including the antennas) shall not exceed 80' in height inclusive of a 10' high canister. All cables shall be contained within the monopole structure, and antennas shall be contained in a canister (shroud). No exterior conduit, running up the sides of the monopole, shall be permitted.
2. Any exterior lighting fixtures used to illuminate the equipment at the base of the monopole shall be identified with the building permit submittal. Fixtures shall be of a type that does not permit upward glare into the night sky. Such fixtures are also known as "cut-off" fixtures. Light trespass onto adjacent properties shall not be permitted. Light fixture details, which demonstrate how lighting will be restricted, shall be provided with the building permit application.
3. The facility owner shall remove the monopole and associated ground

mounted equipment within 12 months of the date the facility ceases to be operational, or if the facility falls into disrepair and is not maintained. Disrepair includes structural features, paint, landscaping, or general lack of maintenance, which could result in safety or visual impacts. The conditions shall apply even in the event of ownership change of the facility.

4. From the date of this approval, the monopole shall be reviewed for continued use at 5-year intervals. Rapid technological advancements, changing markets, and regulatory interpretations indicate the need to periodically review the appropriate design of broadcast and relay towers and monopoles. The applicant or future owner, or operator, of the monopole shall be responsible for contacting the City of Redmond 5 years from the date of this approval, and at following 5 year intervals, to begin the process of reviewing the appropriate design of the monopole. The City reserves the rights to require redesign of the monopole and attached antennas if advancements in technologies dictate.

(Code Authority: RCDG 20D.170.45-060)

B. Compliance with City of Redmond Codes and Standards

This approval is subject to all applicable City of Redmond codes and standards, including the following:

Transportation and Engineering

RCDG 20D.220:	Utility Standards
RMC 12.08:	Street Repairs, Improvements & Alterations
RMC 12.12:	Required Improvements for Buildings and Development
RCDG 20F.20.60-050:	Preconstruction Conference
RCDG 20F.30.60-060:	Performance Assurance
RCDG Appendix 20D-3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Standard Specifications and Details (current edition)

Stormwater/Clearing and Grading

RMC 15.24:	Clearing, Grading, and Storm Water Management
RCDG 20D.80.10-150(8):	Planting Standards
RCDG 20F.40.40	Conditional Use
City of Redmond:	Standard Specifications and Details (current edition)
City of Redmond:	Stormwater Technical Notebook, Issue No. 5 (2007)
Department of Ecology:	Stormwater Management Manual for Western Washington (revised 2005)

Fire

RMC 15.06:	Fire Code
RCDG Appendix 20D-3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Fire Department Design and Construction Guide 5/6/97
City of Redmond:	Fire Department Standards

Planning

RCDG 20D.40:	Design Standards
RCDG 20D.60	Impact Fees
RCDG 20D.80:	Landscaping and Tree Protection
RCDG 20D.90:	Exterior Lighting Standards
RCDG 20D.100:	Noise Standards
RCDG 20D.120:	Outdoor Storage and Service Areas
RCDG 20D.140:	Critical Areas
RCDG 20D.170.45	Special Uses – Telecommunication Facilities
RCDG Appendix 20D-2:	Critical Areas Reporting Requirements

Building

2006 International Building Codes (IBCs)
 2006 Uniform Plumbing Code
 2006 International Residential Code (IRC)

Recommended for the consideration of the Redmond City Council on October 19, 2011

By:



Sharon A. Rice
 City of Redmond Hearing Examiner