

Return Address:

Verizon Wireless, c/o April Copeland
4445 SW Barbur Blvd., Suite 101
Portland, OR 97239

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Filed by: VERIZON WIRELESS
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of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$38.00

**Skamania County
Department of Planning and
Community Development**

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

Administrative Review Use Decision

APPLICANT: Verizon Wireless, c/o April Copeland

FILE NO.: ARU-06-04

DESCRIPTION: Verizon Wireless proposes to install twelve (12) panel antennas that are eight (8) feet tall each at the 119-foot elevation on the existing 150-foot tall US Cellular tower in Carson, Washington. Verizon will also install a 12' x 26' equipment shelter, which will be located near the base of the existing tower.

LOCATION: 841 Wind River Highway, in Carson, Section 29, T3N, R8E, and identified as Skamania County Tax Lot No. 3-8-29-2-1-2100-00.

ZONING: Commercial

DECISION: Based upon the entire record before the Planning Department, the application by Verizon Wireless c/o April Copeland, WFI, described above, is found to be consistent with Title 21 SCC, and is hereby approved, subject to the conditions set forth in this Decision.

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.

Section 21.70.020(B) of the County's Zoning Ordinance establishes an administrative review procedure for those uses that are set out in the zoning ordinance as requiring and Administrative Review Use. The subject request to co-locate on the existing cellular tower is an Administrative Review use in the Carson Commercial Zone. SCC §21.65.090(B)(4).

Based on the criteria in the County's Zoning Ordinance set out below, the following decision has been made.

DECISION:

THE REQUEST TO CO-LOCATE A NEW ANTENNA ARRAY AT THE 119' ELEVATION ON THE EXISTING 150' TALL MONO-POLE TELECOMMUNICATIONS FACILITY and PLACE a 12' x 26' EQUIPMENT SHELTER IS HEREBY **APPROVED WITH CONDITIONS**, BASED ON THE FOLLOWING FINDINGS OF FACT.

Applicable review criteria from the County Code §21.70.020(C):

6. The subject request will be reviewed for compliance with the following:
 - i) compatibility with the surrounding development/area
 - ii) sufficient off-street parking
 - iii) clear and safe routes of ingress and egress
 - iv) adequate buffers with surrounding uses to assure visual and audible screening. Buffers may include but are not limited to open space, vegetation, and fencing

The proposed co-location of a new array of antennas on the existing monopole and the new equipment building is within an existing commercially developed lot and is bordered by commercially zoned land to the north, south and east. To the west is land zoned High Density Residential (HDR). The common lot line between the Commercial zone and the HDR zone is the backyard line of these properties. The commercially zoned land in this area is currently being used for commercial purposes, including the American Legion Post, a bar, flower shop, auto-body shop, hardware/lumber yard, and several other commercial

enterprises. Allowing co-location on the existing monopole and new equipment building on a lot that is already developed for commercial purposes and is surrounded by commercially zoned land should be considered compatible with the area.

Directly to the west of the proposed site is a residential area with many homes. As such there is an opportunity for conflicts between the residential neighborhood and the proposed commercial use. All landowners within 300 feet were provided notice. No one has provided the Planning Department with any comments or concerns of the structure. In addition, the original request for the monopole in 2004 was reviewed under the State Environmental Policy Act (SEPA). The Planning Department did not receive any comments during that review either.

The purpose of the Administrative Review Use is to assure that new uses are compatible with the surrounding development. The existing cell tower site is currently fenced. Based upon the SEPA review and mitigation, the new utility building and antennas should be a dark color in order to blend with the area. If the antennas are a dark gray, they will be less obtrusive and blend in the sky. A condition of approval should require gray for the antennas, especially any type of dish antenna.

Dust can be an issue in the Carson area due to the dry summers and windy conditions. Dust can be created during the construction phase of projects and after the project is completed. Both during construction and after, at all times, dust should be suppressed. After site construction has occurred, all disturbed areas should be seeded with a grass seed mix that is suited for the area or covered with gravel.

An additional compatibility issue is lighting. Lighting, especially commercial and industrial lighting, can be disturbing in residential neighborhoods. As such, all lighting should be the absolute minimum necessary to comply with Federal Regulations regulating the lighting of towers. If the Federal Regulations do not require lighting, the tower should not be lit. The base area should have minimal lighting as well. All base area lighting should only be motion activated lighting.

The proposed building will not require any additional parking spaces and will not remove any existing parking spaces currently used by the American Legion Post. Service personnel will be able to utilize the existing off-street parking lot.

Access to the site is provided through the existing parking lot for the American Legion Post, off of Wind River Highway. This access has been in use for many years and should be considered satisfactory for the infrequent use that will be required for occasional stops for maintenance and service of the cell tower equipment.

In addition to the criteria set out in Section 21.70.020(B), any approval for a commercial use under this Chapter must further be reviewed under Section 21.65.090(F):

1. Lot Size. The standard minimum lot size, dimensions and proportions shall be as required to accommodate the use, including landscaping, open space and parking requirements.
2. Setbacks. The setbacks will be established by the review of the listed criteria for each use or the following, whichever is greater:
3. No building or accessory building may be located within any easement.
4. No building or accessory building shall be constructed closer than 20 feet from a property line that is adjacent to land that is used for or suitable for residential use.

The subject property is a conglomerate of several parcels, which total 1.61 acres. There is sufficient area for the placement of the new equipment building. The area that contains the existing monopole has several large conifers. These trees are approximately 100' tall and provide great visual screening for the monopole. As such, these trees should be retained and maintained in a healthy condition. Dead or dying trees should be replaced with similar type tree in a similar location with a minimum of 12' in height. These existing trees should not be topped for the new antenna array.

Since the land to the west is zoned and used as residential land, the required setback is 20'. Based upon the site plan, which is based upon a survey as referenced thereon, the property line is farther to the west than the existing fence line. The site plan shows all structures being at least 20' from the actual property line. A condition of approval should state that all structures should be 20' off of the western property line. A setback of 5' should be sufficient along the north side. In addition to property line setbacks, there should be a setback/buffer for Carson Creek. This property would normally have a 100' buffer, as Carson Creek is a Class III creek. However, the buffer may be reduced to 25' based upon Skamania County Code §21A.04.010(A), which allows new buffers to be similar to existing buffers within 300'. The 25' buffer is already reflected in the site plan.

Finally, all new and co-located communication facilities must be in compliance with Section 21.70.160(D), as follows:

- D. The development standards that follow shall apply to all non-exempt communication facilities and alterations thereto.

1. Height

- a. An attached communication facility shall not add more than twenty (20) feet in height to an existing building or other structure to which it is attached.
- b. Communication towers shall have the following maximum height as measured from the ground to the highest point on the communication facility, including the associated array:
 - (i) One hundred and twenty (120) feet in the R-1, R-2, R-5, R-10, RES-20, CC, CR; Carson: HDR, RR, RE, DR, C; and Northwestern Lake: R-2, R-5.
 - (ii) One hundred and fifty (150) feet in the MG, FORAG-10, FORAG-20; Carson: I.
- c. Accessory equipment structures shall have a maximum height of thirty-five (35) feet as measured from the ground to the highest point on the structure.

2. Setbacks

- a. Attached communication facilities may extend up to five (5) feet horizontally beyond the edge of a property setback, building or structure to which it is attached, so long as the attached communication facility does not encroach upon any easements nor upon an adjoining parcel or public road right-of-way.
- b. All communication towers shall be set back from all property lines the greater of the following distances: fifty (50) feet or one (1) foot for every foot in height of the communication tower.
- c. Accessory equipment structures shall meet the setback requirements for accessory buildings in the underlying zoning district in which they are located.

3. Lighting and fencing

- a. Lighting, if any, of a communication facility shall be as required by the Federal Aviation Administration (FAA), which shall, to the extent feasible, be installed in a manner to minimize impacts on adjacent residences.

4. Painting

- a. All painting of communication facilities shall be consistent with any such requirements of the FAA.
5. Aviation Requirements
 - a. All communication facilities must comply with Federal Aviation Regulation Part 77, Objects Affecting Navigable Airspace, including but not limited to, providing such notice to the FAA as required there under and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposed communication facility.
 - b. All communication towers shall be located at least one half (1/2) mile from the end of and at least one thousand (1000) feet from the sides of all runways which are available for public use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO).
6. Landscaping and screening
 - a. Landscaping shall be placed within or outside of the security fence and shall consist of fast growing vegetation with a minimum planted height of six feet, and placed so as to form a solid hedge within two year of planting.
 - b. An applicant may choose to provide brown privacy slats within the security fence rather than plant new vegetative screening.

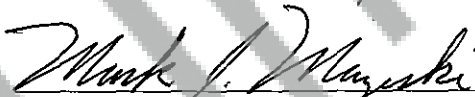
The subject request is a co-location on an existing tower. For the most part, the above apply to new cell tower placements. To the extent that they apply to this co-location, the above criteria have all been met in their entirety for this project.

The subject request is approved with the following conditions:

1. Setbacks from the west property line shall be 20 feet from the property line, including all eaves. The setback from the north property line, including all eaves is 5'. The creek buffer is 25'.
2. All other appropriate permits, including building permits, shall be obtained from public agencies.
3. Prior to the issuance of any building permits on the subject lot, this decision shall be recorded at the County Auditor's office.
4. In accordance with the MDNS issued for this project, dated September 1, 2004, the following shall be completed:

- a. The Planning Department, based upon experience with commercial projects, has realized a need to require dust suppression during construction in and near residential areas. Therefore, at all times during site preparation and construction the applicant shall prevent dust from entering nearby and adjacent residentially used properties until the project is completed. In addition, after construction is complete, all disturbed areas shall be reseeded with a grass seed mix suitable for the area or covered with gravel.
- b. The utility building, the fencing and all attachments shall be painted a dark color so as to blend in with the area. Preferably the building shall be dark brown and the antennas/communication attachments shall be gray.
- c. All lighting shall be the absolute minimum required by the Federal Regulations. If the Federal Regulations do not require lighting, the tower shall not be lit. All base area lighting shall only be motion-activated lighting.
- d. All trees shall be retained on site in order to screen the monopole. Topping of existing trees is prohibited. Dead or dying trees shall be replaced in kind and as near as possible to the removed tree. All replacement trees shall be a minimum of 12' tall at the time of planting.

Dated this third day of April, 2007, at Stevenson, Washington.



Mark J. Mazeski, Senior Planner
Skamania County Planning and Community Development

APPEALS

This Administrative Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 14 days from the date hereof by submitting a Notice of Administrative Appeal form and \$500.00 appeal fee. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office.

cc: Property owners who submitted written comments