CITY OF PULLMAN

Public Works and Planning Departments

325 S.E. Paradise Street, Pullman, WA 99163
(509) 338-3220 or (509) 338-3213 Fax (509) 338-3282
www.pullman-wa.gov

MEMORANDUM

TO: Pullman Board of Adjustment

FROM: Pete Dickinson, Planning Director
Jason Radtke, Assistant Planner

FOR: Meeting of January 26, 2009

SUBJECT: Conditional Use Permit Application No. C-08-3
Whitman County Wireless Communications Tower

DATE: January 22, 2009

Staff Report No. 09-1

BACKGROUND DATA

Applicant: Whitman County.

Property Location: 2325 NE Hopkins Court (See Attachment A, Location and Zoning Map).

Applicant's Request: Installation of a 140-foot, self-supporting (non-guyed) communications tower at the above location. In conjunction, Whitman County is requesting a required side yard setback variance to enable the site to be constructible. The proposed variance would reduce the setback from the normally required 37 feet to six feet. (See Attachment B, Application C-08-3; Attachment C, Plot Plan; and Attachment D, Tower Drawing).

Property Zoning: I2 Heavy Industrial District.

Applicable Zoning Regulations:	Chapter 17.70.030 states that freestanding wireless facilities taller than 80 feet are permitted within the I2 zone as a conditional use.
Property Features:	**Current Land Use**: Whitman County Emergency Communications 911 Center (Whitcom); Snyder & Martonick Law Office; Storage; **Lot Area**: 3.57 acres; **Utilities**: City water, sanitary sewer, and storm drain lines are provided to the subject property; **Topography**: Rolling hills; **Vegetation**: Landscaping and natural vegetation.
Adjacent Zoning and Land Use:	**North:** Outside city limits (I2 prezone designation); open space and agriculture; **East and South:** I2 zoning district; businesses and manufacturing; **West:** I2 zoning district; open space and agriculture.
Access:	Hopkins Court, designated as a local access street on the Pullman Comprehensive Plan Arterial Street Plan Map.
Environmental Review:	Environmental Checklist submitted 11/12/08 (See Attachment E); Final Determination of Nonsignificance issued 12/31/08 (See Attachment F).
Comments of Affected Agencies:	**Department of Public Works**: No concerns. **Protective Inspections Division:** *No response.* **Department of Public Services**: *No response*. **Fire Department**: No concerns. **Police Department**: Supports the project. **Pullman School District**: *No response.*
Hearing Notification:	Notice of Public Hearing mailed January 14, 2009; Notice posted January 14, 2009; Notice published January 15, 2009.

PERTINENT PLANNING PROVISIONS

There are a number of provisions contained within the Comprehensive Plan and zoning code that relate to this conditional use permit application. These provisions, which are available for review at the city's web site (www.ci.pullman.wa.us), are referenced below.

Comprehensive Plan Goals CF1, CF3, CF4 and CF5 and their respective policies.
Zoning Code Chapters 17.01, 17.15, 17.35, 17.70, 17.85, 17.125 and 17.130.

CONDITIONAL USE PERMIT REVIEW CRITERIA

In accordance with Zoning Code Section 17.125.020, a conditional use permit may be approved when all of the following findings can be made:

(1) that the proposed use is consistent with the Comprehensive Plan;
(2) that the proposed use, and its location, are consistent with the purposes of the zone district in which the use is to be located;
(3) that the proposed use will meet all required yard, parking, and other material development standards of the Zoning Code unless otherwise varied in the approved conditional use permit;
(4) that the use, as approved or conditionally approved, will
    (a) be located on a site that is adequate in size and shape;
    (b) be located on a site that has sufficient access to streets and highways adequate in width and type of surface to carry the quantity and quality of traffic generated by the proposed use;
    (c) not have a significant adverse environmental impact on the adjacent area or the community in general;
    (d) be compatible with surrounding land uses;
    (e) be provided with adequate parking; and,
    (f) be served by adequate public utilities and facilities.

STAFF ANALYSIS AND RECOMMENDATION

Planning staff is generally in favor of granting this request for a conditional use permit. Staff believes the proposed use is consistent with the Comprehensive Plan. In particular, Comprehensive Plan Goal CF1 recommends supplying facilities, utilities, and services for all land uses to provide for public health and safety and economic well being; Goal CF3 supports protecting the lives and property of Pullman residents from loss or damage by criminals; Goal CF4 supports protecting the lives and property of Pullman residents from loss or damage by fire; and Goal CF5 recommends cooperating with other service providers and private utilities to ensure that efficient service is available to all parts of the city. Policy CF5.4 states that wireless telecommunications facilities should be consolidated in their locations as much as possible in order to make the most efficient use of urban land and enhance the appearance of the community; however, staff feels there is an overriding public interest in effecting this proposal. The proposed communications tower, while not yet imperative, would sustain necessary public communications at the Whitcom facility by linking all public safety communications networks and systems in Whitman, Asotin, and Latah Counties. Existing links are unreliable and fail to meet standards.

Zoning Code Section 17.70.030 states that freestanding wireless facilities over 80 feet tall are

permitted in industrial districts as a conditional use. Zoning Code Section 17.35.080(11)(e)(i) states that "A wireless communication freestanding facility shall have a minimum setback of 15 feet from all property lines; provided that, when a wireless communication freestanding facility exceeds 30 feet in height, said facility shall be set back at least one additional foot from each 15-foot setback line for every five feet in height by which said facility exceeds 30 feet..." Thus, the proposed facility would require a setback of 37 feet from all property lines; however, due to topographic concerns at the proposed site, the applicant is requesting a variance to allow the structure to be built approximately six feet from the eastern property line. Staff believes the topographic constraints justify the proposed variance. The proposed wireless freestanding communication facility is consistent with the existing use and fundamental nature of the property as an emergency communications center.

The proposed conditional use, located at the established Whitcom center, meets all material development standards of the Zoning Code, except where a variance is sought; the proposed communication facility will have no impact on the surrounding area's traffic flow or load. A Determination of Nonsignificance was issued for this project under the State Environmental Policy Act; therefore, the facility is not expected to have a significant adverse environmental impact on the adjacent area or the community in general. This project will require no additional parking; thus, sufficient parking is available at the subject parcel as the parking lot available for Whitcom and Snyder and Martonick Law Offices provides 29 stalls. The property is also adequately served by public utilities and facilities, and will be of adequate size and shape for the proposed conditional use if a variance is granted.

Zoning Code Section 17.35.080(11)(f)(i) states that the base of any wireless communication freestanding facility shall be screened around its entire perimeter with a minimum six foot high screening device. Currently, the site for the tower is enclosed by a chain-link fence. This fence may be adapted to be sight obscuring. The northern and eastern sides of the enclosure need not be screened, as this is already accomplished by the natural topography.

In conclusion, staff recommends that the proposed conditional use permit and accompanying variance be approved with the following condition:

1. The applicant shall install a sight-obscuring screen as described in Zoning Code Section 17.35.080(11)(f)(i) along the western and southern sides of the facility.

FINDINGS OF FACT AND CONCLUSIONS

The applicant has prepared findings of fact for the Board to review (See Attachment G). Planning staff has also prepared findings of fact and conclusions for consideration at the public hearing. Staff's findings and conclusions are incorporated in draft Resolution No. BA-2009-1 (See Attachment H).

Prior to making a decision to approve or deny a conditional use permit application, the Board must

adopt findings of fact and conclusions which specify the basis for its decision. The Board may abstract findings and conclusions from the applicant, staff, public, or Board of Adjustment members.

ACTION REQUESTED

A. Establish rules of procedure and ask Appearance of Fairness questions.

B. Accept staff report.

C. Take testimony on the request for a conditional use permit and accompanying variance.

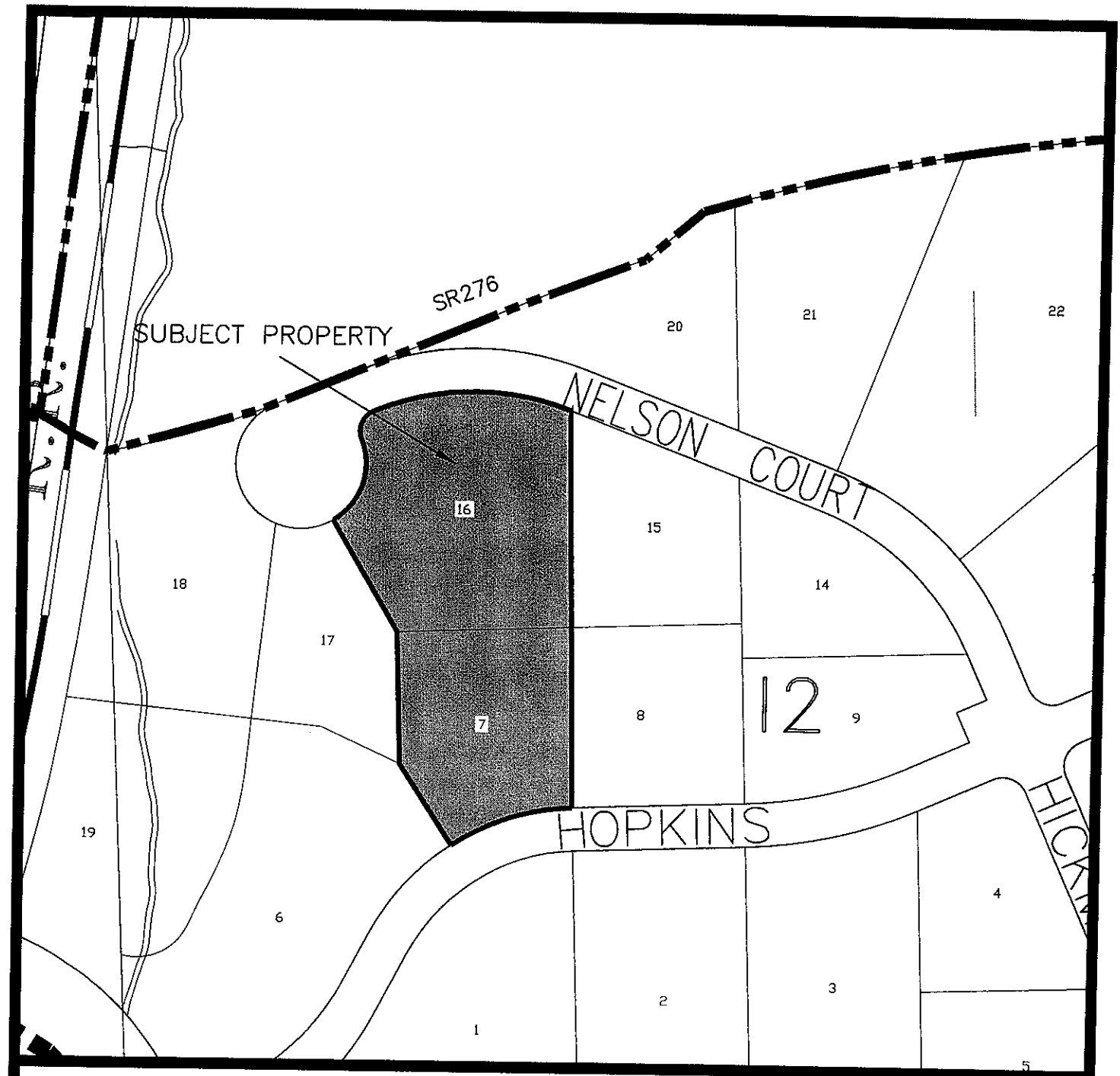
D. Adopt, by motion, Findings of Fact.

E. Adopt, by motion, Conclusions.

F. Move to approve or deny the granting of the conditional use permit and variance. If the motion is to approve, the same motion should include any conditions the Board wishes to apply.

ATTACHMENTS

"A" Location and Zoning Map
"B" Conditional Use Permit Application C-08-3
"C' Plot Plan
"D" Tower Drawing
"E" Environmental Checklist
"F" Determination of Nonsignificance
"G" Applicant's Findings of Fact
"H" Draft Resolution No. BA-2009-1



SUBJECT PROPERTY

CITY LIMITS

NORTH

P:\Engr & CAD\PLANNER\LOCMAPS\C-08-3.dwg

LOCATION AND ZONING MAP

CASE NUMBER
C-08-3

ATTACHMENT "A"

RECEIPT NO.: 41241

DATE APPLICATION RECEIVED: 11-12-08

DATE APPLICATION ACCEPTED AS COMPLETE: _____

CITY OF PULLMAN

CONDITIONAL USE PERMIT APPLICATION

APPLICANT:

NAME: **Whitman County**

ADDRESS: **310 N. Main St. Colfax WA 99111**

TELEPHONE: **509-397-5255**

STATUS (property owner, lessee, agent, purchaser, etc.): lessee

PROPERTY OWNER (if different than applicant):

NAME: **K&K Properties**

ADDRESS: **P.O. Box 642 Pullman Washington 99163**

TELEPHONE: : **509-334-4197**

PROPERTY LOCATION (general or common address):

2325 Northeast Hopkins court Pullman Washington 99163

Northeast corner of property of lot 16 in Port of Whitman County.

ZONING DISTRICT: **I2**

PROPOSED CONDITIONAL USE:

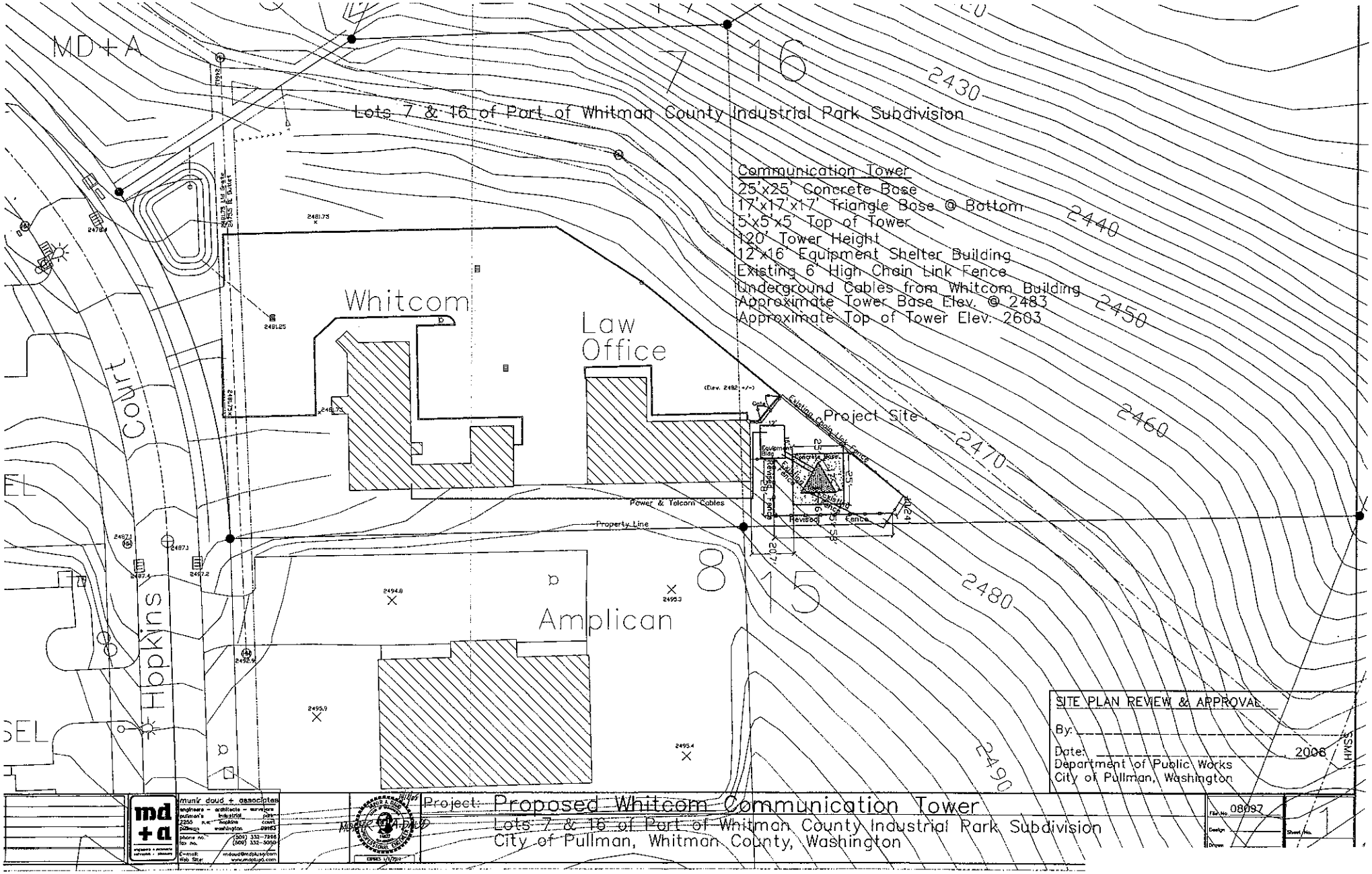
Whitman County is proposing to build a 120 foot self supporting (non-guyed) communications tower at the above location. This tower is necessary to support public safety communications at the Whitcom 911 center. Existing links are unreliable and fail to meet standards .

This project is needed to continue providing emergency services by linking ALL public safety communications networks/systems in Whitman, Asotin & Latah Counties as well as cities of Pullman, Moscow, Clarkston and Colfax Police and Fire units to Whitcom 911 Center.

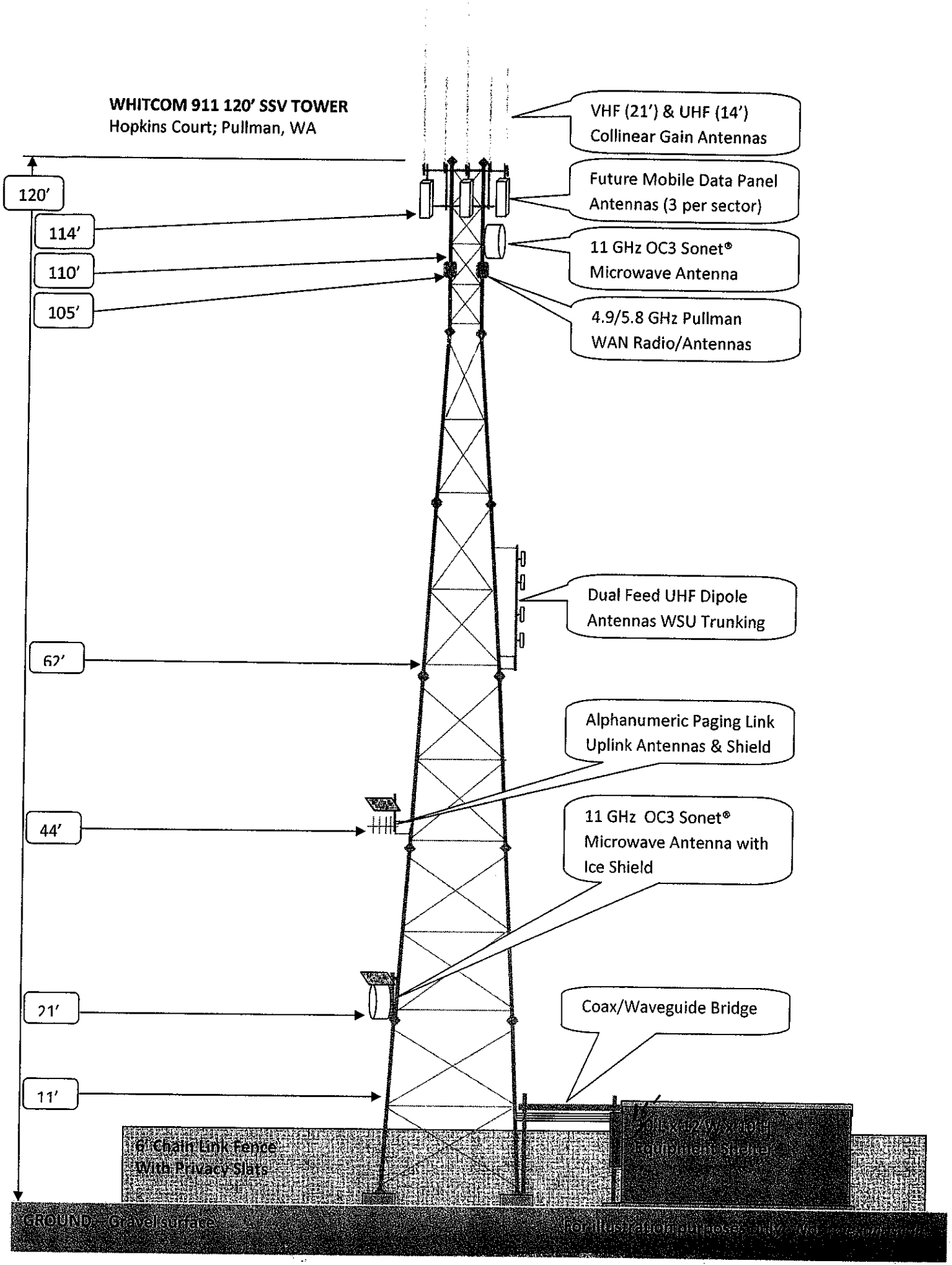
All information provided in this application is said to be true under penalty of perjury by the laws of the State of Washington.

Stephen Krahn
Applicant's Signature

12-NOV-2008
Date



ATTACHMENT "C"



ATTACHMENT "D"

Date submitted (office use only)

date complete (office use only)

CITY OF PULLMAN

ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21 RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." In ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposed," and "affected geographic area," respectively.

*(Note if you are completing this checklist on a computer, please put your answers in bold **like this** because that facilitates the review. This electronic version gives only one space between questions, but the space will enlarge as you type your answers, and will push down the remaining questions. If you should choose to print hard copy, and hand-write the answers, you may want to create more space between the questions before you print them out. You may delete this note from your checklist before you print. Thank you.)*

A. BACKGROUND

1. Name of proposed project, if applicable:

WHITCOM COMMUNICATIONS TOWER

2. Name of applicant:

Whitman County

3. Address and phone number of applicant and contact person:

Whitman County
310 N. Main
Colfax, Wa 99111

Project Contact:
Communication Systems Manager Steve Krigbaum (509) 397-5255

ATTACHMENT "E"

08-05
SUBMITTED 11/17/08

4. Date checklist prepared:

10/17/2008

5. Agency requesting checklist: **City of Pullman.**

6. Proposed timing or schedule (including phasing, if applicable):

This project will begin as soon as permits are available. We anticipate the tower erection project to be completed in 120 days from permit award. The rest of the project (mounting antennas, coax, radios, microwave radios and antennas) may take some additional time due to FCC licensing and engineering delays. The engineers must be able to know what height and design the tower is prior to path study. We do not want to start the path study until the permit is in place.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

YES

If yes, explain:

This tower is critical to the County's 911 dispatch, communication and radio infrastructure. This site will link three critical County sites Bald Butte, Whitcom 911 Center, Kamiak Butte, to each other for Emergency responder paging, communications and mobile data. From the listed locations, the connection continues on to link many other 911 radio sites in Whitman, Latah, Asotin and Garfield Counties.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal?

The site sits in a vacant graveled and fenced storage lot. There are no trees or environmental impacts at this site.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

NO

10. List any government approvals or permits that will be needed for your proposal, if known:

Building Permit, Conditional Use Permit, F.C.C Radio Frequency coordination.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This project has a lease consisting of an enclosed 1540sq ft parcel of ground. This parcel is located in the Northeast corner of the property located at 2305 NE Hopkins Court Pullman, Washington 99163. On this parcel we will construct a 120' lattice type metal communications tower and ancillary equipment shelter. The equipment shelter is a prefabricated building that is 12' x 16' to house the communications equipment.
Currently the FAA does not require this tower to have any lights on it. Although the local airport may request one be put on top. In that case it will be a single 116w bulb similar to the ones currently on top of the adjacent City water towers.
This is a Self-supporting Tower with no guy wires.
The tower components include:
2 – 11 GHz microwave radio antennas (dishes), one pointed at Kamiak Butte and one pointed at Bald Butte.
6 – VHF radio antennas for Emergency communications radios.
3 – UHF radio antennas for Emergency communications radios.
2 – 950 MHz Darcom Emergency radio link antennas
Some additional paging and radio antennas as needed for future Emergency related radio system needs.

12. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and township, range, section, and quarter section (or smallest measurable unit) location of the proposed project. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Northeast corner of property at 2325 Northeast Hopkins Court at the port of Whitman in Pullman Washington
Section 29 Township 15N Range 45E

2305 & 2325 are on the same lot in the Industrial Park, lot 7

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (underline and bold one): Flat, rolling, hilly, steep slopes, mountainous, other:

rolling terrain

b. What is the steepest slope on the site (approximate percent slope)?

15%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. (This information may be determined from the ~~SCS~~ NRCS soil survey of the county that the project lies within.)

Shallow mixed sandy-loam and clay topsoil followed by basalt.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

A geotech survey revealed some uncontrolled fill on top with basalt rock at the 15' level.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Following soil core samples, tower foundation will be engineered to comply with soil type and city regulations. Soil from excavated site will be reused as fill according to geotech survey. Additional gravel will be used to provide weed control and fire safety.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

25%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Typical emissions will be from excavation and construction equipment during the construction phase. No emissions would be emitted following construction.

b. Are there any off site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. Water

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None, N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals... agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Roof of structure, to the ground adjacent to the structure.

2) Could waste materials enter ground or surface waters? If so, generally describe.

None are generated at this site.

3) Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None

4. Plants

a. Check or underline and bold types of vegetation found on the site:

__ Deciduous tree: alder, maple, aspen, other evergreen tree: fir, cedar, pine, other

__ Shrubs

X **grass**

__ pasture

__ crop or grain

__ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

__ water plants: water lily, eelgrass, milfoil, other

__ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

none

c. List threatened or endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None, due to the nature of vegetation (fire loading) this site will be kept clear of any vegetation to ensure it is 100% fire proof due to the critical 911, police and fire communications equipment at this site will house.

5. Animals

a. Underline and bold any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

None

c. Is the site part of a migration route? If so, explain.

No

d. Proposed measures to preserve or enhance wildlife, if any:

None

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity will be brought to the site from the pre-placed conduit for power line that is currently in place from the adjacent building which is occupied by Whitcom. This will be buried to provide better protection and security.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No, this tower is an open lattice type and does not block much light.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Backup generator. There is already an existing emergency backup generator on the adjacent site which is occupied by Whitcom that will be utilized.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

The radio frequencies involved in this project are regulated by the F.C.C. The proposed Frequency ranges are in the 150, 450, and 950 MHZ, and 11GHZ ranges. The levels are in far below permissible exposure limits for the general population set by the FCC and have been determined to pose no health concerns.

1) Describe special emergency services that might be required.

Fire – Police (Security)

2) Proposed measures to reduce or control environmental health hazards, if any:

Ensure a gravel lot with no combustible materials/vegetation and maintain the existing six foot chain link security fence that is currently on site.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The area in question is in an industrial park. Traffic noise or any other type of noise will not affect the completion of this project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

General Construction equipment during building, 7 AM – 7 PM.

Building Heat/Cooling units that are affixed to the building (24 hours).

3) Proposed measures to reduce or control noise impacts, if any:

Heating unit meets or exceeds that of most outdoor heat pump units.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

Radio Communications buildings, Use consistent with that zoned I2

site also used for professional offices

b. Has the site been used for agriculture? If so, describe.

No

c. Describe any structures on the site.

This is an unused fenced storage lot to the side of complex of buildings as per map.

d. Will any structures be demolished? If so, what?

No

e. What is the current zoning classification of the site?

I2

f. What is the current comprehensive plan designation of the site?

Industrial/Commercial businesses

Industrial

g. If applicable, what is the current shoreline master program designation of the site?

N/A

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

None

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing?

N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

120' self-supporting (non-guyed) Tower.

b. What views in the immediate vicinity would be altered or obstructed?

The tower is built to accommodate up to 2 additional commercial carriers

c. Proposed measures to reduce or control aesthetic impacts, if any:

A "stealth" tower is not an option in this case because of the microwave dishes and emergency communications antennas that will be put on this tower. The amount of antenna mounts will be minimized and have multiple uses to cut down on the distance the antennas are protruding from the tower.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Dull, galvanized finish reduces glare, as well as round pipe and all flat surfaces at angles not conducive to reflection.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No, does not produce glare

c. What existing off-site sources of light or glare may affect your proposal?

No

d. Proposed measures to reduce or control light and glare impacts, if any:

Dull, galvanized finish.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

None

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project of applicant, if any:

None

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

No

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None

c. Proposed measures to reduce or control impacts, if any:

N/A

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The site plans show the road access to this site. The current site is accessed from Hopkins court. There is already a graded and paved parking lot for this area, which we will access the site from.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No the approximate distance of the nearest public transit stop is 1/8 mile away on the corner of Terraview and Hopkins Ct.

c. How many parking spaces would the completed project have? How many would the project eliminate?

None/None: We will use the existing parking spaces when needed. This is an unmanned site. With only periodic maintenance required.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

1 to 2 per week

g. Proposed measures to reduce or control transportation impacts, if any:

None

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No, this project is to improve public services, specifically that of emergency services. The site is constructed from non-flammable materials.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Public Safety is initiating this request to improve public safety services.

16. Utilities

a. Underline and bold utilities currently available at the site: **electricity**, **natural gas**, **water**, **refuse service**, **telephone**, **sanitary sewer**, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electricity, Telephone, Extended on site from existing building.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Stephen Knight (Whitman County) Date: 12-Nov-2008

D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS (do not use this section for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances; or production of noise?

The heating/cooling unit will impact to this question with a limited increase of noise to the area. They are not on all the time only when needed.

Proposed measures to avoid or reduce such increases are:

Mount the heating/cooling units on the side of the building away from any area of impact.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

It will not have an impact.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

None

3. How would the proposal be likely to deplete energy or natural resources?

The site will have some electrical draw.

Proposed measures to protect or conserve energy or natural resources are:

Use energy conserving electrical equipment, high efficiency interior lighting.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No impact

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

It is not near a waterway.

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public service and utilities?

It will increase the power utilities demands in a very limited amount.

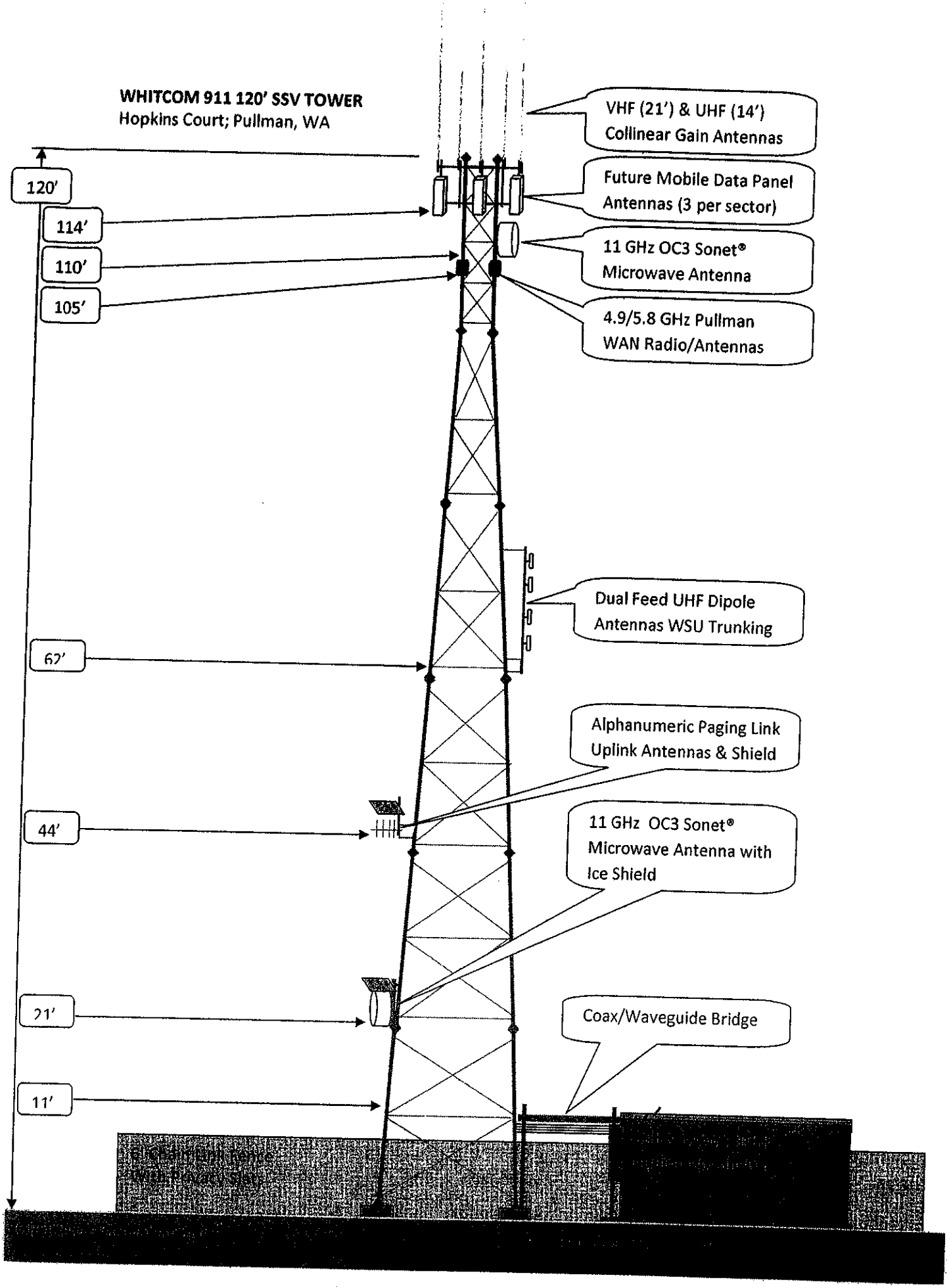
Proposed measures to reduce or respond to such demand(s) are:

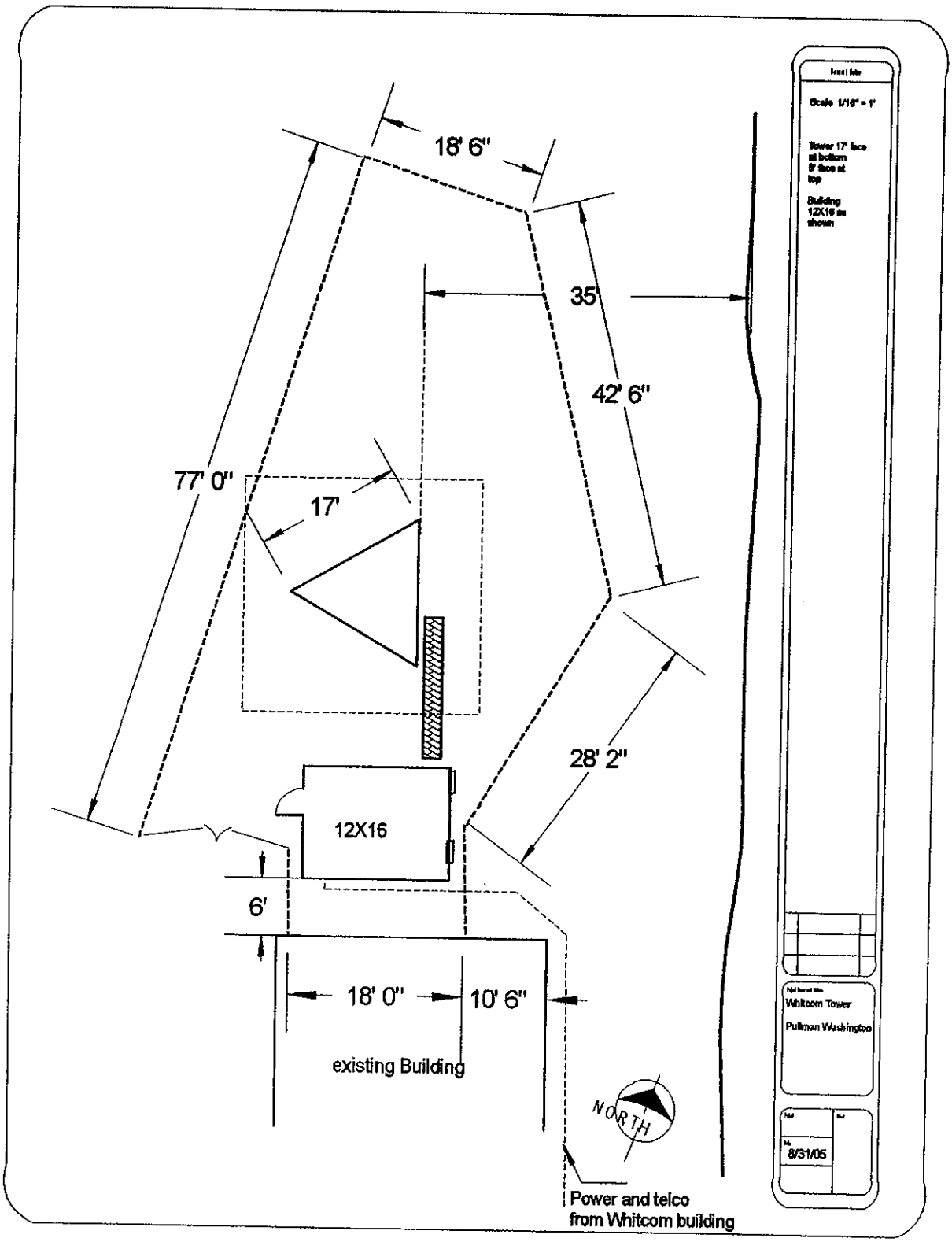
See above

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None known

form: sepaform.dsk Aug/1995


WHITCOM 911 120' SSV TOWER
Hopkins Court; Pullman, WA
VHF (21') & UHF (14') Collinear Gain Antennas
Future Mobile Data Panel Antennas (3 per sector)
11 GHz OC3 Sonet® Microwave Antenna
4.9/5.8 GHz Pullman WAN Radio/Antennas
Dual Feed UHF Dipole Antennas WSU Trunking
Alphanumeric Paging Link Uplink Antennas & Shield
11 GHz OC3 Sonet® Microwave Antenna with Ice Shield
Coax/Waveguide Bridge
120'
114'
110'
105'
67'
44'
21'
11'


18' 6"
35'
42' 6"
77' 0"
17'
28' 2"
12X16
6'
18' 0"
10' 6"
existing Building
NORTH
Power and telco
from Whitcom building
Scale 1/16" = 1'
Tower 17' face
at bottom
9' face at
top
Building
12X16 as
shown
Whitcom Tower
Pullman Washington
8/31/05

FINAL DETERMINATION OF NONSIGNIFICANCE

Description of Proposal: Construction of a 120' lattice-type metal communications tower and ancillary equipment shelter.

Proponent: Whitman County

Location of Proposal, including street address, if any: within the northeast corner of the property at 2305 NE Hopkins Court on Lot 7, Port of Whitman County Industrial Park Subdivision within the south half of Section 29, Township 15 North, Range 45 East W.M.

Lead agency: City of Pullman.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the city. This information is available to the public on request.

_____ There is no comment period for this DNS.

_X_ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal until 10 days from the date of this determination (December 31, 2008). The appeal period for this action expires at 5:00 p.m. on January 12, 2009.

Responsible Official: Mark D. Workman, P.E.

Position/Title: Director of Public Works **Phone**: (509) 338-3222

Address: 325 SE Paradise Street, Pullman, WA 99163

Date 12/31/08 Signature Mark D. Workman, P.E.

_X_ You may appeal this determination to the Hearing Examiner at City Hall, 325 SE Paradise Street, Pullman, WA 99163 no later than January 12, 2009.

An appeal must conform to the requirements of Sections 16.39.170 (1) (a), (b), and (d) of Pullman City Code.

You should be prepared to make specific factual objections and to pay the required filing fee.

Contact the Director of Public Works for additional information about the procedure to file an appeal of this determination.

_____ There is no agency appeal.

APPLICANT'S PROPOSED FINDINGS OF FACT

1. **This tower serves the public interest and the proposed tower use is consistent with comprehensive plan for the I2 Zone.**

2. **a. The proposed use serves the public interest by linking the Pullman Fire, Pullman Police, Whitman County Sheriff's Office, numerous Whitman County Fire Departments, Pullman Memorial hospital and emergency services radio systems to the Whitcom 911 dispatch center and each other. Tower placement is allowed in an I2 zone. This location is the most appropriate to provide reliable emergency communications by allowing for a direct connection to the Emergency communication center. Whitman County is requesting a CUP to erect a 120-foot tower on this property One reason for this height is to have microwave radio connectivity to other sites which will connect into the rest of the microwave system to Stout Ranch, Beacon Hill, Dodge Junction, Dusty and Endicott radios sites. Another reason for this height if to get the VHF radio antennas out of the ground effect which is detrimental to good coverage. This tower is the head end of the microwave system that will carry emergency response radio traffic, mobile date and communications to the emergency responders in Whitman and Asotin Counties. In addition, this tower will house the backup radio systems used to communicate with the agencies served by Whitcom in the event of a system failure. The attached VHF antennas will not extend beyond 20' above the tower top.**

2. b. **In conjunction with this CUP Whitman County is requesting a 31' side yard setback variance on the east side yard. This variance will allow for placement of the tower and sub surface foundation on soils determined to be suitable by a geotechnical survey. The location of the tower on this site provides unique public safety benefits by allowing for a direct connection to the emergency communication center eliminating the possibility of disruption of emergency communications by external events such as fiber cuts by back hoes, natural disasters, or deliberate acts.**

3. **The proposed location is in an empty storage yard. The equipment shelter needed to house the communication equipment is not manned so minimum services are needed which are primarily power and Telco services which will all originate from inside the current building where Whitcom is located via pre-placed conduits existing outside the building for this purpose. The site has adequate parking for the occasional maintenance visit.**

4. **Attached is the site plan for the tower and portable building. It is at the end of a parking lot. Site visits for regular mantinance happen about once a week after the site has been constructed. This tower will be of the lattice type, which will not adversely effect the environment. It will also benefit the community by enhancing the emergency services for the city of Pullman, Moscow along with Whitman, Asotin and Latah Counties. It is placed in an industrial zone.**

5. **The tower is exempt from FAA registration under 14 C.F.R. Section 77.13 Paragraph 2 (i) (Below Airspace protection slope). And is also exempted under Section 77.15 (a) (Terrain Shielding) Documentation is attached.**

BEFORE THE BOARD OF ADJUSTMENT
FOR THE CITY OF PULLMAN

In the Matter of Conditional Use Permit Application No. C-08-2	) Resolution No. BA-2009-1)) A Resolution Adopting Findings of) Fact and Conclusions Representing) the Official Determination of the City) of Pullman Board of Adjustment

WHEREAS, a conditional use permit application was duly filed by Whitman County to install a 140-foot, freestanding wireless communications facility at the current Whitman County Emergency Communications Facility (Whitcom), located at 2325 NE Hopkins Court, the property described in Exhibit "A," attached hereto and by this reference made a part hereof as though set forth in full herein; and,

WHEREAS, a variance to the required side yard is also being requested, reducing the setback from 37 feet to six feet in order to make the site constructible; and,

WHEREAS, a notice of the Board of Adjustment public hearing on this matter was mailed to the applicant and property owners within 300 feet of the subject property on January 14, 2009, said notice was posted at the subject property January 14, 2009, and said notice was published in the Moscow-Pullman Daily News on January 15, 2009; and,

WHEREAS, a public hearing was held before the Board of Adjustment on January 26, 2009, at 7:30 p.m. in the Council Chambers at City Hall, 325 SE Paradise Street, Pullman, Washington, at which time public comment from persons favoring and opposing this conditional use permit application was solicited, and after hearing public comment thereon, Board members deliberated over the matter in open session; and,

WHEREAS, this Board, now considering it appropriate to enter its formal written decision, makes and enters the following

Findings of Fact

1. On November 12, 2008, Steve Krigbaum, representing Whitman County, submitted a conditional use permit application with the planning department in order to obtain permission to install a 140-foot tall, non-guyed (freestanding) wireless communication tower at the current site of Whitcom, located at 2325 NE Hopkins Court in the Port of Whitman Industrial Park; said application was labeled by planning staff as No. C-08-3.

2. The subject property is currently occupied by the Whitcom facility, Snyder and Martonick Law Offices, and outdoor storage.

3. The applicant indicates that the scope of the proposed project is to install a freestanding

wireless communication facility in the small storage area located at the northern end of the buildings on the site. Due to topography constraints, the applicant is also requesting a variance to reduce the required side yard setback from 37 feet to six feet. When fully assembled, the tower, including antennas, will stand approximately 140 feet tall.

4. The subject property is located within an I2 Heavy Industrial District.

5. Section 17.70.030 states that freestanding wireless facilities taller than 80 feet are permitted within the I2 zone as a conditional use.

6. The subject property contains approximately 3.57 acres.

7. The subject property consists of rolling hill topography.

8. Access to the subject property would be gained by way of Hopkins Court, designated as a local access street on the Pullman Comprehensive Plan Arterial Street Plan Map.

9. City water, sanitary sewer, and storm drain lines exist in the vicinity of the subject property.

10. The land to the north of the subject property is outside city limits, has been given the I2 prezone designation, and is characterized by vacant land and agriculture; the land to the west is zoned I2 and contains open space and agriculture; the land to the east and south is zoned I2 and contains businesses and manufacturing.

11. The Environmental Checklist for this proposal was submitted on 11/12/08; the Final Determination of Nonsignificance was issued on 12/31/08.

12. Staff Report No. 09-1, dated January 21, 2009, includes the following description of responses from agencies to which a notice of the subject application was transmitted:

> **Department of Public Works**: No concerns.
> **Protective Inspections Division:** *No response.*
> **Department of Public Services**: *No response.*
> **Fire Department**: No concerns.
> **Police Department**: Supports the project.
> **Pullman School District**: *No response.*

13. Staff Report No. 09-1 states that the following Pullman Comprehensive Plan and zoning code provisions pertain to the subject application:

> Comprehensive Plan Goals CF1, CF3, CF4 and CF5 and their respective policies.
> Zoning Code Chapters 17.01, 17.15, 17.35, 17.70, 17.85, 17.125 and 17.130.