

**MINUTES OF HOUGHTON COMMUNITY COUNCIL/SPECIAL JOINT MEETING  
WITH PLANNING DIRECTOR – AUGUST 29, 2005**

**CALL TO ORDER/ROLL CALL**

The meeting was called to order at 7:06 p.m. by Chair Hugh Givens. Members present: Bill Goggins, David Hess, James Nickle, Betsy Pringle, and Rick Whitney. Member absent: Elsie Weber. Eric Shields, Nancy Cox, Stacy Clauson and Michael Bergstrom represented the Department of Planning and Community Development.

**READING AND/OR APPROVAL OF MINUTES:** None

**ANNOUNCEMENT OF AGENDA**

**COUNCIL MEMBER REPORTS AND COMMENTS**

Mr. Hess invited everyone to come to the Houghdown on Monday, September 5, 11 AM.

**REQUESTS FROM THE AUDIENCE**

**HEARINGS**

**a. Wireless Code Amendments, File No. IV-03-13**

Mr. Bergstrom presented the staff report dated August 19, 2005. He passed out additions to the staff report, which were Exhibit 1 - a letter dated August 24, 2005 from Pacific Telecom Services, LLC; Exhibit 2 – Draft Ordinance, Chapter 117, Personal Wireless Service Facilities; Exhibit 3 – reference information from Puget Sound Energy that gives the company's observations more so than recommendations; and Exhibit 4 - an email from staff to Mr. Bergstrom that embodies a series of emails asking questions about the ordinance and asking what might be clarified.

The Planning Director Eric Shields acted as the hearing body from the City standpoint. Following a recommendation from the Planning Director after the public hearing, the amendments will go before the City Council, after which they will return to the Houghton Community Council for final approval.

Mr. Givens noted that this is a legislative issue, and not quasi-judicial.

Mr. Bergstrom gave a broad summary of the goals in the proposed changes to the chapter. Basically, the theme throughout the ordinance is to encourage certain types of personal wireless service facilities, and discourage individual monopolies scattered throughout the city. He explained that staff would like to see more co-location of antennas and more use of existing structures to support those features, such as utility poles. Staff is proposing a Process IIA for some installations, which would not involve Community Council review. The ordinance provides that all antennas would be below the roofline except the whip antennas.

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Ms. Pringle suggested that it would be helpful to have some photographs or examples at a future meeting.

Mr. Shields added that the proposal would not increase the maximum allowable height of the pole, but might increase the actual height of the pole, extending the pole so they can put an antenna on top of it, which might take it from 30 feet to 40 feet.

Some industry representatives have suggested increasing allowable tower height to perhaps 60 feet, but the 40-foot limit has been well established in the city, and staff is not proposing 60 feet. Staff is proposing that allowable clearances above the electrical lines be increased from 10 feet to 15 feet above the transmission lines. Staff is also proposing that in a residential zone PSE poles greater than 40 feet existing could be allowed to have antenna added to them.

Ms. Cox suggested having color copies made of the exhibit. There was agreement this would be helpful.

Mr. Goggins suggested that it would help to know what neighboring communities are doing on this issue.

Mr. Bergstrom explained that staff had reviewed these, finding that several cities had recently redone their PWSF regulations, but the structure of the regulations of each community is so different than Kirkland's that it is hard to make comparisons. Also individual sensitivities and policies of each community have to be factored into the equation.

Andrew Neninger, 19807 North Creek Parkway, Bothell, WA 98033, with T-Mobile, and also a Kirkland resident at 218 5<sup>th</sup> Place S, commented that he appreciates that Kirkland has taken a look at the code. He tried to give an industry perspective of what they have seen over the last few years. Beginning in 1998, service goals consisted of mobility in commercial areas along major corridors and routes. But cell users and customers are now asking for coverage everywhere they go—not only at work, but also at home. T-Mobile gets many complaints, and is trying to cover residential areas and trying to satisfy its customers. He appreciated that Kirkland is considering residential and trying to balance effectiveness with aesthetics. He explained that Bellevue just did a code change, and he thinks that city found a balance. He would encourage the Community Council to compare what Kirkland is trying to do with what Bellevue has done. Bellevue now allows cell phone providers to go through an easier process in nonresidential areas, and allows more height in the non-residential areas. Rooftop heights and utility poles can be higher than 40 feet in non-residential areas because Bellevue prefers the antennas to be in non-residential areas rather than the residential areas. He added that omni antennas are not used any more. T-Mobile has to reuse the frequencies that it has. He explained that omnis are obsolete, as no carrier is using them today, so he encouraged Kirkland to consider what they are saying about omni antennas, and see if panel antennas could be incorporated in there. T-Mobile has found in other communities that the use of utility poles is an effective use of existing structures in areas where there are no commercial buildings or water tanks. He said it was not clear

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to him if they could exceed 40 feet in residential areas, but in order to put their antennas on they have to exceed the height. There are safety standards that companies require of them. He encouraged them to come up with an ordinance that says companies can only exceed the poles by X number of feet. Use of the right-of-ways for utility poles is crucial for them as well, so they do not have to build monopoles. He suggested that the required half-mile diameter review for monopoles is somewhat cumbersome and onerous, because they would have to go to every nonresidential use, and confirm that a landlord did not want to do business with them, and then they would have to give the City an explanation of why that owner did not want to do business. He suggested instead a 500-foot radius. He also encouraged them to look at how they tier the process, going from a building permit only in a nonresidential area on a water tank, and tier down to a conditional use permit in a residential area. The tiers of the structure should be reviewed again, because developers of wireless look for the easiest way possible to provide service. He recommended that the City find a way to encourage wireless providers to the maximum possible to go into lower utility areas. He suggested that they provide an easier process on those areas about which the City does not care, and be more stringent on those areas of concern.

Mr. Bergstrom inquired if he was saying that T-Mobile could go into certain nonresidential areas in Kirkland and provide adequate service to residential areas as well.

Mr. Neningen replied that the answer is ultimately no because the areas are huge and T-Mobile is not going to be able to provide residential service without going into residential areas. Rather than expanding a utility pole in someone's driveway, why not allow extending the height on a church. The City could elaborate on more use of the parks. Then they are in the community but not necessarily in someone's front yard. This would be valuable. Find ways to make these things easier. He said that he hopes there are other steps to this process. He would love to sit down with staff to give them input and insight into what T-Mobile is going to look like in the next few years.

Mr. Givens noted that the ordinance talked about using the light standards at the Lake Washington High School football field.

Mr. Neningen explained that they have used light standards in many areas, and does not know why they have not been in Kirkland. He made one other suggestion, concealing antennas. There are alternatives to panel antennas stretched out in a line. They could do things that allow a balance of need and protection.

Ms. Pringle said she would like to see what is available and would be in 2 or 3 years.

Mr. Neningen offered to provide a number of photo simulations of what T-Mobile has done. Regarding one-to-one setbacks no provider is going to want to do that—a 40 foot tall structure would encumber 80 feet of land. T-Mobile's equipment can be used in shelters, place in wood or steel, and can be architecturally enhanced so it looks like the building it is near.

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Mr. Goggins inquired if Verizon or Sprint were here would they be recommending the same thing.

Mr. Neninger responded that all providers are similar with some small differences, but the equipment structures are roughly the same—about 72 inches high, 30 inches wide, and 30 inches deep. This can be put underground rather than in the right-of-way above ground, but the cost to dig a hole and put the equipment in there is \$80,000. T-Mobile's primary concern is its customers and servicing them.

Mr. Bergstrom added that money has to be one concern but there can also be utility constraints when equipment structures are placed underground. Bellevue has a 30-inch limit for height of equipment structures located in right-of-ways.

Mr. Nickle suggested that staff could invite the other vendors to come and speak.

If Bellevue has gone through this process extensively, Mr. Whitney suggested starting with what that city has done and modifying that to what Kirkland needs.

Mr. Bergstrom responded that the structures of the two cities' codes are so different, so the codes are very different and the cities' histories are very different. So their results are not directly transferable, but he will go back and look at Bellevue's code again.

Mr. Shields suggested doing some comparisons.

Mr. Goggins recommended doing a spreadsheet comparing different cities and identifying some innovative things other cities are doing.

The cell support structure on 11<sup>th</sup> and Market Street that has been there about a year is 24 inches in diameter and has three panels that are basically pointing in three different directions. PTS has recommended going to that size. Mr. Shields explained that this was a case of a replacement of a light pole. If staff had understood the proposal better, the replacement pole probably would not have been allowed. City staff has had some discussions with T-Mobile about possibly replacing this at sometime.

Mr. Neninger inquired about what the Houghton Community Council would like to see for the poles—steel, wood or wooden laminate, and what diameter is acceptable.

Mr. Goggins wanted to know what the citywide impact would be from the number of poles the providers would need.

Mr. Bergstrom noted that there is also the issue of internal versus external cables.

There was agreement that staff would schedule another hearing, and let the HCC members know when they are ready.

Mr. Shields asked the Community Council if there was anything they had heard that should be off limits or anything that sounds particularly promising.

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~~Ms. Pringle responded that this depends on the size of the panels. She thought anything that extends above a telephone pole looked fine.~~

Mr. Goggins said he would prefer the nonresidential areas that extend what is already being done, so nothing is done in the residential areas except on nonresidential uses in residential areas. He requested to see examples and pictures, as well as some sites to go view.

When Mr. Bergstrom asked if there were things that did not seem acceptable, Ms. Pringle mentioned that appeals for Planning Official decisions should be for any affected party, not just the applicant.

Ms. Cox explained that there is no public notice, and there is not a lot of discretion in the Planning Official's decisions. This is why the appeal process is proposed to be limited to the applicant only. Staff will look at this further.

The Chair closed the public hearing at 8:38 p.m. Another hearing will be scheduled when the requested information is ready. The Planning Director left the meeting.

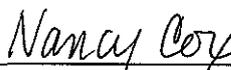
**ADMINISTRATIVE REPORTS AND COMMUNITY COUNCIL DISCUSSION**

The Houghton Community Council is looking for someone to write the voters' pamphlet. This is due on September 25. The next meeting is on September 26. Individual comments are due by August 30.

**ADJOURNMENT**

Motion by Mr. Hess and second by Mr. Goggins to adjourn the meeting at 8:41 p.m.  
Motion carried (6-0).

  
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Hugh Givens, Chair

  
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Nancy Cox, Development Review Manager  
Department of Planning and Community Development

Recording Secretary: Karen Nolz  
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