

VARIANCE CRITERIA FOR APPROVAL

Height Variance Request: On behalf of Vertical Bridge, Technology Associates EC Inc. requests a variance for the height of the proposed facility. We have included RF modeling maps which demonstrate the difference in coverage at the code's current height limit and the proposed height. If constructed below the recommended height, coverage objectives will not be met.

This would also impact future decisions to collocate on this support structure. If telecommunication providers can make the argument that coverage cannot be reasonably achieved, the construction of alternate support structures would be valid. This would ultimately defeat the purpose of the telecommunication chapter in code as well as the comprehensive plan.

Paint Variance Request: We also request a variance from the requirement to paint the facility. Painting support structures achieves the opposite of the intent to visually obscure it. Washington State is typically overcast, which means the sky is grey. The grey of the support structure will blend with this background. On days that are not overcast, the blue of the sky is still consistent with the grey of the galvanized steel. Paint would create more visual contrast. This is demonstrated in the submitted photo simulations. Additionally, the mind is accustomed to seeing towers this color. Painting the towers is an anomaly to the human mind and draws attention, creating visual clutter.

Landscaping Variance Request: Additionally, we request a variance from landscaping. This facility is not visible from public right-of-ways or adjacent properties. The facility is surrounded by natural landscaping – woods on all sides.

What are the criteria for granting approval for a variance? (SMC 2.26.120)

- A. It does not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property is located;**
This project does not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property is located. The project was tested in the recommended manufacturing (M) zone, but the base elevation is not high enough to provide the coverage necessary.
- B. The variance will not be materially detrimental to the public welfare or harmful to the property or improvements in the vicinity and zone in which the property is located;**

Telecommunication enhances public welfare and safety by connecting people to emergency services. For this reason and others, the provision of cellular service can also increase property value rather than detract from it.

The parcels to the north, east and west of the subject parcels are vacant. The parcels to the south are within a different jurisdiction: Snohomish County. Although three parcels are occupied by single family residential units, there is over seven hundred feet, a BPA line, and large volume of trees that provide a buffer. These properties are already located in the immediate vicinity of BPA lattice towers and a water tower, so the character of the area and type of view will not change.

The construction of one support structure at this height will provide colocation opportunities for other telecommunication providers, thus decreasing the proliferation of support structures. One tall tower in a largely vacant area will impact less people and properties than many shorter towers in a densely populated area.

C. The variance is necessary:

- i. Because special circumstances on the property that relate to size, shape, topography, location or surroundings;**
The topography of the subject parcel is necessary to achieve coverage objectives. Without this base height, the tower would need to be taller.
- ii. To provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;**
- iii. Because for reasons set forth in the findings, the variance as approved would contribute significantly to the improvement of environmental conditions, either existing or potentially arising from the proposed improvement; and**

D. The proposal is consistent with the comprehensive plan.

The City's comprehensive plan notes the importance of its rich heritage and the value of its scenic views under the "3.4 Countywide Planning Policies for Land Use, Scenic resources" section. The recommendation is to preserve the view of the downtown area, in particular. If the telecommunication facility were constructed in the manufacturing (M) zone, the downtown area would be impacted. This zone runs along the highway which is what drives tourism into the Urban Center zone. Any facility constructed in this zone would be highly visible from the downtown area.

Additionally, the “Rural center” section recommends that core services be provided for those living, working, and vacationing in the woods. In order to fulfill this recommendation, access to cell services is needed.

“Rural center

Sultan grew up as a center of services for the surrounding rural countryside. Housing, food, financial services, entertainment, transportation and timber processing in Sultan were tied to activity in the forest. The small groups understand that the economic dynamic has changed, but they recommended that Sultan still fulfill the role of rural service center, providing the core services that those living, working and vacationing in the woods need

Scenic resources

While Sultan’s heritage is richly represented by historic barns and mills and its natural surroundings are breathtaking, the small groups also recognize that Sultan’s economic and social development will at times require the removal and replacement of old structures and interrupt views of the surrounding landscape. To this end, they recommended that Sultan recognize the value of its heritage but also that it weigh the benefits of progress against the benefits of preservation. This plan’s policies include direction for both, acting to preserve what’s most significant while still allowing change to occur.

Downtown aesthetic

The small groups recognized that downtown’s appearance is important to the community’s economic success and continued attractiveness to its residents. They recommended that downtown property owners continue to work together to support an enhanced appearance of downtown, particularly along the US 2 frontage, and that the City implement a voluntary design review program to assist property owners and builders as they consider making changes.”