

OFFICE OF THE HEARING EXAMINER

THURSTON COUNTY

REPORT AND DECISION

PROJECT NO.: 2015105778, Verizon Wireless-Sleater Kinney

SEQUENCE NO.: 15-115973 ZM

LOCATION: 2725 Sleater Kinney Road N.E.
Olympia, WA 98506

TAX PARCEL NO.: 11805430000

APPLICANT: Verizon Wireless
3245-158th Avenue S.E., MS 231
Bellevue, WA 98008

CONTACT: Technology Associates
Attn: Hannah Skreen
7117 S.W. Beveland Road, Suite 101
Tigard, OR 97223

OWNER: Bobbie Schwein and Duane Tahrn Sr.
2725 Sleater Kinney Road N.E.
Olympia, WA 98506

PLANNER: Scott McCormick, MES, Associate Planner

SUMMARY OF REQUEST:

Special Use Permit to install an unmanned wireless telecommunications facility consisting of a 150 foot tall monopole with eight panel antennas and associated equipment cabinets. This project will be located within a 30 foot by 40 foot, fenced, leased premises centrally located on the underlying property. The underlying property is five acres in size and located in the Urban Reserve (UR 1/5) zoning district at 2725 Sleater Kinney Road N.E. in unincorporated Thurston County.

SUMMARY OF DECISION: Request granted, subject to conditions.

DATE OF DECISION:

April 6, 2016

PUBLIC HEARING:

After reviewing the Planning and Land Services Staff Report and examining available information on file with the application, the Examiner conducted a public hearing on the request as follows:

The hearing was opened on March 21, 2016, at 10:00 a.m.

Parties wishing to testify were sworn in by the Examiner.

The following exhibits were submitted and made a part of the record as follows:

- EXHIBIT "1" - Resource Stewardship Planning and Environmental Section Staff Report with Attachments a-hh**
- EXHIBIT "2" - Revised Site Plans**
- EXHIBIT "3" - Full Size Map**
- EXHIBIT "4" - Photos Public Notice Sign**
- EXHIBIT "5" - Email from Terry Swanson to Cami Petersen dated March 17, 2016**

The Minutes of the Public Hearing set forth below are not the official record and are provided for the convenience of the parties. The official record is the recording of the hearing that can be transcribed for purposes of appeal.

SCOTT McCORMICK appeared, presented the Planning and Environmental Section Staff Report, and testified that the site consists of a 5.01 acre parcel improved with a single-family residential dwelling and accessory structures. The leased premises consist of a 30 foot by 40 foot level area that is accessed via a private road. The site is within the UR1/5 zone classification and the tower site is forested with 50 foot tall trees. One to two employees would visit the site per month for maintenance and repair. The parcel is not within the jurisdiction of the Shoreline Master Program and no critical areas or buffers exist on the site and none are within 1,000 linear feet. The city limits of Olympia are approximately 1,400 feet from the site, but no residences therein are within the 2,600 foot notice area. A Puget Sound Energy substation abuts the parcel to the south. The responsible official issued a DNS on December 10, 2015, following SEPA review and received no appeals. The project was reviewed by the Building Department, Public Works, and Environmental Health as well as the third party reviewer. The application is adequate and complete and staff recommends approval subject to conditions found at the end of the Staff Report. Staff received an updated site plan on March 1, 2016, that shows a revised access with the width reduced from 20 feet to 12 feet. He then introduced Exhibits 2-5.

DAWN PEOPLES, Environmental Health, appeared and testified that they had reviewed the project pursuant to the sound level requirements and the sanitary code. She referred to Attachment BB to the Staff Report.

ARTHUR SAINT appeared and testified that Public Works approved a variance for the access, and it is now in a different and safer location.

HANNAH SKREEN appeared on behalf of the request and testified that the property owner wants to change the six foot high cedar fence to a chain link fence with slats and the applicant has no objection. She has no questions regarding conditions of approval and will meet all.

ROGER FIERST appeared and testified that he owns ten acres approximately three blocks to the south of the proposed location. He objects to the tower because of its aesthetics. His property is zoned medium density but allows six to 12 dwelling units per acre. People are afraid of tower emissions and property values deteriorate when a tower is constructed. He is certain that the entire area is within the path of development. Contractors have said that a large tower is a detriment to home values. People don't want to locate near a tower, and he is talking about a long term situation. A 150 foot tall tower is not appropriate as no trees extend to that height.

LAVONNE SWANSON appeared and testified that she lives across the street from the site and has a pregnant girlfriend living with her. She has heard a lot about health problems created by tower emissions. She is concerned about the resale value of her home. She has grandchildren residing there as well.

DUANE TAHRAN appeared and testified that he is the underlying property owner and has lived there for 32 years. A tower has existed in the area for the entire time he has lived her that has supporting guy wires. The tower covers a broad spectrum. Concerning RF compliance, he is sure that adequate proof has been presented regarding its dangers. In the past people complained about living next door to power lines, and power lines have created no health issues. He has lived next to a PSE station 40 plus years, and it has never harmed anyone. Large housing developments are going up in the area. A cell tower might be an asset as people would know they would have good service for their phones and computers.

TERRY SWANSON appeared and testified that he a 38 year resident and seven years ago came back to the area after an 18 year absence. He noticed a huge increase in traffic and many new homes. He supports a petition to lower the speed limit on Sleater Kinney Road. He lives to the north across the street about 500 feet away and objects to site of the tower. It will be obvious and he will notice it. He is concerned about technology and how we use it. He questions whether technology is a benefit. He doesn't know the answers to the studies about how technology affects lifestyles. Congestion caused by people coming into the area is growing greatly. Corporate America is also coming into the community. He worked for a large corporation for 27 years. He suspects that additional antenna will be

installed on the tower.

MS. SKREEN reappeared to refer to the RF letter and other studies performed.

MR. McCORMICK reappeared and testified that staff has no objection to a slatted, chain link fence.

No one spoke further in this matter and the Hearing Examiner took the matter under advisement. The hearing was concluded at 10:30 a.m.

NOTE: A complete record of this hearing is available in the office of the Thurston County Resource Stewardship Department.

FINDINGS, CONCLUSIONS, AND DECISION:

FINDINGS:

1. The Hearing Examiner has admitted documentary evidence into the record, heard testimony, and taken this matter under advisement.
2. An Environmental Checklist (Attachment E) was submitted with the Special Use Permit application on July 31, 2015 and routed to County Departments and State Agencies. A Determination of Non-Significance (DNS) following review pursuant to the State Environmental Policy Act (SEPA) was issued on December 10, 2015 (Attachment F). The DNS was not appealed and became final on December 31, 2015.
3. Written notice of the public hearing was sent to all parties of record on March 11, 2016. Notice of the public hearing was published in The Olympian on March 11, 2016, at least ten (10) days prior to the hearing. Notice was posted on site on March 11, 2016.
4. The applicant, Verizon Wireless, has secured a 30 foot by 40 foot (1,200 square foot) leased premises near the center of an underlying 5.01 acre, rectangular parcel located at 2725 Sleater Kinney Road N.E., Olympia. The underlying parcel abuts Sleater Kinney Road for 335 linear feet and measures 632 feet in depth. Improvements on the parcel include a single-family residential home and accessory structures.
5. The site plan shows access provided to the leased premises via a 12 foot wide, private drive extending east from Sleater Kinney Road near the south property line of the underlying parcel and then turning north to the leased premises near the center of the site. The western portion of the underlying parcel adjacent to Sleater Kinney Road supports the improvements and appears vegetated with grass and low growing shrubs. The eastern and central portions of the parcel are heavily treed.

The leased premises is located within the treed portion of the parcel.

6. The applicant requests a special use permit to allow improvement of the leased premises with a 150 foot tall monopole that would support eight panel antennas. The project also includes associated ground level equipment cabinets. A six foot tall, slatted, chain link fence and locked gate surrounds the perimeter of the leased premises. A 50 foot wide, tree retention buffer surrounds the premises and is interrupted only by the access drive. The project requires no water or sanitary sewer service and will generate only one to two vehicle trips per month for maintenance and repair.
7. The parcel is located within the Urban Reserve (UR1/5) zone classification of the Thurston County Code (TCC) and within the rural area of the Thurston County Comprehensive Plan. Section 20.33.050(6)(b) TCC authorize a maximum height of 180 feet for a monopole and antennas within the rural area of the County, subject to acquisition of a special use permit. The applicant has therefore properly applied for such permit for its proposed, 150 foot tall monopole.
8. Abutting parcels in all directions are also located within the UR1/5 classification and are either vacant, improved with single-family homes, or improved with the Puget Sound Energy substation to the south. Except for four parcels on the west side of Sleater Kinney Road that measure approximately one acre in size, all parcels in the area are generally five acres in size or greater. The four parcels to the west and a residence on a five acre parcel to the north will have the most noticeable view of the tower.
9. Prior to obtaining approval of the 150 foot tall, wireless communication facility (WCF) the applicant must show that the project satisfies all criteria set forth in TCC 20.33.080. Findings on each criteria are hereby made as follows:
 - A. Criteria 1 requires an evaluation of alternative sites that could support the antenna and be more acceptable to the community. The applicant conducted such study and found no towers within its identified search ring area that could serve the community. In accordance with TCC 20.33.070, the third party review confirmed that coverage in the area is below average for 4G and cellular phones, and that the tower would operate in compliance with Federal Communication Commission (FCC) requirements.
 - B. Criteria 2 prohibits location of an antenna support structure in residential districts unless the applicant demonstrates that a nonresidential site is not available. The applicant has made such showing. Even though a Puget Sound Energy substation abuts the south property line, the zoning of said parcel is also residential. Furthermore, sufficient room for the tower does not exist on the PSE site.

- C. Criteria 2(d) requires the screening of monopoles to the maximum extent feasible. Furthermore, such facilities should blend with their immediate surroundings to reduce visual impacts. The applicant has located the tower near the center of a five acre parcel among significant, native trees and vegetation. While the upper portion of the tower will be visible to nearby properties, much of the tower and the entire base will be screened by vegetation to include the 50 foot wide, perimeter buffer. The applicant also proposes to paint the tower a dark green.
- D. The tower is located, designed, and screened to maintain property values and neighborhood character by its location within a forested area on a 5.01 acre parcel and its dark green color.
- E. No critical areas exist on the site and no known protected species or habitats will be impacted.
- F. Criteria 3 requires the monopole to maintain a minimum setback from exterior property lines a distance equal to 110 percent of the height of the structure to include the antennas. The applicant proposes a 150 foot tall structure (including antennas), which requires a 165 foot wide setback. According to the revised site plan (Exhibit 2) the setbacks will measure 165 feet from the south property line, 354 feet from the east property line, 170 feet from the north property line, and 278 feet from the west property line. The tower meets all setback requirements.
- G. Criteria 4 requires a separation of 2,400 linear feet between antenna support structures in the rural area of the County. The applicant has shown that the nearest antenna support structure is more than 3,000 feet to the south and that such location will not provide the needed service.
- H. Criteria 5 requires the applicant to construct the tower in a manner that will support the antennas of at least two additional wireless providers. Both the applicant and the underlying property owner agree to accommodate co-location.
- I. Criteria 6 provides that the maximum height of a WCF within the rural area is 180 feet. The applicant proposes a 150 foot tall tower.
- J. Criteria 7 requires that monopoles be located among trees wherever possible. The applicant has located the tower within a forested area and has also provided a 50 foot wide, tree retention buffer.
- K. Criteria 8 sets forth the public safety standards for WCF facilities. Such standards require enclosure of the leased premises with a six foot tall fence and installation of anti-climbing devices on the tower. In the present case,

the applicant originally proposed a six foot tall, cedar fence, but at the request of the underlying property owner now requests a six foot tall, chain link fence with deep green slats. A locked gate will also provide security. Finally, the applicant will install anti-climbing devices on the tower.

- L. The project site provides a minimum of one parking space as well as a hammerhead turnaround. A 12 foot wide, private driveway exceeds the minimum, ten foot wide, road requirement.
 - M. In accordance with Criteria 10, no signals, lights, or signs will be installed on the tower as none are required by the FAA or FCC.
 - N. In accordance with Criteria 11, the applicant proposes no outdoor storage of motor vehicles or other materials.
10. Section 20.33.100 TCC limits ground mounted equipment structures to a maximum of ten feet in height. The proposed ground equipment satisfies said criteria. Said section also provides that ground mounted equipment cannot be visible from adjacent, residential properties or public rights-of-way. Furthermore, all such structures must meet building setbacks, screening, and other zoning standards. The site plan shows that the location of ground mounted equipment will greatly exceed all setback requirements. All such equipment will be located on the leased premises within the forested area of the site and behind the chain link, slatted fence.
11. Prior to obtaining a special use permit the applicant must show that the request satisfies the criteria set forth in TCC 20.54. Findings on each criteria are hereby made as follows:
- A. The proposed WCF at the proposed location complies with Thurston County Comprehensive Plan policies and all applicable Federal, State, and regional laws and plans. The project also meets the criteria set forth in Chapter 20.33 TCC as set forth above.
 - B. The project complies with all requirements of the UR1/5 zone classification. An open space dedication is not required and monopoles are exempt from the 35 foot tall, building height limit. Section 20.33.080(6)(B) TCC allows a free standing monopole or tower to extend 180 feet above grade. The applicant proposes a tower of 150 feet.
 - C. Prior to approving a special use permit the applicant must show that the request is appropriate for the location in which it is proposed. Said section sets forth two criteria for evaluating appropriateness. Findings on each are hereby made as follows:

1. The proposed use will not result in a substantial or undue, adverse impact on adjacent parcels, neighborhood character, natural environment, traffic conditions, parking, public property or facilities, or other matters that affect the public health, safety, and welfare. The project will not impact abutting parcels with noise or traffic, and as previously found, will not require lights at the top or at any location on the tower. The applicant conducted a balloon test that shows some surrounding residents will see the tower. However, such is not unusual for a 150 foot tall monopole, regardless of location. Residents will see the upper portion of the tower as the lower half is screened by existing trees and vegetation. The tower will not block or interfere with views of Mt. Rainier, the Olympics, Puget Sound, or other vistas. In addition, the applicant will paint the structure dark green to blend it with the surrounding trees. The monopole will not create an undue or substantial adverse impact on adjacent parcels. No critical areas or buffers are located on the site.
 2. The WCF will not impose an undue burden on improvements, facilities, utilities, or existing or planned utilities in the area. In fact, the WCF will provide improved cellular phone service and 4G service to the area.
12. Goal 1, Objective A, Policy 14 of the Land Use Element of the Comprehensive Plan provides that while special uses may be permitted in rural areas, they should be constrained in size and scale so as to maintain the rural character of the area. The primary purpose of the special use should be to serve rural area residents. In the present case, the antennas are constrained to the area necessary for the provision of wireless communication service to rural area residents. The tower will serve rural populations as well as the traveling public on adjacent roads.
13. Residents of the area expressed concerns regarding adverse health effects of RF emissions from the tower. The Washington Court of Appeals decision in Cingular Wireless, LLC v. Thurston County, 131 Wn. App. 756 (2006) noted that the Thurston County Hearing Examiner properly refused to consider such health issues as follows:

Several citizens voiced concerns about the adverse health impacts of radio frequency (RF) emissions, including increased risk of cancer. Because the TCA [Telecommunications Act] expressly prohibits local officials from basing land use decisions on fears about RF emissions when proposed WCFs comply with FCC RF exposure limits, and because the proposed WCF complied with such limits, the hearing examiner did not consider this testimony. 131 Wn. App. 756 @ 764

The Court went on to find that the hearing examiner properly did not consider citizen concerns regarding environmental effects on birds, wildlife, salmon, and groundwater contamination. (pp 764, 765)

14. Residents also expressed concerns that the WCF would diminish property values. However, the Court of Appeals in Cingular Wireless, supra, noted:

But unlike in Sunderland, here the hearing examiner expressly discounted unsubstantiated neighborhood fears about RF emissions, environmental impacts, and declining property values. Although “numerous letters leveled unfounded pecuniary and political charges against Cingular and the wireless services industry in general,” the record does not support Cingular’s assertion that the hearing examiner relied on such evidence....131 Wn. App. 756 @ 786

In Sunderland Family Treatment Services v. City of Pasco, 127 Wn. 2nd 782 (1995), our Washington Supreme Court required objective evidence such as real estate expert opinions to substantiate allegations of property depreciation and that “well-founded fears justify such reduction”. In Sunderland, one of the City’s findings used as a basis to deny a special use permit was that “The proposed use will impair the value of adjacent properties by diminishing their desirability as single-family residential units due to concerns for the safety of elderly homeowners and young families with their young children”. The Court addressed said finding as follows:

Sunderland and the City agree this finding is based upon fears of neighborhood residents rather than more objective evidence such as real estate expert opinion. In the past this Court has acknowledged that neighbors fears may reduce property values... However, there is an important distinction between well-founded fears and those based upon inaccurate stereotypes and popular prejudices... Courts have long held the later cannot justify the zoning restrictions...

In this case, there is no evidence the home would have any effect on the safety of the elderly or children in the area. Any reduction in property values would be based on unsubstantiated fears with regard to teenagers from troubled families. This is not competent or substantial evidence to support the City’s findings. 127 Wn. 2nd 782 @ 794, 795

In the present case, residents did not submit evidence from real estate experts that substantiate reductions in property values. Even though neighbors may fear the health effects of emissions from cellular antennas, such fears are not well-founded and cannot support a finding that the tower would be detrimental or injurious to property values in the neighborhood.

CONCLUSIONS:

1. The Hearing Examiner has the jurisdiction to consider and decide the issues presented by this request.
2. The applicant has shown that the request for a special use permit satisfies all criteria set forth in Chapter 20.54 TCC. The applicant has also shown that the request to locate a cellular communications facility at the proposed site satisfies all criteria set forth in TCC 20.33.080. Therefore, the special use permit should be approved subject to the following conditions:

- A. The tower shall be no higher than 150 feet above average grade.
- B. There shall be no rotary converters, generating machinery or other equipment that would cause substantial (above regulated standards at the property lines) odors, smoke, noise, electrical interference or similar disturbances, with the exception of an emergency backup generator for use only during power outages.
- C. A minimum 6-foot high fence shall be maintained around the perimeter of the lease site.
- D. The tower shall be designed, or fitted with appropriate anti-climbing devices, to prevent unauthorized climbing of the tower.
- E. The tower shall not contain hazard marking or lighting.
- F. A minimum 50-foot wide tree retention buffer shall be established around the perimeter of the facility, excluding the access point. The applicant shall cause an easement signed by the property owner, establishing the 50-foot wide tree retention buffer to be recorded with the County Auditor prior to the issuance of any building permits. This buffer shall remain in effect for as long as the WCF/antenna support structure is located on the site.

Any tree within the buffer that dies or is removed due to disease or wind throw shall be replaced during the next planting season with a minimum of two native conifer trees a minimum of six feet in height at the time of planting.

- G. If contamination is currently known or suspected during construction, testing of potentially contaminated media must be conducted. If contamination of soil or groundwater is readily visible, or is revealed by testing, The Washington State Department of Ecology must be notified (Contact the

Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300).

- H. The Applicant shall notify the Resource Stewardship Department of any changes in ownership, and any significant changes in technology or operation affecting the facility within 60 days of the change. The current owner of the tower must provide all documents containing conditions of approval to each new owner or lessee.
- I. Prior to any construction or development work on site all necessary building permits, grading and construction permits and other necessary approvals shall be obtained. A Thurston County Non-Residential Building Permit is required for the project.
- J. The project shall meet all applicable conditions and requirements of TCC Title 20, Chapter 20.33 – Wireless Communication Facilities and Antenna Support Structures and Chapter 20.54 – Special Uses.
- K. The following Health related conditions:
 - 1. The facility is to be unmanned and therefore will not have any plumbing for domestic use, including sinks or restroom facilities.
 - 2. The proposed project shall not adversely impact the existing on-site sewage system or single family well located on the subject property.
 - 3. The proposed project must comply with the noise standards of Thurston County Ordinance Title 10, Chapter 10.36 and Chapters 173-58 and 173-060 of the Washington Administrative Code (WAC).
 - 4. The proposed diesel generator must meet all storage and secondary containment requirements of Article VI of the Thurston County Sanitary Code and the Thurston County Critical Areas Ordinance.
- L. The following Public Works related conditions:
 - 1. The proposed roadway in concept and design shall conform to the Road Standards.
 - 2. A construction permit shall be acquired from the Thurston County Public Works –Development Review Section prior to any construction.

TRAFFIC CONTROL DEVICES

- 3. All traffic control devices shall be designed, located, manufactured,

and installed in accordance with the Road Standards, Manual of Uniform Traffic Control Devices and applicable WSDOT Standards & Specifications. A sign and striping plan shall be incorporated into the construction drawings for the project. Please contact Thurston County Public Works – Development Review Section Staff to obtain the most current Thurston County guidelines.

4. County forces may remove any traffic control device constructed within the County right-of way not approved by this division and any liability incurred by the County due to nonconformance by the applicant shall be transferred to the applicant.

DRAINAGE

5. The storm water management system shall conform to the Drainage Design & Erosion Control Manual.
6. All drainage facilities outside of the County right-of-way shall remain private and be maintained by the developer, owner and/or the property owners association.
7. Storm water runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact any existing drainage or other properties.

UTILITIES

8. The proposed water and sewer system shall be designed in accordance with the standards and specification of the respective utility purveyor. All water and sewer plans are subject to review and acceptance by the respective utility purveyor.
9. Proposed utility work within the Thurston County Right of Way shall conform to the Road Standards and Chapter 13.56 Thurston County Code. These standards do not address specific city design requirements but rather only items such as restoration of the County right of way and traffic control.
 - a. Placement of utilities within the County right of way will require a Franchise Agreement with Thurston County pursuant to Title 13.56 TCC. This agreement shall be executed with Thurston County prior to final approval.
 - b. Please note all utilities placed parallel to and within the pavement structure are required to rebuild a minimum of half the road, to include grinding and replacement of a minimum of

0.20' of asphalt concrete pavement.

GENERAL CONDITIONS

10. No work shall take place until a construction permit has been issued by Thurston County Public Works – Development Review Section.
11. The proposed grading or site work shall conform to Appendix J of the International Building Code, Title 14.37 of the Thurston County Code and Drainage Design & Erosion Control Manual.
12. When all construction/improvements have been completed, contact the Thurston County Public Works – Development Review Section at 786-5214 for a final inspection.
13. This approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. One permit that may be required is a Construction Stormwater Permit from the Washington State Department of Ecology. Information on when a permit is required and the application can be found at:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. Any additional permits and/or approvals shall be the responsibility of the Applicant.

PROJECT SPECIFIC CONDITIONS

14. Once the planning department has issued the official approval, a construction permit application shall be submitted along with a complete set of construction drawings and the final drainage and erosion control report to Thurston County Public Works – Development Review Section for review and acceptance.
15. PRIOR to construction, the applicant shall:
 - a. Pay outstanding construction review and inspection fees*
 - b. Receive erosion and sediment control permit
 - c. Have the erosion and sediment control inspected and accepted
 - d. Receive a construction permit
 - e. Schedule a pre-construction conference with county staff.* The current fee schedule can be found online at <http://www.co.thurston.wa.us/permitting/fees/docs/Roads-Development-Review-Fees-20090301.pdf> or contact Ruthie Padilla with the Thurston County Public Works – Development

Review Section by phone at 754-3355, ext. 6595, or by e-mail at padillr@co.thurston.wa.us.

FINAL REVIEW

16. Prior to receiving final approval from this department, the following items shall be required:
 - a. Completion of all roads and drainage facilities.
 - b. Final inspection and completion of all punch list items.
 - c. Record drawings submitted for review and acceptance. The record drawings shall include street names and block numbers approved by Addressing Official.
 - d. Receive and accept Engineer's Construction Inspection Report Form (Appendix I-C, Volume I of the Drainage Design and Erosion Control Manual).
 - e. Receive and accept Maintenance Agreement Form (Appendix I-E, Volume I of the Drainage Design and Erosion Control Manual).
 - f. Payment of any required permitting fees.

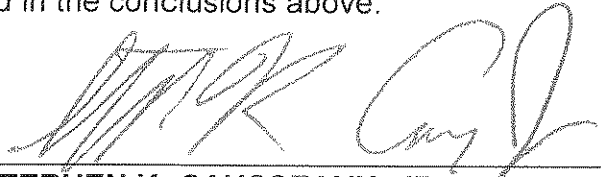
- M. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.

- N. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

DECISION:

The request for a special use permit to allow installation of an unmanned, wireless telecommunications facility consisting of a 150 foot tall monopole, eight panel antennas, and associated equipment cabinets within a 1,200 square foot leased premises located on an underlying, 5.01 acre parcel at 2725 Sleater Kinney Road N.E., Olympia, is hereby granted subject to the conditions contained in the conclusions above.

ORDERED this 6th day of April, 2016.



STEPHEN K. CAUSSEAU, JR.
Hearing Examiner

TRANSMITTED this 6th day of April, 2016, to the following:

APPLICANT: Verizon Wireless
3245-158th Avenue S.E., MS 231
Bellevue, WA 98008

CONTACT: Technology Associates
Attn: Hannah Skreen
7117 S.W. Beveland Road, Suite 101
Tigard, OR 97223

OWNER: Bobbie Schwein and Duane Tahrn Sr.
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THURSTON COUNTY