



City and Borough of Sitka

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A Coast Guard City

Planning and Community Development Department

AGENDA ITEM

Case No: V 22-06
Proposal: Increase maximum height from 35' to 90' for communication tower
Applicant: City and Borough of Sitka Planning Department
Owner: City and Borough of Sitka
Location: Harbor Mountain Bypass Road
Legal: Tract C, ASLS 79-4, According to Plat 79-13
Zone: R-1 single family and duplex residential district
Size: 10,034 square feet
Parcel ID: 2-4940-000
Existing Use: Undeveloped
Adjacent Use: Utilities, Recreation, Vacant
Utilities: Existing
Access: Harbor Mountain Bypass Road

KEY POINTS AND CONCERNS

- Sitka General Code sets a maximum allowable height in the R-1 district at 35'
- Property is being leased to Vertical Bridge, LLC for development of a cell tower site
- 90' tower will allow anchor tenant, Verizon Wireless, to significantly increase their coverage of surrounding area
- Tower design will allow for future collocations by other providers, further increasing competitive telecommunication service

RECOMMENDATION

Staff recommends that the Planning Commission approve the variance to increase maximum height to 90' at the lease parcel on Harbor Mountain Bypass Road.

BACKGROUND/PROJECT DESCRIPTION

The request is to increase the maximum allowable height of principle structures from 35' to 90' in the Public Lands district at 1332 Seward Avenue for the placement of a communications tower. The proposal would allow the anchor tenant, Verizon Wireless, to fill a gap in coverage in the Granite Creek area. The maximum height of a principal structure in the R-1 district is 35'. The proposal for a 90' tower would allow for appropriate antenna height for optimized coverage. The lease of this property for cell tower development came before the Commission in 2020 under case file LM 20-04, and it was noted at that time that a height variance would be needed. The Commission unanimously recommended approval of the lease.

ANALYSIS

The Sitka General Code limits the maximum height of principal structures to 35' in the R-1 district¹. The Code states that communications towers or antenna requests to exceed the height limit require the granting of a variance².

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. A required finding for variances involving major structures or expansions in the Sitka General Code echoes this statement by stating that there must be "...special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner". In this case, the applicant's ability to provide cellular and wireless coverage is dependent upon the height of the proposed structure and can therefore be considered a special circumstance that is unique to the proposed use.

Potential Impacts

Granting of this variance is likely to result in minimal impact to surrounding uses. The proposed location is on undeveloped/vacant land, with a municipal water tank nearby. While Harbor Mountain Bypass Road is a popular means of accessing recreation assets, this site is on the lower part of the road and well distanced from the Harbor Mountain paths, trails, and look-outs. The site is also well over 1,000 feet away (from shortest point) from the nearest residential development. Site development will attempt to preserve as many trees and other vegetation as possible to provide screening. The site will also be secured with fencing and a gate.

¹ SGC Table 22.20-1

² SGC 22.20.055

Comprehensive Plan Guidance

While the Comprehensive Plan does not specifically address telecommunications infrastructure, Comprehensive Plan support for this proposal can be found in actions ED 5.3 to “maintain well-functioning infrastructure upon which commerce and economic activity depend” and LU 8.2 to “amend development standards to promote affordable development including increasing height, decreasing minimum lot size and width, establishing lot and structure maximums in specific zones, and reducing parking requirements as appropriate.” Granting of this variance would increase Sitka’s cross-network telecommunications coverage, which would benefit both commercial and personal use of cellular and wireless infrastructure.

RECOMMENDATION

The Planning Department recommends approval of the request for a maximum allowable height increase on the lease parcel located on Harbor Mountain Bypass Potential impacts are minimal and the proposal will allow for increased telecommunications infrastructure where a gap has been identified.

ATTACHMENTS

Attachment A: Aerial

Attachment B: Site Plan and Elevation View

Attachment C: Plat

Attachment D: Photos

Attachment E: Applicant Materials

Motions in favor of approval

- 1) **“I move to approve the variance for an increase in the maximum height of principal structures for a lease parcel on Harbor Mountain Bypass Road in the R-1 single-family and duplex residential district. The property is also known as a portion of Tract C, ASLS 79-4, according to Plat 79-13. The request is filed by the City and Borough of Sitka Planning Department. The owner of record is the City and Borough of Sitka.”**

- 2) **“I move to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report.”**

Before any variance is granted, it shall be shown³:

- a. **That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the**

³ Section 22.30.160(D)(1)—Required Findings for Major Variances

parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner;

b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity;

c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure;

d. That the granting of such a variance will not adversely affect the comprehensive plan.