



City and Borough of Sitka

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Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No: V 21-11
Proposal: Increase maximum height from 40' to 90' for communication tower
Applicant: Vertical Bridge Development, LLC.
Owner: 4607 Halibut Pt. Rd, Sitka, LLC.
Location: 4660 Halibut Point Road
Legal: Lot 61A, S&S Minor Subdivision
Zone: I - Industrial District
Size: 131,115.6 square feet
Parcel ID: 2-5900-000
Existing Use: Industrial
Adjacent Use: Industrial, Commercial
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Sitka General Code sets a maximum allowable height in the I district at 40'
- 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 4660 Halibut Point Road.

BACKGROUND/PROJECT DESCRIPTION

The request is to increase the maximum allowable height of principle structures from 40' to 90' in the Industrial district at 4660 Halibut Point Road for the placement of a communications tower. The proposal would allow the anchor tenant, Verizon Wireless, to fill a gap in coverage along Halibut Point Road near the cruise ship terminal. The maximum height of a principal structure in the Industrial zoning district is 40'. The proposal for a 90' tower would allow for appropriate antenna height for optimized coverage. It is for this reason that applicant requests a height variance.

ANALYSIS

The Sitka General Code limits the maximum height of principal structures to 40' in the Industrial zone¹. 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 industrial nature of the existing use on this lot and the placement of the tower structure on the landward side of Halibut Point Road mitigate potential impacts to surrounding uses or the location's viewshed. The request to increase the maximum height allowance to 90' can be justified by the allowance in requests in excess of the proposed 90' made for communication towers at other locations. For comparison, the communication tower at 1000 Raptor Way is approximately 130'.

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 at 4660 Halibut Point Road. Potential impacts are minimal in an industrial area and the proposal will allow for increased telecommunications infrastructure where a gap has been identified.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Site Plans
Attachment C: Elevation
Attachment D: Plat
Attachment E: Photos
Attachment F: Applicant Materials

Motions in favor of approval

- 1) **“I move to approve the variance for an increase in the maximum height of principal structures at 4660 Halibut Point Road in the I – Industrial district. The property is also known as Lot 61A, S&S Minor Subdivision. The request is filed by 4607 Halibut Pt. Rd, Sitka, LLC. The owner of record is Vertical Bridge Development, LLC.”**

- 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 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.**

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