



Rafe Wysham
Director

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

Notice of Administrative Decision

Date: 5/7/2025

To: HANSVILLE COMMUNITY CHURCH, PO BOX 57 HANSVILLE, WA 98340-0057

Representative: Chris DeVoist, christopher.devoist@taec.net

Interested Parties and Parties of Record: Brian and Deanna Smilen, Smilenbrian@gmail.com ; David Ison, WSDOT, david.ison@wsdot.wa.gov ; Kelly Schaeffbauer, Kqssms@msn.com ; David Ladd, Garzablanco@yahoo.com

RE:

Permit Number: 24-03613

Project Name: HANSVILLE COMMUNITY CHURCH - Administrative Conditional Use Permit for Cell Tower

Type of Application: ADMIN CUP

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit #24-03613: HANSVILLE COMMUNITY CHURCH - Administrative Conditional Use Permit for Cell Tower- ADMIN CUP**, subject to the conditions outlined in this Notice and included Staff Report.

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.

The written appeal shall be made on, or attached to, an appeal form titled: 'Appeal/Objection of an Administrative Decision' found on DCD's website, through the Online Permit Application Portal: <https://app.oncamino.com/kitsapcounty/login>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777.

CC:

Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
Dept of Archaeological Historic Preservation
Point No Point Treaty Council
Port Gamble S'Klallam Tribe
Puyallup Tribe
Skokomish Tribe

Permit #24-03613, HANSVILLE COMMUNITY CHURCH - Administrative Conditional
Use Permit for Cell Tower
5/7/2025

Squaxin Island Tribe
Suquamish Tribe
WA Dept of Fish & Wildlife
WA Dept of Natural Resources
WA State Dept of Transportation
DCD Staff Planner: Jeff Smith, JNsmith@kitsap.gov
Interested Parties: Brian and Deanna Smilen, Smilenbrian@gmail.com ; David Ison,
WSDOT, david.ison@wsdot.wa.gov ; Kelly Schaeffbauer, Kqssms@msn.com ; David
Ladd, Garzablanco@yahoo.com
CC Distribution List from NOA:
Applicant: Chris DeVoist, christopher.devoist@taec.net
Owner: HANSVILLE COMMUNITY CHURCH, PO BOX 57 HANSVILLE, WA 98340
Interested Parties: Deanna & Brian Smilen, bdsmilen@yahoo.com ; David Ison,
david.ison@wsdot.wa.gov
Health District
Public Works
Parks
Navy
DSE
Kitsap Transit
North Kitsap Fire District
North Kitsap School District
Puget Sound Energy
Water Purveyor: KPUD 1
Sewer Purveyor: KPUD 1
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
Skokomish Tribe
WA Dept of Fish & Wildlife
WA State Dept of Transportation
Dept of Archaeological Historic Preservation
WA Dept of Natural Resources
WA Dept of Transportation/Aviation
WA State Dept of Ecology-SEPA
WA State Dept of Ecology-Wetland Review



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

Administrative Staff Report

Report Date: May 1, 2025

Application Submittal Date: August 08, 2024

Application Complete Date: September 08, 2024

Project Name: HANSVILLE COMMUNITY CHURCH-Cell Tower
Type of Application: - Administrative Conditional Use Permit
Permit Number: 24-03613

Project Location

35928 Hansville Road NE
Kingston, WA 98340
Commissioner District 1

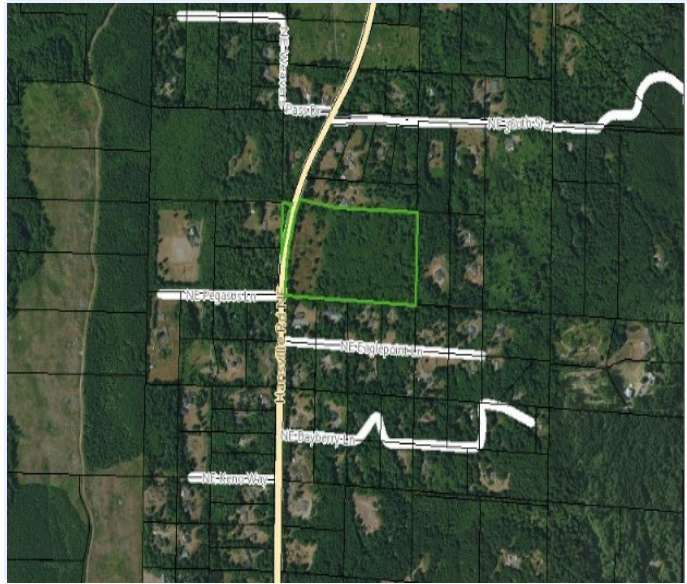
Assessor's Account

272802-3-003-2002

Applicant/Owner of Record

Hansville Community Church,
PO Box 57
Hansville, WA 9834

VICINITY MAP



Decision Summary

Approved subject to conditions listed under section 13 of this report.

1. Background

T-Mobile wireless is requesting approval of an Administrative Conditional Use Permit (ACUP) for the construction of an automated stealth Wireless Communication Facility (WCF) on property owned by the Hansville Community Church, pursuant to KCC 17.530.040 and 060. The T-Mobile WCF will be a 180' tall stealth faux evergreen tower "Monopine" that will fully conceal associated antennas and equipment mounted on the pole, along with a 50'x'50' gravel compound with fencing for screening ground equipment from the neighbors. The top of the WCF will be visible from Hansville Road and existing natural vegetation will be left in place to the maximum amount possible. The project includes associated equipment cabinets are planned for the initial wireless tenant (T-Mobile), and power/telco utility services. A new 12-foot-wide gravel access drive will extend approximately 300-feet east and south from Hansville Road. Disturbed area for the project

is estimated at 14,000 SF. The project will result in approximately 7,410 SF of new hard surface.

2. Project Request

The request is for approval of an Administrative Conditional Use Permit to construct a stealth wireless communication facility located in Kitsap County at 35928 Hansville Road.

3. SEPA (State Environmental Policy Act)

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of "major" environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated September 26, 2024. A Determination of Nonsignificance (DNS) was issued on February 11, 2025. SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under conditions 22-25 at the end of this report:

COMMENTS:

1. The proposed personal wireless service exceeds the threshold of sixty feet pursuant to WAC 197-11-800(26)(iii). The proposed activity will be conditioned to use stealth design technology to appear as a Monopine tree, reducing potential visual impacts on surrounding properties. With retention of existing tree stands, screening of ground equipment as prescribed by Kitsap Code, the stealth monopole will be consistent with the rural character of the surrounding properties.
2. The proposed development is required to adhere to all fire safety, stormwater, zoning regulations in the Kitsap County Code (KCC), Titles 14, 12 and 17 respectively to mitigate potential impacts.

CONDITIONS:

1. The applicant's proposal for a tower-based facility disguised through stealth technology as a Monopine tree shall be consistent with KCC 17.530.030.030 Permitting, and demonstrate the proposal meets the requirements of a stealth designed WCF pursuant to KCC 17.530.040.B Visual Appearance.
2. The WCF design shall be consistent with a Douglas fir tree or Pine tree. The limbs creating

the crown shall taper from the top of the tower and longer limbs down towards the base. Design should include leader limb at top of tower and antenna socks. The limb density should be dense enough to simulate a healthy growing conifer. As documented by the applicant the WCF shall have a similar appearance to the WCF in the architectural drawing and photo simulation, submitted by the applicant. Tree limbs shall be installed down to approximal 20-foot elevation to increase compatibility and maintain an appearance as a tree.

3. Consistent with the applicant’s discussion on the proposed tower height, retain trees within a Native Growth Protection Easement, consistent with KCC 17.500 Landscaping, on the Building Permit site plan, retain planted and existing vegetation outside the fence of the ground equipment compound used for landscaping to help provide a functional screen of the base of the tower and ground equipment area.
4. Prior to Final Inspection, the applicant/representative shall submit a construction As-built of the stealth-designed WCF to the Department to demonstrate consistency with proposed design and compliance with the ACUP SEPA conditions approval to demonstrates the tower creates less than a moderate visual impact per KCC 17.530.040.B.

The SEPA appeal period expired February 25, 2025. No appeals were filed; therefore, the SEPA determination is final.

4. Physical Characteristics

The underlying property is approximately 19.6 acres with 4 acres of mowed grass and brush with scattered trees and the remainder in forest. The site is gently rolling with a typical slope of 5% or less. There are no defined or concentrated flow paths. Runoff generally sheet flows to the east. The northern leg of the proposed access route sheet flows north, then east, but recombines with other site flows within ¼ mile. So, there is only one Threshold Discharge Area. Site soils are mapped as Kapowsin gravelly ashy loam. A soil log generally confirmed that classification. Describe the physical characteristics of the property.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Zone:Rural Residential	Standard	Proposed
Minimum Density	NA	NA
Maximum Density	1 dwelling Unit per 5 acres.	
Minimum Lot Size	5 acres	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35’	<180’
Maximum Impervious Surface Coverage	NA	NA

Maximum Lot Coverage	NA	NA
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Applicable footnotes: 37. Adjacent to airports, the director may impose height restrictions and/or other land use controls as deemed essential to prevent the establishment of air space obstructions in air approaches to protect the public health, safety and welfare consistent with Federal Aviation Regulations (FAR) Part 77., 40. Height Limitations set forth elsewhere do not apply and determined per KCC 17.530.040 General development standards.

40. *Height limitations set forth elsewhere in this title shall not apply to the following: barns, silos, or other farm buildings and structures, provided they are not less than fifty feet from every lot line; chimneys, spires on places of worship, belfries, cupolas, domes, smokestacks, flagpoles, grain elevators, cooling towers, solar energy systems, monuments, fire house towers, masts, aerials, elevator shafts, stairs or stair shafts and other similar projections; and outdoor theater screens, provided said screens contain no advertising matter other than the name of the theater. The proponent seeking exception to the height limitation shall certify that the object being considered under this provision will not shade an existing solar energy system which, by the determination of the director, contributes substantially to the space- or water-heating requirements of a building.*

Staff Comment: *The height requirements for tower-based facilities is calculated to accommodate the intended function, and not more than 40' above existing trees and less than 200' to require tower lighting near airports. The applicant will be employing stealth technology as Monopine tree, per KCC17.530.040 for visual appearance with no lighting to improve rural compatibility within the residential zone.*

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	50'	199' *
Side (North)	20'	198' *
Side (South)	20'	341' *
Rear (East)	20'	198' *

KCC 17.530.060.A.6 Use of Property and Setbacks: Sole tower-based facility and use and the distance between the base of the tower-based facility and nearest property line is at least 110% of the proposed height of the facility.

Staff Comment: *The Applicant's proposal is consistent with requirements for sole use of the property and consistent with minimum tower setbacks from the nearest property lines included with the revised site plan and revised construction drawing, dated December 3, 2024. (See Condition of Approval #11)*

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence	Rural Residential (RR)
South	Single-family residence	RR
East	Single-family residence	RR
West	Undeveloped and single-family residences	RR

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

5. Access

The project will receive access from Hansville Road NE, which has a functional road classification as a Major Collector.

6. Site Design

The WCF was reviewed pursuant to KCC 17.540 ACUP review process and standards in KCC 17.530 WCF standards for landscaping, and stealth design etc. The following analysis below provides information on consistency with design standards for land use review.

7. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016

The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use Goal 13

Protect Kitsap County’s unique rural character

Land Use Policy 57

Encourage development practices and design standards for the rural area, such as minimizing changes in grade form predevelopment site conditions in order to maximize native vegetation retention.

CapF. and Utilities Goal 8

Ensure utilities are provided in an efficient, coordinated and timely manner between Utility providers to meet the needs of the County’s population.

CapF. and Utilities Policy 25

Encourage siting of large, above ground utilities (e.g. antennas, towers) in industrial or commercial areas or along appropriate transportation and utility corridors.

CapF. and Utilities Policy 27

Minimize the visual impact of utility facilities on view corridor, vistas and adjacent properties by developing design standards for cellular towers, antennas and other types of utility facilities.

The County’s development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Administrative CUP Application	August 09, 2024
Supplemental information	August 09, 2024
Environmental (SEPA) Checklist	August 09, 2024
Revised Site Plan	December 03, 2024
FCC compliance document	August 09, 2024
FAA compliance document	August 09, 2024
Landscaping Project Narrative	August 09, 2024
Noise Report	August 09,2024
<u>Staff Communication</u>	<u>Dated</u>
Dev. Services & Engineering Memo	March 11, 2025

9. Public Outreach and Comments

Pursuant to KCC Title 21, Land Use and Development Procedures, the Department gave proper public notice 1,200 feet around the project site for the Administrative Conditional Use Permit. To date, the Department has received written public comments on the request. During the comment period for the Notice of Application the Department received comments from David Ison, WSDOT Aviation Division and Brian and Deanna Smilen. A neighbor had the following comments which include: the amount radiation being emitted, too close to residential homes, concern with appearance, and impact property values.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1.	Neighbor has concerns with the amount of radiation the tower will emit.	2
2.	Tower is too close to residential homes	2
3.	Appearance is incompatible	2
4.	The Tower will impact property values	2

Issue Ref. No.	Issue	Staff Response
1.	Tower Radiation	<i>Based on the approval by the Federal government local government is prohibited from regulating electro radiation emitted from WCF. Not like microwave technology, towers operate by line of sight and at a narrow frequency.</i>
2.	Adjacent to residential homes	<i>Kitsap County Code was updated to increase the setbacks from the nearest property line to 110% of the tower height to protect adjacent property owners.</i>
3.	Appearance is incompatible	<i>As allowed per KCC 17.530.040 the applicant is requesting the to construct the tower using stealth technology to have an appearance as a conifer tree. The design will improve compatibility with the neighborhood and the rural residential character in the area. Consistent with the 17.530.060 design includes natural vegetation to be retained around the base of the facility to screen the base of the tower and the appearance of the facility located within a stand of trees.</i>
4.	Tower will impact property values	<i>As reviewed below, per KCC 17.410.042 # 424 residential use table, wireless communication facilities are an allowed permitted land use within the RR zone. WCF's provide a public benefit, and the applicant follows the</i>

		<i>standards in KCC 17.530.040 for design, impacts will be mitigated, to help prevent negative externalities on surrounding property values.</i>
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10. Analysis

a. Planning/Zoning

The residential property is designated through the Comprehensive Plan Land Use Designation Map as Rural Residential and zoned Rural Residential. The T-Mobile Wireless-BRE Hansville facility is classified as a tower facility, which requires an ACUP in compliance with KCC Ch 17.530.030 Wireless Communication Facilities- Permitting - Table 1 Wireless Communications Facility Permit Review Summary. The ACUP application is reviewed pursuant to requirements KCC 17.530.040 and 050 for general development standards and for nontower and small wireless communication facilities. Per the purpose statement in KCC 17.530.010, the intent is to minimize or even eliminate visual impacts to properties within the vicinity of the WCF. Encourage creative approaches to locating facilities that are compatible with surroundings.

b. Lighting

Artificial outdoor lighting should be arranged so that light is fully shielded from the side view, directed downward, and away from adjacent residential properties and so that no more than one-foot candle of illumination leaves the property boundaries consistent with KCC 17.105.110 Obnoxious Things.

Staff Comment: Apart from the ground equipment lease area, the applicant is proposing a stealth design with a low height and FAA lighting is not applicable.

c. Off-Street Parking

If applicable, the projects are required to provide adequate off-street parking consistent with the standards in KCC Chapter 17.490 Off-street Parking and Loading. Pursuant to KCC 17.490.030 Number of required spaces, projects are required to provide minimum off-street parking for land use project.

Staff Comment: Excluding for service vehicles, off-street parking is not required because the facility is automated.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Per KCC 17.530.060.9 Tower based facility requires one-space.	1-space for maintenance	1-space for maintenance	1-space for maintenance
Total			1

d. Signage

NA

e. Landscaping

The project is required to be reviewed for consistency with KCC 17.500.027 Landscaping and 17.530.060. The Landscaping Plan is required to show how all disturbed areas are to be landscaped and screening of the WCF from surrounding properties.

Applicant Response: We believe the combination of screening fencing and existing vegetation is sufficient to screen the ground equipment, and the tower structure is a stealth tree structure that will blend in with surrounding tree line.

In combination with the fully screening privacy fence, the property has ample existing vegetation screening the facility mostly from the public view. The existing vegetation along the edge of the parcel along Hansville Road is sufficiently high and dense in most locations to screen the facility from the public right-of-way. In any locations where there is a gap in density of the existing vegetation and the ground facility may be seen, the fully screening privacy fence will fully screen the equipment from view.

Staff Comment: Staff believes the applicant's preliminary landscape plan to screen the ground equipment is consistent with landscaping requirements in KCC 17.530.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	NA
Required Buffer(s) 17.500.025		
North	Separation Buffer	Separation Buffer
South	Separation Buffer	Separation Buffer
East	Separation Buffer	Separation Buffer
West	Separation Buffer	Separation Buffer
Street Trees	No	NA

f. Frontage Improvements

NA

g. Design Districts/Requirements

NA

h. Development Engineering/Stormwater

The runoff will be sheet flow dispersed toward its natural flow direction, which is to east and northeast. Development issued a preliminary approval on March 11, 2025. Proposed utility work is exempt from requiring a Site Development Activity Permit, per KCC 12.10.040(5) Underground Utilities; the WCF shed of 180 sf is below thresholds to require a Site Development Activity Permit.

i. Environmental

Minor slopes have only been identified with the southeast corner of the subject property.

j. Access, Traffic and Roads

The WCF will receive access from paved road approach located at the northwest corner on Hansville Road NE.

k. Fire Safety

NA

l. Solid Waste

NA

m. Water/Sewer

NA

n. Kitsap Public Health District

NA

Chapter 17.530 Wireless Communication Facilities Requirements

17.530.030 Permitting

A. Permits Required. An applicant shall obtain a land use permit from the department prior to the installation or construction of any wireless communication facility (facility). This chapter requires a(n):

Staff Comment: The T-Mobile Wireless-US-WA 5174 Hansville facility is classified as a stealth tower facility, which requires an ACUP in compliance with KCC Ch 17.530.030 Wireless Communication Facilities.

17.530.040 General development standards.

A. Height. WCF's (facilities) shall not exceed heights authorized in this chapter. Height is measured as the total vertical distance from the ground level, including any base pad, to the highest point of the facility, including any antennas, appurtenances, or related equipment.

Applicant Response: This is an Administrative Conditional Use Permit application for a new unmanned WCF that will consist of a 180' tall stealth faux evergreen tower "Monopine" that will fully conceal associated antennas and equipment.

B. Visual Appearance. All facilities shall employ the most current stealth technology to be the least visually and physically intrusive. All facilities shall also be aesthetically and architecturally compatible with the surrounding environment and shall be designed to blend with the existing surroundings.

Applicant Response: No views will be substantially impacted. The use of a stealth structure consisting of a stealth faux tree set against natural trees and other camouflaging elements will blend the facility into the surroundings.

Staff Comment: *The applicant's proposed design is consistent with the requirements above to incorporate design elements to improve the visual appearance.*

1. Visual Impact Analysis.

- a. Compatibility and visual impact shall be determined through a visual impact analysis. The analysis must use maps, photographs, photo simulation, and other appropriate methods to show the existing topographical contours of the area and areas within a one-mile radius where any portion of the proposed facility can be seen. Line of sight includes from the ground to the rooftop of adjacent buildings.

Applicant Response: The proposed wireless support structure is a stealth faux tree that will be set against a backdrop of natural trees and blend in with natural surroundings. We believe that the combination of the above factors should be sufficient as to not cause a substantial visual impact. As the structure itself is screened, and the ground equipment will be fully screened between the privacy fencing and the natural vegetation, we are requesting a waiver from the requirements to install landscaping.

Staff Comment: *A photo simulation was prepared with the stealth design. The proposal is consistent with the design objectives outlined in the KCC 17.530 purpose statement.*

2. More than Moderate Visual Impact. A facility shall not be considered aesthetically compatible with the surrounding land uses if, within a one-mile radius, it results in more than a moderate visual impact. A "more than moderate" visual impact occurs when one or more of the following exist:

Applicant Response: Douglas fir trees and make up the pre-dominant "treeline" for which the faux tree structure is set against to blend in with visually. The surrounding western red cedar trees are secondary trees and do not make up the predominant treeline. The average height of the Douglas fir trees in 50 years will be 169.2 feet, which is 10.8 feet below the top of the proposed structure and within the 40-foot threshold.

Staff Comment: *The T-Mobile wireless for a stealth faux tree stealth design avoids creating more than a moderate visual impact. (See Condition of Approval #5 &6).*

3. Other Visual Requirements. A facility must:

- a. Place all required stickers or other identifying labels on the underside of related equipment, or away from public view on ground-mounted equipment, and not near ground level if on a tower-based facility.

- b. Place and size antennas and related equipment to blend into the architectural detail of the supporting structure. Paint or another coating may be required to be visually compatible with the support structure.

Staff Comment: As demonstrated in the photo simulation, which was prepared by the applicant, the Monopine WCF will be screened, and the tower design will be promoting a stealth project.

- c. Screen electrical meter cabinets to blend with the surrounding area. Use of smart meters is preferred.

Applicant Response: The ground facility will be fully enclosed on all sides within a 6-foot-tall chain-link fence, coated in dark vinyl coating, with dark natural colored (green or brown) privacy slats in the fence that will fully screen all equipment with the facility from the outside view.

Staff Comment: The ground equipment will be properly screened with a combination of fencing and existing vegetation to help better blend the with the neighborhood rural character.

- d. For proposed fences, the fence must:
- i. Be at least six feet in height and no more than eight feet in height.
 - ii. Be of a nonobtrusive material, such as a dark vinyl coated chain link that blends with the surrounding area.

Staff Comment: The proposed fence is 6' high with green privacy slats and landscaping around the perimeter in compliance with this section.

C. Lighting.

No tower lighting is proposed.

D. Noise. Facility operation and maintenance shall comply with Chapter 10.28, "Noise."

Applicant Response: per the SSA acoustics report, dated October 18, 2023, the sound pressure level from the proposed generator during test cycle operation is predicted to be 49 dBA at the nearest receiving property to the north, which meets the 60 dBA code limit. Noise levels at other receiving properties, which are further away, will be lower and within code limits.

Staff Comment: The proposed emergency generator with the proposed muffler cannot exceed 59-dBA at the nearest receiving property line during test cycle operation, to be consistent with the 60-dBA code limit. (See Condition of Approval # 7). Based on findings, the noise study is consistent with KCC 10.28 Noise.

G. Standard of Care.

Facilities shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-

related codes, and all federal, state and county laws and regulations. These include without limitation the most recent editions of the following:

1. American National Standards Institute (ANSI) Code.
2. National Electrical Safety Code.
3. National Electrical Code.
4. All aviation safety standards.
5. All accepted and responsible workmanlike industry practices of the National Association of Tower Erectors or the Telecommunication Industry Association.

H. Wind and Ice.

Facility structures shall be designed to withstand the effects of wind gusts and ice. The design shall comply with the American National Standards Institute standard design prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA/TIA-222, as amended).

I. Engineer Signature.

Construction documents for structures shall contain a seal and signature of a professional structural engineer, licensed in the state of Washington.

J. Interference.

Facilities shall comply with Federal Communication Commission regulations regarding interference.

Applicant Response: The proposed facility will comply with all FCC rules and regulations in compliance with this section.

K. Radio Frequency Emissions.

The proposed facility, in conjunction with other facilities, shall not generate radio frequency emissions that exceed the standards and regulations of the FCC. These regulations include at least the FCC Office of Engineering Technology Bulletin 65 entitled, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

Applicant Response: Analysis shows that the cumulative emissions from the proposed T-Mobile transmitters will comply with FCC limits for human exposure to RF energy at any place of public access. Maximum RF exposures at all ground level locations will be less than 1% of the FCC exposure limits for the public. No other RF sources in the vicinity capable of affecting compliance for this site were identified.

17.530.060 Regulations for tower-based wireless communication facilities.

A. Development Regulations. Except as provided in subsection (B) of this section, "Development Regulations in the Public Right-of-Way (ROW)," and in addition to Section 17.530.040, "General development standards," the following applies to all tower-based wireless communication facilities (facilities) for which an ACUP or CUP is required.

1. Modification or Collocation.

- a. New tower-based facilities that exceed sixty feet in height and require a CUP are prohibited unless a propagation study shows coverage or capacity gaps cannot be

filled through other means. Technical evidence shall demonstrate the inability to fill coverage or capacity gaps through related equipment, such as repeaters or antennas installed on existing structures to extend or infill service.

Applicant Response: The current coverage of the area is poor and hindered by the relatively large distance from the current service locations as well as the vegetation and terrain of the area. The RSRP map shows that the signal strength is greatly improved for L2100 MHz band of service for the entire area owing to the 171' height of the proposed antennas. The existing data demonstrates a clear need for the site and the proposed antennas at 171' would provide considerable improvement within the coverage area.

Staff Comment: *The applicant has demonstrated there is no reasonable alternative and provided justification for the new tower.*

- b. A new tower-based facility that requires a CUP and is within one mile of an existing WCF support structure may not exceed forty feet in height unless collocation has been actually and reasonably considered and, despite good-faith efforts, the nontower facility cannot be accommodated on an existing structure or building for one of the following reasons, or cannot be sited on land owned and maintained by the county:
 - i. The proposed antenna and related equipment exceeds the structural capacity of the existing building, structure or tower.
 - ii. The proposed antenna and related equipment causes radio frequency interference with other existing equipment for that existing building, structure, or tower and the interference cannot be prevented.
 - iii. The existing buildings, structures, or towers do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - iv. An agreement could not be reached with the owner of such building, structure, or tower after a good-faith effort.

2. Location.

- a. The location of a tower-based facility that exceeds sixty feet in height and requires a CUP shall be necessary to provide coverage or capacity for the gap shown in the propagation study for the service area.
- b. The location shall be the least visually intrusive to the surrounding community or shall be the only viable location to provide coverage or capacity for a gap shown in a propagation study, when required through Section [17.530.030\(E\)\(3\)](#).

Staff Comment: *The applicant has demonstrated there is no reasonable alternative and provided justification for the new tower (see 17.530.030.E.5).*

3. Height.

- a. A tower-based facility shall be constructed to:
 - i. The minimum functional height when applicable. A propagation study, when required through Section [17.530.030\(E\)\(3\)](#), will state a minimum functional height necessary for a tower-based facility to fill a gap in coverage or capacity.
 - ii. Not exceed forty feet taller than surrounding tree height.
 - iii. Not exceed two hundred feet.
- c. Tower-based facilities over forty feet in height shall be equipped with an anti-climbing feature.

Staff Comment: Applicant proposes a 6-ft chain link (see below). The applicant will be required to submit an architectural elevation showing the design of the fence documenting the fence will help provide a functional screen Staff may opt for additional landscaping if not functioning. (See Conditions of Approval #3 &4)

4. Related Equipment.

- a. Ground-mounted related equipment associated, or connected, with a tower-based facility must be placed underground, or enclosed and screened through **stealth technology** or fencing and landscaping in a screening buffer. The buffer requirement shall be contained in a recorded easement. Vegetation shall not be removed without approval by the department of community development. Fencing shall be a nonobtrusive material such as a dark coated chain link to blend in with the surroundings.

Applicant Response: The applicant is requesting a waiver from the installation of additional landscaping around the perimeter of the facility as we believe that the combination of screening fencing and existing vegetation is sufficient to screen the ground equipment, and the tower structure is a stealth trees structure that will blend in with the surrounding tree line.

The facility will be fully enclosed on all sides in a 6-foot tall chain-link, coated in dark vinyl coating, with natural colored (green or brown) privacy slats in the fence that will fully screen all equipment within the facility from outside view.

Staff Comment: Applicant proposes a 6-ft chain link (see below). The applicant will be required to submit an architectural elevation showing the design of the fence documenting the fence will help provide a functional screen. (See Conditions of Approval #3 &4)

- b. All related equipment, utility buildings and accessory structures shall be architecturally and aesthetically designed to blend into the environment in which they are situated and meet the minimum setback requirements of the underlying zone.

Staff Comment: *The proposed equipment enclosure meets the minimum setback requirements for the Rural Residential zone. (See Condition of Approval #3)*

5. Signs. Tower-based facilities shall post an easily visible emergency contact sign. The sign shall include the name and phone number for a point of contact in case of an emergency. No other sign is allowed except those required by the FCC or other federal or state agencies.

Staff Comment: *The applicant is required to maintain signage onsite to notify the tower owners when there is an emergency related to the operation of the wireless facility.*

6. Use of Property and Setbacks.

- a. Sole Use. A tower-based facility may be allowed as the only use on a parcel if:

- i. The parcel is at least six thousand square feet; and
- ii. The distance between the base of the tower-based facility and the nearest property line is at least one hundred ten percent of the proposed height of the tower-based facility.

Staff Comment: *See Table#2 above documenting setback per the revised site plan. The proposed WCF is the sole use of the parcel.*

7. Screening, Landscaping, and Fencing.

- a. A tower-based facility disguised through **stealth technology as a tree**, natural feature, or structure (e.g., silo, church steeple, or clock tower) that is compatible with its surroundings and meets the requirements of Section [17.530.040\(B\)](#), "Visual Appearance," shall be exempt from the tower screening requirements in subsections (A)(7)(b) and (d) of this section. Related equipment screening requirements still apply.
- b. Tower-based facilities shall be screened with landscaping or other screening features. This requirement applies to all associated equipment shelters, cabinets, and other ground-mounted related equipment.
- c. Existing trees, shrubs, and other vegetation shall be preserved to the maximum extent possible. Removal of existing vegetation requires prior approval from the department. Existing vegetation used to screen shall provide, through size and density, adequate, long-term screening. The existing vegetative buffer shall surround the entire facility and be at least five feet wide.

Applicant Response: There are banks of vegetation along the north and property lines and to the east of the of the facility is a large densely forested area. The WCF support structure proposed is a stealth faux tree that will be against a backdrop of natural trees and blend in with the natural surroundings.

Staff Comment: *The applicant is proposing to retain existing natural vegetation on the site and propose a fence along the north property screening. All vegetation retained to*

provide a functional screen shall be retained with a natural vegetation easement. The site plan includes fencing along the north property line. The applicant will be required to submit an architectural elevation showing the design of the fence documenting the fence will help provide a functional screen. (See Conditions of Approval #3 &4)

- d. Screening shall maximize coverage and visually cover at least seventy-five percent of the height of the tower-based facility. Recommended species for screening of tower-based facilities include Douglas fir, big leaf maple, and western red cedar. Planting height shall be at least six feet for an evergreen tree or two-inch caliper for a deciduous tree. Deciduous trees shall not exceed twenty-five percent of the trees used for screening. An analysis of the site potential tree height at fifty years (SPTH (50)), based on soil types, is required.

Applicant Response: We believe that the combination of the above factors should be sufficient as to not cause a substantial visual impact. As the structure itself is screened, and the ground equipment will be fully screened between the privacy fencing and natural vegetation, we are requesting a waive from the requirement to install landscaping.

The dominant trees against which the faux tree structure is set against to blend in with visually are Douglas Fir Trees and make up the pre-dominant "treeline" against which the new structure is set. The surrounding western red cedar trees are secondary trees and do not make up the predominant treeline. The average height of the Douglas fir trees in 50 years was 169.2 feet, which is 10.8 feet below the top of the proposed structure and within the 40-foot threshold.

Staff Comment: *The applicant has prepared a photo simulation and document the existing trees that will function as natural vegetation screening buffer which will improve tower compatibility if retained. (See Conditions of Approval# 22-25)*

- e. The department may require additional screening to adequately screen adjacent residential properties based on site-specific conditions.
- f. The department may allow a combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping. The combination of features must:
- i. Achieve the same degree of screening.
 - ii. Be consistent with surrounding vegetation.
 - iii. Not obstruct or interfere with the use of the ROW or county work.
- g. Screening requirements shall be recorded as a covenant running with the permit.

8. Access Road. Tower-based facilities shall provide adequate emergency and service access to the facility. An access road, turnaround space and parking shall be provided. The access must:
 - a. Maximize to the extent practicable the use of existing public or private roads.
 - b. Match Road grades to natural contours to minimize visual disturbance, soil erosion, and stormwater impacts.
 - c. Where the access road is not owned by the applicant, a copy of an easement authorizing the use of the access road shall be submitted to the county.

9. Parking. One tower-based facility requires at least one off-street parking space.

Staff Response: No daily trips are generated as the facility is unmanned. It is assumed that a technician will visit the site approximately once per month or less for maintenance purposes and no parking is required.

Staff Comment: *As noted above service vehicles will visit the site approximately once a month for routine maintenance. The site plan shows there will be enough off-street parking (one space) for service vehicles.*

10. Future Use. A proposed tower-based facility shall be designed structurally, electrically, and in all respects to accommodate both the proposed antennas and comparable antennas in the future.

B. Development Regulations in the Public Right-of-Way (ROW). The following additional regulations apply to all tower-based facilities located in the ROW. If any conflict exists between these regulations and those elsewhere in this chapter, the regulations herein shall control.

1. Location.

- a. All facilities located in the right-of-way shall be located, designed, and installed to match the pole placement and bolt pattern identified by Kitsap County public works design standards.
- b. Tower-based facilities are prohibited from locating in the ROW in front of the facade of any structure facing the ROW.
- c. Tower facilities and related equipment in the ROW shall not cause any physical or visual obstruction to pedestrian or vehicular traffic, create safety hazards to pedestrians and/or motorists, or inconvenience public use of the ROW.

Staff Comment: *The County received written comments from a neighbor of the project, and they noted concerns on the amount radiation being emitted, too close to residential homes, concern with appearance, and impact property values. The applicant will need*

to maintain the visual screening of the stealth tower as proposed in the lease agreement or natural vegetation easement (See above comment in Section 9).

- d. All equipment exceeding four inches above the ground shall be placed outside of the clear zone or mitigated in accordance with the current edition of the County Road Standards. Ground-mounted related equipment, walls, or landscaping shall be located at least eighteen inches from the face of the curb, sidewalk or paved pathway.
- e. Unless approved by the county engineer, ground-mounted related equipment is prohibited in a ROW when:
 - i. The ROW width is fifty feet or less.
 - ii. Exclusively single-family residential lots front both sides of the street.

2. Height. Tower-based facility height in the ROW shall not exceed forty feet.

3. Design Requirements. Ground-mounted related equipment that cannot be placed underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features.

Staff Comments: As proposed, the ground equipment will be properly screened with a combination of fencing and landscaping. The proposed design is consistent with the definition KCC 17.110.168 "Collocation" means the use or addition of one or more wireless communications facilities on any existing structure, whether or not already used as a wireless communication facility. The applicant is providing three (3) additional 10'x15' future lease areas for collocation of WCF's. (See Condition of Approval #11)

4. Construction – Time, Place and Manner. The county shall determine the time, place and manner of construction, maintenance, repair and/or removal of all tower-based facilities in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. All work shall be performed at the applicant's expense.

5. Tree Trimming. Tree trimming around facilities shall comply with industry standards. Tree trimming activities that impact traffic require a traffic control plan approved by the department of public works. Trimming that involves a wireless support structure requires submittal of written permission from the owner of the structure to the county. The county shall not be liable for any damages, injuries, or claims arising from the applicant's actions under this subsection.

Staff Comments: Pursuant to the visual impact analysis submitted by the applicant, all trees identified along the Hansville Road, and the northern perimeter are required to be retained to help maintain a visual screen per KCC 17.3450.040 and KCC 17.530.060. The natural vegetation screening buffer is required to be retained within a Native Growth Protection Easement, per KCC 17.500.10.G. The recorded easement needs to include the requirements

for tree trimming stated above to give Kitsap County notice to review request prior to any trimming. (See Condition of Approval #2)

11. Review Authority

The Director has review authority for this Administrative Conditional Use Permit application under KCC, Sections 17.540.020 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Administrative Conditional Use Permit.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.

Staff Comment: The facility redevelopment is consistent with the Comprehensive Plan.

2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.

Staff Comment: The request for the ACUP redevelopment complies with the applicable provisions of the KCC Title 17 of the Zoning Code.

3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.

Staff Comment: The request for the ACUP incorporates stealth design which to reduce the protentional of the facility being detrimental to existing.

4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Staff Comment: The WCF redevelopment incorporates design elements to help increase compatibility with adjacent Urban Low Residential zone.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 17.540.040.A, the Department of Community Development recommends that the Administrative Conditional Use Permit request for T-Mobile wireless for a stealth faux tree be **approved**, subject to the following 25 conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. Landscaping shall be maintained in conformance with the requirements of Kitsap County

Code (KCC) 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 % of the cost of installation.

3. Existing native vegetation shall be retained on the site except for areas to be cleared for the construction of the new tower and associated infrastructure, as depicted on the Approved Site Plan.
4. Consistent with KCC 17.530.060.A.4, the Applicant and property owner shall comply with the Native Vegetation Buffer Easement to ensure that all existing significant natural vegetation remains. The native buffer vegetation easement shall be recorded and shall remain in effect for the life of the facility to provide a functional screen from the adjacent residential properties.
5. The structure shall be unlighted, including any daytime strobes or nighttime illumination, including flashing or solid beacons. Should the FAA require such lighting for the purpose of aircraft safety, the facility shall be redesigned to meet FAA regulations without the need for lighting of the structure.
6. The sound level from the proposed emergency generator with the proposed muffler cannot exceed 59-dBA at the nearest receiving property during test cycle operation, to be consistent with the 60-dBA code limit.
7. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of an agreement to abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
8. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
9. The decision set forth herein is based upon representations made and exhibits contained in the project application (24-03613). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner. 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 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.

10. This Administrative Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.
11. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

b. Development Engineering

12. Building permits submitted for this development shall include construction plans and profiles for all roads, driveways, storm drainage facilities and appurtenances. No construction shall be started prior to said plan acceptance.
13. The information provided demonstrates this proposal is a Small Project as defined in Kitsap County Code Title 12 and as such will require an Abbreviated Drainage Site Development Activity Permit (SDAP) from Development Engineering.
14. Stormwater quantity control, quality treatment, and erosion and sedimentation control, as required for the development, shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Building Permit is deemed fully complete. If development meets the thresholds for engineered drainage design, the submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of Building Permit Application.
15. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before requesting final inspection for the SDAP (or for the Building Permit if an SDAP is not required) for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces

be required to do the work, the owner will be billed the maximum amount allowed by law.

16. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Engineering will require additional review and potentially new conditions.

c. Environmental

17. If critical areas are encountered during the construction of the stealth tower, the project will be required to comply with applicable critical area regulations per KCC Title 19 Critical Areas Ordinance.

d. Traffic and Roads

18. At building permit application, submit Kitsap County Public Works Form 1601 for issuance of a concurrency certificate, as required by Kitsap County Code 20.04.030, Transportation Concurrency.
19. The Site Development Activity Permit (or Building Permit, if an SDAP is not required) shall include plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county or state rights-of-way. Approaches to county rights of way shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Approaches to state rights of way shall be designed in accordance with current WSDOT standards. Existing approaches may need to be improved to meet current standards.
20. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process, or Building Permit process, if a SDAP is not required. The need for and scope of bonding will be determined at that time.

e. Fire Safety

NA

f. Solid Waste

NA

g. Kitsap Public Health District

21. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.

Tower Compatibility Conditions

22. The applicant shall construct the stealth WCF consistent with the Architectural design on page C-2 and maintain the WCF with an appearance as a Douglas fir tree, consistent with the applicant's proposal.
23. The WCF design shall be consistent with a Douglas fir tree. The limbs creating the crown

shall taper from the top of the tower and longer limbs down towards the tower base. The limb density should be dense enough to simulate a healthy growing Douglas fir tree. As documented by the applicant through photo-simulation, the WCF shall have a similar appearance to the photographs (See T-Mobile example). Tree limbs shall be installed down to approximately 75feet to increase compatibility and maintain an appearance of a tree.

24. Camouflage and Aesthetic Maintenance. The WCF owner shall:

- replace faded, broken, or missing branches to maintain realism.
- Repaint or touch up bark to prevent fading or peeling paint.
- Clear out bird nests, wasp nests, or wind-blown debris.

25. The applicant will be required to submit an architectural elevation of the fence proposed along the north property line with the building permit, documenting the design of the fence so to help provide a functional screen.

26. Prior to Final Inspect, the applicant shall submit a construction As-built design of the stealth designed WCF to DCD to demonstrate compliance with conditions of approval and demonstrate the tower creates less than a moderate visual impact per KCCC 17.530.040.B.

Report prepared by:



Jeff Smith, Staff Planner / Project Lead

April 22, 2025

Date

Report approved by:



Darren Gurnee, Department Manager / Supervisor

4/30/2025

Date

Attachments:

Attachment A – Site Plan

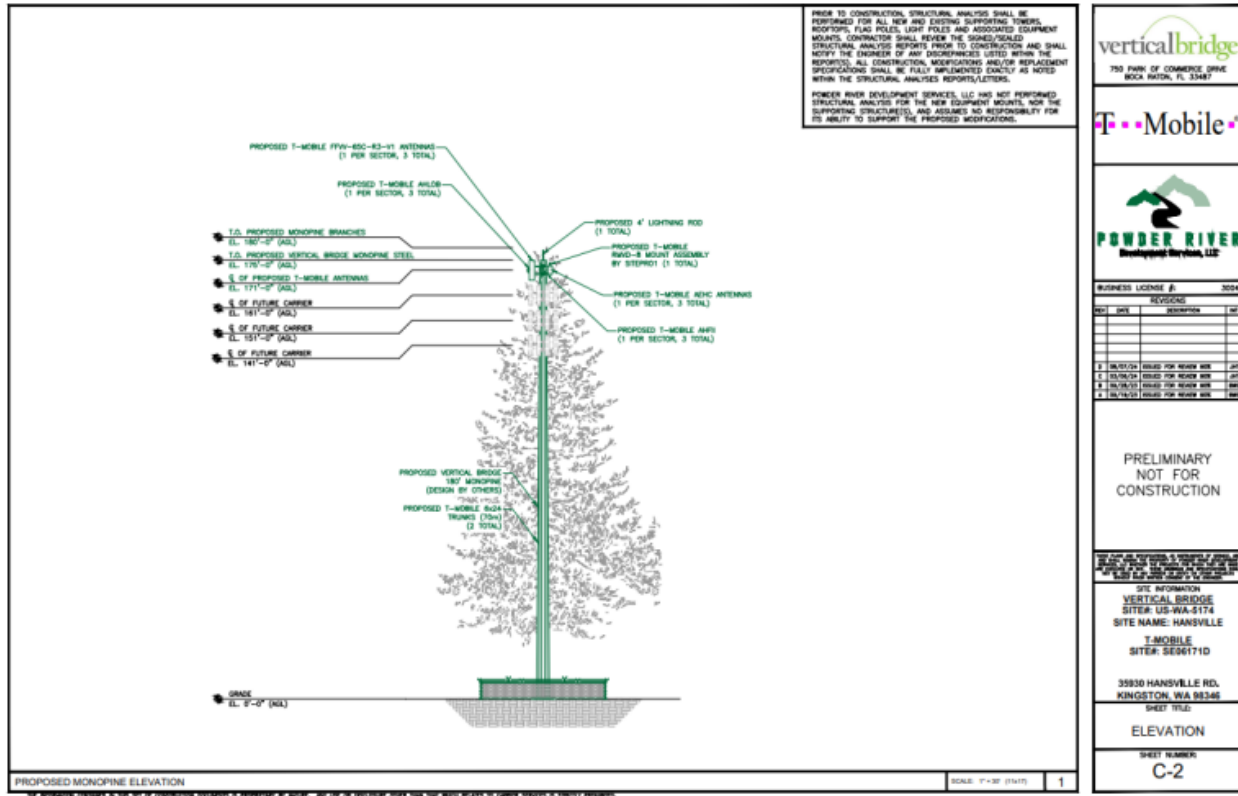
Attachment B – Architectural Elevation and Photo Simulation

Description C – Tree Survey

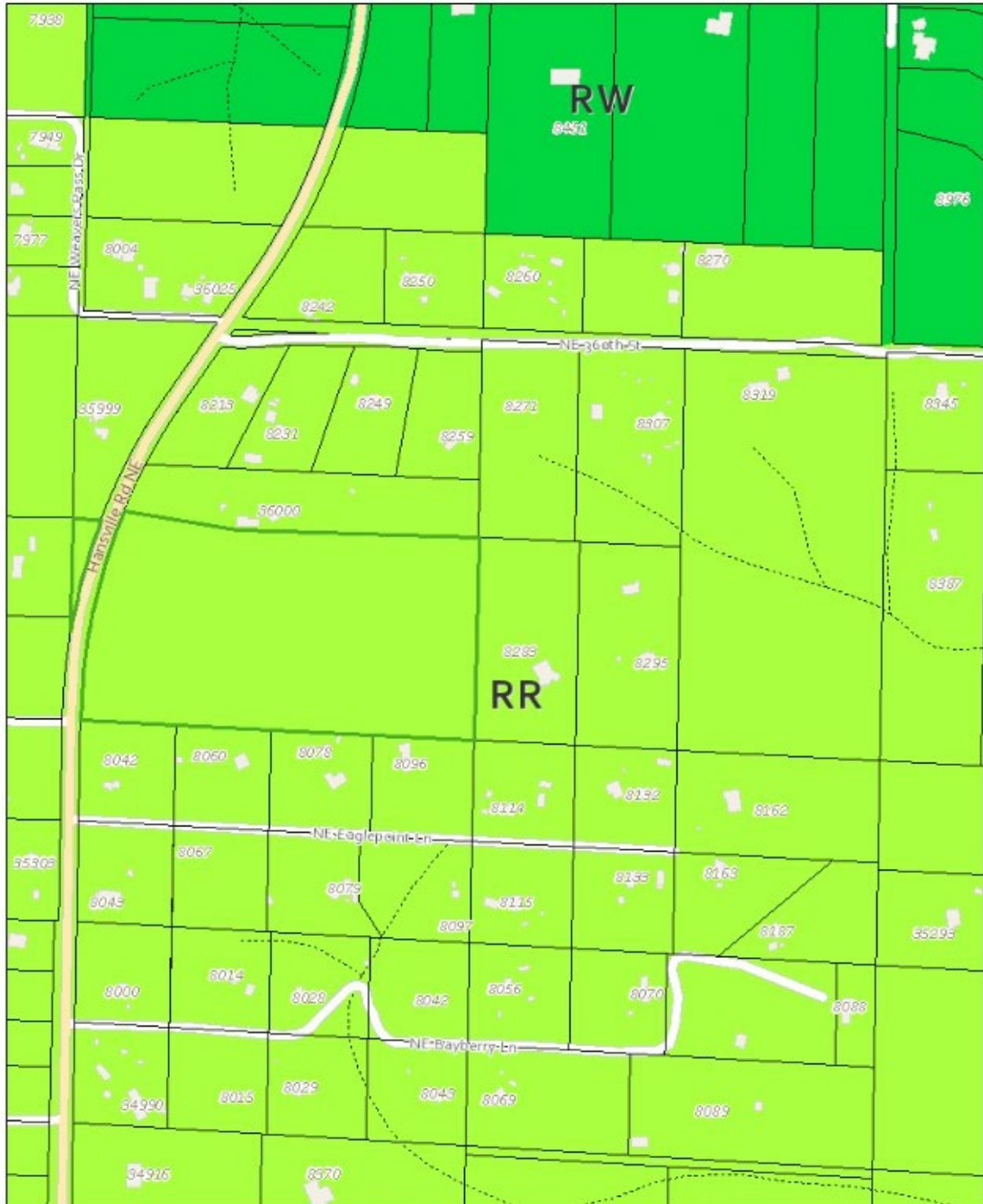
Attachment D – Zoning Map (Required)

CC: Hansville Community Church, PO Box 57, Hansville, WA 98340-0057
Chris DeVost, Vertical Bridge, Christopher.devoist@taec.net
Engineer or Project Representative email
Interested Parties: Brian and Deanna Smilen, Smilenbrian@gmail.com ; David Ison,
WSDOT, david.ison@wsdot.wa.gov ; Kelly Schaeffbauer, Kqssms@msn.com ; David Ladd,
Garzablanco@yahoo.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jeff Smith

Architectural Elevation and Photo Simulation



Zoning Map



Comments

Parcel No: 272802 3-003-2002 TaxPayer: HANSVILLE COMMUNITY CHURCH Site Address: NO ADDRESS FOUND

** This map is not a substitute for field survey ** Map Scale: 1 inch = 400 feet

Kitap Co. Parcel Search Application



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