



King County

**Department of Permitting
and Environmental Review**

35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 TTY Relay: 711

**DIRECTOR'S DECISION
Pursuant to 21A.02.070.D (King County PSERN)**

Background

King County PSERN (Puget Sound Emergency Response Network) is a public organization that uses a series of wireless communications towers to operate an emergency radio system for first responders. The PSERN system has been going through significant upgrades and enhancements following a countywide voter-approved levy.

King County PSERN has applied for a permit (ELEC17-0017) to install a communication tower for emergency services, located in the Forest (F) zone at the site it has identified as "Swan" (parcel # 2926089004). The tower is proposed at 235 feet in height, which exceeds the 35 foot height limit in the F zone. PSERN has requested a Director's Decision under King County Code 21A.02.070.D to determine applicable zoning conditions.

Discussion

PSERN's countywide emergency system is not addressed by the King County Code and is a different use with different program requirements than the telecommunications facilities addressed in KCC chapters 21A.08, 21A.26 and 21A.27. PSERN's use is a system for first responders that was approved by the County Council following approval of a countywide levy. Thus, the Director has discretion to determine whether such use is allowed in the Forest zone pursuant to 21A.02.070.

PSERN proposes a lattice-type wireless communications tower, with a minimal footprint and minimal impacts. The proposed use supports preservation of the forest land base, conservation and protection of watersheds and fish and wildlife habitats and is compatible with forestry and other outdoor recreation uses. Although PSERN's tower is of an unusual height, PSERN has shown that the height is necessitated by local geography and to insure County-wide array connectivity. PSERN's tower is otherwise of a reasonable scale, with a small footprint relative to lot size. Additionally, tower construction does not require significant tree removal or other habitat disruption. It does not create significant traffic or other impacts. Thus, the PSERN use is consistent with the purpose of the Forest zone.

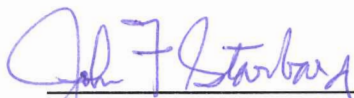
Director's Decision Pursuant to KCC 21A.02.070.D

Under KCC 21A.26.020.E, PSERN's proposed tower is exempt from KCC 21A.26 and 21A.27 height limitations. Projects exempt from KCC chapters 21A.26 and 21A.27 may still be subject to KCC chapter 21A.12, Development Standards – Density and Dimensions. Although the project is still subject to development standards, as described in KCC Chapter 12A.12, KCC 21A.12.040.B.10 does not apply.

Conclusion

Because the physical characteristics of PSERN's proposed use are necessary for operational purposes, the use is compatible with the purpose of the Forest Zone as set forth in KCC 21A.04.040. Also, because PSERN's proposed tower is compatible with other uses permitted in the zone, the conclusion of the director is that PSERN's proposed "Swan" tower use may be permitted in the Forest zone. The Director's Decision is to allow the proposed PSERN "Swan" tower, subject to the following conditions:

1. Only in the F zone;
2. Only as it relates to the PSERN exempt support structures as part of the Countywide emergency system; and
3. Only where the KCC 21A.12.040 underlying base setbacks are achieved.



John F. Starbard, Director
Department of Permitting and Environmental Review

03/14/17
Date