

CITY OF SEATTLE

**ANALYSIS AND DECISION OF THE DIRECTOR
OF THE OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT**

**SEPA Threshold Determination
for
Code Amendment for Indoor Sports and Recreation Uses**

Project Sponsor: City of Seattle

Location of Proposal: Land zoned Industrial General (IG1 or IG2) within the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC)

SUMMARY OF PROPOSED ACTION

The proposal would amend the Land Use Code, SMC Title 23 to permit indoor sports and recreation uses up to a maximum size of 50,000 sq. ft. in Industrial General zones (IG1 and IG2), within the BINMIC. The current maximum size of use for indoor sports and recreation facilities is 10,000 sq. ft. in the IG zones. Criteria for approval would be as follows:

- Must be within the BINMIC
- Must not be within 500' of a shoreline
- Must be within 300' of an existing Neighborhood Commercial (NC) or Seattle Mixed (SM) zone
- Must be within ¼ mile of a public park with active recreation uses
- Must not be within one mile of another indoor sports and recreation facility that exceeds 25,000 sq. ft. in an IG zone

The proposal would also amend minimum parking requirements to decrease the amount of required parking from 1 space per 500 sq. ft., to 1 space per 2,000 sq. ft. for indoor sports and recreation facilities that exceed 25,000 sq. ft. in size in the BINMIC.

The following approval is required pursuant to SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

- SEPA DETERMINATION:** Exempt **DNS** MDNS EIS
- DNS with conditions
- DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

PROPOSAL BACKGROUND

Current development regulations in Seattle Municipal Code Title 23 section 23.50 subchapter II specify allowable and prohibited uses in the city's industrial zones. Standards include maximum size of use limits for certain categories of uses. The current maximum size of use limit for indoor sports and recreation facilities is 10,000 sq. ft. in Industrial General zones. This limit disallows the creation of relatively larger-sized indoor sports and recreation facilities such as sports courts and indoor sports fields.

The City of Seattle is proposing a focused change to the land use code to increase the maximum size of use for sports and recreation facilities from 10,000 sq. ft. to 50,000 sq. ft. Numerous limiting criteria are intended to limit the eligible geographic areas for the larger-sized indoor sports and recreation facilities and limit the number of such uses that could be created so as to limit potential land use incompatibility. Limiting criteria are also intended to facilitate functional clusters of sports and recreation activities near other existing sports and recreation uses.

This is a non-project proposal. The legislation would modify zoning standards that apply in the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC), and could affect future development under the proposed development standards. These proposed changes are the subject of the SEPA checklist and this decision.

ELEMENTS OF THE ENVIRONMENT

BUILT ENVIRONMENT

Relationship to Plans and Policies

The proposal would alter standards governing the maximum size of an existing allowed land use within the BINMIC. Manufacturing Industrial Centers (MICs) are designated in the City's Comprehensive Plan, and in the regional Vision 2050 Plan and multi-county policies that are overseen by the Puget Sound Regional Council (PSRC). Both the Comprehensive Plan and regional policies provide guidance for preferred and intended land use in MICs. In general, policies prioritize the use of land in MICs for industrial, manufacturing, and maritime uses and activities. However, the policies and goals account for and envision a degree of mixed uses and non-industrial activities in MICs - with an emphasis on whether other uses would be compatible with the industrial uses the MICs are intended to support. Relevant policies from the City's Comprehensive Plan and multi-county planning policies from PSRCs vision 2050 are provided below. Not all policies and goals can be summarized in this decision.

Vision 2050 Regional Policies

- MPP-DP-50 Protect industrial zoning and manufacturing/industrial centers from encroachment by incompatible uses and development on adjacent land.
- MPP-EC-22 Maximize the use of existing designated manufacturing/industrial centers by focusing appropriate types and amounts of employment growth in these areas and by protecting them from incompatible adjacent uses.

PSRC provides criteria for the regional Designation as a Manufacturing / Employment Center, that include the following:

- Mix of Employment: At least 50% of the employment must be industrial employment.
- Zoning: At least 75% of the land area is zoned for core industrial uses.

City of Seattle Comprehensive Plan Goals and Policies

- LU 10.2 Preserve industrial land for industrial uses, especially where industrial land is near rail- or water-transportation facilities, in order to allow marine- and rail-related industries that rely on that transportation infrastructure to continue to function in the city.
- LU 10.10 Limit the density of development for nonindustrial uses in the manufacturing/ industrial centers to reduce competition from nonindustrial activities that are better suited to other locations in the city, particularly urban centers and urban villages, where this Plan encourages most new residential and commercial development. Permit commercial

uses in industrial areas only if they reinforce the industrial character, and strictly limit the size of office and retail uses not associated with industrial uses, in order to preserve these areas for industrial development.

- LU 10.28 Permit commercial uses in industrial areas to the extent that they reinforce the industrial character, and limit specified non-industrial uses, including office and retail development, in order to preserve these areas for industrial development.
- LU 2.2 Include provisions to potentially allow as conditional uses those activities that may be beneficial to an area but that also require additional measures to avoid potential impacts those activities could have on sensitive environments or on other permitted uses.
- GS 1.19 Encourage economic activity and development in Seattle’s industrial areas by supporting the retention and expansion of existing industrial businesses and by providing opportunities for the creation of new businesses consistent with the character of industrial areas.
- P G1 Provide a variety of outdoor and indoor spaces throughout the city for all people to play, learn, contemplate, and build community.
- P 2.3 Establish partnerships with public and private organizations to supplement programming that supports residents’ needs and interests.
- AC 2.7 Work with public, not-for-profit and private organizations to support artists, arts organizations and cultural organizations to help them thrive.

The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size in the BINMIC, which could cause adverse impacts on the relationship to plans and regulations, to the extent that the proposal facilitates the introduction of increased non-industrial activities in the form of indoor sports and recreation - into a designated MIC. The proposal could incrementally decrease consistency with policies such as MPP-DP-50, MPP-EC-22, LU 10.2, and LU 10.1.

However, the regional and city policies also suggest that amounts of non-industrial activity and some non-industrial uses are allowable in MICs. PSRC’s criteria for MIC designation acknowledge that half of the employment in a MIC may be non-industrial and that 25% of zoned areas do not have to be zoned for core industrial uses. City policies LU 10.10 and 10.28 address limiting commercial uses, specifically referencing office and retail as uses that should be limited in MICs. The proposal would facilitate a sports and recreation use, which is not a retail or office use.

Several of the policies address the potential for compatibility of non-industrial activity with industrial uses or compatibility with an industrial character, including MPP-DP-22, MPP-EC-22, and City policies 10.28, GS 1.19. Indoor sports and recreation facilities have the potential for compatibility with the character and function of an industrial area for several reasons.

Recreation uses are noisy and not sensitive to noise impacts. Space and design requirements for sports and recreation facilities call for large structures with high clearances and large open bays similar to industrial structures. Such structures provide potential for reuse over time with either industrial or recreation uses. Indoor recreation uses have a relatively lower intensity of visitation and activity patterns by patrons and employees compared to retail or office uses. Indoor sports and recreation facilities are differentiated from spectator sports facilities (which would draw crowds), and regulations limiting spectator sports facilities would be unchanged by this proposal.

The proposal would include limiting criteria to the municipal code to limit the eligible instances and locations. Comprehensive Plan policy LU 2.2 addresses how conditional uses are intended to “potentially allow as conditional uses those activities that may be beneficial to an area but that also require additional measures to avoid potential impacts...”. The proposal is consistent with this general policy direction.

Policies from the Parks and Open Space chapter of the comprehensive plan are also relevant, including P G1 that calls for providing a variety of outdoor and indoor spaces throughout the city for all people to play, learn, contemplate, and build community, and P 2.3, which calls for establishing partnerships with public and private organizations to supplement recreational programming that supports residents’ needs and interests. To the extent that the proposal would facilitate creation of one or more relatively large indoor sports and recreation facilities, it would support these goals for recreation. Spaces for indoor recreation could also support the city’s goals for equity and inclusion, since such facilities have potential to provide recreational opportunities for members of communities of color.

In summary, the proposal would have an incremental adverse impact on consistency with plans and policies related to land use. However, the proposal also contains elements of consistency with some aspects of the land use policies, and the proposal has potential to increase consistency with other city policies concerning Parks and Open Space and Arts and Culture. Considering these factors and the limiting criteria addressed elsewhere in this determination, the degree of adverse impact on relationship to plans and policies is moderate and determined not to be significant.

Land Uses and Development Patterns

The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size. Indirect adverse land use impacts could occur to the extent that the proposal facilitates the introduction of increased non-industrial activities in the form of indoor sports and recreation - into an area with a concentration

of industrial activities. There is potential for non-industrial uses to conflict with the operation of some industrial activities, if patrons of non-industrial activities level complaints about noise, odors or light and glare from industrial activities. There is also the potential for non-industrial activities to displace industrial businesses. As discussed below in transportation, there is potential for related conflicts between modes of travel created by additional passenger vehicle trips and non-motorized trips.

The proposal contains limiting criteria, limiting the eligible geographic locations and proliferation of larger-sized indoor sports and recreation uses. There are five limiting criteria summarized in the description of the proposal above that attenuate the potential for adverse land use impacts. The OPCD Director's Report contains a map analysis of eligible locations for relatively larger-sized indoor sports and recreation facilities that could result from this proposal. The analysis identifies eligible locations in the vicinity of W. Dravus St. and Thorndyke Ave. W. in Interbay; approximately two blocks to the south of NW 54th St. in Ballard; and one small land parcel in the vicinity of 3rd Ave. W and Leary Way NW. The parcel at 3rd Ave. W and Leary Way NW would likely be too small for an indoor sports and recreation facility exceeding 10,000 sq. ft., and the portion of the lands near Dravus that are west of the rail tracks would not be practically eligible because they are owned by BNSF and part of the Balmer rail yard. This leaves two primary practically-eligible locations – one paralleling Thorndyke Ave. in Interbay, and one south of NW 54th St. in Ballard. Due to the limitation on more than one facility within a mile radius, if a facility were built in one of these eligible locations, the second eligible location would cease to be practically eligible.

Land use in the eligible Interbay area contains a variety of small-scale light industrial uses including auto shops, dry cleaning, cabinet making, and it includes vacant land used as parking. BNSF rail tracks are to the west of the eligible area. Land use in the vicinity of the eligible Ballard area includes auto repair, copy/print shop, work studios, a plastics manufacturer, a boxing club and a P-patch. The broader vicinities of the two eligible areas include a similar mixture of light industrial and service uses. The Ballard eligible area is directly south of blocks containing a grocery store and fast food restaurant. Most existing buildings are 1 to 3 (high-ceiling) stories tall, and are industrial in character with loading or surface parking and vehicle circulation areas on site.

If an indoor sports and recreation facility were to locate in either eligible area, there could be minor land use conflicts with adjacent or nearby uses of the nature described in this section above. However, the building form, scale and activity and use patterns of an indoor sports and recreation facility would have elements of compatibility with the surrounding existing land uses. Indoor sports and recreation would result in most activity enclosed within a simple functional structure with a high ceiling. Sports and recreation

activities would occur throughout the day and into evening hours. Neither a sports and recreation use nor light industrial use would be adversely affected by hours of operation extending into the night or commencing in early morning hours. Although there is potential for the creation of land use conflict, the limiting criteria that are an integrated part of the proposal attenuate the potential for adverse impact down to a level that would not be more than minor, when considering the small extent of eligible areas and the factors present in those eligible areas.

Height/Bulk/Scale, Aesthetics, Shadows and Views

The proposal does not include any increase in the overall amount of allowable height or floor area for new development. Existing development regulations governing the bulk and scale of buildings are maintained. Therefore, the proposal would not create changes to allowed building form that could create adverse impact on height/bulk/scale, aesthetics, shadows and views.

Noise, and light/glare

The affected area contains a diversity of existing noise sources consistent with a manufacturing industrial center. Known noise sources include the BNSF Balmer train yard, and roadway noise from truck traffic on major truck streets including 15th Ave. and the Ballard Bridge. Existing sources of light and glare are also present and consistent with an industrial area. The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size. Indoor sports and recreation facilities have potential to produce noise impacts such as buzzers, horns and loud verbal communications during recreation. Indoor recreation also can produce glare from night-time recreational activities. Noise and light glare impacts would generally be contained within the structure and would be likely to be lesser in intensity than the surrounding industrial area. Therefore, the proposal would have a minor adverse impact or no impact on noise and light/glare.

Environmentally sensitive areas

The proposal would not alter existing critical areas regulations that would apply at the time of a project-specific proposal. As described in the checklist the proposal would affect land that contains critical areas including liquefaction prone soils and the potential for some isolated steep slopes. The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size. Land in the BINMIC is already developed with urban uses, and other intensive industrial and non-industrial future development is allowed in the affected area under existing regulations. Therefore, the proposal would have a minor adverse impact or no impact on environmentally sensitive areas.

Historic Preservation and Cultural Resources

The proposal would not alter existing City of Seattle landmarks regulations or other regulations concerning historic preservation and cultural resources. These would apply at the time of a project-specific proposal. As described in the checklist the affected area contains a diversity of sites and buildings that are over 45 years old and some of these may be landmark eligible historic sites and buildings. The area includes locations of historic settlement by Indians including those areas close to the waterways of Elliott Bay and Salmon Bay, although limiting criteria limit the affected area of the proposal to 500' or further from any shorelines. Other intensive industrial and non-industrial future development is allowed in the affected area under existing regulations. The proposal would not substantially alter the development propensity and existing historic preservation procedures and regulations would apply at the time of a site-specific development proposal. Therefore, the proposal would have a minor adverse impact or no adverse impact on historic preservation and cultural resources.

Transportation, Parking

The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size in the BINMIC. As stated in Part D of the checklist, the proposal could cause indirect adverse impacts to transportation systems if the proposal incrementally increases the demand for trips on transportation to service an indoor sports and recreation facility that is larger in size than would be allowed in the absence of the proposal. Impacts could manifest in the form of increased passenger vehicle traffic that could cause local congestion on roadways, including roadways used by trucks to access nearby industrial uses. Larger-sized indoor sports and recreation could also increase the demand for pedestrian and non-motorized trips to recreational facilities, and between multiple facilities in an area with a cluster of sports and recreational venues. Compared to urban village and urban centers, areas within the BINMIC generally contain a lower level of existing pedestrian and non-motorized circulation infrastructure. The proposal could cause an incremental increase in the likelihood of conflict between pedestrian and non-motorized users and truck traffic if a new facility were cited in an area of the BINMIC lacking in fully-developed non-motorized infrastructure.

The proposal includes a code change to reduce the requirement for on-site parking as a means to reduce the number of trips in single occupancy vehicles. This has potential to reduce the degree of impact from roadway congestion. Some adverse spillover parking impacts onto local streets in the vicinity of a potential future sports and recreation facility could occur. The proposal also includes limiting criteria that limit the eligible locations to within 300' of existing NC or SM zones. NC or SM zones commonly have extensive and fully development pedestrian and non-motorized infrastructure. Therefore, proximity to NC and SM zones has the effect of minimizing potential adverse impact from conflict between motorized and non-motorized trips.

In the absence of the proposal future development could still occur including intensive industrial development non-industrial development which could also create the types of adverse transportation impacts described above. In consideration of the mitigating factors integrated in the limiting criteria and the small increment of potential adverse impact compared to existing regulations lead to a determination that the proposal would have no more than a minor adverse impact on transportation.

Public Services, Utilities

The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size in the BINMIC. The City's existing regulations requiring improvements to utilities at the time of development would not be altered by this proposal. Required utility work associated with potential future development projects under the proposal would likely be sufficient to address any localized needs for utility improvement. The proposal could cause an incremental impact on the need for emergency services, if a larger-sized sports and recreation facility increases the number of emergency responses to an areas to address incidents such as sports injuries. Fire stations 2,8,9, 18 and especially 20 (located on 15th Ave.) are well positioned to quickly respond. The range of potential impacts on emergency services, compared to those estimated as part of past studies, are not like to be discernably altered. No more than a minor impact on emergency services or utilities would result.

Parks and Open Space

The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size in the BINMIC. One of the proposed limiting criteria limits eligible locations for facilities to within ¼ mile of an existing public park with active recreation uses. As noted in the checklist, the affected area contains a diversity of recreational opportunities including on street bicycle facilities, the Interbay bicycle path and the Burke Gilman Trail; and public parks including the Interbay Golf Center, Interbay Athletic Complex, Gilman Playground, and Ross Playground. The eligible locations analysis contained in the Director's Report identifies eligible locations near the Interbay Athletic Complex and the Gilman Playground. Eligible locations near other active recreation areas have the effect of potentially creating functional clusters of recreation uses as described in the Director's Report. The proposal has potential to increase recreational opportunities with a relationship to the City's parks portfolio that could supplement parks programming causing a positive impact. There is also a small potential to increase demand for use of parks and open space facilities close to a new indoor sports and recreation facility causing adverse impact on parks, but that adverse impact would not be more than minor.

NATURAL ENVIRONMENT

Plants & Animals, Air Quality, Earth, Water (Drainage & Water Quality), Environmental Health

The proposal would not alter any Federal, State or City environmental protections. Existing regulations including the City's stormwater code, shoreline master program, and other regulations would address impacts to plants, animals, air quality, earth, and water at the time of future development in the city. The proposal contains integrated limiting criteria limiting eligible locations to 500' or more from shorelines. The proposal could facilitate the future development of one or more indoor sports and recreation facilities exceeding 10,000 sq. ft., but less than 50,000 sq. ft. in size. Land in the BINMIC is already developed with urban uses, and other intensive industrial and non-industrial future development is allowed in the affected area under existing regulations. The proposal would not substantially increase the propensity for development. The proposal would have a minor adverse impact or no impact on plants and animals, air quality, earth and water.

There is potential for adverse impact to environmental health if a future sports and recreation facility were located in an area of poor air quality, exposing participants to poor air. The State Department of Health provides environmental exposure index by census tract data and maps. The index is a composite of several environmental air quality exposure factors. Higher index values indicate greater potential exposure risk. A review of the data shows a composite index rank of 7 for eligible areas in the BINMIC. This is lower than many other areas of the City where relatively larger sports and recreation facilities are allowed, including West Seattle (8); Northgate and University District (9); and Downtown, South Lake Union, and Beacon Hill (10). In context, the potential for environmental health adverse impact due to composite air quality exposure is no more than minor.

Energy and Natural Resources

The proposal would not alter any Federal, State or City energy standards or natural resource protections. Existing regulations including the building code, energy code, and other regulations would address energy impacts or impacts to natural resources at the time of future development. The magnitude of the potential impacts stemming from this proposal on energy and natural resources would not be more than minor.

DECISION

Based on a review of the SEPA environmental checklist, and the analysis of impact described above the following threshold determination is rendered:

