



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3008079  
**Applicant Name:** Adam Peterson for Clear Channel Outdoor  
**Address of Proposal:** 2035 15<sup>th</sup> Avenue West

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow one free-standing off-premise advertising sign. The sign will be a single-sided, single column, externally illuminated sign and will have an overall height of 45 feet, measuring 14 feet by 48 feet (672 square feet). The sign display face will be oriented in a northerly direction.

The Seattle Municipal Code (SMC) requires the following approval:

**SEPA - Environmental Determination** pursuant to SMC 25.05.

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

**BACKGROUND DATA**

Zoning: General Industrial 2 – IG2 U/45.

Date of Site Visit: February 8, 2008.

Uses on Site: Vacant.

### Site and Vicinity Description

The subject site is located immediately southwest of the intersection of West Armory Way and 15<sup>th</sup> Avenue West in the Ballard-Interbay-Northend Manufacturing and Industrial Center (BINMIC). Zoning for the subject site is General Industrial 2 with a forty-five foot height limit (IG2 U/45). This zone classification extends west of the subject site, and changes classification to Commercial (C1-40) and Industrial Buffer (IB U/45) east across 15<sup>th</sup> Avenue West. The subject site within which the off-premises sign will be located is a 95,816 square foot vacant parcel of land. The area lies within a broad environmentally critical area (ECA) - *liquefaction prone*, and is within an archaeological area – the US Government Meander Line.



Figure 1 Subject Site, 2005 Aerial Photo

BINMIC is generally characterized as an urban industrial and manufacturing center with a diverse mix of industrial and commercial uses, in addition to a small percentage of residential uses. Development in the immediate vicinity of the subject site includes light manufacturing and wholesale sales, storage structures and yards, retail, offices, and eating and drinking establishments. Residential uses exist further east along the west slope of Queen Anne Hill and neighborhood.

Fifteenth Avenue West is a 102 foot wide principal arterial, with a roadway width of 77 feet at the point of the subject site. This arterial is a vital roadway that enables movement from downtown areas to points north and northwest of City Center.

### Proposal Description

The applicant proposes to install one single-sided, off-premises, advertising sign (billboard) with a 14 by 48 foot display surface (672 square feet) facing in a northerly direction. The display surface will be externally illuminated with two 250 watt halogen lights, and will have an overall height of 45 feet above ground level. Lighting periods are from dusk to midnight, and from 6:00 a.m. to dawn.

Billboard Registration #455 will be relocated and used for this land use application, following the removal of an off-premises sign located at 100 Westlake Avenue. Additionally, a neighboring double-sided off-premise advertising sign within 300 feet and located on the same side of 15<sup>th</sup> Avenue West has been removed under separate demolition permits (A/P Nos. 6157828, 6157831). Clear Channel Outdoor owns and maintains each of these advertising signs.

### Public Comments

The extended comment period ended March 19, 2008. DPD received comments from one individual, the Ballard Neighborhood District Coordinator, expressing concerns related to the cumulative impacts of billboard advertising signs along 15<sup>th</sup> Avenue West.

Comment letters, application documents, and associated materials may be found in the Land Use Application file, which is available for review at DPD's Public Resource Center (PRC), 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>).

### **ANALYSIS – SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 12, 2007 and annotated by the planner. The information in the checklist, project documents, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy clarifies the relationship between codes, policies, and environmental review (SMC 25.05.665). Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation", subject to some limitations. Under certain limitations or circumstances, mitigation can be considered (SMC 25.05.665 D 1-7). Thus, a more detailed discussion of some of the impacts is appropriate.

#### **Short - Term Impacts**

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise associated with drilling and sign installation; and consumption of renewable and non-renewable resources. Due to the short term and minor nature of construction impact associated with the construction of the sign, no mitigation is warranted by SEPA policies.

Additionally, construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

#### **Long - Term Impacts**

Long-term or use-related impacts include minor ongoing use of electricity to light the sign face and increased traffic, noise, and vehicular emissions from the monthly sign copy posting and routine maintenance visits (approximately 1 to 2 trips per month). Fifteenth Avenue West is classified as a principal arterial, a State Highway, and a SEPA Scenic route that receives significant traffic volumes due in part to the presence of industrial uses. The long-term and use related impacts in the vicinity is expected to be minor within this well entrenched industrial belt.

### Historic and Cultural Preservation

The subject site lies within 200 feet of the US Government Meander line, which pursuant to Director's Rule 2-1998, *Clarification of State Environmental Policy Act (SEPA) Historic Preservation Policy for Potential Archaeologically Significant Sites and Requirements for Archeological Assessments*, is the line within which existing or former shoreline areas may be sites of potential archaeological significance due to settlement patterns of Native Americans and early European settlements along Puget Sound.

Based on information submitted in the applicant's SEPA environmental checklist, and based on a visual assessment of the subject site by the undersigned Land Use Planner, there is no indication of the probable presence on the site of archaeologically significant sites or resources. Even though research has not indicated the potential for archaeologically significant resources on the site, there still may be some potential for unknown resources to be discovered, during the process of boring the hole for pole placement, if the proposal site is located in an area characteristically similar to those where known resources do exist.

In order to ensure that no adverse impact occur to an inadvertently discovered archaeologically significant resource, the following conditions of permit approval shall be applied to the project to provide mitigation:

- **Prior to Issuance of Master Use Permit:** The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.
- **During Construction:** If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
  - Stop work immediately and notify the undersigned Land Use Planner (Catherine McCoy, 684-0532) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-1998 for assessment and/or protection of potentially significant archaeological resources shall be followed (see Appendix A).
  - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

### Cumulative Impacts

The revised Seattle Sign Ordinance has reduced the number of billboard advertising signs permitted in a given area of the City by modification of the sign dispersion standards. Sign dispersion standards limit the number of signs by requiring a minimum separation between signs and permitting a maximum number of signs in a one-half mile distance. According to SMC 23.55.014 E, there shall be a minimum distance of 300 feet between advertising sign structures on the same side of the street; a maximum of two (2) advertising sign structures within 300 feet when counting both sides of the street; and, a minimum distance of 100 radial feet between advertising sign structures. Further, a maximum of five off-premise signs are permitted when counting both sides of a street within a distance of 2,640 feet (1/2 mile).

The dispersion requirements and zoning standards were reviewed by the DPD sign inspector and the proposed advertising sign has been found to exceed dispersion standards. In response, the applicant has agreed to remove an existing billboard advertising sign along Elliott Avenue West in order to comply with zoning dispersion standards. The sign to be removed is a single-sided off-premise advertising sign, number #509, located at 1453 Elliott Avenue West. The sign shall be removed before the subject application can receive final approval.

*Light and Glare*

The Sign Code requires that light sources be shielded so that direct light is not visible from adjacent properties (SMC 23.55.016) and also limits fluorescent lighting of off-premise advertising signs to one watt per square foot of sign area (SMC 23.55.014.E). Surrounding land uses are industrial and commercial in nature and generate their own traffic, noise and light. The nearest residential zone is approximately 400 feet to the east, beyond the reach of light spillage. The sign face is approximately 14 feet high by 48 feet in length and will rise above the existing street level a maximum of 45 feet. The proposed sign will be illuminated by a maximum of two 250 watt halogen lights, which will be obliquely directed toward the sign face and shielded to minimize glare. Lighting periods will be limited from dusk to midnight and from 6:00 a.m. to dawn. Light and glare impacts are sufficiently mitigated by the Sign Code lighting standards and the applicant's proposal to limit hours of illumination. Thus, no additional light and glare mitigation measures are necessary.

**DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
  
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

**CONDITIONS – SEPA**

*Prior to Land Use Permit Issuance*

1. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Construction

2. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
  - a. Stop work immediately and notify the undersigned Land Use Planner (Catherine McCoy, 684-0532) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-1998 for assessment and/or protection of potentially significant archaeological resources shall be followed (see Appendix A).
  - b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: (signature on file)  
Catherine McCoy, Land Use Planner  
Department of Planning and Development

Date: August 28, 2008

## APPENDIX A

### *Procedures to follow for assessment and/or protection of potentially significant archaeological resources discovered during construction or excavation:*

1. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible party shall stop work immediately and notify DPD and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). Responsible parties shall abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.
2. Once DPD and the State Office have been notified:
  - The owner and/or responsible party shall hold a meeting on site with DPD and a professional archaeologist. Representatives of Federally recognized Tribes and the Native American community that may consider the site to be of historical or cultural significance shall be invited to attend. After this consultation, the archaeologist shall determine the scope of, and prepare, a mitigation plan. The plan shall be submitted for approval to the State Office of Archaeology and Historic Preservation (OAHP), and to DPD to ensure that it provides reasonable mitigation for the anticipated impacts to the resources discovered on the construction site.
  - The plan shall, at a minimum, address methods of site investigation, provide for recovery, documentation and disposition of possible resources, and provide excavation monitoring by a professional archaeologist. The plan should also provide for conformance with State and Federal regulations for excavation of archeologically significant resources.
  - Work shall only resume on the affected areas of the site once an approved permit for Archaeological Excavation and Removal is obtained from the OAHP. Work may then proceed in compliance with the approved plan.