



City of Seattle  
Greg Nickels, Mayor

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**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:** 3008935  
**Applicant Name:** Steve Zamberlin for Blanchet High School  
**Address of Proposal:** 8200 Wallingford Avenue North

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 6 foot by 10 foot double faced changing image sign on existing 12 foot pole for an Institution (private school – Bishop Blanchet High School) in a single family zone.

The following approval is required:

**Variance** - to allow a changing image sign in a single family (SF) zone.  
(SMC 23.55.020.B)

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

**BACKGROUND**

Site

Bishop Blanchet, a private parochial high school, is located on a parcel that consists of nearly two city blocks, (382,780 sq. ft., including the vacated Stroud Ave. N.) bordered by Wallingford Ave. N. to the west, Meridian Ave. N. to the east, N. 85<sup>th</sup> Street to the north and N. 82<sup>nd</sup> Street to the south. The school building itself is a three story structure located on the southwestern portion of the site approximately 200 ft south of N. 85<sup>th</sup> Street and includes a gymnasium and a theater in the

same area. The athletic field is located on the eastern portion of the site with the intervening area between the field and the school buildings devoted to parking. The site has been graded and the sports field sets down at the toe of the slope that defines the eastern property line.

Vehicular access to the site is currently provided via N. 82<sup>nd</sup> Street to the south. N. 82<sup>nd</sup> Street and Meridian Ave. N. are classified as residential streets. Wallingford Ave. N. and N. 85<sup>th</sup> Street are classified as arterials and N. 85<sup>th</sup> Street carries a substantial volume of traffic as it connects with an extension of the on and off ramps to I-5, two blocks east of the subject site.

The existing back lit, 18 ft. high, pole mounted identification and (manually changed) “reader board” sign with a 60 sq. ft. double sided face, was approved under a prior variance (Master Use Permit #2401534). The sign is located about mid-block along 85<sup>th</sup> Street on the subject site approximately 3 ft. back from the property line and is oriented east / west.

### Vicinity

The surrounding neighborhood is predominately one and two story houses built in the early to mid 1900’s. This development pattern includes the dozen single family lots that are part of the northeast and southwest corners of the two blocks where the School is located. The zoning is consistently Single Family (SF 5000) within an approximately 500 ft. perimeter of the school campus and then begins to transition to multifamily to the southwest while single family zoning continues in all other directions. The four (4) lane arterial, N. 85<sup>th</sup> Street, creates a division in the continuity of the single family neighborhood surrounding the school and still has rolled asphalt curbs in some places.

### PROPOSAL

The applicant proposes to “reface and refurbish” an existing 60 sq. ft., double-faced (60 sq. ft. on each side) illuminated sign. The existing pole sign is a combined identification and reader board sign that starts approximately 12 ft. above existing grade to total height of about 18 feet. The proposed pole sign would continue to function as an identification and message board sign with the message portion of the sign (the lower half, 3x10, double sided) becoming an electronic changing image sign. The total square footage of the sign would remain the same (sixty square feet each side). The applicant reports that “the sign’s primary purpose is to inform passersby of upcoming school activities and properly identify the site.” Specifications provided for the proposed sign describe a new color “LED” message center with enhanced viewing angle, pixel pitch and video capacity.

### PUBLIC COMMENTS

One letter was received during the public comment period which ended on April 23, 2008. Concerns raised included: 1) The illumination would be visible to nearby residential properties; 2) safety on the arterial would be impaired with the presence of moving images; 3) the proposed signage is not suitable for the zone and is not allowed for home based businesses or public schools; 4) potential use of the sign for non-school related messages; and 5) the lack of information provided in the application about type, brightness and positioning of the signage.

## ANALYSIS

### Sign Code

The City of Seattle regulates signs pursuant to Chapter 23.55 of the Land Use Code.

Standards for signs are graduated in strictness from more strict in residential zones to less strict in commercial zones to least strict in industrial zones, similar to the restrictions on the types of uses that are allowed in these zones.

Institutions, including private schools, are allowed as administrative conditional uses in single family zones. As a permitted non-residential use, a school may have “one electric or non-illuminated double faced identifying wall or ground sign on each street frontage not to exceed 15 square feet of area per sign face.” The code prohibits “flashing, changing image or message board signs” in Single Family and Multifamily zones (SMC 23.55.020 and 23.55.022). A changing image sign is not allowed in Neighborhood Commercial 1 and 2 zones and is allowed in more intense commercial zones and in industrial zones.

### Definitions

A **reader board sign** is defined in the City of Seattle Sign Regulation Handbook (2005) as “A sign that displays identification, public service or commercial messages by using characters that are changed or arranged in a manual fashion.”

An **electric sign** is defined in the City of Seattle Sign Regulation Handbook (2005) as “any sign containing electrical wiring but not including signs illuminated by an exterior light source.”

A **message board sign** is defined in the City of Seattle Sign Regulation Handbook (2005) as “an electric sign which has a reader board for the display of information, such as time and/or temperature, or public service or commercial messages, which can be changed through the turning on and off of different combination of light bulbs within the display area.”

A **changing-image sign** is defined in the City of Seattle Sign Regulation Handbook (2005) as “a sign, including a sign using a video display method, which changes its message or background by means of electrical, kinetic, solar or mechanical energy, not including message board signs. A video display method is a method of display characterized by real-time, full-motion imagery of at least television quality.”

### Variance Analysis

As provided in SMC 23.40.020, variances from the provisions or requirements of Seattle Municipal Code Title 23 shall be authorized only when all of the facts and conditions stated below are found to exist:

- 1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity;***

The Applicant explained that “the school structure is situated at the bottom of a hill, behind a row of houses and a stand of trees” and that “individuals not familiar with the schools campus often have difficulty locating the school”. In addition, the applicant states, “the substantial size of the school grounds and the lack of visibility due to these surrounding issues create a hardship.”

Staff assigned to this project conducted a review of the type of signage in use by other private high schools in Single Family zones including Holy Names Academy, University Preparatory Academy and Seattle Preparatory Academy. None of the private high schools in single family neighborhoods have changing image signs.

A few changing image signs have been previously permitted for public and private high schools in residential zones, as described below. (Applications for signs not meeting development standards which are accessory to public schools go through a departure process described in the Land Use Code at SMC Chapter 23.79. This process is not available for private schools; therefore a variance per SMC 23.40.020 is required.)

The following chart describes the conditions found for the other permitted signs at schools noted in the application packet and compares them to the proposed signage at the subject site.

**TABLE 1**

Previously Approved Changing Image Signage

	O’Dea High School	Ballard High School	Rainier Beach High School	Ingraham High School	Blanchet High School
Zone	High Rise /HR  185 ft. to the Commercial zone to the north and across the street from the Major Institutional overlay to the east	L2/ Neighborhood Commercial (split zoned property)	Lowrise/L-3  Commercial zone to the south and west and L-1 to the north	SF7200  C2 zoning begins 172 ft. west of the campus	SF5000  Multifamily (L-3) zoning begins approx 500 ft. to the south west (transitions to Commercial zoning approx. 1,000 ft. away)
Permit Status	Issued	Issued	Applied for 10/18/07 (under review)	Issued	Applied for 4/4/08 (under review)
Location	Mid point along east prop line across from Major institutional overlay (MIO) and from a Commercial zone	South façade of the building closer to the sw corner of the site, in the commercially zoned portion of the lot	Proposed along south prop line closer to the sw corner of the site,	Along arterial (N. 130 <sup>th</sup> ), closer to the sw corner of the site,	Mid-point along north property line and approx mid-block along the arterial (N. 85th St.).

The O'Dea sign is located in High Rise (HR) zone, the most intensive multifamily zone, and is across the street from a Major Institutional Overlay District and just south of a Neighborhood Commercial (NC) zone. The Ballard High School sign is on the commercially zoned portion of a split zoned lot, and the proposed sign for Rainier Beach would be located on the portion of a multifamily zoned lot that is directly across the street from a Commercial zone. The changing image signage for Ingraham is located in a single family zone, on an arterial, mid block, approximately half a block from a Neighborhood Commercial (NC) zone to the west.

By contrast, the Bishop Blanchet site is zoned Single Family and bordered by single family development on all sides for a minimum 500 ft. radius. The zoning then transitions to multi-family zoning to the south west but remains single family residential in all other directions.

Based on the photographs provided by the applicant, only one of the permitted changing image signs (for O'Dea HS) uses multiple colors with changing graphic images. The other signs are monochromatic and the changing image appears to be limited to text only.

Limiting the size, location and function of the proposed changing image sign to the same size as the existing manually changed reader board (30 sq. ft. in area) and the overall sign face size to the existing dimensions, (60 sq. ft., including backlit identification sign above the proposed changing image sign, on a 12-foot pole), and further limiting the sign to a monochrome display, allows for a sign most similar to those allowed for high schools in other single family zones.

The strict application of the Land Use Code would not allow a sign with an electronically controlled changing message, which the applicant states is needed for enhanced visibility due to its location and surroundings, and would deprive the school of rights and privileges enjoyed by other schools with a changing image signs in single family and multifamily zones.

***2. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;***

The proposed changing image sign would be located on N. 85<sup>th</sup> Street, on the face of an existing pole sign. The size (60 sq. ft.) and location (approximately mid-block, 3 ft. back from the property line) of the existing sign are not proposed to change. The proposed and existing 18 ft. high pole signage is intended for viewing from vehicles traveling east and west on the arterial. The existing and proposed sign also functions as the identification signage with the name of the school located on the upper half of the sign face.

Signage is regulated in order to provide for public safety, to encourage the design of signs that attract and invite rather than demand the public's attention and to promote signs which are harmonious with their surroundings (SMC 23.55.001). The type of School signage permitted by code (SMC23.55.020.D.5) is intended to allow for identification of the institution while integrating the permitted institutional use into the residential character of a neighborhood by limiting the size, type and location of the signage.

The face of the existing back lit, 18 ft. high, pole mounted identification and reader board sign would be altered by changing the manual reader board portion of the sign to a 30 sq. ft., (double sided) electronically changeable message board. The reader board sign currently available to the school provided for the minimum necessary to afford relief at the time. Since that time (1993), electronic signs have been developed that allow for changing the lettering on a sign through a computer connection inside a building. However, to hold the approval to the minimum necessary to provide relief, conditions for the type and operations of the signage, including but not limited to color and movement limitations, are needed to keep the proposed signs function similar to the reader board sign that currently exists. As noted above (see Criterion No. 1) conditionally granting this variance does not constitute a grant of special privilege, but allows for the same type of sign previously approved for other schools in residential zones.

3. ***The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.***

North 85<sup>th</sup> Street is an arterial with direct access to and from Interstate 5. Studies<sup>1</sup> have shown that signs with movement (flashing or changing messages) cause driver distraction because the brain anticipates additional information with scrolling text or moving images and because the contrast between the lighting for the signage and ambient lighting can cause drivers to miss pedestrians, safety messages and even other vehicles. In addition to concerns regarding vehicular safety, the pedestrian traffic along the arterial (associated with students from the school and residents of the neighborhood) warrants the highest degree of pedestrian safety.

According to the applicant, advances in hardware design mean that even the most basic model of electronic messaging signs include the capacity for graphics and video display. The specifications for the proposed signage state that the total viewing angle for the signage is 180 degrees and the LED display is expected to have greater illumination than the current florescent back lit sign face (no specifications were available for comparison between the illumination for the new and existing signage). At the height of the existing pole sign, the illumination could intrude into the surrounding homes especially those homes on the same block as the subject site and directly across N. 85<sup>th</sup> Street.

Conditions to limit movement, color, the use of video display, daytime versus nighttime illumination levels, and hours of operation, mitigate the potential detrimental effects to pedestrians and property owners. As conditioned, the sign will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located.

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<sup>1</sup> Digital Signs Along Roads and Streets, Concerns for Road Users Inattention and Distraction, a Memo prepared for the City of Seattle by Jerry Wachtel

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties;*

Advances in sign design and construction mean that changing the message on a reader board can now be done electronically, however the Land Use Code does not allow for electronic “changing image signs” in Single Family zones. The applicant asks to allow an upgrade to the existing manually changed reader board which would address the practical difficulty of message maintenance on the existing sign by allowing for messages to be changed from a computer terminal inside the building as opposed to sending someone out to take down and repost letters manually.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code and adopted Land Use regulations for the area.*

The Land Use Code provides for a Variance process for relief from conditions and situations that the rules of the Code could not anticipate (such as advances in technology), to evaluate specific site conditions and to consider conditions for like uses across the city (i.e. schools in residential zones). At the same time, the intent and purpose of the Sign Code is to promote compatibility between residential uses and institutions traditionally welcome in neighborhoods (such as churches or schools) including limits to signage.

The intent of the Sign Code (SMC23.55.001) as it relates to the proposed project is: “to encourage the design of signs that attract and invite rather than demand the public's attention, to curb the proliferation of signs; to encourage signs that enhance the visual environment; to promote the enhancement of residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings; to protect the public interest and safety; to provide opportunities for communicating information of community interest”.

As proposed, the technology of the changing image sign has the capability for both fixed text and streaming video. Given that studies show driver distraction is higher with the presence of changing images, it is consistent with the spirit and purpose of the regulations for institutions in single family zones to limit the type of display and function of the proposed signage to a monochrome, non-flashing display. In order to allow for the ease of maintenance of a changing image sign (as described under criterion #4), while limiting the potential safety impacts of a video display (as described under criterion #3) the Variance is approved with conditions to limit the function as described below.

**NOTE: Code Requirement**

Message content must comply with definition of 'on-premises sign' in the Seattle Municipal Code.

**DECISION - VARIANCE**

Based on the facts and conditions stated in the numbered criteria of SMC 23.40.020 and the findings and analysis of this decision the Variance is **Approved with conditions.**

**CONDITIONS – VARIANCE**

Prior to issuance:

- 1) Revise file documents to reflect a monochrome, text only, changing image sign.

For the Life of the Project:

- 2) Size - Maximum size 30 sq. ft. each face (two sides) for the electronic message portion of the sign. Overall sign dimensions are limited to 60 sq. ft. each side.
- 3) Monochrome display only, i.e. black background w/ red lettering.
- 4) Text only. No flashing (or light level or color changes that mimic flashing), No streaming, No picture images, No video display.
- 5) Daytime illumination levels shall be timed to automatically dim at night and during inclement weather and shall also account for seasonal light level fluctuations.
- 6) Hours of operation 7 a.m. to 10 p.m. Signage to be turned off after 10 p.m.

Signature: \_\_\_\_\_ (signature on file) Date: May 7, 2009  
Justina Guyott, Land Use Planner  
Department of Planning and Development

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