



City of Seattle

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:** 3011556  
**Applicant Name:** Dean Haugen for Clear Channel Outdoor  
**Address of Proposal:** 3633 East Marginal Way S.

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a double faced, externally illuminated 14' X 48' off-premise billboard with an overall height of 65'. The sign will face in a northerly and southerly direction facing East Marginal Way S.

The following approval is required:

**SEPA - Environmental Determination** - Chapter 25.05, Seattle Municipal Code.

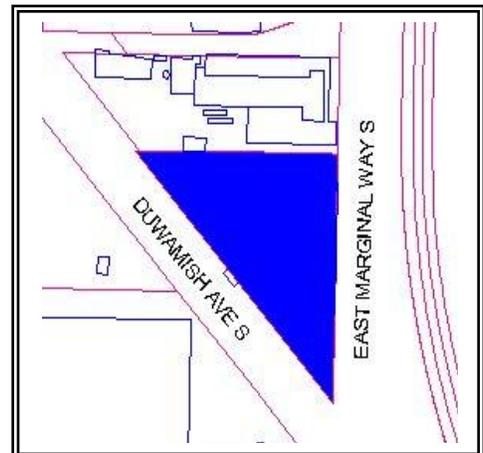
**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading, or demolition,  
or another agency with jurisdiction.

**BACKGROUND DATA**

**Zoning:** This site and all nearby areas are zoned General Industrial (IG1 U/85).

**Parcel Size:** 50,175 square feet.

**Existing Use:** Office and Warehouse.



**Site and Vicinity:** This is a triangular parcel in the SODO neighborhood, immediately south of the West Seattle Bridge and located at the intersection of East Marginal Way S. and Duwamish Ave S. The site is not adjacent to any alley. The streets are paved but lack curb, gutter, sidewalks, or street trees. A set of railroad tracks is located adjacent to the southwest property line at this site.

The site is developed with a one story warehouse and office building with surface gravel parking areas. Nearby development is primarily industrial. The elevated roadways of East Marginal Way South and the West Seattle Bridge are located east and north of the site. The street network is set at a variety of angles and includes ramps for the West Seattle Bridge.

The topography is flat. The site includes a Liquefaction Environmentally Critical Area. The site is also located in the Meander Line Buffer, which indicates the original shorelines of the area and is an area of potential archaeological deposits. East Marginal Way S. is designated as a SEPA Scenic Route in SMC 25.05.675.

### **PROPOSAL DESCRIPTION**

The proposal is for a billboard off-premises advertising sign that measures 14' X 48' with an overall height of 65'. The sign would be mounted so the pole and upper sign deck are located 2' east of the southwest property line.

### **PUBLIC COMMENTS**

Date of Notice of Application: 1/13/2011

Date End of Comment Period: 1/26/2011

DPD received one public comment letter with concerns about the billboard meeting land use code requirements, and impacts to the Scenic Views at this site.

### **ANALYSIS - SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 27, 2010. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. 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 (SMC 25.05.665 D 1-7), mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short - Term Impacts

Short-term impacts resulting from construction are anticipated including: decreased air quality due to suspended particulates from sign installation activities and hydrocarbon emissions from construction vehicles and equipment, increased traffic and demand for parking from construction equipment and personnel, increased noise, increases in carbon dioxide and other greenhouse gas emissions, and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts including the Building Code, which provides for construction measures in general. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

### Construction Impacts

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.

### Historic and Cultural Preservation

The City mapping system indicates that the subject property is located within the Meander Line Buffer, which follows the original shorelines of Seattle.

Given that the site is close to the original shorelines, there is a possibility that unknown resources could be discovered during excavation. Therefore, a condition is required during excavation. This condition is consistent with DPD Director's Rule 2-98 on SEPA Environmental Review and Archaeological Resources, in order to ensure no adverse impact would occur to an inadvertently discovered archaeological significant resource.

### 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 copy posting and routine maintenance visits (approximately 1-2 visits, or 2 to 4 vehicle trips a month). The site is adjacent to a principal arterial with significant traffic volumes. The long-term and use related impacts in the vicinity is expected to be minor. Therefore no mitigation is warranted pursuant to SEPA policies.

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, the number of advertising or off-premise sign faces is limited to two signs within 300 lineal feet, with a minimum separation of 100 feet between sign structures, when counting both sides of the street. Further, a total number of five advertising sign structures are permitted within a linear distance of 2,640 feet from the proposed site.

According to DPD sign inspector review, the proposed sign meets the dispersion requirements and zoning standards. Therefore, no further mitigation pursuant to SEPA is warranted.

Earth/Soils

The ECA Ordinance and Directors Rule (DR) 33-2006 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with a history of unstable soil conditions. The applicant has submitted a copy of a geotechnical report for work done adjacent to the site at the Ash Grove Cement Company, "Steel Transfer Tower Replacement."

The construction plans, including shoring of excavations as needed and erosion control techniques are under separate review by DPD with the construction permit application. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-2006 and DR 33-2006) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

**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.

- [X] 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.

