



**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Project Number: 3039534-SD
Applicant Name: Brian Love, NAC Architects for Seattle Public Schools
Address of Proposal: 5950 Delridge Way SW

SUMMARY OF PROPOSAL

Public School Departure to install a changing image sign. (Louisa Boren K-8 School).

The following approval is required:

Establishment of Development Standard Departure for Public Schools
(SMC Chapter 23.79) to approve or condition the following departure:

1. To allow a changing image electronic sign. (SMC 23.55.020B)

BACKGROUND

SITE AND VICINITY

Site Zone: Neighborhood Residential 3 (NR3) formerly Single Family (SF5000)

Site Vicinity: The Louisa Boren school is surrounded by Neighborhood Residential zoning to the east and the south Multifamily Lowrise 1 (M) (LR1 (M)) across Delridge Way SW to the west, and Neighborhood Commercial 2 Pedestrian (M) (NC2P-55(M)) zoning, a commercial zone, to the north.

ECAs: Steep Slope Environmentally Critical Areas (ECA) are mapped along the eastern edge of the property. SDCI geotechnical engineers noted that the steep slopes are on the eastern edge of the school site and the proposed sign installation is on the western edge of the large site. Therefore, the applicant did not need to apply for an ECA steep slope exemption.



PROPOSAL INFORMATION

Seattle Public Schools (SPS) proposes to demolish the existing pole mounted school sign and construct a new double sided, electronic changing image message board monument sign. Project documents are available in the electronic file at <http://www.seattle.gov/SDCI/>.

PREVIOUS SEPA RELATED ACTIONS

There are no previous SEPA related actions related to the monument sign permit.

PUBLIC COMMENT

The Department of Neighborhoods (DON) published a notice of School Advisory Committee formation as per the School Departure Process per SMC 23.79. DON received public comments during the process. SDCI does not publish a notice of application for the Public School Departure process.

PUBLIC SCHOOL DEVELOPMENT STANDARD DEPARTURE

The Seattle School District submitted a request for a departure from the Seattle Municipal Code Development Standards (SMC 23.51B, SMC 55.020B) for the proposed elementary school sign. The Department of Neighborhoods (DON) is charged with administering the School Departure process per SMC 23.79.

PROCESS CHANGES DUE TO COVID-19

- *Seattle City Council approved legislation on Monday April 27, 2020, to keep key projects safely moving forward for at least 180-days.*
- *The school departure recommendation process typically requires in-person public meetings, which are prohibited due to public health mandates on social distancing and limited gatherings.*
- *While this ordinance is in effect, DON staff will accept written public comment and the Director of Seattle Department of Neighborhoods will make a recommendation to the Seattle Department of Construction and Inspections (SDCI) taking into consideration the public's comments, in lieu of the School Advisory Committee holding public meetings.*

The final Department of Neighborhoods (DON) Development Standard Departure Recommendation is available in the public electronic file at the following link <http://www.seattle.gov/SDCI/> under the project number.

ANALYSIS – Public Schools Development Standard Departure

LAND USE CODE PROCESS

The Development Standard Departure process is conducted pursuant to the provisions of Seattle Municipal Code (SMC) sections 23.79.002-012. Public comment was received by DON, and a written recommendation to the Director of SDCI prepared. The Director prepares an analysis and decision per SMC section 23.79.010. The Director will determine the amount of departure to be allowed as well as mitigation measures to be imposed. The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008 C and comments from the

public. If the Director modifies the recommendations of DON, the reasons for the modification shall be put forth in writing.

In reviewing the departure request, SMC Section 23.79.008 directs the Advisory Committee (DON in the Covid emergency legislation) to “gather and evaluate public comment”, and to “recommend maximum departures which may be allowed for each development standard from which a departure has been requested”. It states, “Departures shall be evaluated for consistency with the objectives and intent of the City’s Land Use Code....., to ensure that the proposed facility is compatible with the character and use of its surroundings”. The Advisory Committee (DON) is directed to consider and balance the interrelationships among the following factors in SMC 23.79.008 C 1:

- a. *Relationship to Surrounding Areas: The Advisory Committee shall evaluate the acceptable or necessary level of departure according to:*
 1. *Appropriateness in relation to the character and scale of the surrounding area;*
 2. *Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale;*
 3. *Location and design of structures to reduce the appearance of bulk;*
 4. *Impacts on traffic, noise, circulation, and parking in the area; and*
 5. *Impacts on housing and open space. More flexibility in the development standards may be allowed if the impacts on the surrounding community are anticipated to be negligible or are reduced by mitigation; whereas, a minimal amount or no departure from development standards may be allowed if the anticipated impacts are significant and cannot be satisfactorily mitigated*

- b. *Need for Departure: The physical requirements of the specific proposal and the project’s relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departures may be allowed for special facilities, such as a gymnasium, which are unique and/or integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.*

DEPARTURE REQUEST AND DON DIRECTOR RECOMMENDATION

The Seattle School District submitted a request for a departure from a Seattle Municipal Code Development Standard to accommodate construction of a new changing image message sign at the school.

The city initiated the Development Standard Departure Process, pursuant to SMC 23.44.006F and 23.79. The Code requires that the Department of Neighborhoods (DON) convene a Development Standard Advisory Committee (hereinafter referred to as “the Committee”) when the School District proposes a departure from the development standards identified under the Code. These standards are popularly referred to as the “zoning code.”

The purpose of the Committee is 1) to gather public comment and evaluate the proposed departures for consistency with the objectives and intent of the City’s land use policies to ensure that the proposed facility is compatible with the character and use of its surroundings; and 2) to

develop a report and recommendation to the Seattle Department of Construction and Inspections (SDCI) from DON. (SMC 23.79.008).

As noted above, due to public health mandates on social distancing and limited gatherings related to COVID-19, the Seattle City Council approved legislation on Monday, April 27, 2020, to keep key projects safely moving forward by suspending public meeting requirements.

While this ordinance is in effect, in lieu of the committee holding public meetings, DON staff will accept written public comment and the Director of DON will make a recommendation to SDCI, taking into consideration the public's comments.

Following completion of the Recommendation Report and its transmittal to SDCI, the Director of SDCI will issue a formal report and decision. The Director of SDCI will consider the recommendations and will determine the extent of departure from established development standards which may be allowed, as well as identify all mitigating measures which may be required. The Director's decision is appealable.

The Department of Neighborhoods sent notices to residents within 600 feet of the school property and to a list of individuals and organizations that have shown interest in other community issues in the vicinity.

In order to accommodate the educational program for the project at Louisa Boren STEM K-8 public school and pursuant to SMC 23.51B.002, the district requested the following departure from the development standards found in SMC 23.55.020B. The departure request is further outlined in the applicant power point presentation found in the electronic public file under the project's record number.

Departure #1 for a Double-Sided, Electric Changing Image Message Board Sign
SMC 23.55.020

The code does not allow changing-image message board signs in single-family zones. SPS proposes one double-sided, electric changing image message board sign as a departure.

Table A		
Development Standard	Required/Allowed	Proposed Departure
SMC 23.55.020B	No flashing, changing-image or message board signs shall be permitted in neighborhood residential zones.	Changing-image message board sign.

The DON public comment period was opened on May 19, 2022. The DON sent a press release to media outlets; postcards were sent to addresses within approximately 600 ft of the school. Signs were also posted at the perimeter of the school requesting public comment and shared in the SDCI Land Use Information Bulletin (LUIB).

As explained above, in lieu of an Advisory Committee process outlined in SMC 23.79, the Code currently allows DON to gather and evaluate public comments, recommend departures from

development standards, evaluate requested school departures for consistency with the general objectives and intent of the Code, and to balance the interrelationships among the factors in SMC 23.79.008C1.

DON accepted and evaluated all public comments regarding the SPS sign departure request. DON indicated no concerns about the changing image message board sign, as described by SPS and conditioned by DON, having an impactful relationship among the factors outlined in SMC 23.79.008C1.

The Seattle Municipal Code intent is to grant departures from the requirements of the Municipal Code to accommodate the educational needs of the programs to be located in neighborhood residential (NR) zoned area. The Seattle School District has demonstrated that it cannot accommodate the program necessary for this area without receiving a public school departure. DON submitted the following to SDCI.

DON recommended approval of the departure to remove the existing sign and allow a changing image message board sign be GRANTED as requested by SPS subject to the following conditions:

1. The sign should be lit only when school is in session, and not used on weekends, holidays, or vacations.
2. The sign should only operate between 7:00 am and no later than 7:00 pm, except for special school events such as family nights and school programs, during which it can stay operational until 9:00 pm.
3. Sign illumination should be limited to one color with a dark background.
4. No flashing, scrolling, or moving images, but messages can change to show different content.

Details of the proposal, analysis and recommendations concerning the SPS departure were captured in a July 2022 report prepared by the DON (Louisa Boren STEM K-8 School Design Departure Recommendations) and forwarded to SDCI for its analysis. The DON Louisa Boren STEM K-8 School Design Departure Recommendations report is available in the public electronic file at the following link <http://www.seattle.gov/SDCI/> under the project's record number.

SDCI DIRECTOR'S ANALYSIS

The Director's decision shall be based on an evaluation of the factors set forth in Section 23.79.008 C1, the majority recommendations and minority reports of the Advisory Committee, comments at the public meeting, (DON, emergency legislation) and comments from the public.

Section 23.79.008 C1 criteria are the following:

a. Relationship to Surrounding Areas: The Advisory Committee shall evaluate the acceptable or necessary level of departure according to:

1. *Appropriateness in relation to the character and scale of the surrounding area*

2. *Presence of edges (significant setbacks, major arterials, topographic breaks, and similar features) which provide a transition in scale.*
 3. *Location and design of structures to reduce the appearance of bulk;*
 4. *Impacts on traffic, noise, circulation and parking in the area; and*
 5. *Impacts on housing and open space.*
- b. Need for Departure: The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an integral and necessary part of the educational process.*

SPS DEPARTURE Request #1 – To allow a double-sided, electronic, changing image message board (SMC 23.55.020B)

a. Relationship to Surrounding Areas:

Departure #1 is a School District request to allow a changing image electronic message board in the neighborhood residential (single-family) zone. The land use code does not allow changing image message boards in neighborhood residential zones. The message board is proposed to be located on school property visible from Delridge Way SW.

The Department of Neighborhoods considered the changing image development standard and understood the School District's desire to continue providing a means to communicate to the community, school students, and staff. The DON was favorable to the benefits of a changing image message board to post school information, post in multiple languages, provide a means of information for those who do not have internet or mobile devices, and to be used in emergencies for neighborhood communication.

DON received support for the departure and a few comments which did not support the departure. Concerns around the electronic sign focused on the proximity of the sign to Delridge Way SW which might distract drivers. The other concern was a statement that the sign was not warranted at the site. The proposed sign would be a monument sign, meaning it will be sited on the ground and the sign will be conditioned to help mitigate concerns including excluding tumbling images and video images, images not listed in the current sign code. Seattle Public Schools has proposed conditions to help the sign be consistent with the neighborhood character and to equitably communicate with the diverse community.

After consideration, the DON recommended that the departure be granted as requested by Seattle Public Schools with conditions listed below.

The sign is an appropriate addition to the school and is in keeping with the character and scale of the surrounding area. The sign is identifiable as a school monument style sign, similar to many other Seattle Public Schools with the school mascot and school name. The sign is designed to blend with the existing school in color and materials. The sign sits on the ground instead of a pole mounted sign and thus balances the school entry and is in scale with the school and surrounding area. The Director finds that the proposal meets the first criterion.

Delridge Way SW is a major arterial. The school is located in a neighborhood residential zone bordering Delridge. Across Delridge is a lowrise zone with townhouse dwellings. The scale of the school is large, the scale of a major arterial is also large with traffic volumes commensurate with a major arterial. The arterial provides a transition in scale from the school grounds to residential dwellings. The Director finds that the proposal meets this criterion.

The proposed monument sign will trade the appearance of bulk at the site from a pole mounted sign to a ground sign. The sign is designed to blend with the existing school while still achieving the purpose of school identification and communication. The sign is not anticipated to add significant bulk to the site. The Director finds that the proposal meets this criterion.

The proposed sign is designed to be well situated at the site and is not expected to have impacts on noise, circulation, or parking in the area. A sign next to a street has the possibility of distracting traffic. The proposal will have a signage review by SDCI reviewers at the building permit stage. Changing image signs are not allowed in neighborhood residential zones due to the possibility of having distracting “moving image” signs in residential areas. The project proposal is to allow changing image signs on the electronic message area of the sign, in the neighborhood residential zone. The Director finds that it is an important function for schools to communicate with the public, school staff, children, and visitors in an efficient and inclusive manner. The changing image sign will allow for messages to be posted in different languages, alert neighbors of upcoming school and community events. The sign message will change periodically but not flash. Additionally, the sign would only use one-color LED lights when displaying images. The Director finds that the proposal meets this criterion.

With conditioning the sign should not have significant impacts on housing. The sign will not have impacts on open space. The Director finds that the proposal meets this criterion.

Considering the criteria, the recommendations from DON, and public comments, the Director grants the departure request with the recommended conditions.

b. Need for Departure: The physical requirements of the specific proposal and the project's relationship to educational needs shall be balanced with the level of impacts on the surrounding area. Greater departure may be allowed for special facilities, such as a gymnasium, which are unique and/or an integral and necessary part of the educational process; whereas, a lesser or no departure may be granted for a facility which can be accommodated within the established development standards.

The DON considered the overall need for departures (SMC 23.79.008C1b) as part of its deliberations. The Seattle Municipal Code provides for granting departures from the requirements of the Municipal Code to accommodate educational needs of programs to be located in proposed buildings and school sites. In this case, the Seattle School District stated that both the need for the new sign and the need to meet educational standards to communicate with the community and create more options for serving non-English speakers contributes to the need for the departure. SPS notes that without departures to development standards the educational program could not be met.

The Director balances departure requests through criteria based on the relationship to surrounding areas with need for development standards departures to meet educational program requirements and finds that there is a need for the departure request and that it is in balance with the level of impacts on the surrounding area.

DECISION-SCHOOL DEVELOPMENT STANDARD DEPARTURES

The school development standard departure is **GRANTED with conditions.**

CONDITIONS –SCHOOL DEVELOPMENT STANDARD DEPARTURES

For the life of the project

Allow a double-sided, electronic changing image message board with the following conditions:

1. The sign will be lit only when school is in session, and not used on weekends, holidays, or vacations.
2. The sign will only operate between 7:00 am and no later than 7:00 pm, except for special school events such as family nights and school programs, during which it may stay operational until 9:00 pm.
3. Sign illumination will be limited to one color with a dark background.
4. No flashing, scrolling, rolling, tumbling, video or moving images are allowed, but messages may periodically change to show different content.

Holly J. Godard, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: August 22, 2022

HJG:bg

Godard/3039534-SD Decision