

Members

Jeremy C. Doty, Chair
 Thomas C. O'Connor, Vice-Chair
 Chris Beale
 Peter Elswick
 Donald Erickson
 Sean Gaffney
 Scott Morris
 Ian Morrison
 Matthew Nutsch



Minutes

Tacoma Planning Commission

Community and Economic Development Department

Ryan Petty, Director
 Peter Huffman, Assistant Director
 Charles Solverson, P.E., Building Official

Public Works and Utilities Representatives

Jim Parvey, City Engineer/Assistant Director, Public Works Department
 Heather Pennington, Water Distribution Engineering Manager, Tacoma Water
 Diane Lachel, Community and Government Relations Manager, Click! Network, Tacoma Power

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(Approved on 5-18-11)

MEETING: Regular Meeting

TIME: Wednesday, May 4, 2011 4:00 p.m.

PLACE: Room 16, Tacoma Municipal Building North
733 Market Street, Tacoma, WA 98402

Members Present: Jeremy Doty (Chair), Thomas O'Connor (Vice-Chair), Chris Beale, Sean Gaffney, Donald Erickson, Scott Morris, Matthew Nutsch, Ian Morrison

Members Absent: Peter Elswick

Staff Present: Donna Stenger, Brian Boudet, Shirley Schultz, Lisa Spadoni, Cheri Gibbons, Chelsea Levy, Lihuang Wung (Building and Land Use Services); Josh Diekmann (Public Works)

Chair Doty called the meeting to order at 4:04 p.m.

The minutes for the meeting of February 16, 2011 were reviewed and approved as submitted.

The minutes for the meeting on March 16, 2011 were reviewed, along with a proposed amendment to the 2nd paragraph under the public hearing item "Billboard Regulations." The amendment, prepared by staff per the request of Commissioner Erickson, would clarify what the presenter (Ms. Shelley Kerlake) had stated, i.e., the Commission could recommend code changes that differ from the framework in the settlement agreement, at which point the City Council will decide if they want to adopt the recommended changes that may result in continued litigation. The minutes of March 16, 2011 were approved as amended.

The minutes for the meeting on April 6, 2011 were reviewed. Commissioner Gaffney expressed the concern that the transcript regarding the "Billboard Regulations" did not reflect the comment he had made concerning that the proposed regulations are inconsistent with the City's Comprehensive Plan adopted policies. Chair Doty asked that the minutes be amended accordingly and the consideration for approval be held over until the next meeting.



GENERAL BUSINESS

1. Billboard Regulations

Ms. Shirley Schultz, Building and Land Use Services, presented information in response to answers to questions and concerns that the Commissioners raised during the last meeting of April 20, 2011. Specifically, Ms. Schultz covered the following topics:

- Additional information on Special Receiving Areas to supplement the materials from the January 5, 2011, Commission meeting (Ms. Schultz used special maps during discussion to highlight locations and zoning for the areas.)
- Special Receiving Areas – Potential options to revise draft code
- Additional information on lighting and image standards
- Some proposed options to revise the public review draft code based on previous Commission discussions

The Commissioners objected to digital billboards being placed in the Special Receiving areas and agreed that if they are allowed, they should only be in areas currently zoned for billboards. Based on previous discussion with the Commission, staff provided three options for changing the existing draft code and forwarding a recommendation to the City Council. Of the three, the Commission was in favor of the option that would not allow digital billboards in Mixed Use Zones or near residential areas.

Staff stated that the necessary changes to the draft code would be made consistent with Option 3. In addition to implementing the preferred option, Ms. Schultz also reviewed staff-generated changes to the draft code. These included new guidelines concerning buffer requirements, Amber alerts, acceptable standards for lighting, etc. The Commission determined additional changes that should be made, including a longer static image time, larger buffer from sensitive uses, and restriction of size to 300 square feet for all billboards. They also requested that a finding be developed to reflect that amortization is an acceptable approach to nonconforming signs, and that an amortization clause remain in the billboard code. They also noted that the amortization period has now been in place for approximately 14 years and extending the period an additional 6 years to allow for a total of 20 years seemed defensible as a reasonable time period for compensation.

However, following much discussion about the Comprehensive Plan and previous planning actions related to billboards, the Commission stated that their preferred recommendation was that digital billboards be prohibited outright. This is the recommendation that they would like to forward to the Council, and Ms. Schultz indicated that an appropriate code amendment would be prepared to accompany the report and recommendation. The Commission requested staff to prepare a draft recommendation that would oppose digital billboards and to retain amortization as a way to address nonconforming signs. They agreed to recommend some changes to the sign code that would clarify and correct inconsistencies that were noted through the review process.

The Commission also discussed that the draft code that was developed to implement the terms of the settlement agreement should be modified based upon testimony and although not recommended could be provided to the Council as a draft work product. The Commission also expressed their frustration on the inadequate time to fully study the issues and the need for a larger public policy discussion before changing city codes. The terms of the settlement

agreement represented a shift in policy that in some parts was contrary to the Comprehensive Plan. The lack of conclusive data on driver safety also was a point of contention among the Commission members. Even though the revised public review draft code is not recommended it is not complete either. The Commission agreed to share the revised version with the City Council noting that it represents a work in progress at best.

The Commission also requested that a joint study session be scheduled with the City Council to review the Commission's recommendations and to discuss the Commission's concerns on various policy issues.

COMMUNICATION ITEMS

Chair Doty acknowledged receipt of the following:

1. Resolution No. 38247, April 19, 2011, concerning the City's vision and definition of sustainability
2. Letter from Jim & Carol Bisceglia, April 25, 2011, regarding Proposed Old Town Neighborhood Historic District
3. Announcement regarding the three openings on the Planning Commission.
4. Announcement regarding acceptance of applications for amending the Comprehensive Plan and/or Land Use Regulatory Code for 2012.

COMMENTS BY LONG-RANGE PLANNING DIVISION

None.

COMMENTS BY PLANNING COMMISSION

Commissioners made reference to getting e-mails from a citizen that contained inaccurate comments on the Planning Commission's public review draft of the Shoreline Master Program, with regards to the Sperry Ocean Dock property, as well as the Planning Commission's role in the shoreline permit process. Ms. Schultz responded with some background information on an ongoing appeal of a shoreline permit for Sperry Ocean Dock. Ms. Schultz informed the Commission that the current appeals case is before the Shorelines Hearings Board (SHB) concerning the Sperry Ocean Dock's permit has been very contentious. Throughout the process, a lot of meetings have been held in the community, where there might have been information misunderstood. The SHB has recently conducted a public hearing and is expected to make a decision on the appeal in mid-June. The decision cannot be based on the Planning Commission's review of the land use issues of various shoreline districts as part of the Shoreline Master Program Update, which is not yet complete or adopted.

ADJOURNMENT

The meeting adjourned at 6:16 p.m.