

Tacoma Billboard Community Working Group

Meeting 10

Monday, January 26, 2015, 4:00-6:00 P.M

Center for Urban Waters, 326 East D Street

MEETING SUMMARY

(as approved by the CWG on February 2, 2015)

Working Group Members Attending:					
Tricia DeOme	X	Jill Jensen	X	Doug Schafer	X
Dale Cope	X	Eric Jackson	X	Ray Velkers	X
Nick Fedaiy	X	Mike Luinstra	X	Steve Wamback	X
Rusty George	X	Evette Mason	X	Sharon Winters	X
Pete Grignon	X	Rose Mednick		John Thurlow	X
Pam Guinn	X	Dale Reed	X		
Working Group Member Alternates Attending (* -- in audience):					
*Dalton Gittens	X	*Peter Wangoe	X	*Al Ralston	X
City Representatives, Staff, & Support Team Attending:					
Brian Boudet	X	Karen Reed	X	John Harrington	X
John Griffith	X	Michelle Regan		Elliott Fitzgerald	X
Members of the public attending: Burt Talcott.					

The meeting convened at 4:05PM.

John Harrington circulated maps showing 300 ft. and 100 ft. buffers in Residential Zones, Shoreline, Conservation and Historic Overlay districts.

The group reviewed the minutes. Tricia DeOme asked for two clarifications on the last page and asked that the vote tally from Meeting 9 be attached to the summary for that meeting. Karen will make the changes and add the attachment. *As amended, the meeting summary was approved.*

Karen reviewed the group’s mission and noted that members have brought compromises to the table. She reminded the group of the City Manager’s remarks at the opening meeting: the City wants to avoid a legal battle, which requires compromises. She encouraged members to continue their good faith efforts. There are still some key areas where members remain in different camps and it is not necessary that the group agree on everything to meet the mission. The group is charged with presenting at least two alternatives that differ from current City code. The options presented in the final report will be those developed by the group, reflecting the differences of opinion that remain.

Karen stated that Pam Guinn has agreed to summarize what compromises Clear Channel (CCO) has brought to the table so far, and Sharon Winters has agreed to present the compromises made by her caucus group (Neighborhood Councils, Historic Tacoma, Scenic Tacoma).

Nick Fedaiy expressed frustration with the process stating that the group has spent a lot of time voting and not much time compromising. Karen responded that compromises have occurred along the way and more compromises can still occur.

Pam Guinn said that CCO has approached this process in a collaborative way with a view toward what is good for the community, the City and CCO. The compromises began years ago. Since 2007 one in four billboards have been removed. CCO has taken digital billboards off the table. CCO has a small voice here—two of 17 seats. In the current process, CCO understands and has agreed (compromised) that residential and shoreline areas are not places for billboards. View sensitive, historic overlay areas, and some mixed use areas that are close to residential are areas CCO is open to removing billboards (in connection with having receiving areas). Pam had mentioned that the 50-foot buffer requirement in Seattle is something that works well for CCO. At this table, CCO has not asked for 0 foot buffers; they have proposed 50 or 100 foot buffers. CCO has also removed the “just compensation” phrase from the discussion. Pam distributed an article about a settlement in Jacksonville, Florida, which had a situation very similar to that in Tacoma. The settlement included areas where billboards were removed and areas for receiving. This could be a model. She observed that history will simply repeat itself if we go back to 1997 and she believes compromise is possible at this table.

Nick Fedaiy asked if, in the spirit of compromise, CCO would be willing to remove all nonconforming billboards. What will happen if half the billboards remain nonconforming? Pam Guinn responded that she could not state that CCO would remove all nonconforming billboards in that situation. Receiving locations would need to be established.

Nick Fedaiy mentioned that he has asked Karen to ask the City Attorney to look into the issue of lease renewals and whether the City can require that leases for nonconforming billboards not be renewed. Karen has not heard back from the City Attorney. Pam reminded the group that all but one billboard in the City is currently nonconforming.

Karen Reed stated that the question of what will happen with nonconforming billboards is important, and that is what the last “homework” is about—how do we get the situation on the ground to change. She observed that the premise of exchange seems most viable under a scenario that includes capping the total number of billboards.

Jill Jenson said that actions taken by CCO before coming to this table are not as important as what they have done at this table. She asked if CCO could show us which billboards they will take down? Pam responded that she could not do this—actions and decisions will be interactive. Jill noted that there are many interests at the table supporting CCO, for example there are advertising interests. Rusty George responded that he did not feel he was on CCO’s “side,” that he has come to this table with an open mind.

Sharon Winters then summarized the compromises made by the group she represents (Neighborhood Councils, Scenic Tacoma and Historic Tacoma). She said this has been a good process. It is challenging because sometimes it feels like a mediation. She spoke to the common values the group identified at the beginning of the process; the most important to her caucus are the pleasing city environment and having attractive streetscapes. Some other issues important to them are the fact that people don’t have a choice whether or not to view billboards, and billboards are located on the public roadways we all pay for. She spoke to the principle of fair play, and reminded the group that CCO purchased billboards in

Tacoma in 2005 with the full knowledge that they were nonconforming. She stated that the areas where her group has compromised are to allow billboards in CCX, UCX CIX, WR, DCC, and DMU. They were willing to lower the buffer from 500 to 300 feet, as well as to reduce the dispersal requirements in many cases. They agreed to remove most design criteria, and they agreed to allow limited wall signs. They are not willing to compromise on residential zones, NCX, DCC, DMU, DR, and C1. They are firm on the 300 foot buffer requirement and having the lighting off from 10 PM to 6 AM.

Ray Velkers spoke to the nature of compromise meaning both sides will have to be somewhat uncomfortable; issues need to be taken off the table wherever possible: this isn't a wine/lose proposition, it's not black or white, it's grey. Perhaps conditional use permits are appropriate? Some things should be grandfathered or we will sink the ship. We all share the goal of having an attractive city. The problem of billboards is 10% of the total signs in the City. He's never heard anyone complain about billboards before coming to this table.

Dale Reed said he appreciated this process and has enjoyed working with the members. The question is, if I fight this, can I win? If you ask too much of Clear Channel, you will get nothing.

Nick observed he has acquired new perspectives from being a member of the group. He looks at this as a business owner. If I lose a billboard, I lose a lot of money. But aesthetics are important. I see the arguments on both sides. If no billboards were in downtown, that would be good. I think 300 ft. is not a big enough compromise. I'd rather close off other areas to billboards and have smaller buffers.

Doug Schafer said that in his view the law is clear that there is no requirement for compensation for the removal of billboards.

Evette asked for clarification on where the neighborhood caucus had compromised. Sharon restated the positions. A member of the caucus added that skinny commercial zones should in their view not have billboards. A member asked staff how many billboard are complying in each zone at the various buffer scenarios? John will summarize this information for the group.

The group discussed the idea of focusing on removing the billboards deemed a high priority for removal; Karen noted they have identified 29 of those in their recommendations so far; would CCO remove those without compensation? Pam Guinn said conditionally, yes, on a 1 for 1 basis, if there are acceptable receiving areas.

At this point, Karen pointed to the background for homework on question 3, noting that the City does consider amortization legally defensible but expects it will lead to further litigation if the City attempts to enforce it again. She then recapped items that the CWG agreed upon--those receiving consensus or recommendation level support, or aggregate votes of 60%. She reminded the group that a recommendation that billboards could be included in a zone is not a blanket authorization: there are still conditions to be applied. She spoke to how she arrived at aggregated votes. She reviewed the document "Attachment C to CWG Report" and walked the group through Options A, B and C. She asked that those who consider themselves to be supportive of Option B or C to confirm that their votes had been accurately incorporated in the Attachment.

The group discussed the numbers of billboards and their impact. Dale Cope expressed his desire for fewer billboards with less impact—seen by fewer people (Dale Cope). Pam stated that CCO wants fewer

billboards with greater impact—seen by more people. There was discussion again about the merits (or lack of merit) of capping the number of billboards and an exchange program.

Karen asked if the group agreed with the general statement in the handout of Questions for Meeting 10 that zoning should get stricter as one moved from industrial zones? Doug noted that mixed use zones are so variable, they should be taken out of the proposed list. The group then agreed that generally, billboard provisions should go from least to most restrictive in the following order: Industrial -> Commercial -> Downtown -> Shoreline -> Residential.

Tricia proposed an alternate solution: keeping the current (2011) sign code and simply not enforcing removal of the signs. The proposal was not voted on.

Karen then asked the group if, in the interest of time, a small group would talk between now and the next meeting on February 2 and forge a path forward, mapping out two or three things that would advance the groups' completion of the charge before them. A freewheeling discussion ensued about whether or not a small group meeting should occur, who should be included, whether the group should meet on February 2 (the next scheduled meeting) or February 9, or if it should plan additional meetings.

In the end, the group agreed to not set up any subcommittees, and to have the last meeting on February 2 as scheduled. At the last meeting, the final report will be reviewed and the group will be asked to approve it. Karen reminded the group that the Charter does not allow minority reports, but does allow brief minority statements. Karen will send the draft report to the members for review later this week. The report is intended to be an accurate statement of the CWG proceedings.

The meeting ended at 6:49 PM.