



City of Tacoma
Community and Economic Development Department

<p>Agenda Item GB-2</p>
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TO: Planning Commission

FROM: Shirley Schultz, Principal Planner

SUBJECT: 2012 Annual Amendment Application No. 2012-4, Sign Code Revisions

DATE: September 29, 2011

At the meeting of October 5, 2011, staff from the Current Planning Division of the Community and Economic Development Department will provide an overview of concerns and issues pertaining to the proposed amendment to the sign code to address electronic on-premises signs as they emerged from the recent study of digital billboards.

To begin the discussion, staff poses the following questions for the Commission’s consideration and discussion.

1. Given that digital billboards have been prohibited by the City Council upon the Planning Commission’s recommendation, should digital on-premises signs also be prohibited?
2. Is there a distinction to be made between digital technology and LED signs that are more typically readerboard signs?
3. If digital on-premises signs are allowed, should the standards developed by the Planning Commission for digital billboards be adopted for on-premises signs, or should they be modified? Are they a good starting place for the discussion? For reference, the key points of those regulations were:
 - No flashing signs shall be permitted.
 - All images shall be static; no animation or motion pictures are allowed.
 - The minimum static image time is 60 seconds.
 - The maximum transition time for images is 2 seconds.
 - Brightness, foot-candles. Signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured at a specified distance, depending on the size of the sign face.
 - Brightness, intensity levels. The digital sign may not display light of excessive intensity or brilliance to cause glare or otherwise impair the vision of the driver. Digital sign light intensity exceeding the following intensity levels (nits) constitutes “excessive intensity or brilliance.”

INTENSITY LEVELS (NITS)

Color	Daytime	Nighttime
Full Color	5,000	125

- Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 5,000 NITS and that the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the City Engineer.
 - Each sign must have a light sensing device that will continuously adjust the brightness as ambient light conditions change.
 - Each sign must have a “fail safe” that turns the screen to black in the case of malfunction.
 - Prior to final inspection approval, the applicant shall provide proof that all lighting levels and specifications in this section have been field-verified by a special inspector.
 - Electronic signs shall not be illuminated between the hours of 10:00 p.m. and 5:00 a.m.
 - Lighting shall not be directed skyward such that it would create any hazard for aircraft.
4. Should on-premises electronic signs be limited in size? Should this be a flat limit or a percentage of the sign allowance?
 5. Should on-premises electronic signs be limited in height? Should they be restricted to wall-mounted and not free-standing?
 6. Should dispersal apply, or should there be setbacks from intersections, residential districts, and other sensitive uses?

In addition, staff is providing the following information for your review:

1. Sign Code Revisions - Project Scope
2. Proposed Timeline and Public Participation/Outreach Plan
3. Benchmarking Matrix

If you have any questions, please contact Shirley Schultz at (253) 591-5121 or shirley.schultz@cityoftacoma.org.

Attachments (3)

- c. Peter Huffman, Assistant Director



2012 Annual Amendment Application No. 2012-4
Sign Code Amendment

SCOPE OF WORK
OCTOBER 5, 2011

I. Research and Benchmarking

- A. *Comprehensive Plan review*: Review all sections of the Comprehensive Plan which talk about aesthetics and pedestrian orientation.
- B. *Neighboring communities*: Research and provide summary of other Washington cities and their approach to changing message center and digital signs.
- C. *Technical research*: what kinds of changing message signs are available, what kinds are in use, what are the technical capabilities for programming, lighting levels, and other performance standards.

II. Public Participation (*see separate document*)

- A. Task Force or Focus Group
- B. Community Meeting to present Focus Group Work

III. Regulatory Code Amendments

- A. Definition Changes
 - 1. Review definitions of animated sign, changing message center, electrical sign, flashing sign, illuminated sign, public information sign, and readerboard sign.
 - a. Conflicts in definitions;
 - b. Clarity in definitions; and
 - c. Content-based regulation
 - 2. Animation
 - a. "Animated Sign" is defined as "A sign that uses movement, by either natural or mechanical means, to depict action or create a special effect or scene".
 - b. Animated Signs are allowed in most commercial districts
 - c. It is unclear whether electronic animation (i.e., video) falls into this category
 - 3. Flashing
 - a. Flashing signs are defined as "An electrical sign or portion which changes light intensity in sudden transitory bursts, but not including signs which appear to chase or flicker and not including signs where the change in light intensity occurs at intervals of more than one second." Limited flashing is allowed in several commercial districts.
 - b. It is unclear whether electronic animation is considered in the definition and regulation of flashing sign.
 - 4. Develop additional definitions (after benchmarking) if necessary
- B. Performance standards
 - 1. Size limitations for changing message centers
 - 2. Animation limitations
 - 3. Limitations on flashing

4. Brightness/lighting levels
 5. Static image time
 6. Separation from other signs, other uses, intersections (dispersion)
- C. "Clean Up" – Additional changes as identified by staff, such as, clarifying terms, addressing integration of other code sections (such as Shoreline code)
- D. Where allowed? Should these types of signs be prohibited in some zones, such as mixed use and/or shoreline districts?

IV. Additional Items as determined by Planning Commission



**2012 Annual Amendment Application No. 2012-4
Sign Code Amendment**

**PUBLIC PARTICIPATION AND TENTATIVE SCHEDULE
OCTOBER 5, 2011**

Date	Event
October 5, 2011	Initial presentation to Planning Commission, direction on scope and public participation
October 12	Invitation letter sent to stakeholder group (see list of proposed participants)
October 26	Initial meeting with stakeholder group
November 9	Stakeholder group meeting
November 23 or 30	Stakeholder group meeting
December 7	Report back to Planning Commission
December 8	Community Meeting
December 14	Final Stakeholder group (draft code)
January 4, 2012	Planning Commission – draft code
January 18	Staff report/recommendation
February 1	Planning Commission authorizes proposed amendments for public review and sets a public hearing date
February 8	Distribution of public notice for Planning Commission public hearing
March 7	Planning Commission public hearing on draft amendments
May 22	City Council conducts public hearing on proposed amendments
June 26	City Council – second reading and adoption of amendments
August 1	Effective date of amendments

Note: Planning Commission / City Council Schedule (following February 1, 2012) is abbreviated.

Stakeholder Group Invitees

- Religious institutions
- Tacoma School District, private schools
- TCC, UPS, Bates, UWT, Evergreen
- City of Tacoma Departments: Public Assembly Facilities, Tacoma Fire and Police
- MetroParks
- Sign Company (2)
- Business Districts – designee from Cross-District Association
- Neighborhood Councils – designee from Community Council
- Specific Businesses currently having electronic signs: Red Robin, Gray Lumber, Walgreen's, Sonic, Pro-Max
- Others?

On-Premises Electronic Signs – Planning Commission Presentation

Technical Details, Benchmarking

October 5, 2011

Following is some information about how certain cities in Washington address technical details associated with electronic message signs, animated signs, and digital signs.

Staff analysis:

Of the benchmarked cities, all prohibit animated and flashing signs. The City of Seattle allows some video sign technology, with limited animation interspersed with static images. These signs are limited to specific commercial areas of the city. Other cities restrict changing message centers to “time and date” type signs only.

City	Flashing Signs	Animated/ Video Signs	Static image time	Brightness	Off Time
Tacoma	Limited	In certain districts	Not addressed	Not addressed	Not addressed
Seattle	Prohibited	Limited	Video allowed, 20 seconds	500 nits nighttime	11:00 p.m. to dawn
Spokane	Prohibited	Only in CBD	2 seconds	Not addressed, no glare	Varies by zone
Bonney Lake	Prohibited	Limited	Not addressed	5,000 day, 500 night	Not addressed
Olympia	Prohibited	Only time/temp	Not addressed	No glare, residential buffer	Not addressed
Federal Way	Limited	Prohibited	Not addressed	Wattage limit, no glare	Not addressed
University Place	Not addressed	In certain districts	Not addressed	No glare	Hours of day

Code Language

Seattle Municipal Code:

SMC 23.55.003 Signs prohibited in all zones.

- A. The following signs shall be prohibited in all zones:
 1. Flashing signs;
 2. Signs which rotate or have a rotating or moving part or parts that revolve at a speed in excess of seven (7) revolutions per minute;
 7. Signs using a video display method, except as provided in section 23.55.005, Video display methods.

(Ord. 120466 Section 1, 2001; Ord. 112830 Section 10(part), 1986.)

SMC 23.55.005 Video display methods

A. Development standards.

7. Duration: Any portion of the message that uses a video display method shall have a minimum duration of two (2) seconds and a maximum duration of five (5) seconds. Calculation of the duration shall not include the number of frames per second used in a video display method. Calculation of the maximum duration shall include the time used for any other display methods incorporated within that portion of the message displayed using a video display method;
8. Pause Between Video Portions of Message. There shall be twenty (20)seconds of still image or blank screen following every message using a video display method;
10. Between dusk and dawn the video display shall be limited in brightness to no more than five hundred (500) units when measured from the sign's face at its maximum brightness; and
11. Signs using a video display method may be used after dusk only until 11:00 p.m. or, if the advertising is an on-premises message about an event at the site where the sign is located, for up to one (1) hour after said event.

SMC 23.55.016 Light and glare from signs.

- A. The source of light for externally illuminated signs shall be shielded so that direct rays from the light are visible only on the lot where the sign is located.
- B. The light source for externally illuminated signs, except advertising signs, shall be no farther away from the sign than the height of the sign. (Ord. 112830 Section 10(part), 1986.)

SPOKANE MUNICIPAL CODE

Section 17C.240.070 Prohibitions

The following are prohibited and existing ones must be removed:

- A. Signs containing strobe lights.
- B. Signs that imitate or resemble official traffic lights, signs or signals or signs that interfere with the effectiveness of any official traffic light, sign, or signal.
- C. Flashing signs.

Electronic Changing Message Center Signs: allowed – See Attached Table

BONNEY LAKE MUNICIPAL CODE

15.28.070 Signs prohibited.

The following types of signs are prohibited in all districts:

- I. Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, coloring, or method of illumination, or by obstructing the vision of drivers, or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians by

glare or method of illumination or constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse traffic;

15.28.115 Animated signs.

- A. Any animated sign shall be no more than 30 percent of the total allowable sign face for any sign; provided, that all other requirements in this section are followed.
- B. In multi-tenant buildings or building complexes, only freestanding directory signs per BLMC 15.28.110(A)(3) may be animated or electronic message centers, not individual tenant signs. If, within a multi-tenant building or building complex, an individual tenant already has an animated sign or electronic message center, the multi-tenant building or building complex as a whole shall not be allowed to have an additional sign of this type.
- C. Maximum brightness levels for electronic signs shall not exceed 5,000 nits when measured from the sign's face at its maximum brightness, during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn, i.e., the time of the day between sunrise and sunset.
- D. Newly permitted animated signs shall include an ambient light meter and programmable or manual dimming capacity. (Ord. 1351 § 1, 2010; Ord. 1285 § 4, 2008).

15.28.190 Lighting.

Unless otherwise specified by this chapter, all signs may be illuminated. However, no sign regulated by this chapter may utilize:

- A. An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion;
- B. Any exposed incandescent lamp in excess of 25 watts;
- C. Any revolving beacon light;
- D. Any spot or flood light system directed toward or shining on vehicular or pedestrian traffic on a street, or adversely affecting surrounding premises or residential structures;
- E. Any continuous or sequential flashing operation. (Ord. 1351 § 1, 2010; Ord. 880 § 1, 2001; Ord. 614 § 3.05, 1989. Formerly 15.28.090).

Olympia Municipal Code

18.42.080 Prohibited signs

The following types of signs are prohibited.

- A. Animated Signs. Exception: Traditional barber signs and time/temperature signs. (See OMC Sections 18.42.120(G) and 18.42.140(D)).

18.42.120 General Standards for Freestanding Signs

- G. Lighting - In the Auto Services Zoning district, signs illuminated directly or indirectly shall not be unreasonably bright or glaring. The placement or location of signs must be placed in a manner so it shall not directly face into an adjacent residential District.
- H. Public Service Signs may be included in a use's permitted signage, provided the overall sign size, height and other standards for the underlying zoning district are met. Further, the public service portion of an academic school sign shall not exceed 50% of any sign face and all messages shall remain static for at least five minutes.

- I. One Development Identification Electronic Reader Board Sign shall be allowed within the Auto Services District for a single trade organization representing the ownership of 40 acres or more of similar land uses, provided, that all messages shall remain static for at least three minutes.

18.42.140 General Standards for Building Mounted Signs

- C. Lighting - In residential zoning districts (defined in sections 18.42.120(H) and 18.42.140(L)) lighting shall not be unreasonably bright or glaring.
- D. Public Service signs, such as time and temperature signs and community bulletin boards, are allowed to be incorporated into a use's permitted signage, provided the overall sign size, height and other standards for the underlying zoning district are met.

Federal Way Municipal Code

19.140.130 Prohibited signs.

The following signs or displays are prohibited in all zones within the city. Prohibited signs are subject to removal by the city at the owner's or user's expense pursuant to FWRC 19.140.190:

- (2) Animated or moving signs.
- (6) Flashing signs, except electronic changeable message signs or changeable copy signs.
- (16) Simulations of traffic signs. Any sign using the words "stop," "look," or "danger," or any other words, symbols, or characters in such a manner as to interfere with, mislead, or confuse pedestrian or vehicular traffic.

19.140.170 Construction standards.

- (6) *Illumination limitations of electrical signs (does not apply to neon signage).* No sign may contain or utilize any of the following:
 - (a) Any exposed incandescent lamp with a wattage in excess of 25 watts.
 - (b) Any exposed incandescent lamp with an internal or external reflector.
 - (c) Any continuous or sequential flashing device or operation.
 - (d) Except for electronic changeable message signs, any incandescent lamp inside an internally lighted sign.
 - (e) External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
 - (f) Internally lighted signs using 800-milliamp or larger ballasts if the lamps are spaced closer than 12 inches on center.
 - (g) Internally lighted signs using 425-milliamp or larger ballasts if the lamps are spaced closer than six inches on center.
 - (h) All illumination for externally illuminated signs must be aimed away from nearby residential uses and oncoming traffic.

University Place Municipal Code

"Animated sign" means a sign using movement or change of lighting, either natural or artificial, to depict action or to create special effects or scenes. All digital signs, except those displaying the time and temperature, are animated signs.

"Changing message sign" means an electronic or mechanical sign, with the ability to change the sign message electronically. Time and temperature signs are not considered changing message signs.

Changing Message signs are limited to 10 feet in height with a 100-foot setback from intersection.

19.55.070 Public Facilities Overlay

- C. Signs. Gateway and changing message signs are permitted subject to design and construction standards, general and specific sign requirements, and other requirements of Chapter 19.75 UPMC, notwithstanding any restrictions otherwise prohibiting such signs. For the purposes of this provision, gateway sign shall have the same definition as “city gateway sign.” The following restrictions apply to gateway and changing message signs in the public facilities overlay zone:
1. Gateway signs existing as of the effective date of this provision may be maintained or reconstructed. No additional gateway signs are permitted.
 2. Changing message signs shall be programmed so that the transmission of changing messages is limited to 5:30 a.m. to 6:30 p.m. during standard time and 5:30 a.m. to 8:30 p.m. during daylight savings time, except when the transmission of emergency messages is determined to be in the public interest.
 3. Changing messages shall be limited to text. Messages that include graphics, animation, video clips or other nontext images are prohibited.
 4. Changing message signs shall be limited in area to 12 square feet. A changing message sign may be incorporated into an identification sign that includes additional area devoted to static (nonchanging) messages.
 5. Changing message signs shall be programmed to adjust illumination levels to reflect ambient light levels and ensure that illumination levels will not create excessive glare that may result in traffic hazards or other public nuisance.

Seattle: <http://clerk.seattle.gov/~public/toc/t23.htm>

Spokane: <http://www.spokanecity.org/services/documents/smc/?Section=17C.240.070>

Bonney Lake: <http://www.codepublishing.com/wa/bonneylake/>

Federal Way: <http://www.codepublishing.com/WA/FederalWay/>

University Place: <http://cityofup.com/Page72.aspx>

Additional Information

For more information about digital/electronic sign technology, please visit the following manufacturer websites.

www.stewartsigns.com

www.grandwell.com

www.yesco.com