



City of Tacoma  
Planning and Development Services

**Agenda Item  
D-2**

**To:** Planning Commission  
**From:** John Harrington, Development Services Division  
**Subject:** **Billboard Regulations**  
**Meeting Date:** August 5, 2015  
**Memo Date:** July 30, 2015

At the August 5, 2015 meeting, the Planning Commission will review and discuss specific staff recommendations outlined in Attachment A. Additionally; staff will discuss some concepts regarding an exchange mechanism and the companion agreement which will be integral to adoption of the new code standards. This meeting follows introductory meetings on June 3<sup>rd</sup> and July 15<sup>th</sup>.

The City is exploring amendments to the special billboards regulations in the Tacoma Municipal Code, Section 13.06.521.M. The main objectives are to continue to reduce the number of billboards in the City and facilitate the move of billboards which adversely impact neighborhoods, protected districts and land uses to more acceptable areas. This process is part of an effort to successfully end a legal “standstill” agreement between the City of Tacoma and Clear Channel Outdoor (CCO) regarding the City’s efforts to enforce its billboard regulations.

The areas covered in the staff recommendation document include most of the regulated aspects of billboard signage. It is organized in the order the different topics appear in the Tacoma Municipal Code and includes three columns: one for the existing code requirements, one for the Community Working Group (CWG) recommendations, and the last for staff analysis and recommendations.

Some questions that will be used to help define the key components of an exchange program will be:

- What is the appropriate base for an exchange program (faces, structures, square footage, etc.)?
- What exchange rate should be used (1:1, 2:1, 3:1, etc.)?
- Are all credits equal or should they be modified to incentivize removal of certain types of signs or signs in particularly objectionable locations?
- Should the use of credits be conditioned based on which removal zone the credits came from?

As discussed at the last meeting, the resolution of this outstanding legal standstill will likely involve the adoption of a revised code as well as a separate companion agreement. A companion agreement would help ensure that the adoption of the code

amendments will result in significant change consistent with the overall project goals. Possible key points could be, but not limited to:

- Guaranteed overall reduction %;
- Removal of specific billboards;
- Removals from specific zones; and/or
- Specific timing of billboard reductions, and cap numbers.

Additional information relevant to billboards, including the Community Working Group's (CWG) full report is available on the Planning Services Division's website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) (and click on "Billboard Community Working Group").

If you have any questions, please contact me at 253-279-8950 or [jharring@cityoftacoma.org](mailto:jharring@cityoftacoma.org).

Attachment

c: Peter Huffman, Director

**Attachment A - Billboard Regulatory Comparisons**

<b>Existing Regulations TMC 13.06.521 M</b>	<b>CWG Proposal</b>	<b>Staff Analysis/Recommendation</b>
<b>1. New billboard signs</b>		
<p>a. Any new billboard must be installed in compliance with this chapter. In no case shall the number of billboard faces, associated structures and total square footage of billboards as defined by this code exceed that in existence on Aug 1, 2011. This number shall include faces for which relocation permits are held. Further, this number shall be reduced on March 1, 2012, by the number and square footage of nonconforming billboard faces in existence upon passage of this code.</p> <p>b. Expiration of relocation permits. Relocation permits issued pursuant to TMC 13.06.521 M prior to its amendment on September 1, 2011, related to the removal of nonconforming billboards, shall expire on September 1, 2012 or within 6 months of issuance, whichever is later.</p> <p>c. Demolition. Removal of all faces from a billboard structure shall also require the issuance of a demolition permit for the structure itself and removal of billboard faces (and their associated structures if necessary) shall be completed prior to the construction of new or relocated billboard faces. Structures removed shall be removed to grade and the grade restored at the site.</p>	<p><b>The CWG did not provide general code recommendations for new signs or an exchange mechanism. This is where that information would be presented in the code.</b></p>	<ul style="list-style-type: none"> <li>• Demo and final inspection of removed billboard structure(s) is required prior to approval of permit application for new sign if removal of nonconforming sign is required.</li> <li>• Overall number of structures/faces permitted at the time of adoption is 311 faces and 169 structures with its associated square footage (93,684 sf). These corresponding numbers will be reduced for billboard structures and faces not installed per code requirements in effect at the time of permits.</li> <li>• Pedestrian scale outdoor advertising signage no greater than 32 sf in size will be permitted in the C-1, NCX, CCX, UCX, CIX and all downtown districts. Such signs may locate on a building face which is perpendicular to the sidewalk if the near edge of the sign is within 10 feet of the sidewalk. This type of signage will also be allowed on permitted information kiosks. Such signage shall be a maximum of 7 feet above the adjacent sidewalk. There shall be minimum 200 foot dispersal between each pedestrian scale outdoor advertising sign. These signs will require a sign permit and square footage utilized will be deducted from banked billboard square footage.</li> </ul> <p><b>Rationale: No square footage credit for signs erected in violation of billboard sign requirements at time of permit (mostly for over-height signs erected on or after 11/15/88 when max sign height was reduced to 35 ft).</b></p> <p><b>Temporary off-premise advertising signs up to 32 sf in size are currently permitted in downtown districts on public facility sites. This recommendation would allow permanent, pedestrian-scale signs in the specified zones, some of which contain a significant number of existing billboards that are a high priority to remove (such as NCX and DR).</b></p> <p><b>Exchange mechanism still being developed, waiting for additional input from Planning Commission, City Council, CDA and Community Council.</b></p>
<b>2. Maintenance</b>		
<p>All billboards, including paint and structural members, shall be maintained in good repair and in compliance with all applicable building code requirements. Billboards shall be kept clean and free of debris. The exposed area of backs of billboards must be covered to present an attractive and finished appearance. Failure to maintain the billboard or its structure, including exterior painting, shall constitute a violation of this section and be subject to strict enforcement under the Land Use Code Enforcement procedures and penalties (Section 13.05.100), which many include removal by the City at the expense of the property owner, sign owner, or permittee. Maintain in good condition, clean, free of debris; no rust.</p>	<p><b>Retain existing</b></p>	<p><b>Retain existing</b></p>

**KEY: Red text = recommended deletion    Bold Orange text = CWG recommendation    Bold Turquoise = Staff recommendation    Bold/Italics = Rationale/commentary for recommendation**

### 3. Design

The following design standards shall apply to all billboards.

- a. Each sign structure must, at all times, include a facing of proper dimensions to conceal back bracing and framework of structural members and/or any electrical equipment. During periods of repair, alteration, or copy change, such facing may be removed for a maximum permit of 48 consecutive hours.
- b. No more than two billboard faces shall be located on a single structure.
- c. Billboard faces located on the same structure shall be positioned back-to-back (ie, their backs shall be parallel to each other) and within five degrees of perpendicular to the roadway from which they are to be viewed.
- d. Billboard faces must be in line with the support structure and no cantilevered design will be approved.
- e. The billboard face or structure must be located within ten (10) feet of the property line which fronts the roadway from which the billboard is to be viewed.
- f. No billboard can be located in such a way so that any portion of the sign face or structure is above a building.
- g. No billboard may be constructed on a site where there is a freestanding sign.

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- No billboard may be constructed on a site where there is a freestanding sign.\*

***Rationale: CWG believes the three design standards in red are not essential to stay in the regulations and removal would allow for more flexibility to new billboard structure locations.***

***Note that 3 c. has two standards, the first part requiring faces on the same structure to be positioned back-to-back should be retained, but the five degrees of perpendicular be removed.***

***\*The CWG was not definitive on prohibiting billboards on sites with a freestanding on-site sign. They felt if the site were large enough (not definite on what that exactly was) it could have both a billboard structure and a freestanding pole sign on-site.***

***a. A billboard may be permitted on a site which has an on-site pole sign if the billboard structure is located at least 300 feet from on-site pole sign(s). This billboard will count towards number of on-site pole signs allowed on the property.***

***This modifies the 3 g requirement to allow a large site to have a billboard and a freestanding on-site advertising sign.***

***Staff concurs with other CWG recommendations.***

<b>4. Landscaping</b>		
<p>The following standards apply to all billboards installed after August 1, 2011.</p> <p>a. No code required landscaping may be diminished for the installation of a billboard.</p> <p>b. When the base of the billboard support is visible from the adjacent sidewalk and/or street, the support shall be surrounded with a 5-foot wide landscaping buffer composed of shrubs and groundcover not to exceed 36-inches at mature height.</p> <p>c. Any alteration to any street trees (removal or pruning) is subject to City review and approval.</p>	<p>The following standards apply to all billboards installed after August 1, 2011.</p> <ul style="list-style-type: none"> <li>No code required landscaping may be diminished for the installation of a billboard.</li> <li><b>When the base of the billboard support is visible from the adjacent sidewalk and/or street, the support shall be surrounded with a 5-foot wide landscaping buffer composed of shrubs and groundcover not to exceed 36-inches at mature height.</b></li> <li>Any alteration to any street trees (removal or pruning) is subject to City review and approval.</li> </ul> <p><b><i>Rationale: CWG does not think landscaping the base of support is necessary, code req'd landscaping for commercial use is sufficient.</i></b></p>	<p><b><i>Concur with CWG recommendation</i></b></p>
<b>5. Dispersal</b>		
<p>Billboard faces not located on the same structure shall be a minimum of 500 feet apart, including billboards which may be located outside the City limits.</p>	<p>Billboard faces not located on the same structure shall be a minimum of <b>500 feet apart</b>, including billboards which may be located outside the City limits.</p> <ul style="list-style-type: none"> <li><b>200 or less feet apart in Industrial zones (100-200 feet range)</b></li> <li><b>No recommendation for commercial zones. 300 feet or more v. 200 feet or less (100-400 feet range)</b></li> </ul>	<ul style="list-style-type: none"> <li>Billboard faces <b>over 300 sf in size</b>, not located on the same structure shall be a minimum of 500 feet apart, including billboards which may be located outside the City limits.</li> <li>Billboard faces <b>of 300 sf or less in size</b>, not located on the same structure shall be a <b>minimum of 300 feet</b> apart, including billboards which may be located outside the City limits.</li> <li>Billboard faces <b>on downtown wall mounted billboards shall not be located within 200 feet of another billboard.</b></li> </ul>
<b>6. Size</b>		
<p>The maximum area of any one sign shall be 300 square feet, with the maximum vertical sign face dimension of 12 feet and maximum length of 25 feet, inclusive of any border and trim, but excluding the base or apron, supports, and other structural members; provided, cut-outs and extensions may add up to 20 percent of additional sign area.</p>	<ul style="list-style-type: none"> <li><b>Maximum 300 sf</b></li> <li><b>Maximum 672 sf in Industrial zones (M-1, M-2 and PMI)*</b></li> <li><b>No recommendation in mixed use, commercial and downtown districts (300 sf – 672 sf range, with split in downtown for upper range between 378 sf and 672 sf)</b></li> </ul> <p><b><i>*CWG members representing Neighborhood Councils, Scenic Tacoma and Historic Tacoma would prefer to limit billboard sizes in Industrial zones to 300 sf, except along SR 509 where 672 sf sizes would be acceptable to them.</i></b></p>	<ul style="list-style-type: none"> <li><b>Max 300 sf in all non-industrial zones permitting billboards</b></li> <li><b>Max 672 sf in M-1, M-2 and PMI</b></li> </ul> <p><b><i>Retain existing vertical and horizontal face dimensions for pole mounted signs; building mounted signs flexible in vertical and horizontal dimensions.</i></b></p> <p><b><i>Analysis: CCO wants to have 672 sf billboards allowed in all zones permitting them. The stand-still agreement supports the concept of consolidation to bulletin (672 sf) sized billboards, but the CWG was not in support of allowing them in all zones that would permit new billboards.</i></b></p>
<b>7. Lighting</b>		
<p>a. No internally illuminated billboards are allowed.</p> <p>b. All lighting must be shielded to maintain light on the subject property.</p> <p>c. Lighting shall be directed toward the billboard and utilize cutoff shields or other means to prevent glare and spillover onto adjacent properties or skyward.</p> <p>d. No flashing billboards shall be permitted.</p> <p>e. Signs shall not imitate or resemble traffic control devices</p>	<p><b><i>Retain current code</i></b></p>	<p><b><i>Retain current code with the addition of standards addressing brightness and nighttime hour limitations (not developed yet - waiting for further research and collaboration with industry experts).</i></b></p>

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**f. Buffers**

Sensitive uses/areas; No billboard shall be located on, in, or within 500 feet of the following, whether within or outside the Tacoma City Limits:

- a. A residential district;
- b. A mixed use district (X-district);
- c. Any publicly owned open space, playground, park, or recreational property, as recognized in the adopted Open Space Habitat and Recreation Element, as amended;
- d. Any religious institution or primary or secondary school; or
- e. Any designated historic or conservation district, whether on the federal, state, or local register of historic properties.
- f. Any shoreline district.

Sensitive uses/areas; No billboard shall be located **within the specified distance** of the following sensitive uses/areas whether within or outside the Tacoma City Limits:

**Buffer to residential districts:**

- **100 ft for billboards in industrial zones**
- **250 ft or less for billboards in commercial and mixed use zone**
- **No recommendation (100-300 range) for billboards in downtown zones to residential zones**

- *[Buffer to] A mixed use district (X-district);*

**Buffer to any publicly owned open space, playground, park, or recreational property, as recognized in the adopted Open Space Habitat and Recreation Element, as amended;**

- **250 ft or less for billboards in industrial and downtown zones**
- **100 ft or less for billboards in commercial and mixed use zones**

**Buffer to any religious institution or primary or secondary school;**

- **250 ft or less for billboards in industrial and downtown zones**
- **100 ft or less for billboards in commercial and mixed use zones**

**Buffer to no Billboard Zones and Overlay Districts (RCX, VSD, HIST, CONS, Shoreline, NRX, URX and HMX)**

- **250 ft or less for billboards in industrial and commercial zones**
- **No recommendation (100-300 ft range) for billboards in mixed use and downtown zones**

*CWG reached consensus support to reduce all buffers, but no consensus or recommendation on a specific level of buffer.*

*Some CWG members supported less restrictive conditions as a way to make billboard “receiving” zones more attractive.*

*Buffers are viewed as necessary to protect residential uses from the visual impacts of billboards. At the same time, a more compact urban environment promotes co-location of uses and results in relatively compact or narrow zoned areas: buffers can then have the effect of making a zone otherwise deemed appropriate because of its intensity of use unacceptable because it is too near other [protected] land uses.*

**Buffer to residential districts:**

- **Add URX and NRX as “Residential Zones,” for the purpose of billboard buffering.**
- **Concur with CWG - 100 ft for billboards in industrial zones**
- **Modify CWG - 250 ft or less for billboards in commercial and mixed use zones; reduce to 100 ft if billboard structure is 30 feet or less in height**
- **100 ft for billboards in downtown zones**

*The allowable uses and building height and bulk in the URX and NRX districts are very similar with R-3, R-4L and R-4 zones and are unlike the character of other, more commercial mixed use zones.*

*Non-residential parcels and rights-of-way zoned residential will not be buffered as residential zoned parcels with residential uses or capable of having residential uses. An example of this is stretches of SR 16 and I-5 and the steep slopes NE of Marine View Drive having residential zoning.*

*Based on the CWG rationale for lowering buffers from residential to industrial, based on the reasonable difference in expectation for those living in close proximity to a high intensity use area.*

*Billboard structures of 30 feet or less in height do not have as significant an adverse impact on nearby residential neighborhoods because they cannot be seen from a distance like the 35+ ft structures. 30 feet is well below the maximum height limit for buildings in commercial and mixed use zones permitting billboards so on site buildings may also block or reduce the view of lower billboard structures from adjacent residential zones.*

**Buffers to no Billboard Zones (Shoreline, DR, RCX, NCX, C-1 and T)**

- **100 ft for all billboards**

*The DR, NCX and RCX districts allow significant commercial uses. These zones are often situated immediately adjacent to zones the CWG considered appropriate for billboards – the DCC, DMU, and WR in the Downtown and UCX, CCX and CIX in the mixed use centers. A large buffer for these zones will negate the desired effect of including the mixed use zones allowing billboards. A minimum 100 ft buffer from these zones prevents billboards from being placed immediately adjacent to properties not permitting billboards. A lesser buffer is appropriate because expectation of protection from billboards and commercial uses in these districts is not the same as the protection expected for low density residential districts.*

**Buffers to no Billboard Overlay Districts (VSD, HIST, CONS)**

- **250 ft for all billboards.**

**Buffer to any special uses - churches, schools, any publicly owned open space, playground, park, or recreational property (add historic structures)**

- **100 ft for all billboards**
- **Billboards located within 250 feet of historic structures are subject to LPC review**

*Church only qualifies if religious assembly is the primary use of the parcel/assembly building. LPC review, approval and site specific conditioning is recommended for billboard permits to minimize visual impact to historic structures.*

<b>g. Height</b>		
<p>The maximum height of all billboard signs shall be 30 feet, except in the PMI District, where the maximum height shall be 45 feet. For the purpose of this section, height shall be the distance to the top of the normal display face from the main traveled way of the road from which the sign is to be view30 feet above adjacent roadway</p>	<ul style="list-style-type: none"> <li>• <b>No recommendation for signs allowed outside the PMI. Range 30 ft to over 35 ft in all zones outside PMI</b></li> </ul> <p><i> CWG was split on height. Approximately 1/3 of the group voted to retain current 30 ft limit in all zones outside industrial areas. Another 1/3 voted to increase the height to 35 ft in all zones. Retain 45 ft height in PMI.</i></p>	<ul style="list-style-type: none"> <li>• <i>If located within 500 feet of residential, shoreline, view-sensitive, historic, and conservation districts: Maximum 30 feet high, except in downtown where building mounted signs may be 40 ft high.</i></li> <li>• <i>If located more than 500 feet from residential, shoreline, view-sensitive, historic, and conservation districts: Bottom of sign face may be a maximum of 5 feet over height of tallest onsite buildings or 40 ft high, whichever is less</i></li> </ul> <p><i>CCO would like to have billboard structures 40 ft high in zones other than PMI that permit them. Allowing additional height in some cases will provide additional flexibility to support the desired exchanges, and staff feels that some additional height allowances with the included limitations will help ensure that the additional height does not result in billboards that are unreasonably out of scale with surrounding development or objectionable to nearby sensitive uses/zones.</i></p>
<b>h. Location</b>		
<p>Billboards shall only be allowed in the C-2, M-1, M-2 and PMI zoning districts</p>	<ul style="list-style-type: none"> <li>• Billboards shall only be allowed in the C-2, M-1, M-2 and PMI zoning districts</li> <li>• <b>Add UCX, CCX, CIX,DCC, DMU, WR, PDB to zoning districts allowing billboards</b></li> </ul> <p><i>The rationale for the expansion of new zones varied among the members: the primary focus was on the nature of development in the zone. Many members observed that the 7 additional zones share similar characteristics to industrial and commercial zones where billboards are now permitted. The less residential, the more open the group was to considering allowing billboards. In some cases, the group assessed what they thought a reasonable expectation (being protected from billboards) for someone choosing to live in the zones, other types of uses allowed in the zones, or development patterns and expectations for the zones.</i></p> <p><i>Neighborhood Tacoma, Scenic Tacoma, and Historic Tacoma representatives in particular stated that their support for allowing billboards in these new zones was conditioned on conservative buffer, dispersal, and sign size and type conditions.</i></p> <p><i>The HMX exclusion fell into the group of zones not currently having any billboards and the group felt on a balance it was more appropriate to continue to keep billboards out of these areas (though they allowed them in the PDB where no billboards exist).</i></p>	<p><i>Concur with CWG recommendation for allowed billboard zones, plus</i></p> <ul style="list-style-type: none"> <li>• <i>Add HMX as additional zoning district allowing billboards</i></li> </ul> <p><i>Rationale: HMX is very similar to UCX and more intense than CCX and CIX when it comes to bulk and height of buildings, intensity of use and traffic generated on a 24/7 basis. This will add another desirable area in which to actuate the removal of billboards from undesirable areas and removal of billboards that are non-conforming for multiple reasons.</i></p> <p><i>Another reason for the addition of zones is that the existing four billboard zones have a heavy concentration of billboards. This was likely a major factor in the failure of amortization to achieve any significant consolidation and reduction in numbers and relocation to more acceptable areas.</i></p>