Billboard Code Amendments

PROPOSED STAFF ALTERNATIVE TO PLANNING COMMISSION RECOMMENDATION
November 10, 2015

INTENT:

The Staff alternative is designed to further the community's goals to:

- Ensure a significant reduction in the number of billboards in the City, and particularly the number of nonconforming billboards
- Protect sensitive areas designated by the community, by removing existing billboards from those areas and incentivizing their relocation to more appropriate areas
- Avoid continuing legal disagreements with billboard owners

OVERVIEW OF THE STAFF ALTERNATIVE:

- Create Council authority to enter into a Special Compliance Agreement with billboard owners that could accelerate and ensure a significant reduction in the number of nonconforming billboards in the community and provide an alternative to enforcement of the existing amortization provisions.
- A Special Compliance Agreement would need to be consistent with the intent and policies of the Comprehensive Plan and would need to include commitments for overall reductions and commitments for strategic reductions (addressing community issues such as sensitive zones, over-concentrations, multiple-nonconformities).
- Modifications to the zoning development standards, either within the code or as a component of the agreement, could be incorporated to facilitate the overall intent.

KEY COMPONENTS:

Some of these key components would be reflected in modifications to the proposed code amendments and some would be addressed through a proposed Special Compliance Agreement.

Agreed Removals – Overall Total

- 40% overall reduction in nonconforming billboard faces within 5 years
- Cap the number of freestanding billboard faces at level reflecting a 20% reduction
- Cap to total amount of billboard square footage at 100% of the existing amount

Specific Removals – Within 90 Days

- 100% removal of "junior poster" billboards (72 sq. ft. billboards)
- 100% removal from residential zones (R-2 and R-4)
- 100% removal from RCX – Residential-Commercial Mixed-Use zone
- 100% removal from CONS – Conservation overlay zone
- 100% removal from C-1 – Neighborhood Commercial zone
- 100% removal from Shoreline zones

Specific Removals and Modifications – Within 1 Year

- 25% removal from NCX – Neighborhood Commercial Mixed-Use zone
- 40% removal from DR – Downtown Residential zone
- 30% removal of City-identified "high-priority removals" (see Attachment "A")
- 100% removal of remaining rooftop billboards
- 50% size reduction for the sign at NE corner of Center & Union

Specific Removals and Modifications – Within 3 Years

- 60% removal from T – Transitional zone
- 34% removal from NCX – Neighborhood Commercial Mixed-Use zone
- 40% removal of City-identified "high priority removals"
- 20% removal within City-identified "high-concentration areas" (see Attachment "B")
  - 38th Street (vicinity of 38th & Tacoma Avenue; vicinity of 38th & G)
  - Pacific Avenue (46th – 56th Streets; and 81st – 98th Streets)
  - South Tacoma Way (vicinity of Pine; and 50th – 67th)
  - 6th Avenue (State – Cedar Streets)
  - Tyler Street (50th – 56th Streets)
  - 56th Street (vicinity of 56th & M)
- All lighted signs brought up to required efficient lighting technology and hours
- All signs upgraded and painted, as needed

Specific Removals – Within 5 Years

- 45% removal from NCX – Neighborhood Commercial Mixed-Use zone
- 60% removal of City-identified "high-priority removals"
- 33% removal within each City-identified "high-concentration area"

Amortization

- The existing amortization provisions would be retained
- However, billboards owners who enter into a Special Compliance Agreement and operate consistent with that agreement would not be subject to the existing amortization provisions

Exchange Program

- New billboards would only be allowed through an Exchange Program, whereby new billboards would "spend" credits that were generated by the removal of existing billboards
- The Exchange Program would be based on square footage of billboards signs
- The credits would include those generated from the previous removal of 32 signs (mostly those agreed to be removed as part of the Standstill Agreement)
- The Exchange Program would specifically incentivize:
  - Conversion of freestanding billboards to wall-mounted billboards
  - Removal of nonconforming billboards
  - Removals from sensitive zones and areas, identified "high concentration areas" and "high priority removals"

Specific Zoning Provisions

- Open additional zones for new freestanding billboards that are 300 sq. ft. in size or less (CIX, UCX, CCX, PDB, NCX*, DR*, and WR*) *zones with * are capped, see below*
- Allow "bulletin" (672 sq. ft.) freestanding billboards in industrial districts (M-1, M-2 and PMI)
- Allow certain existing single-sided "bulletin" billboards to add a "bulletin" billboard on the back side
  - Only after agreed 1-year removals are complete
- Provide for "Limited Bulletin Billboard Receiving Areas" along 6 limited arterials street segments in the C-2, UCX and CCX zones (see Attachment "C")
  - Tacoma Mall Area (portions of 38th St., Steele St., and Tacoma Mall Blvd.)
  - 6th Avenue (between Mildred St. and Orchard St.)
  - James Center (portions of Mildred and South 19th St.)
  - Tacoma Central (portions of Union Ave.)
  - Tacoma Place (portions of South 72nd St. and Hosmer St.)
  - Westgate (portions of Pearl St., Westgate Blvd., and North 26th St.)
  - Within these areas, provide some reductions to standard buffering requirements
  - 2 such billboards would be allowed after the agreed 1-year removals are complete, with additional ones allowed only after the agreed 3-year removals are complete
- NCX (Neighborhood Commercial Mixed-Use) – Total number of freestanding billboards in this district would be reduced (based on above removals) and then capped at that new level
- DR (Downtown Residential) – Total number of billboards in this district would be reduced (based on above removals) and then capped at that new level
- WR (Warehouse Residential) – Total number of freestanding billboards in this district would be reduced (based on above removals) and then capped at that new level
- Include a 500-foot dispersion requirement for billboards larger than 300 sq. ft. in size
- Allow 45-foot tall billboards within the PMI (Port/Maritime Industrial) zone
- Increase the height limit for billboards that are more than 500 feet from no-billboard zones and sensitive areas to 40 feet
- Reduce buffering from HMX and RCX zones to 150 feet, or 100 feet for signs 30 feet tall or less
- Provide exemption to buffering standards when the billboard is not visible from the buffered area or other factors provide sufficient protection
- Allow for small offsets (no more than 5 feet) for freestanding billboards that are 300 sq. ft. or less
- Clarify the proposed wall-mounted billboard limitations, to include no more than 50% of the wall area and not covering windows or other openings or significant architectural features
- Remaining and future billboards would be considered either legal conforming or legal nonconforming

Attachments

A High-priority removal list
B. Identified high-concentration areas
C. Limited Bulletin Billboard Receiving Areas

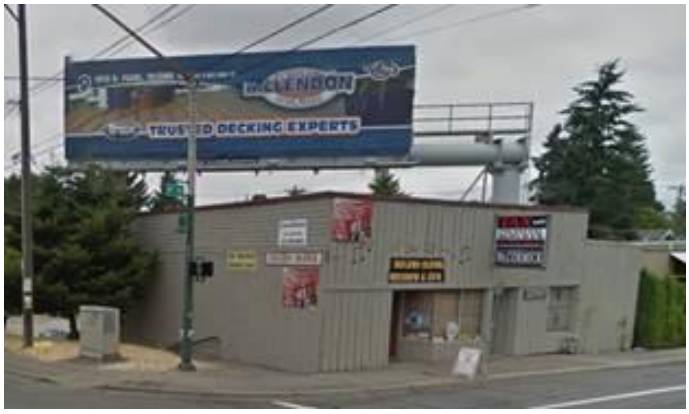
Attachment A – High Priority Removal List

<u>High Priority Removals</u>

This list was created based on the key concerns outlined by the Planning Commission, the Community Working Group, community input as part of this process, and key factors from previous versions of the Tacoma Municipal Code, such as: zoning, height, size, buffers, dispersal and design standards. In general, billboards with more nonconforming characteristics rank higher on the list. If one of these billboards is in a no-billboard zone or the structure extends over the top of a roof it moved higher up the list.

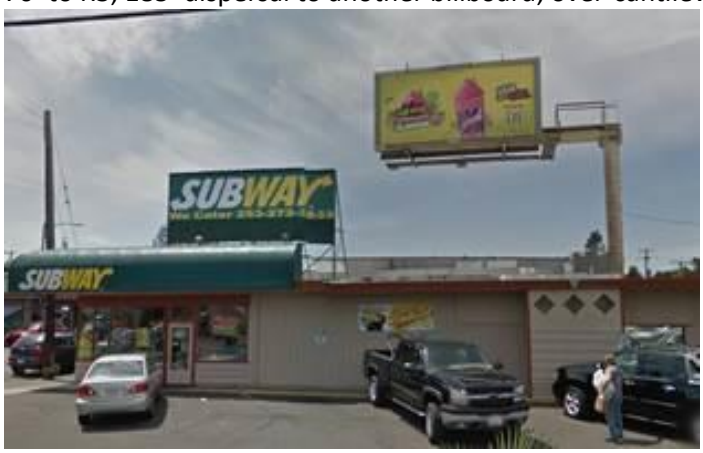
1. **BB 171 – 4 faces. 3739 Tacoma Ave S. Key concerns -** Height 40'; over roof; 2 faces per side; limited buffer to residential zones – 80' to R3 and 85' to R2SRD; 210'dispersal to another billboard

2. **BB 202 – 1 face. 3521 6th Ave (6th and Union). Key concerns -** Height 36'; over roof; over size - 672 square feet; over cantilevered (base pole not under the face); limited buffer to residential zone - 95' to R2



3. **BB 46 – 2 faces. 3539 McKinley Ave. Key concerns –** Roof-mounted; limited buffer to residential and non-billboard zones - 142’ to R2 and 188’ to URX; NCX zone

4. **BB 197 – 2 faces. 3005 6th Ave. Key concerns -** Height 50’; over roof; limited buffer to residential - 70’ to R3; 185’ dispersal to another billboard; over-cantilevered; NCX zone



5. **BB 208 – 3 faces. 6517 6th Ave. Key concerns -** Height 45’; over roof; Size – 672 square feet; 2 faces on one side; limited buffer to residential zone - 145’ to R2; 270’ dispersion to other billboards; off-set support pole

6. **BB 55 – 2 faces. 2201 Pacific Ave**. **Key concerns** – Height 53', Size 378 square feet, within the CONS overlay district

7. **BB 59 – 3 faces. 2502 Pacific Ave. Key concerns** –Height 65'; size – 672 square feet; 2 faces on one side; off-set support pole; WR zone

8. **BB 74 – 2 faces. 8031 Pacific Ave. Key concerns –** Height 50'; over roof; limited buffer to residential zones - 80' and 235' to R2, and 165' R4L; 60' and 136' dispersion to other billboards; off-set support pole

9. **BB 231 – 2 faces. 601 South 38th St. Key concerns** (Height 36'; over roof, limited buffer to residential and non-billboard zones - 115' to URX and 150' to R2SRD; 140'/150'/220'dispersal distance to other billboards; NCX zone

10. **BB 204 – 2 faces. 3827 6th Ave. Key concerns –** Height 42'; over roof; limited buffer to residential zone - 95' R2; 270' dispersal to another billboard; off-set support poles

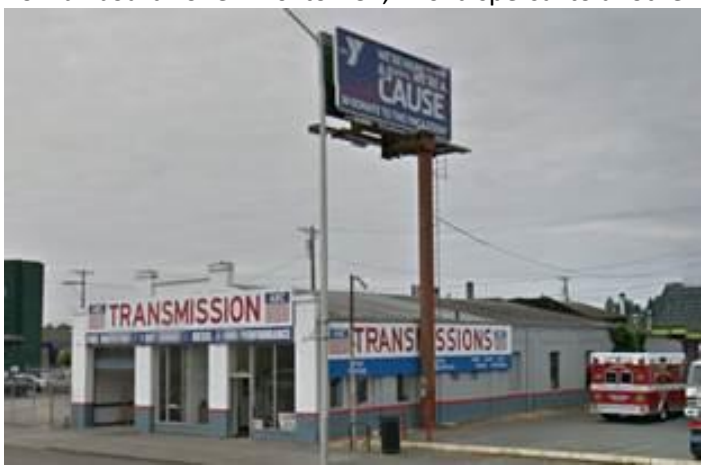
11. **BB 70 – 2 faces. 5416 Pacific Ave. Key concerns** - Height 52'; over roof; limited buffer to residential zone - 85' R2; 85' dispersal to another billboard; off-set support pole

12. **BB 194 – 2 faces. 2402 6th Ave. Key concerns –** Height 45’; over roof; limited buffer to non-billboard zone - 135’URX; 100’ dispersal to another billboard; off-set support pole; NCX zone

13. **BB 65 – 2 faces. 4620 Pacific Ave. Key concerns** – Height 46’; over roof; limited buffer to residential zone - 117’ to R2; 125’ and 140’ dispersal to other billboards; off-set support pole

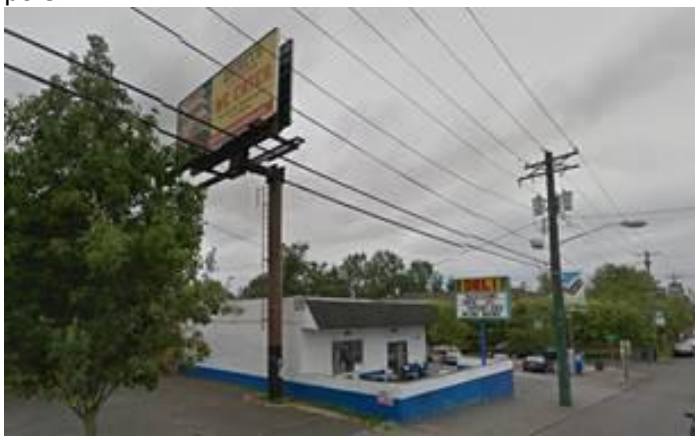
14. **BB 69 – 2 faces. 5409 Pacific Ave. Key concerns** – Height 45’; over roof; limited buffer to residential zone - 114’ to R4 and 120’ to R2; 85’ dispersal to another billboard

15. **BB 135 – 2 faces. 5032 South Tacoma Way. Key concerns** - Height 51’; over roof; limited buffer to non-billboard zone -210’ to RCX; 110’ dispersal to another billboard; Off-set support pole; NCX

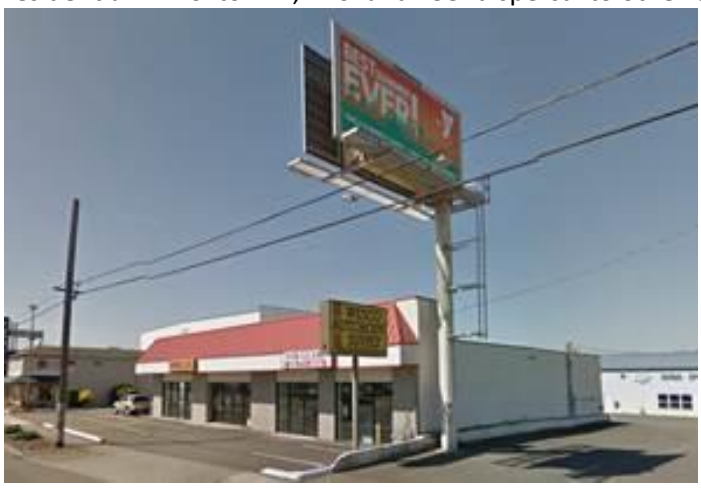


16. **BB 198 1 face (and one on site face). 3022 6th Ave. Key concerns -** Height 45’; limited buffer to residential zones - 115’ to R2SRD and 200’ to R3; 185’dispersal to another billboard; NCX zone

17. **BB 192 – 2 faces. 2202 6th Ave Key concerns** - Height 45’; limited buffer to historic school and non-billboard zone - 150’ to school and 105’ to URX; 210’dispersal to another billboard; Off-set support pole



18. **BB 142 – 2 faces. 6602 South Tacoma Way. Key concerns -** Height 45’; over roof; limited buffer to residential - 210’ to R4L; 120’ and 295’ dispersal to other billboards



19. **BB 233 – 2 faces. 3737 South G St. Key concerns** - Height 36’; limited buffer to non-billboard zones - 140’ to URX and 220’ to RCX; 120’ dispersal to another billboard; NCX zone

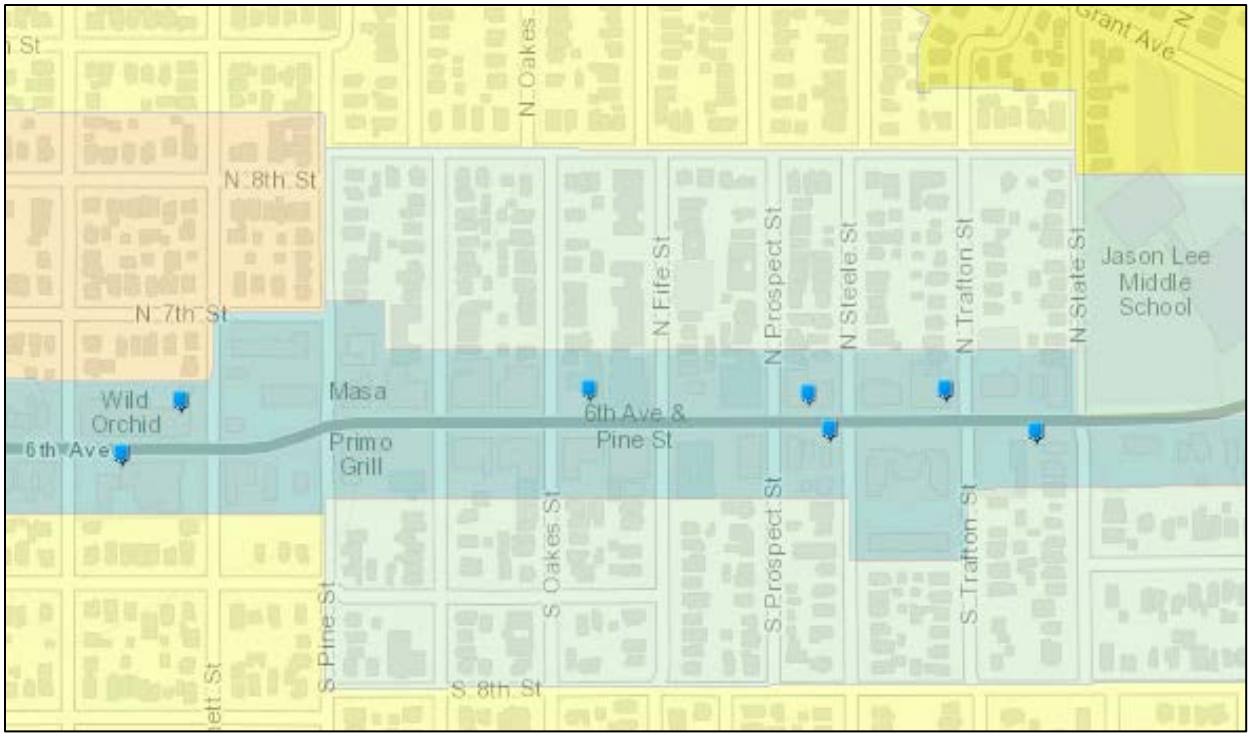
20. **BB 102 – 1 face. 125 Puyallup Ave. Key concerns –** Height 57’; over roof; DMU zone

21. **BB 61 – 2 faces. 2712 Pacific Ave. Key concerns** - Over roof; limited buffer to residential zone - 233' to R4; 204' dispersal from another billboard; off-set support pole; WR zone

22. **BB 32 (large sign) – 1 face. 2711 Jefferson Ave. Key concerns -** Size – 672 sf; limited buffer to historic property - 80' to Fire Station #2; 10' dispersal to another billboard; WR zone)

Attachment B – Identified High-Concentration Areas

6th Avenue (Cedar Street to State Street) NCX zone



South 38th Street (South G Street to Tacoma Ave) NCX (left) and C-2 zones

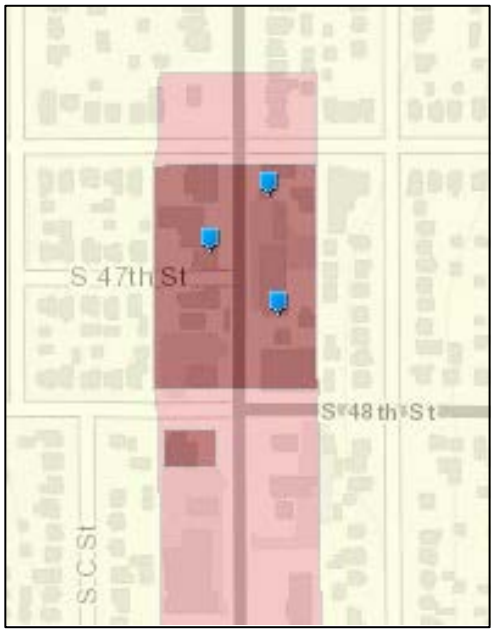
South 56th Street and South M Street - C-2 zone

South Tacoma Way (Vicinity of South Pine Street) M-1 and M-2 (north) zones

South Tacoma Way (South 50th Street to South 66th Streets) NCX (left) and C-2 zones

South Tyler Street (South 50th Street to South 56th Street) (T – Transitional)

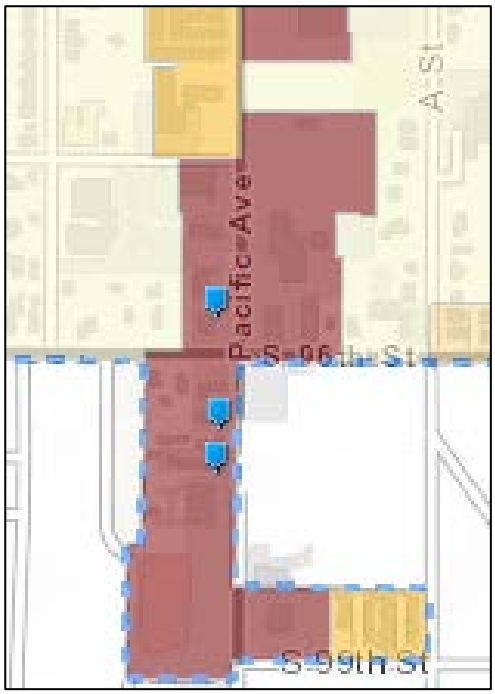
Pacific Ave
(South 46th Street to South 48th Street)
C-2 zone



Pacific Ave
(South 81st Street to South 86th Streets)
C-2 zone

Pacific Ave
(South 54th Street to South 56th Street)
C-2 zone

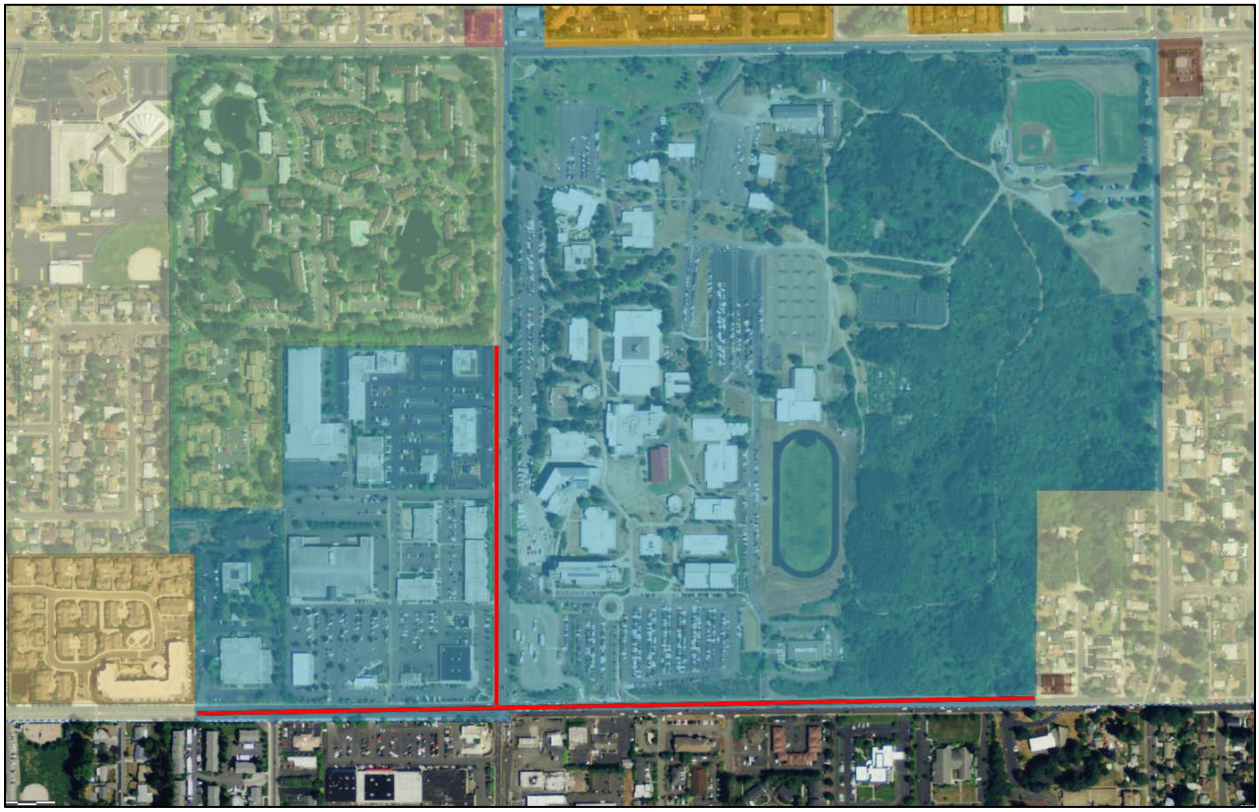
Pacific Ave
(South 94th Street to South 98th Streets)
C-2 zone



Attachment C - Limited Bulletin Billboard Receiving Areas

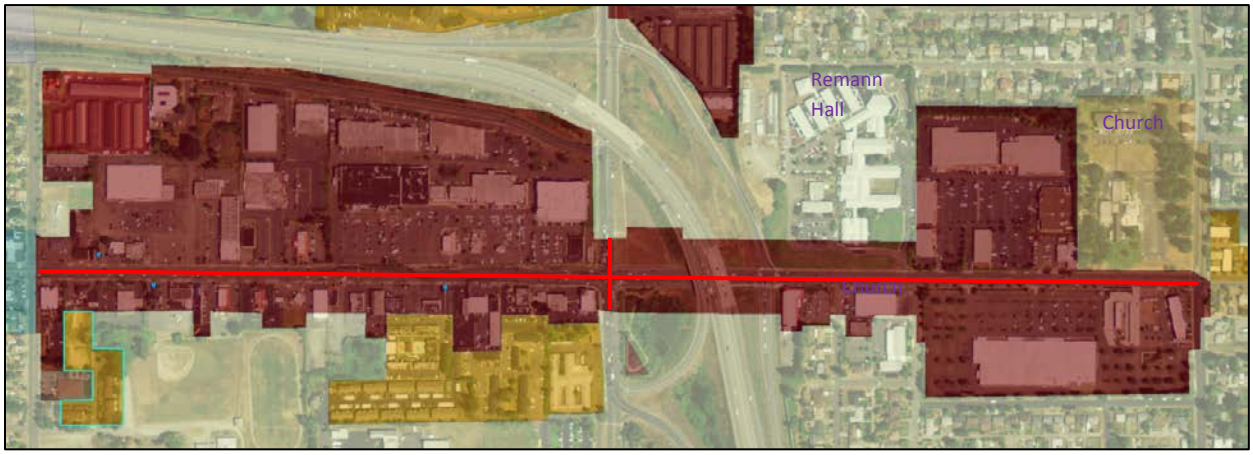
The areas shown here are potentially available, subject to meeting all of the required development standards, such as buffering from residential areas and other sensitive areas/uses (including those located in adjacent jurisdictions), dispersion, height, and designs, and including applicable state highway advertising regulations.

James Center

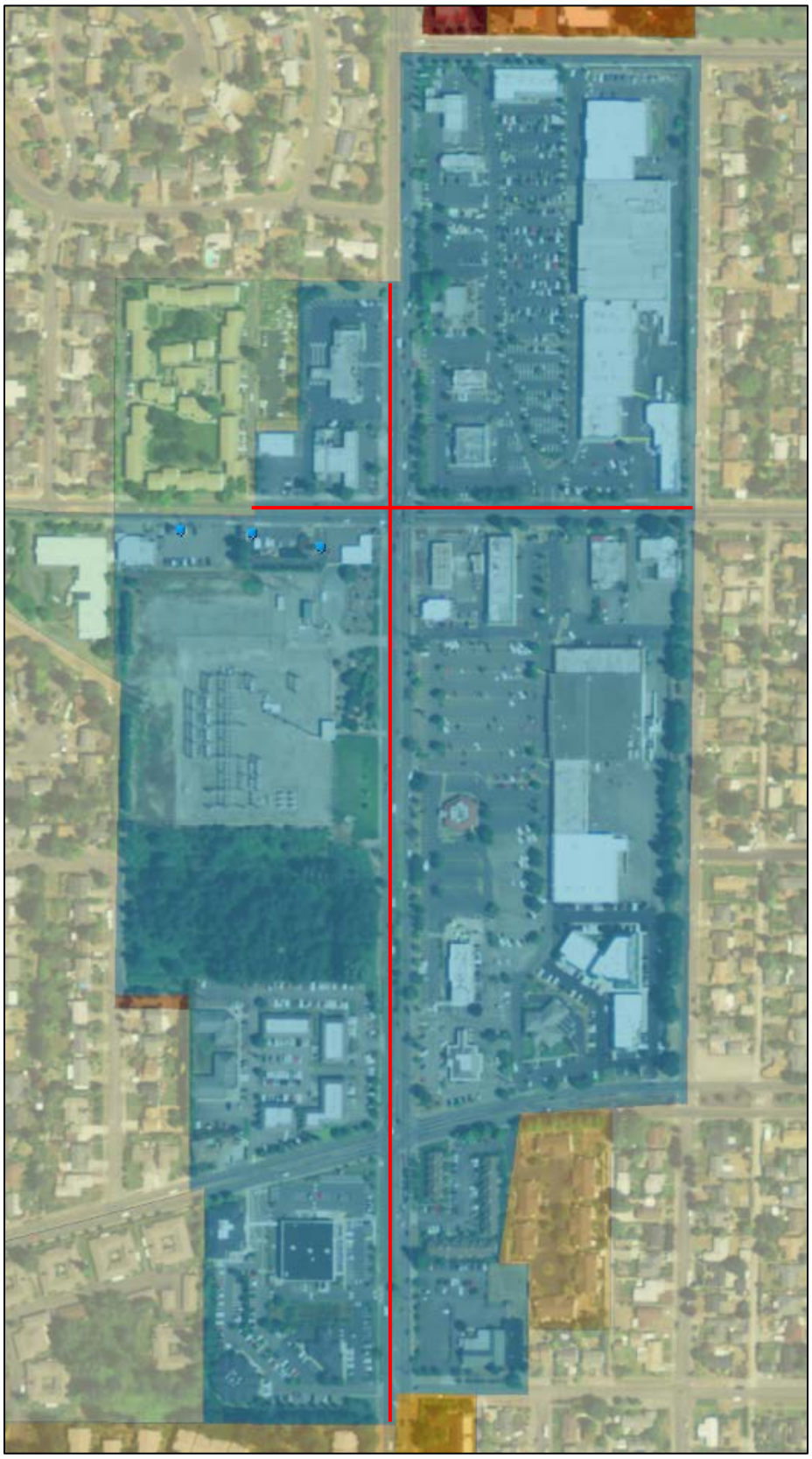


6th Avenue between North Mildred Street and North Orchard Street

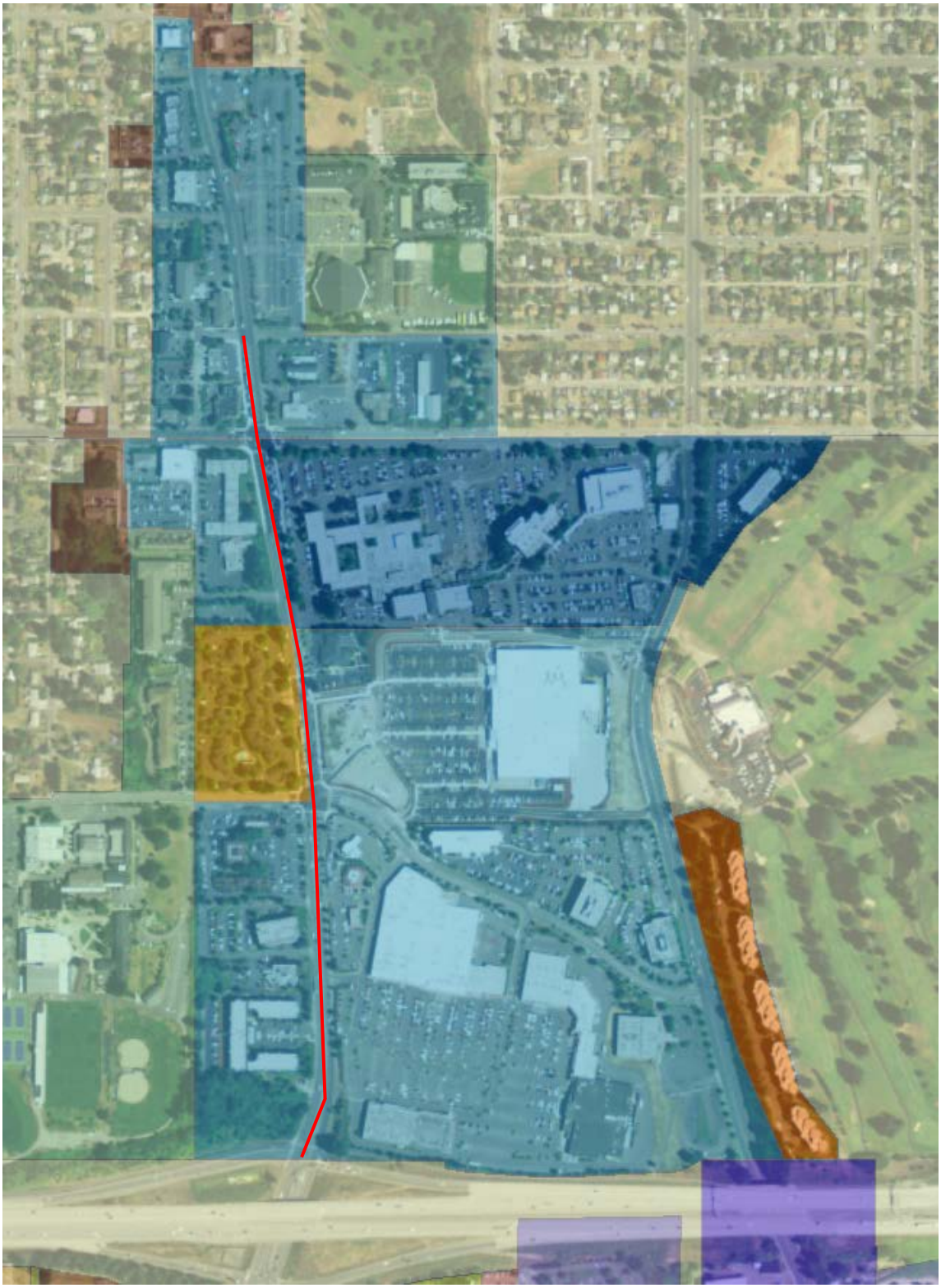
Note: existing billboards west of Pearl would limit potential areas unless they are removed (due to dispersion requirements)



Westgate Center (Note: existing billboards west of Pearl would limit potential areas unless they are removed (due to dispersion requirements)

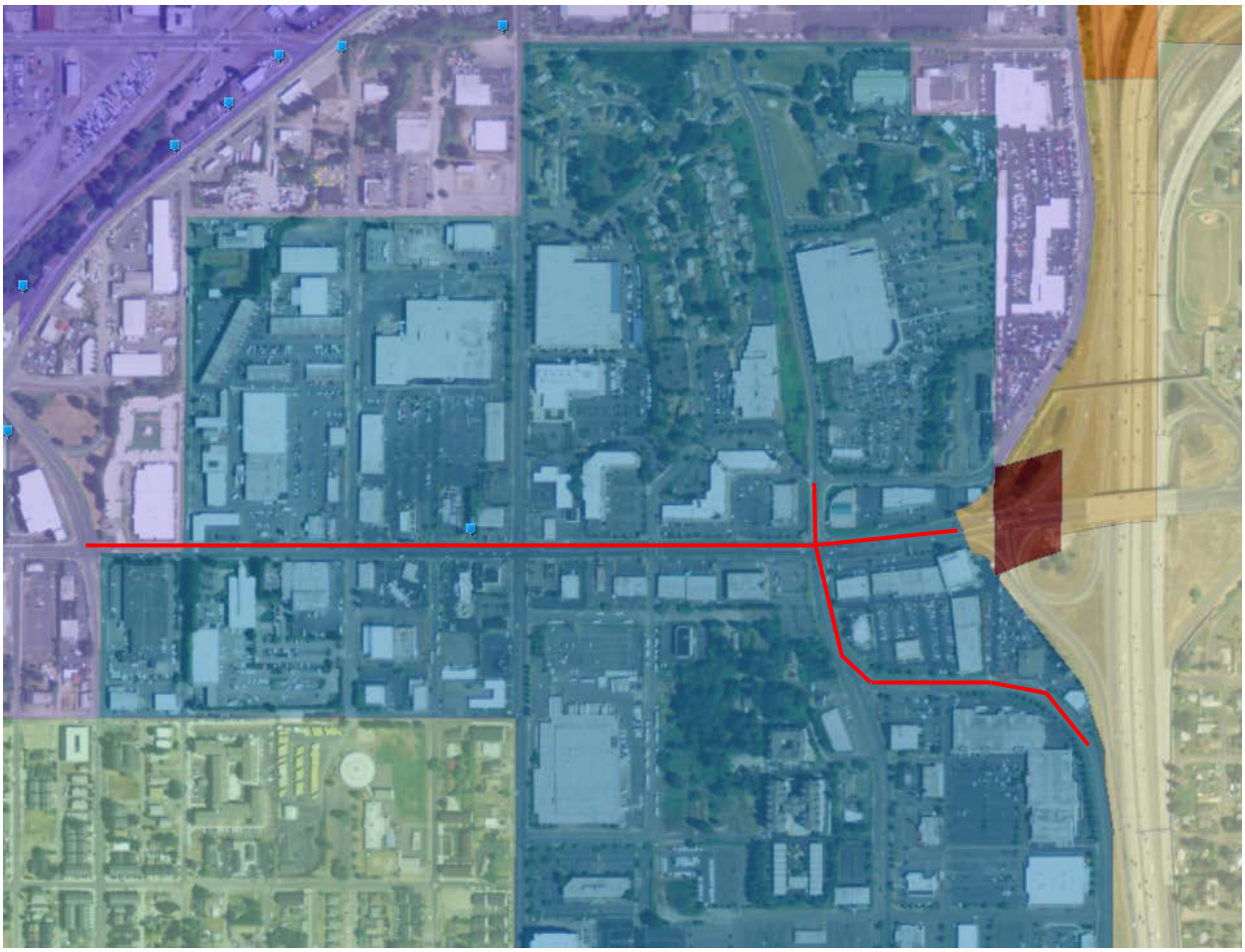


Tacoma Central Center



Tacoma Mall

Note: existing billboards west of Pine Street would limit potential areas unless they are removed (due to dispersion requirements)



Tacoma Place / South 74th Street