



**MINUTES** (Approved on 8-19-15)

**TIME:** Wednesday, August 5, 2015, 4:00 p.m.

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

**PRESENT:** Chris Beale (Chair), Stephen Wamback (Vice-Chair), Donald Erickson, Anna Petersen, Brett Santhuff, Scott Winship

**ABSENT (EXCUSED):** Meredith Neal, Erle Thompson, Dorian Waller

**A. CALL TO ORDER AND QUORUM CALL**

Chair Beale called the meeting to order at 4:04 p.m. A quorum was declared.

**B. APPROVAL OF AGENDA**

The agenda was approved.

**C. APPROVAL OF MINUTES**

The minutes of the Special Meeting on July 8, 2015 and the Regular Meeting and Public Hearing on July 15, 2015 were approved as submitted.

**D. DISCUSSION ITEMS**

**1. Work-Live/Live-Work Code Amendments**

Elliott Fitzgerald, Planning Services Division, facilitated the Commission's review of public comments received at the public hearing on July 15<sup>th</sup> and through the comment period ending on July 22<sup>nd</sup>, concerning the proposed live/work and work/live code amendments.

One citizen had testified at the public hearing and three written comments had been received. The primary concern expressed was that allowing the uses in new construction and outside of downtown and mixed-use centers would dilute the original intent which was to incentivize the reuse of older buildings. Mr. Fitzgerald commented that the discussion in 2012 was for adding specific incentives and that allowing the uses in new construction was never specifically prohibited. The proposal would provide clarification about where the uses were allowed and would provide incentives that were more directly tied to historic and potentially historic buildings. Addressing concerns about eliminating the restrictions for buildings with more than twenty dwelling units, Mr. Fitzgerald noted that there were multiple existing buildings with more than 20 dwelling units that would be good candidates for work-live.

Mr. Fitzgerald reviewed a table that highlighted how the different flexibilities are applied in the current code and in the proposed code. He also noted that staff had met with Historic Tacoma to address their concerns. Mr. Fitzgerald reviewed the next steps with the proposal returning to the Commission on August 19<sup>th</sup>.

Commissioners had the following comments and questions:

- Commissioners expressed support for limiting new construction to 20 units.
- Commissioner Erickson commented that the proposal from several years prior had been for enhancement and redevelopment of existing buildings. He expressed concern that the justification being used was a significant change from the understanding three years' prior.

- Commissioner Santhuff asked if there were any limits on new construction for work-live in the current code. Mr. Fitzgerald responded that the existing Land Use Code does not allow new construction, but it is allowed in the Building Code.
- Chair Beale requested that staff return with information on how things like ADA improvements were handled by the exemption for offsite improvement projects.
- Vice-Chair Wamback expressed concern that the creation of live-work/work-live in the M-1 zone would be perceived as introducing residential uses and removing land from future industrial roles.
- Commissioner Santhuff asked about exemption from design standards for minor additions and how it would relate to historic properties. Mr. Boudet responded that external modifications to listed buildings would not be exempt and changes to existing buildings that could potentially be listed would be reviewed by the City's Historic Preservation Officer.
- Commissioner Erickson recommended changing the language on exemptions from design standards for minor additions to include exterior modifications.

## 2. Billboard Regulations

Chair Beale proposed that a task force be established to work through the issues of the topic and create the draft code amendments that the Commission would send out for public review. Members of the task force would include Commissioners Wamback, Erickson, Petersen, and Neal, with Commissioner Santhuff as an alternate. Vice-Chair Wamback would be designated the chair of the task force. Vice-Chair Wamback motioned to create the task force and Commissioner Winship seconded the motion. The motion was approved unanimously.

John Harrington, Planning and Development Services, continued a review of proposed sign code amendments concerning billboards, focusing on new billboards, design, dispersal, size, buffers, height, and location. Issues relating to the intensity and times of lighting were still being worked on by staff. Mr. Harrington discussed allowing new signs as part of the exchange mechanism where the square footage of removed signs would be banked and exchanged for new billboards once all faces in non-billboard zones were removed.

Design standards were discussed. Mr. Harrington reviewed that the Community Working Group (CWG) had recommended retaining most of the existing standards while eliminating requirements that billboard faces be with 5 degrees of perpendicular to the road; prohibiting cantilevered and off-set structures; and setting a maximum 10 foot setback. Staff recommended allowing a billboard onsite with an existing pole sign. Examples for design criteria were shown. Commissioner Santhuff asked if the faces would need to be parallel. Mr. Harrington responded that they had to be back to back. Mr. Santhuff asked if the cantilevered design would allow billboards to overhang buildings. Mr. Harrington responded that the CWG had upheld the design standard that prohibited signs overhanging buildings. Mr. Santhuff asked if the greater setback would allow more property for signage. Mr. Harrington confirmed that it would. Commissioner Erickson commented on the need for clarification between the definitions of offset and cantilevered designs.

Dispersal between billboards was discussed. Mr. Harrington reviewed that the CWG was recommending 200 feet or less in industrial zones and CIX; 300 feet or less in CCX and UCX; and were split on C-2, PDB, DCC, DMU, and WR. Staff recommended 500 feet dispersals for faces over 300 square feet; 300 feet for faces 300 square feet or less; and 200 feet for wall mounted faces downtown.

Size recommendations for billboard faces were discussed. Mr. Harrington reported that staff recommended allowing 672 square foot signs in UCX, CCX, CIX, and HMX while otherwise concurring with CWG recommendations. Mr. Boudet noted that allowing the larger signs could be a mechanism for exchange as most of the existing signs were medium sized. He added there could also be consideration given allowing larger signs in areas with larger buildings. Commissioner Erickson commented that much of the negative reaction to billboards is due to the large supporting structure and whether the sign had a large support structure or was wall mounted would be an important factor for consideration in whether to allow a larger size. Mr. Harrington noted that the 672 square foot billboards would be conditioned uses with director approval. Vice-Chair Wamback noted that on the issue of size, the CWG had not had a clear consensus on any of their recommendations. Chair Beale commented that 672 square foot signs did not seem appropriate on roadways with lower speeds.

Buffers were discussed. Mr. Harrington reviewed the recommendations of the CWG for buffers from residential zones, sensitive uses, and billboard prohibited and overlay districts. The staff recommendations would be for 100 foot buffers for billboards near residential zones less than 30 feet in height; 100 feet from sensitive uses with Landmarks Preservation Commission review for billboards within 250 feet of historic structures; 100 feet from prohibited zones; and 100 feet for prohibited overlay districts.

Height was discussed. Mr. Harrington reviewed that the CWG had not made a strong recommendation aside from retaining 45 feet for the PMI zone. Staff recommendations were for a 30 foot maximum height in areas within 500 feet of Residential, SHR, VSD, HIST, and CONS districts with an exception for downtown signs mounted on buildings which would allow for 40 feet. Staff was recommending 40 feet or 5 feet over the height of the tallest building for billboards more than 500 feet from Residential, SHR, VSD, HIST, CONS districts.

Zones where billboards should be allowed were discussed. The CWG had recommended adding UCX, CCX, CIX, DCC, DMU, WR, and PDB zones to areas where billboards were allowed. Staff concurred with the CWG and recommended adding HMX. Mr. Boudet noted that Clear Channel Outdoor had not expressed much interest in adding billboards in HMX zones. Commissioner Erickson commented that HMX zones were similar to residential zones with additional sensitivities and were not appropriate for billboards.

Mr. Harrington discussed the companion agreement. He commented that it would address what would be needed to allow adoption of the new code without the amortization clause. The potential requirements to be considered for inclusion in the companion agreement included an overall reduction of existing signs; removal of specific objectionable billboards; removal of signs from specific zones; and modifications to bring signs into conformance.

The next steps and tentative schedule were reviewed.

### **3. Proposed Amendments to the Commission's Rules and Regulations**

Lihuang Wung, Planning Services Division, presented proposed amendments to the Commission's Rules and Regulations ("Bylaws"). He reviewed that the Rules and Regulations were last amended in 2010 and that the amendments were needed to keep information current and respond to Commissioner's requests.

The following proposed amendments were highlighted:

- Section I-B: Streamlining of the procedures for electing officers by conducting both the nomination and election at the last meeting in June.
- Section IV-D: Proposal to change the quorum requirement to a simple majority of filled positions.
- Section IV-E: Provision to allow telephonic participation in meetings. Mr. Wung noted that they would only allow one Commissioner to phone in to each meeting; it would only be available for locations that could accommodate it; and telephonic participation would count as quorum. Commissioners expressed concern about not being able to ensure that a caller is attentive and engaged; that it was important that Commissioners be present for public hearings; and that telephonic participation should not be encouraged. Commissioners suggested that it is not necessary for telephonic participation be explicitly included in the Bylaws but be accommodated when needed and on a case by case basis.
- Section IV-H: Proposal to add "public comment" to the agenda. Mr. Wung noted that if approved, it would be up to the Chair to exercise the provision. He also recommended having public comments at the beginning of the meeting to limit the amount of time that commenters would have to wait; provide feedback prior to discussion of items; and avoid comments directly responding to actions or discussions that had just occurred. Discussion ensued, and the Commissioners concurred with the proposal and further suggested that public comments must be limited to items on the agenda that were not the topic of a recent public hearing.
- Section VII-A: Proposal to remove the list of items that constitute violations of the Code of Ethics and instead refer to TMC 1.46 for consistency.

Commissioner Erickson made a motion to approve the proposed amendments to the Commission's Rules and Regulations with the recommended changes. Commissioner Petersen seconded. The motion was approved unanimously.

#### **E. COMMUNICATION ITEMS & OTHER BUSINESS**

Mr. Wung provided an update on the following items:

- a) A letter from Council member Robert Thoms regarding affordable housing had been distributed.
- b) The August 19<sup>th</sup> meeting would include a public hearing on the 2015 Annual Amendment. Citizens would have the opportunity to make comments at community informational sessions, the public hearing, or through written comments.
- c) For the Tacoma Mall Subarea Plan walking tour, four Commissioners had responded to the poll on arranging an appropriate date and time.
- d) The 2015 Annual Amendment document was being printed. Chair Beale reiterated concern about the August 28<sup>th</sup> comment deadline did not provide enough time for adequate review of the document.

Mr. Boudet provided an update on the following items:

- a) The August 11<sup>th</sup> Council Study Session agenda would include billboards and medical marijuana.
- b) The Lincoln District revitalization project would have a kickoff event on August 20<sup>th</sup>.
- c) The 2015 Comprehensive Plan Update and Mixed-Use Centers Review had been topics of discussion at one of the recent Council Study Sessions and the Council had expressed support for the work being done.

Chair Beale noted for the record that Commissioner Thompson had not been present since the initial discussion regarding possible recusal from the Narrowmoor Conservation District discussion. He added that it was important that a decision be made on the record during a meeting.

#### **F. ADJOURNMENT:**

At 6:40 p.m., the meeting of the Planning Commission was concluded.