

REPORT OF THE TACOMA COMMUNITY WORKING GROUP ON BILLBOARDS

February 2015

Executive Summary

The Tacoma Community Working Group on Billboards (CWG) was convened in September 2014 by Tacoma City Manager T.C. Broadnax. The CWG was composed of 17 members representing a broad cross section of the City, including residents, business owners, property owners, and billboard owners. Billboard regulation in Tacoma has been highly contentious and fraught with litigation between the City and Clear Channel Outdoor (the current owner of almost all billboards in the City) for over a decade. The City has, in response to public concerns, adopted increasingly strict billboard regulations in recent decades. Under the current City Code, all but 3 of 311 billboard faces – although legal when originally installed – now no longer conform to code. Current code is not being enforced, as a result of a “standstill agreement” between the City and Clear Channel Outdoor entered into in 2012 to end the most recent litigation. That agreement also called for continued discussions between the City and Clear Channel about potential permanent solutions – the work of the CWG is a key component of that effort.

The mission of the CWG, in summary, was **to develop at least two viable alternative regulatory approaches for billboards for consideration by the City Planning Commission and City Council. The regulatory approaches should be different from current code, in favor of an approach that better balances the interests of all the various stakeholders.** The hope of the City Manager was that the City and Clear Channel Outdoor could resolve their difference with the help of the CWG’s input, and avoid further costly litigation.

The CWG met 11 times, from September 2014 to February 2015. CWG meetings were open to the public. CWG members were briefed on the current city zoning code, applicable state and federal regulations, the history of billboard regulations in Tacoma, on recent litigation and the current “standstill agreement” between Clear Channel Outdoor and the City. Members also heard presentations from billboard opponents and proponents. The CWG was supported by City Planning Department staff and an independent facilitator. Clear Channel Outdoor, which had two seats on the group, also responded to a variety of information requests from the group.

The group focused on three basic questions: (1) in what zones of the City are billboards potentially allowable (subject to reaching agreement on other applicable code conditions); (2) what should billboards look like – in terms of design requirements, size, height, buffers and dispersal; and (3) how do we get “there” from “here” —what transition mechanisms are likely to be most successful.

The Report presents three options for consideration by the City and Planning Commission: Option A presents the points on which the CWG was able to reach a recommendation or consensus. In cases where a recommendation could not be made, two alternatives are presented: Option B includes the positions of most (but not all) of the neighborhood/Scenic Tacoma/Historic Tacoma group members. Option C includes positions of those on the CWG who favored comparably less restrictive billboard zoning, including most (but not all) votes of billboard owners.

The CWG began by identifying common goals to work from, including:

- Providing a pleasant, attractive City environment
- Being able to enjoy views of the water and/or mountains from our homes
- Establishing a regulatory framework that balances interests of all stakeholders, and
- Having a clear set of regulations so that everyone understands the rules.

The CWG identified 10 zoning districts where it should be a high priority to remove billboards and ensure no new billboards are installed (there are 23 billboard faces in these zones today). The CWG also identified 11 zoning districts where billboards could be allowable—subject to reaching agreement on other code requirements (current code allows billboards in only 4 zones). There were 3 zones where the CWG could not reach agreement as to whether billboards should be allowed or not (there are 51 billboard faces in those zones today).

Most billboards do not comply with current code for multiple reasons—they are too close to a residential zone or other “sensitive” zone or use, too close to another billboard, too tall, or too large, or are constructed in a manner inconsistent with other code provisions. The CWG considered each of these matters and in nearly all cases agrees that it is appropriate to reduce the current buffer and dispersal requirements—however, the CWG could not reach agreement on the specific changes to recommend. Similarly the CWG was split on the issues of billboard height and size, except to agree that “bulletin” size (672 sq. ft.) signs are appropriate in Industrial zones. The CWG also reached agreement as to several other code provisions.

The CWG generally supports the concept of some sort of exchange mechanism to help remove and move billboards from current locations to better match the various goals of the CWG. They reviewed and proposed a wide array of other “transition mechanisms,” but did not reach agreement. Although the scope of this effort was to find solutions that can avoid litigation, a few CWG members remain in favor of seeking to enforce the billboard amortization provisions that the City has long had in code, even though that in all likelihood would result in additional litigation with Clear Channel.

Through a willingness of the CWG members to bring compromise proposals to the table, the three Options identified in the CWG Report outline a range of potential outcomes that substantially narrow the playing field on which the City and Clear Channel can continue their discussions.

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INTRODUCTION

This report presents the findings and conclusions of the Tacoma Community Working Group (CWG) on Billboards. It has been approved as an accurate statement of our findings and process by not less than 60% of the CWG members.

- **Our Mission**

The Tacoma Community Working Group on Billboards (CWG) was convened by Tacoma City Manager T.C. Broadnax in September, 2014, and charged with the following mission:

...[T]to develop at least two viable alternative regulatory approaches for billboards in this community that can be forwarded for review and consideration to the City Planning Commission and City Council.

Specifically, the CWG is being asked to develop regulatory alternatives different from current city code (which is not currently being enforced per an agreement with Clear Channel), in favor of an approach that better balances the interests of all the various stakeholders.

The CWG's mission is not to render an opinion on the current code or deliberate on whether it should or should not be enforced, but rather, to develop alternatives that could, by balancing interests, potentially be a preferable alternative to current code.

Our work is advisory. In his welcoming remarks to us, Mr. Broadnax noted that the City desires to resolve the disputes between Clear Channel and the City without further litigation. Mr. Broadnax made clear he expects that at the end of the process, Tacoma will still have billboards, but fewer billboards; and remaining billboards will be in more appropriate locations with better mitigation of negative impacts.

We were not charged with conducting a public outreach process. Nor were we asked to write "city code." We focused our work on the major parameters of billboard regulation – where billboards can be located, what they can look like (size, height, design, etc.), and how we get there from here. It is important to note that our mission excluded consideration of codes for "on-premise" signage: the CWG recognizes that such signs constitute the majority of signage in the City and some community concerns about billboards often relate to "on-premise" signs as well.

Our mission required all CWG members be prepared and willing to compromise. Given the strength of opinions that many of us have regarding billboards, this was not easy. Our discussions were spirited, frank, and respectful. We took seriously the need for compromise, and we believe that our findings and the options we present here reflect this. That said, we were not able to reach a recommendation on several items.

We have reviewed and approved this report by a vote of our Members. This report presents three options for addressing the regulation of billboards in Tacoma, in response to our mission.

We hope this report will serve as the basis for successful negotiations between the City and Clear Channel Outdoor, which owns nearly all of the billboards in Tacoma, to resolve remaining differences between the parties without further litigation, and help the City shape a new billboard code which better reflects the balance of interests in our community on this challenging issue.

- **CWG Membership**

Our membership is comprised of residents, businesses owners, property owners and others in Tacoma, together with two representatives from Clear Channel Outdoor (Clear Channel) (one of whom lives and works in Tacoma). Our 17 members come from diverse backgrounds and brought a very wide range of opinions and perspectives to the table with respect to billboards: we were selected by the City Manager, with input from the City Council, for this very purpose. There are twelve different stakeholder groups represented on the CWG:

- Neighborhood Councils (3 seats)
- Business Districts (1 seat)
- Scenic Tacoma (2 seats)
- Historic Tacoma (1 seat)
- Commercial Real Estate (1 seat)
- City Planning Commission (1 seat)
- Clear Channel Outdoor (2 seats)
- Other Billboard Owners (1 seat)
- Port of Tacoma (1 seat)
- Advertising Industry (1 seat)
- Non-profit Organizations (1 seat)
- General Community Members (2 seats)¹

¹ A third General Community Representative had to withdraw for personal reasons after 4 meetings.

In addition to the three members that represent billboard owners, one member of the CWG leases land to Clear Channel for a billboard structure. One of two General Community Representatives has a background in advertising and creative services; the other owns a firm that makes “on-premise” signs.

Each CWG member was allowed the opportunity to appoint an alternate (so long as they were residents, business or property owners in the City). There was some shifting in membership over the course of our work, as two members had to depart for personal or professional reasons, but we were fortunate to have strong participation from alternates from early in the process, so this shifting did not create significant problems.

Our work was supported by a team of staff from the City Planning Department who sat at the table with us, helped answer questions and offered observations. We also were supported by an independent facilitator. A full list of our members and the support team is included at **Attachment A**.

- **Our Process**

The CWG met 11 times, for two hours each meeting. Participation by CWG members was very strong—there were few absences. Our limited time together was supplemented by several “homework” items, and the addition of an extra meeting (we had originally planned for 10 meetings). All our meetings were open to the public but there was minimal public attendance. All our meeting materials, and summaries of each meeting, were posted online.²

As noted, we were not charged with conducting a public outreach process, understanding that this will occur as the City moves forward from here.

To begin our deliberations, we adopted a charter to guide our decision-making process. It restated our mission slightly, identifying the goal “*to identify at least two viable alternative regulatory approaches to billboards different from current city code that better balances the interests of all the various stakeholders.*” One important “scoping” item that made our discussions considerably easier was the commitment from Clear Channel at the outset that they do not believe that digital billboards are a necessary component of a solution in Tacoma, and they would not place digital billboards on the table.

Our charter requires that this Report receive support from at least 60% of our members. Further, we identified two levels of support to guide us with respect to specific conclusions: a “**consensus**” position from the CWG must receive support from 80% of those voting; a “**recommendation**” position must receive approval of at least 60% of those voting.

We began by working to identify the range of interests and values of the CWG members, from which we immediately identified a number of areas of agreement, discussed below under the CWG findings section of this Report. Our first four meetings were otherwise largely dedicated to learning about billboards, and our last seven meetings focused on developing recommendations.

² Weblink for CWG materials: <http://www.cityoftacoma.org/cms/one.aspx?portalId=169&pageId=68807>

In the “learning” phase of the effort, we heard a presentation from Paula Rees, a citizen activist and long-time billboard opponent, who provided us an array of information and research finding negative impacts from billboards (safety, visual blight, negative impact on property values, etc.); information about the evolution of the advertising industry showing little growth in billboards and limited use by local advertisers; a review of how some other communities have faced similar challenges – particularly around digital proposals; and articles about Clear Channel’s corporate financial situation.

On the other side of the equation, Clear Channel gave a presentation addressing the benefits of billboards, focusing on how local businesses and nonprofits in Tacoma have benefited from them; research which found no driver safety impacts from billboards; the importance of billboards as a sector of the advertising industry; a comparison of the number of billboards in Tacoma versus other major west coast cities; noting that the vast majority of signage in cities is on-premise signage, rather than billboards; and stating Clear Channel’s interest in collaborating with the Tacoma community to find a solution that will reduce impact in neighborhoods, consolidate multiple smaller signs into larger formats, find appropriate areas for billboards in the community, and grandfather remaining signs. As part of the presentation, representatives from the Boys & Girls Club of South Puget Sound and JayRay Advertising spoke briefly to the benefit their agencies and clients have received from advertising through Clear Channel billboards.

We observed that there were many conflicts between the information we heard, but acknowledge that we did hear a full array of perspectives.

We also were briefed by State Dept. of Transportation staff regarding the overlays of federal and state regulation of billboards and how they interact with local billboard regulation. We looked at the potential impact of recent federal legislation, so-called “MAP-21” and how that may affect local authorities’ regulation of billboards.

The City Attorney provided us a background overview on the history of litigation between Clear Channel and the City over billboards, summarized below. Planning Department staff presented the current zoning map and provided us with details that distinguish between the various allowed uses and intended character for each of the zones. Over the course of the process, staff tracked questions from CWG members that could not be answered in meetings; staff or Clear Channel provided responses to nearly all 45 questions tracked.

At our sixth meeting, we elected co-chairs from among our membership: Tricia DeOme, a member of the Neighborhood Council stakeholder group, and Steve Wamback, who is on the City Planning Commission. They worked with the staff team and facilitator to help shape the remaining meeting agendas.

Our seven meetings dedicated to developing findings and conclusions recommendations involved a combination of presentations from staff, small group discussion, full CWG discussion, voting, and reconsideration of voted outcomes. We heard presentations from Clear Channel as to which city zones were most important to them for placement of new billboards, and why. The Co-Chairs served as “small group facilitators” for several meetings.

As noted, our discussions were spirited, frank, and respectful. We all feel that this experience has allowed us all to better understand the many points of views, concerns and positions around the regulation of billboards in the City. Over the course of the deliberations, we had extensive opportunity to share our views and to hear and consider many different ideas. We reached several “consensus” recommendations and several other items received “recommendation” level support. In several cases, however, we were unable to reach recommendation level support. The conclusions in this Report are presented in a way to capture these distinctions. The Report also identifies several issues raised during our discussions but not fully explored—issues which are likely important considerations as the discussion moves forward.

We divided our efforts into three basic questions, and took each of these up in turn:

1. **Where – which zones – should billboards be allowed and not allowed?**
2. **What should billboards look like?** This question encompasses buffers, dispersal, size, height, lighting, and other design and development standards.
3. **How do we get there from here?**

It is important to understand that these questions are interactive: on the ground and, as code is written, they all combine together to allow, or not allow, something to happen. **Therefore, it is important not to look at the results of our agreement on the first question in particular –where should billboards be allowed -- without also considering our input on the other questions: to do so would be to misinterpret the results.**

RECENT HISTORY – AND WHERE WE ARE TODAY

Billboard regulations have been a highly contentious issue in Tacoma for decades. Although the CWG was expressly “not charged with rendering an opinion on current city codes or deliberating whether that code should be enforced,” it was necessary for us to understand how Tacoma, its citizens, billboard owners and advertisers arrived at this point. This section of our report summarizes this context with a brief re-cap of recent history and the current billboard situation in Tacoma.

The City’s billboard codes have evolved substantially over time. Whereas we understand from the Planning Department that it is reasonable to assume that nearly all billboards in the City were, at the time they were initially installed, compliant with code, changes over time mean that today, only 3 of the 311 billboard faces in the City comply with code. These 308 billboards are considered “nonconforming” -- legal, but inconsistent with the code.

The City first adopted comprehensive billboard regulations in 1988, which sought to limit the number of billboards to those in place in April of that year, ban billboards from all parts of the City excepting Industrial and some commercial zones, and adopt other regulations. That code was significantly revised in 1997, further reducing the maximum number of billboards allowed under code, adding provisions that made many more existing billboards nonconforming, and adopting an amortization provision that

required nonconforming billboards to be brought into compliance or removed, at the cost of the owner, within 10 years. The rationale behind amortization was that the owner of the billboard structure would have been able to fully recoup its capital investment in the structure over the course of a decade. In 2005, Clear Channel purchased the Tacoma billboard holdings of Ackerley Communications; since that time, they have owned nearly all of the billboards in the City.

When, in 2007, the City sought to enforce the 1997 code amortization provisions, Clear Channel Outdoor sued, leading to a Settlement Agreement in 2010. The Settlement Agreement recognized Clear Channel's vested rights in its conforming and legally nonconforming signs and relocation permits, and included an exchange program that would allow digital billboards. After community opposition to digital billboards, the City did not pass a digital ordinance as contemplated by the Settlement Agreement, but instead passed the 2012 code, which revived the prior 10-year amortization provision as a way to reduce the number of billboards, the 2012 code also banned digital billboards, expanded buffer and dispersal requirements, and instituted a number of design requirements. The City then filed a declaratory judgment action asking the Court to declare that the Settlement Agreement was not binding. In response, Clear Channel countersued the City over the 2012 code, which led to the current Standstill Agreement.

Per the Standstill Agreement, the 2012 code remains in place, but is not enforced: the 1997 code applies, except the amortization provisions are not enforced. Under the 2012 code, all but three of the current 311 billboard faces³ in the City are nonconforming, most for multiple reasons. Nearly ninety percent of the billboards do not comply with the buffer requirements in the current code. The evolution of these various codes and the litigation are summarized at **Tables 1 and 2**.

A word should be said about the amortization issue, which has been a focus for the litigation between the City and Clear Channel -- and was the subject of some contention in our discussions. The City Attorney made clear to us that the City believes that amortization is a valid regulatory approach (having included it in the 1997 and 2012 codes). However, the City expects that if the code retains an amortization provision and the City seeks to enforce it, then, based on history, there will continue to be legal challenges from Clear Channel on the validity of this approach and/or the amount of compensation owed Clear Channel. Clear Channel disagrees with the City's legal position. We understand that both the City and Clear Channel agree that an alternative to amortization should be explored—as contemplated in the 2012 Standstill Agreement. Specifically, the parties agreed to look for some sort of exchange mechanism and provide recognition of property rights of existing billboards.

In sum, one of the main regulatory approaches the City has taken to shift the landscape of billboards is amortization. Since our mission is to identify *regulatory alternatives different from current city code*, we did not take up the issue of amortization as part of our proposed regulatory alternatives. It should be noted that a few of the CWG members believe that the City should again pursue amortization and think that since this concept has been in code for seventeen years, all billboards subject to amortization by code (308 of 311 current billboard faces) should be considered illegal and removed. Others believe that either the City's legal position is untenable, or that amortization is not a valid or appropriate

³ A billboard structure usually includes two billboard "faces." The faces are the display panels. Typically, there are two billboard faces per structure, though in some cases there are more. Per City Code, each "face" is considered a separate sign.

mechanism. **This report is not intended to signify support or opposition to the issue of amortization.** CWG members who have endorsed this report may or may not support amortization.

It is important to note that over the course of the past several years, the billboard “face” count in the City has come down substantially. City records indicate that in 2007, there were 422 billboard faces in Tacoma. Today, there are 311 billboard faces – a 26.3% reduction. Clear Channel has removed all of the billboards specified in the Standstill Agreement, and additional 36 billboard faces --these removals have been verified by the City.

Where are the remaining billboards? They are present in most land-use zones, primarily along major arterials and state highways. Approximately one third of them are in zones that have, essentially since 1988, prohibited billboards. The billboard count *by zone* today in Tacoma is presented at **Attachment B**.

Table 1: Overview of the Evolution of Billboard Regulations in Tacoma⁴

<i>Item</i>	<i>Current Code</i>	<i>1997 Code/1988 Code if different</i>
Zones	Billboards (BB) permitted in C-2, M-1, M-2, and PMI zones	Zone names were different. BB permitted in C-2, C-3, B, M-1, M-2, PMI/ Zone names different; territory covered approximately the same, plus C-1⁵
Design	Max 2 faces per structure	Not addressed
	Faces must be back to back and within 5 degrees of perpendicular with road.	Not addressed
	No offset or cantilevered construction of structure	Not addressed
	May not project above adjacent building	Not addressed
	No rooftop construction	Same as current code
	Must have facing to cover back bracing and framework	Same as current code.
	Max 10 foot setback from street	Not addressed
	No new BB if existing on-site pole sign	Not addressed
Landscaping	<ul style="list-style-type: none"> • Screen base of support from pedestrian view. • Alteration of street trees requires prior city approval 	Not addressed
Lighting	<ul style="list-style-type: none"> • Must be directed toward sign and use cut-off shield. • Internal illumination prohibited. 	Indirect or internal lighting only, no flashing signs
Digital Signs	Prohibited	Not addressed
Height	30 ft. , except 45 ft. in PMI	Same as current code (PMI used to be M-3)/ 35 ft., except 45 ft. in M-3
Size	300 sq. ft. max. (no “Premier” or “Bulletin” sizes allowed). Cut outs and extensions may add 20%	<ul style="list-style-type: none"> • Same as current code/672 sq. ft. max with face max of 25 ft. tall and 50 ft. wide • Faces over 300 sq. ft. must locate on arterials with 2 lanes going each way.
Dispersal	<ul style="list-style-type: none"> • 500 ft. minimum between BB structures 	<ul style="list-style-type: none"> • Minimum of 100 feet between BB structures. • Max 4 faces on 2 structures within 1000/660 ft. • Must have 300 ft. of proper zone to locate BB on that side of street, 600 ft. for second BB. Property across street must also be zoned to permit BB.
Buffering	No billboard within 500 ft. of: <ul style="list-style-type: none"> • Residential, mixed use or shoreline districts. • Special uses/areas (schools, churches, public open space, playgrounds, parks, historic and conservation districts, registered historic properties) 	<ul style="list-style-type: none"> • Not within 250/100 ft. of residential district. • Not allowed within 250/100 ft. of special use/ areas (same list as under current code) • Shoreline setback requirement same as current code (375/150 ft.)

⁴ Information prepared by City Planning Department.

⁵ One member of the CWG disputes the Planning Department conclusion that billboards were allowed in C-1.

Table 2: Summary of Key Components of Recent Billboard History

1997 Code
<ul style="list-style-type: none"> • 10 year amortization of all non-conforming billboards (by August 1, 2007) added. Thereafter, nonconforming billboards would be required to be removed by owner w/o compensation from City. • Billboard owners could exchange 2 or more smaller signs to make a conforming sign elsewhere. • Billboard owners could move non-conforming billboards to conforming locations before end of amortization period.
The Proposed 2010 Settlement Agreement
<ul style="list-style-type: none"> • Remove 54 faces (and related structures), locations identified, and in exchange Clear Channel (CCO) may build 10 digital BB. • Thereafter, for every 1 digital billboard, CCO will relinquish/remove 15 other permits and/or faces (at least 5 faces must be removed for each sign). • After all relocation permits traded in, CCO must remove 8 faces in exchange for 1 digital structure. • In addition, CCO will remove 25 faces in the next 5 years regardless, selected at CCO discretion.
2012 Code
<ul style="list-style-type: none"> • Relocation permits (to move non-conforming signs to approved areas) expired September 1, 2012. None allowed in future. • Amortization period for <i>existing</i> non-conforming BB ends March 1, 2012 (an additional 6 months). Billboards must be removed thereafter without compensation. • <i>Future code changes</i> making billboards non-conforming: 10 year amortization to remove billboard or make it conforming.
Standstill Agreement (2012)
<ul style="list-style-type: none"> • Litigation dismissed without prejudice. • 1997 code applies for now, except amortization provisions. • Parties will confer to find a permanent solution. Focus will be on <u>sign consolidation</u> to remove specific signs in exchange for bulletin sized static billboards in mutually agreeable areas, and vested rights for existing billboards. • Lawsuit may be reinstated if issues not resolved by deadline of August 15, 2014. Deadline subsequently extended by the parties for 1- year --- through August 15, 2015. • CCO relinquishes all 183 relocation permits. • CCO removes 31 specified billboard faces (including structures). These removed billboards count towards any consolidation plan ultimately executed between the City and CCO to resolve the lawsuit. • CCO performs repair on 18 specified billboards. <p style="text-align: center;"><i>The CWG has been created as the first phase of the attempt to find a “consolidation plan” acceptable to both parties.</i></p>

CWG FINDINGS—CONSENSUS, RECOMMENDATION, AND OTHERWISE

This section of the Report presents our three “Options” posed as alternatives to the current code, and describes the process used to reach agreement – or not. As noted, we divided our work into three basic questions, and took each of these up in turn:

1. **Where – which zones – should billboards be allowed or not allowed (subject to other code requirements)?**
2. **What should billboards look like?** This question encompasses buffers, dispersal, size, height, lighting, and other design and development standards.
3. **How do we get there from here?**

Code items are interactive, in the sense that they are deployed in combination. Our deliberations took up each issue individually. Thus, while we may have consensus on placing billboards in certain zones, that agreement is *subject to the appropriateness of other code conditions* – buffers, height, size, dispersal, etc. Therefore, it is not correct to conclude that the CWG supports a “no holds barred” approach in “billboards allowed zones.” In fact, the CWG found it very difficult to reach agreement on those other code conditions.

As noted above, we agreed in our CWG Charter to have two types of proposals—those with **consensus level support** (80% of the CWG members voting to support the item), and those with **recommendation level support** (60% of the CWG members voting to support the item). These distinctions are noted throughout the report. We did not reach recommendations on all issues that we discussed.

For example, we do not have a recommendation on a specific **buffer** or **dispersal** requirement for any zone. In order to provide a “sense of the group” in these issues, we present several “*aggregated votes*.” The question before the group here was basically “what is the **minimum** buffer level / dispersal level you would be comfortable with?” Working from the smallest acceptable level of support upward to the level, if any, at which *60% or more of the CWG members votes were included* became the “aggregated vote” (AV) level presented. In other words, the votes of CWG members supporting for 0 feet, 50 feet, and 100 feet, etc. were combined until the 60% threshold was met: “*aggregated votes*” include votes of CWG members voting for smaller buffers or dispersal than the “*aggregated vote*” number. The math of vote totals led to some internally inconsistent results, so “**aggregated votes**” **should be taken as indicative of direction, not necessary a conclusive finding.**

As another example, on size or height limitations, we have only one agreement to report out of eight votes taken. In sum, for any “billboards allowed” zone, we were in several cases unable to reach even a “recommendation” level of agreement on the specific terms necessary to craft code: different members had very different opinions on the standards under which billboards should be allowed to be placed in “billboards allowed zones.”

The nature of the discussions and results are presented in this section of our Report. These results are then combined in a single matrix at **Attachment C** and presented as a set of **three different options which we forward for your consideration:**

- **Option “A”** presents items that received either Consensus Level support, Recommendation Level support, or a 60% “aggregated vote” (AV) level of support. As noted, for each aggregated vote it is important to understand that some of the 60% of members whose votes are aggregated in fact voted for smaller buffers or dispersal than the threshold number presented. In Option A, there are several items on which no recommendation is presented: alternatives on these items are presented in Options B and C.
- **Option B** – alternatives typically receiving support from less than 50% of CWG members—generally (but not in all cases) reflecting the views of representatives from the Neighborhood Councils, Scenic Tacoma and Historic Tacoma. Option B only presents alternatives on aggregated vote issues and on issues where no recommendation is presented in Option A.
- **Option C** – again, alternatives typically receiving support from less than 50% of CWG members, generally (but not in all cases) reflecting the views of billboard owners and CWG members favorable towards greater easing of billboard regulatory requirements. Option C only presents alternatives on aggregated vote issues and on issues where no recommendation is presented in Option A.

- **Common Interests and Values**

We began with the work of finding compromise with a search for common interests and values among the CWG members. Based on a member survey and follow up discussion, these are presented in **Table 3**.

Table 3: Shared CWG Interests and Values

Shared Interests and Values: <i>Consensus Level (80% + support)</i>
<ul style="list-style-type: none"> ● Providing a pleasant, attractive City environment. ● Being able to enjoy views of the water and/or mountains from my home ● Establishing a regulatory framework for billboards that balances interests of all stakeholder groups ● Having a clear set of billboard regulations so that everyone understands the rules

Shared Interests and Values: *Recommendation* Level (>60% but < 80% support)

- Promoting a positive business climate
- Reducing safety risks from billboards
- Helping the City avoid costly litigation
- Having attractive streetscapes
- Curtailing over-regulation
- Ensuring regulatory costs paid for by those being regulated

It was helpful for us to be able to identify that there are in fact many shared values across CWG members with very diverse backgrounds. This exercise helped us build a foundation of understanding from which to proceed, and a common set of values to return to throughout our deliberations.

- **Question 1: Where – Which Zones -- Should Billboard Be Allowed or Not Allowed?**

Values and interests identified, we then turned to the most basic question: *in which zones of the City should billboards potentially be allowed?* The current code (adopted in 2012, not now being enforced per the Standstill Agreement), is similar to the 1997 code and 1988 code before it: it allows billboards solely in **Industrial Zones (M-1, M-2, PMI)** and limited **Commercial Zones** (specifically, **C-2**).⁶ Some 62% of existing billboard faces are in these four zones.

The CWG spent three meetings on this question. We divided up into two smaller discussion groups. Each subgroup included a broad range of stakeholder interests on the CWG – from strong billboard opponents to Clear Channel representatives. (Mathematical precision in composing the subgroups was not possible, with 17 members and many stakeholder groups having only one representative). We worked from staff information as to the current billboard count in each zone, and results of a homework exercise where each CWG member was able to vote on whether they thought it was potentially appropriate to allow billboards in each City land use zone and overlay district. After discussion in the small groups, we again voted. The results of the two subgroup discussions were nearly identical and are presented in **Tables 4, 5 and 6** below.

The CWG recommendations would expand the number of allowable zones for billboards in the City from the current four (4) to eleven (11) – ***subject to other code conditions being acceptable***. 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 seven (7) additional zones share similar characteristics to industrial and commercial zones where billboards are now permitted. The less residential the area, the more open the group was to considering allowing billboards. In some cases, the

⁶ See Attachment B for a summary description of these zones and Table 1 for how code has changed over time.

group assessed what they thought a reasonable expectation for someone choosing to live in the zones, other types of uses allowed in the zones, or development patterns and expectations for the zones. However, it should be noted that Neighborhood Tacoma, Scenic Tacoma and Historic Tacoma representatives in particular stated that their support for allowing billboards in these new zones as being conditioned on conservative buffer, dispersal, and sign size and type conditions. For expansion of billboards into the downtown zones in particular, these groups advocated for code conditions at least as restrictive as on the books today. Other CWG members supported less restrictive conditions as a way to make billboard “receiving” zones more attractive.

CWG members acknowledge, and anticipate, that as any future code language is developed, individual CWG member support or opposition to locating billboards in any particular zone may change. Public statement of that nature will not be interpreted by CWG members as being in conflict with our mission to collectively support the outcome and this Report.

The CWG also identified a set of ten (10) zones where it is a priority to **remove** existing billboards – referred to in this Report as “No Billboards Zones.” Generally, these zones were identified because they are either: (1) primarily residential in nature; (2) are areas with critical value to the attractiveness of the city (for example, the Historic Special Review Overlay, Shoreline Districts, Conservation Overlay and View Sensitive Districts); or (3) have no billboards currently and the group on balance felt it was more appropriate to continue to keep billboards out of these areas.

It is noteworthy that eight of these ten “No Billboard Zones” (which include three overlay districts) are currently protected by 500 foot buffers: the exceptions are the Downtown Residential Zone (DR), and the View Sensitive Overlay District (VSD), which is largely, but not entirely in Residential zones.

For the three zone types where the CWG does **not** have a recommendation—the Transition Zones (T), General Neighborhood Commercial Districts (C-1) and Neighborhood Commercial Mixed Use Districts (NCX), alternatives are presented in the Recommendations Matrix (**Attachment C**) under Options B and C. Some viewed these zones as appropriate for billboards given that there are many billboards already in these zones and/or their high value to advertisers, given the amount of traffic in and along these areas. Others felt strongly that these zones are too close to residential areas, or that billboards are inconsistent with a goal of promoting pedestrian friendly mixed development. It is noteworthy that some of these zones are so compact that any buffer requirement (50 feet or greater) would make the zone closed to siting of billboards.

For two overlay districts, the CWG determined that the overlay classification was not relevant to billboards and that the billboards should be allowed, or not, based on underlying zoning. These two districts are: **ST-M/IC- South Tacoma Manufacturing/ Industrial Center Overlay District**, and **STGPD- South Tacoma Groundwater Protection District**

If the CWG recommendations were adopted, about 78% of the billboards would be in “Billboards Allowed” zones. However, other code requirements are also critically important. **Even if the CWG recommendations on zones are adopted into code, this action alone will have little or no impact on the situation: 308 of 311 billboards would remain nonconforming for other reasons** – those other reasons are the focus of the next section of this Report.

**Table 4:
Zones Where it is a Priority to Remove Billboards and Ensure No New Billboards are Installed
("No Billboard Zones")**

C/R*	Zone	Current Billboard Face Count	Notes
C	All "R" Residential Districts	3	2 in R-2; 1 in R-4
C	SD -- All Shoreline districts	4	
C	RCX (Residential mixed use)	1	
C	VSD View Sensitive Overlay District	0	
C	HIST Historical Special Review Overlay District	0	
C	NRX Neighborhood Residential Mixed-Use	0	
C	URX Urban Residential Mixed Use District	0	
R	DR (Downtown Residential)	10	This is a High priority area for CCO to locate new billboards
R	CONS Conservation Overlay District	5	
R	HMX Hospital Medical Mixed Use District	0	
	Total Current Billboard Face Count in these Zones	23	

*"C" denotes a **consensus** level support; "R" denotes **recommendation** level support.

Table 5: Zones Where Billboards Should Be Allowable –subject to agreement on other code requirements - ("Billboards Allowed Zones")

Tier 1: Zones where there is <u>consensus level support</u> from CWG to allow Billboards –subject to agreement on other code requirements			
C/R*	Zone	Current Billboard Face Count	Notes
C	C-2 General Community Commercial District	103	Consistent with current code.
C	M-1 Light Industrial District	52	Consistent with current code.
C	M-2 Heavy Industrial District	29	Consistent with current code.
C	PMI Port Maritime and Industrial District	10	Consistent with current code.
C	PDB Planned Development Business District	0	
C	UCX Urban Center Mixed Use District**	2	
C	CIX Commercial Industrial Mixed Use District**	4	

	Total billboard faces in Tier 1 zones:	200	
Tier 2: Zones where there is <u>recommendation level support</u> to allow billboards***--again, subject to reaching agreement on other code requirements			
R	DCC Downtown Commercial Core**	5	Priority for Clear Channel to place billboards in this zone.
R	DMU Downtown Mixed Use District**	5	
R	CCX Community Commercial Mixed-Use District**	14	
R	WR Warehouse Residential**	18	Priority for Clear Channel to place billboards in this zone.
	Total billboard faces in Tier 2 zones	42	
	Combined total billboard faces, Tiers 1 and 2:	242	

* "C" denotes a **consensus** level support; "R" denotes **recommendation** level support.

** 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.

***For Tier 2 zones, one discussion group supported billboards at a **consensus** level, but the other was at a **recommendation** level – in combination, this results in a recommendation level of support. The Warehouse Residential zone received **recommendation** level support from both discussion groups.

Table 6:
Zones Where There is No CWG Recommendation on Whether Billboards Should be Allowed or Not Allowed

Zone	Current Billboard Face Count	Notes
C-1 General Neighborhood Commercial	4	One subgroup was in unanimous agreement that there should be no new billboards here and preferred to remove them. Clear Channel indicated this is a <i>low-priority area</i> for them. The other subgroup would allow billboards in these areas, subject to consideration for residential impacts.
T Transitional District	10	One subgroup would allow billboards in this zone, the other was strongly divided for and against.
NCX Neighborhood Commercial Mixed-Use	37	Priority area for Clear Channel to place billboards. Both subgroups were deeply divided on whether billboards should be allowed in this zone.
Total billboard face count in these zones	51	

- **Question 2: What Should Billboards Look Like? (Buffers, Dispersal Size, Height, Lighting, and other Design and Development Standards)**

As noted, only 3 of the 311 billboard faces in the City meet current code requirements. According to City staff analysis, the main reasons that billboards do not conform to current code are because of buffer, dispersal, size, height and other design and development standards. And, most billboards are nonconforming for multiple reasons. **Table 7** summarizes staff research on this issue (See **Attachment D** for more detailed information).

**Table 7:
Non-Conforming Billboard Faces – Percentages Failing Various Types of Code Provisions,
Excluding Zoning District**

Type of Code Provision	Percentage of Billboards Failing to Meet This Type of Code Provision
Buffers	85%
Design (other than size, height, lighting)	71%
Dispersal	65%
Height	47%
Size	10%

In other words, making “space” for billboards in Tacoma’s code requires adjustment of these types of provisions as well. Simply amending the list of allowable “zones” is necessary, but not sufficient, to make a noticeable change in the outcome.

We devoted two and a half of our last four meetings to the question of design and development standards issues. We could have spent far longer, however, there simply was not enough time.⁷ We spend one meeting discussing design code issues in our two subgroups. At a second meeting, we went through an extensive voting exercise in order to consider all the issues on the table. If we had had more time to engage in debate on these issues, the outcomes may have been different. However, it was clear from the voting that the CWG had little initial consensus or even recommendation level support on these matters. “Aggregated votes” are offered on some buffer and dispersal issues to provide a sense of where the preponderance of opinion fell.

CWG views could be often divided into two groups– one supporting more restrictive billboard regulations, and one supporting less restrictive regulation: the views of these two groups are represented in Options B and C, respectively. That said, not all members voted across the board in one group or another, and all members brought compromise to the table -- often substantial compromise. In short, while there may not be agreement on many of these factors, the “bookends” on these issues have become much closer.

⁷ We added a meeting to our schedule in January, since it was clear we were time challenged to get through design and development standards, transition mechanisms and approving a final report with just 3 remaining meetings.

In tackling these issues, the “**Billboards Allowed**” Zones were divided up into their four general categories (See **Table 8**). Then several design issues were taken up, category by category, as presented in **Table 9**. Votes were tallied, and discussed at a third meeting.

Table 8:
CWG Recommended “Billboards Allowed” Zones, by Land Use Category

<u>Industrial Zones</u> M-1, M2, PMI	<u>Mixed Use Zones</u> CCX, UCX, CIX
<u>Commercial Zones</u> C-2, PDB	<u>Downtown Zones</u> DCC, DMU, WR

Table 9: “Question 2 Exercise” Issues

Buffers

- What is the minimum size of a buffer that CWG members would support between a “Billboards Allowed” Zone and **Residential zones**?
- What is the minimum size of a buffer that CWG members would support between a “Billboards Allowed” Zone and “**No Billboard Zones**” (DR, RCX, NRX, URX, HMX, Shoreline Zones; and VSD, HIST and CONS overlay zones)?
- What is the minimum size of a buffer that CWG members would support between a “Billboards Allowed” Zone and **Special Uses**? In current code, these include: schools, churches, public open space, playgrounds, parks, historic and conservation districts, and registered historic properties.
- For each question, **buffers of 500 ft., 300 ft., 250 ft., 100 ft., 50 ft. and 0 ft.** were considered.

Dispersal

How much distance should be required between billboards in each zone category of zones?

- Dispersal requirements of **500 ft. 400 ft., 300 ft., 200 ft., 100 ft., 50 ft. and 0 ft.** were considered

Lighting

In this category, the group considered a proposal from a CWG member (not a Clear Channel representative): *Allow regulated digital billboards in “Billboard Allowed” Zones, so long as the display doesn’t flash or spin and brightness is controlled to something less than that allowed for static billboards.*

Size

What is the maximum size of billboard that should be allowed in each “Billboards Allowed” category? Options considered included **300 sq. ft.** (current code, roughly consistent with what the billboard industry refers to as “Poster size”); **378 sq. ft.** (“Premier Size”), and **672 sq. ft.** (“Bulletin Size”).

Height

What is the maximum height of billboards (including structure) that should be allowed in each “Billboards Allowed Category”? Options considered include **30 ft.** (current code for nearly all zones); **35 ft.** (prior code); and **greater than 35 ft.** (only permitted under current code in the PMI zone).

Design

Which of the several design code factors, not in any category above, should be retained in code, and which should be removed from code? These are varied requirements, for example, “no more than 2 billboard faces per structure.”

In reviewing the votes, it is clear that the **Option A “aggregated votes”** led to some internal inconsistencies, so again, those should not be regarded as firm recommendations. To help provide clarification, we adopted the following guiding statement, which is also consistent with the way the City’s land use code is currently structured: **Generally, billboard code provisions should get increasingly restrictive as one moves through zoning classifications, from least to most restrictive in the following order: Industrial, Commercial, Downtown, Shoreline, Residential.**

- **Buffers:**

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

Buffers were a particularly challenging issues for the CWG, for two primary and competing reasons. In a densifying urban environment, “residential” and “commercial” land uses will be increasingly located near one another. Buffers are viewed as necessary to protect residential uses from the visual impact 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 land uses.

Current City code buffers residential, shoreline districts, and mixed use zones by 500 feet. That is, billboards are not allowed within 500 feet of these zones. Clear Channel observed that Seattle generally has 50 foot buffers in place for zones, but does have 500 ft. buffers for special uses. Overall, the CWG agreed that smaller buffers than current code are appropriate, but some buffers should be in place for all “No Billboard Zones”—this means that the CWG is recommending buffers for two zones which currently do not have buffers: the Downtown Residential (DR) Zone, and the View Sensitive Overlay District (VSD). The latter would have little or no impact on the ground given other code limitations.

Option B votes support 300 foot buffers in all cases; Option C votes support 100 foot buffers (in some cases, billboard owners voted for 50 foot buffers, but the predominant support level for small buffers was at 100 foot.). Option A generally runs somewhere in the middle, and in some cases the group was so evenly divided there is no recommendation.

Table 10: Minimum Acceptable Buffers –Options A, B and C

DRAFTING NOTE from Karen: ON FURTHER REVIEW OF THE TALLY, I HAVE CONVERTED 3 Option A “Aggregate Votes” to “No recommendation”—because the group was so evenly split.

Yellow shaded cells show items where no CWG recommendation was reached.

“(AV)” denotes “aggregated votes.”

Buffer distance from a billboard in zone below to “Residential Zones”			
	Option A	Option B	Option C
Industrial (M-1, M-2, PMI)	100 ft. or less (AV)	300 ft.	100 ft.
Commercial Zones (C-2, PDB)	250 ft. or less (AV)	300 ft.	100 ft.
Mixed Use (CCX, UCX, CIX)	250 ft. or less (AV)	300 ft.	100 ft.
Downtown Zones (DCC, DMU, WR)	<i>No recommendation: Group split: 250 ft. <u>or less</u> v. 300 ft. <u>or more</u>.</i>	300 ft.	100 ft.

Buffer distance from a billboard in zone below to “No Billboard Zones”*			
	Option A	Option B	Option C
Industrial (M-1, M-2, PMI)	250 ft. or less (AV)	300 ft.	100 ft.
Commercial Zones (C-2, PDB)	250 ft. or less (AV)	300 ft.	100 ft.
Mixed Use (CCX, UCX, CIX)	<i>No recommendation: Group is split: 300 ft. <u>or more</u> v. 250 ft. <u>or less</u>.</i>	300 ft.	100 ft.
Downtown Zones (DCC, DMU, WR)	<i>No recommendation: Group is split: 300 ft. <u>or more</u> v. 250 ft. <u>or less</u>.</i>	300 ft.	100 ft.

*Defined by the CWG as all shoreline districts, DR, RCX, VSD, HIST, CONS, NX, URX, and HMX.

Buffer distance from a billboard in zone below to Special Uses*			
	Option A	Option B	Option C
Industrial (M-1, M-2, PMI)	250 ft. or less ⁸ (AV)	300 ft.	100 ft.
Commercial Zones (C-2, PDB)	100 ft. or less (AV)	300 ft.	100 ft.
Mixed Use (CCX, UCX, CIX)	100 ft. or less (AV)	300 ft.	100 ft.
Downtown Zones (DCC, DMU, WR)	250 ft. or less (AV)	300 ft.	100 ft.

⁸ This is one example of how Aggregated Votes result in internal inconsistencies: generally, the group favors less restrictive zoning in Industrial Zones as compared to other zones.

*Defined in code as: schools, churches, public open space, playgrounds, parks, historic and conservation districts, and registered historic properties.

o **Dispersal (distance between billboard structures):**

There is consensus support to reduce dispersal requirements in all zones below the current 500 ft. requirement – except for in downtown zones. As with buffers, there was no consensus on a specific dispersal number.

Dispersal was also a particularly challenging item for the CWG. Some felt that the more restrictive the zone, the larger the dispersal should be. Others observed that amount of dispersal required should depend on the size and speed of the arterials on which billboards are located. Still others observed that the market will dictate how closely billboards are spaced and just because a zone allows smaller dispersal will rarely mean the zone is filled to that level, so smaller dispersal should be allowed to facilitate market decisions. Dispersal voting results for Options A, B and C are presented in **Table 11**.

Table 11: Billboard Dispersal Requirements—Options A, B and C

*Yellow shaded cells show items where no CWG recommendation was reached.
“(AV)” denotes “aggregated votes.”*

	Option A	Option B	Option C
Industrial (M-1, M-2, PMI)	200 ft. <u>or less</u> (AV)	200 ft.	100 ft.
Commercial Zones (C-2, PDB)	No recommendation: Group is split: 300 ft. <u>or more</u> v. 200 ft. <u>or less</u> .	400 ft.	100 ft.
Mixed Use CIX	200 ft. <u>or less</u> (AV)	300 ft.	100 ft.
Mixed Use (CCX, UXC)	300 ft. <u>or less</u> (AV)	400 ft.	100 ft.
Downtown Zones (DCC, DMU, WR)	Group is split: 300 ft. <u>or more</u> v. 200 ft. <u>or less</u> .	500 ft.	100 ft.

o **Sign Size:**

There is **recommendation level** support to **increase** the size of billboards in industrial zones. Other than that, the group was split: **there is no recommendation from the CWG on sign sizes in any zone except industrial zones.** Approximately one third of the group voted to retain the current 300 sq. ft. code limit on signs (“poster size”) in all zones except industrial zones. Approximately another third voted to allow signs up to 378 sq. ft. (“premium size”) in all zones. Approximately another third voted to all signs up to 672 sq. ft. (“bulletin size”) in all zones.

Votes were not aggregated, since the group was so evenly split between the three choices considered. Alternatives are provided under Options B and C.

- **Sign Height:**

The group was split on height. **There is no recommendation from the CWG on the height of billboards in any zone.** Approximately a third of the group voted to retain current height limits of 30 ft. in all zones outside the industrial areas. Approximately another third voted to increase the height to 35 ft. in all zones, as was in place in the 1988 code. Approximately another third voted to allow sign height to exceed 35 ft. in all zones. Votes were not aggregated, since the group was so evenly split between the three choices considered. Alternatives are provided under Options B and C.

Table 12 presents results for Options A, B and C on Billboard Size and Height.

Table 12: Billboard Size and Height – Options A, B and C

Yellow shaded cells show items where no CWG recommendation was reached.

	Size			Height		
	Option A	Option B	Option C	Option A	Option B	Option C
Industrial (M-1, M-2, PMI)	672 sq. ft.	672 sq. ft.	672 sq. ft.	Group is split	30 ft.	>35 ft.
Mixed Use (CCX, UXC)	Group is split	300 sq. ft.	672 sq. ft.	Group is split	30 ft.	>35 ft.
Mixed Use CIX	Group is split	300 sq. ft.	300 sq. ft.	Group is split	30 ft.	>35 ft.
Commercial Zones (C-2, PDB)	Group is split	300 sq. ft.	300 sq. ft.	Group is split	30 ft.	>35 ft.
Downtown Zones (DCC, DMU, WR)	Group is split	300 sq. ft.	300 sq. ft.	Group is split	30 ft.	>35 ft.

- **Lighting:**

The group **recommends against allowing digital billboards** in the City. (Note: Clear Channel representatives did not vote on this issue). The group considered but ultimately rejected proposals from a CWG member (not a Clear Channel representative) to allow restricted digital billboards in all “Billboards Allowed Zones.”

- **Other Billboard Design Issues:**

The results of CWG deliberations over other design issues are presented in **Table 13**. On several of these items, the CWG felt that the new design limitations added to the 2012 code are not very important and the City should consider removing them from code; others are considered important by the CWG – particularly, billboard faces being back to back, prohibiting rooftop

construction of billboards, and requiring covering of back bracing and framework of billboard structures.

Table 13: CWG Recommendations on Other Billboard Design Issues

The CWG reached consensus that City code should <u>retain</u> these requirements:
1. Billboard faces must be back to back
2. No rooftop construction
3. Must have facing to cover back bracing and framework
The CWG reached consensus that it is <u>not important</u> to retain these requirements:
4. Faces must be w/in 5 degrees of perpendicular to road
5. No offset or cantilevered construction of structure
6. May not project above adjacent building
7. Maximum 10 foot setback from street
8. Screen base of support from pedestrian view
9. Alteration of street trees requires prior city approval
The CWG is divided (<i>no recommendation</i>) on whether these items are important to retain in code:
10. Maximum 2 billboard faces per structure
11. May not install a billboard structure or onsite signage structure on a parcel/property where either such type of structure is already present

In sum, the CWG supports a reduction in current buffers and nearly all dispersal requirements, however, the CWG is divided on specific levels. The CWG did not reach any recommendations as to size or height of billboards, except to recommend 672 sq. ft. size limits for billboards in industrial zones. The CWG did reach recommendations on several other design code issues.

○ **What do the options mean on the ground for billboards?**

While the Options presented in this Report will make some of the 311 “legally nonconforming” billboards conform with code, many, if not most of them, will likely remain “legally nonconforming” for some reason. A precise count has not been presented to us.

We reviewed maps prepared by the Planning Department design to give a general understanding of the impact of reducing Residential, Shoreline, Historic Overlay and Conservation Overlay District buffers

from their current 500 ft. level to 300 ft. and 100 ft. The maps *did not show* the impacts of reducing the Mixed Use zone buffers (also currently at 500 ft.) or adding buffers for the Downtown Residential Zone (DR) and a small portion of the C-2 zone in the View Sensitive Overlay (VSD).

Both buffer scenarios, as partially mapped, appear to open up new arterials for potential location of billboards. However, it is not possible to know at this point how a complete analysis – of buffers, as well as other code conditions – will impact the type and amount of area available for potential location of billboards, or how that will be received by any stakeholder group. Further, on-the-ground review might indicate that even if a new billboard structure is allowable in a particular location, the onsite configuration of buildings, driveways, utilities and other easements, and mature landscaping might make siting a billboard there impossible.

- **Question 3: How do we get “there” from “here”?**

While the work on Questions 1 and 2 helps define alternate visions for how billboards may be more appropriately sited and mitigated, the question of transitioning towards that vision is also critical. The City’s historical approach – requiring a 10-year amortization of nonconforming billboards – has been perhaps the primary reason for the history of litigation with Clear Channel. For this reason, the Standstill Agreement notes that the focus between the parties moving forwards will be on consolidation of existing billboards into fewer, bulletin size signs, with credit for the removal of signs listed in the Standstill Agreement (which have all been removed by Clear Channel). Consistent with this, the CWG focused on considering types of transition mechanisms *other than amortization*, although several members think amortization remains the appropriate path.

We completed an exercise between Meetings 9 and 10 in which we were asked to rank eight different hypothetical “transition mechanisms” – ranging from crafting a ratio whereby billboards could only be installed if other(s) came down, to increasing fees on billboard companies and using the funds to incentivize billboard landlords not to renew billboard leases. And, we had the opportunity to propose other “transition mechanisms.” Through this exercise many ideas were offered but, as we reviewed the collated results of our input, it is clear that there was very little consensus.

[KR drafting note: highlighted text below is my attempt to make some sense out of the results of Homework 3. The group may or may not agree with proposed the qualified statement of support for an exchange ratio of some sort—this is the one idea seemed to have most traction as I assess the homework.]

As a general matter, most of the CWG members support the concept of an exchange ratio of some sort, where a new billboard could be constructed (in an acceptable zone subject to other zoning criteria being met) in exchange for nonconforming billboards coming down. The exchange ratio could consider both value to the community (an interest in seeing billboards come down sooner rather than later, areas where it is the highest priority to do so, etc.) and the value to billboard owners (commercial value of particular locations and sizes of billboards). It should also provide sufficient incentive for billboard owners to result in real changes on the ground – removal of high priority billboards, consolidation of billboards into fewer signs, etc. We do not have a recommendation on a precise exchange ratio,

however, we agree that it should be simple enough to understand, and be fairly administered without manipulation by any party.

We encourage the City to also consider other options. It may be that a combination of approaches is appropriate.

- **Issues Not Addressed by Our Recommendations**

In our limited time together, the CWG was not able to grapple with all issues relevant to adjusting the City's billboard code. A partial list of these includes:

- Pending state regulations on how to implement federal law known as "MAP-21" which could potentially impact the City's regulation of billboards along "principal arterials," (in addition to current limitations on billboards along state and federal highways).
- Whether code should be revised to include a cap on the number of billboard faces and billboard square footage allowed in the City.
- Conditions under which wall signs may be an acceptable alternative to free-standing billboard structures.
- Potential consideration of other types of off-premise signs (kiosks, bus shelters, etc.)
- Whether reducing hours in which billboards may be illuminated (or eliminating illumination altogether), or other modifications, would be an acceptable reason for reducing buffer sizes.
- Whether different buffers are appropriate for different types of special uses, e.g., should historic buildings have greater buffers than churches, or should special uses all be treated similarly.

CONCLUSION

Finding a sustainable middle ground between the interests of the community and Clear Channel has thus far eluded Tacoma. It may again. But we would observe a few things about this challenge.

- A set of shared interests around this issue can serve as guideposts. We were able to identify several such interests.
- A sustainable solution must address the strong desires of neighborhood representatives and others for removal of billboards from particularly sensitive areas, protecting important views, and mitigating other billboard impacts as much as practicable.
- A sustainable solution must also afford Clear Channel –and potentially other billboard companies -- a reasonable opportunity to continue to operate in the City. There must be locations where billboards can be placed that will be of real economic value to Clear Channel.
- The most contentious issues in our deliberations revolved around a few core issues:

- The placement of billboards in some of the City’s Mixed Use Zones that have or are intended to have a strong residential component and/or pedestrian-oriented character.
 - The size of buffers that should be put in place between Residential, some Mixed Use Zones (those more residential in nature), special uses and billboards.
 - The amount of dispersal that should be required between billboards.
 - What size signs should be allowed outside of industrial areas.
 - What height of signs should be allowed.
- Despite our inability to reach a recommendation on all issues, we believe a sustainable solution is possible if the City and Clear Channel continue forward in the spirit of compromise.

The three Options we present in this report overall each provide for a different balance of interests than the 2012 Code, and move away from the situation in which all but 3 of 311 billboard faces are nonconforming. Our options are not complete as to all the issues that will need to be resolved between the City and Clear Channel in order to reach a binding agreement out of court—but it remains our hope that such an agreement can be reached. Our Options all incorporate compromise, and should help substantially narrow the frame of discussion as the parties move forward.

We would be pleased to discuss our recommendations with the City Manager, Council and Planning Commission. We thank the City Manager for convening this Community Working Group, and for the opportunity to provide our recommendations to him, the City Council, Planning Commission and the greater Tacoma community. We extend our particular thanks to the City staff for their tremendous assistance throughout this effort.

List of Attachments:

Attachment A: CWG Membership and Support Team

Attachment B: Billboard Count by Zone in Tacoma as of January 2015

Attachment C: Options A, B and C

Attachment D: Reasons Why Billboards are Nonconforming Under Current Code

Attach Maps? Of partial analysis of changing buffers from 500 ft. to 300 ft and 100 ft?

Attachment A
Tacoma Billboard Community Working Group Members
and Support Team

Community Working Group Members:

(Alternates are listed in italics)

	Sector/Interest Group	Name	Organization
1	Neighborhood Councils	Tricia DeOme, Co-Chair ⁹	Central Neighborhood Council
		Doug Schafer	Central Neighborhood Council
		John Thurlow ¹⁰	Northeast Tacoma Neighborhood Council
2	Business Districts	Nick Fediay	6th Avenue Business District
3	Scenic Tacoma	Jill Jensen	Scenic Tacoma
		Dale Cope ¹¹	Scenic Tacoma
		<i>Dalton Gittens</i> ¹²	<i>Scenic Tacoma</i>
4	Historic Tacoma	Sharon Winters	Historic Tacoma
		<i>Marshall McClintock</i>	<i>Historic Tacoma</i>
5	Commercial Real Estate	Ray Velkers	1st Western Properties
6	Planning Commission	Steve Wamback, Co-Chair	Planning Commission
		<i>Chris Beale</i>	<i>Planning Commission</i>
7	Clear Channel (Billboard Owner)	Pam Guinn	Clear Channel
		Mike Luinstra	Clear Channel
		<i>Peter Wangoe</i>	<i>Clear Channel</i>
		<i>Al Ralston</i>	<i>Gordon-Thomas-Honeywell; Gov't Affairs</i>
8	Reed/Ketler (Billboard Owner)	Dale Reed	Reed/Ketler Billboards
		<i>Jon Ketler</i>	<i>Reed/Ketler Billboards</i>
9	Port of Tacoma	Evette Mason	Port of Tacoma
10	Advertising Industry	Rusty George	Rusty George Creative
		<i>Julie Burr</i>	<i>Rusty George Creative</i>

⁹ The CWG elected Tricia DeOme and Steve Wamback as Co-Chairs at Meeting 6.

¹⁰ Andrew Mordhorst, from the South Tacoma Neighborhood Council, originally served as a member of the Neighborhood Councils group but had to resign in January; he was replaced by John Thurlow, who attended all the meetings from the start of the process.

¹¹ Mr. Cope replaced Britton Sukys who was originally appointed as a Scenic Tacoma representative, but was unable to participate at the time slot that the group agreed to. Mr. Cope joined the group at Meeting 2.

¹² Mr. Gittens replaced Megan Sukys who was originally appointed as an alternate for the Scenic Tacoma caucus but was unable to participate at the time slot the group agreed to. Mr. Gittens joined the group at Meeting 2.

11	Non-Profit Organizations	Pete Grignon	United Way of Pierce County
		<i>Nalani Lender</i>	<i>United Way of Pierce County</i>
12	General Community Members	Eric Jackson	Background in advertising & creative services
		Rose Mednick	Image 360
		<i>Al Mednick</i>	<i>Image 360</i>
		Tony Powell ¹³	Resident

Support Team Members:

Name	Title
Karen Reed	Facilitator Karen Reed Consulting, LLC
Brian Boudet	Planning Division Manager, Planning and Development Services Dept.
John Harrington	Principal Planner, Planning and Development Services Dept.
Michelle Regan	Office Manager, Planning and Development Services Dept.
John Griffith	Office Assistant, Planning and Development Services Dept.
Elliott Fitzgerald	Interim Assistant Planner, Planning and Development Services Dept.

¹³ Mr. Powell was appointed as a primary representative at Meeting 2, but had to leave the group for personal reasons after Meeting 4.

Attachment B

Zones, Billboard Face Count, Description of Zone, and CWG Recommendation

As of 1.13.15, Billboard face count and zone data provided by City Planning Staff

CWG recommendation: No BB zone	CWG recommendation: BB Allowable in this zone (subject to agreement on other code terms)	No Recommendation from CWG on this Zone / District	CWG: Defer to Underlying Zoning
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# Billboard Faces	Zone	Zone Name, description
Residential Zones (3 total billboards)		
0	R-1	Single-Family Dwelling District. Low-density urban residential neighborhood.
2	R-2	Single-Family Dwelling District. Residential, slightly higher density than R-1.
0	R-2SRD	Residential Special Review District. Allows limited number of 2 & 3 family dwellings.
0	HMR-SRD	Historic Mixed Residential Special Review District. Mostly single-family dwellings, some allowance for 2 & 3 family dwellings, some pre-existing multi-family.
0	R-3	Two-Family Dwelling District. Allows 2 & 3 family dwellings.
0	R-4L	Low Density Multiple-Family Dwelling District. Low density. 35 ft. height limit
1	R-4	Multiple Family Dwelling District. Medium density. 60 ft. height limit.
0	R-5	Multiple Family Dwelling District. High density. 150 ft. height limit.
Downtown Zones (38 total billboards)		
5	DCC	Downtown Commercial Core. High rise office, hotels, public services, retail, residential, educational and limited industrial. 400 ft. height limit.
5	DMU	Downtown Mixed-Use District. Mid-rise office, hotels, education, residential, cultural and limited industrial. 100 ft. height limit.
10	DR	Downtown Residential. Mid-rise urban residential development, some employment and retail. 90 ft. height limit
18	WR	Warehouse Residential District. Mix of residential, office, retail, education, and industrial. 100 ft. height limit.
Commercial Zones (117 total billboards)		
10	T	Transitional District. Primarily office and personal service uses. 35 ft. height limit.
4	C-1	General Neighborhood Commercial District. Low intensity, smaller scale retail, office, and personal services. 35 ft. height limit.
103	C-2	General Community Commercial District. Similar to C-1, but intended to serve a larger market area. Higher intensity, larger scale uses. 45 ft. height limit.
0	PDB	Planned Development Business District. Mix of non-residential uses, generally designed as an "office/commercial park." 45 ft. height limit.
Mixed Use Zones (58 total billboards)		
37	NCX	Neighborhood Commercial Mixed-Use District. Pedestrian-oriented neighborhood shopping areas with retail, office, restaurants and residential uses. 45 ft. height limit with bonus program.

# Billbrd Faces	Zone	Zone Name, description
Mixed Use Zones (cont'd.) (58 total billboards)		
14	CCX	Community Commercial Mixed-Use District. Commercial and retail serving people from throughout city, along with residential uses. 60 ft. height limit with bonus program.
2	UCX	Urban Center Mixed-Use District. Highest densities outside of central business district. Mix of commercial and residential uses. 75 ft. height limit with bonus program.
1	RCX	Residential Commercial Mixed-Use District. Primarily multi-family residential district with some commercial uses. 60 ft. height limit with bonus program.
4	CIX	Commercial Industrial Mixed-Use District. Commercial, light industrial and residential uses. 75 ft. height limit with bonus program.
0	NRX	Neighborhood Residential Mixed-Use District. Primarily residential, moderate density, discourages removal of single family structures. 35 ft. height limit.
0	URX	Urban Residential Mixed-Use District. Primarily residential. Transition between more intense mixed-use and lower density residential areas. 45 ft. height limit.
0	HMX	Hospital Medical Mixed-Use District. Contains hospitals and similar large scale medical facilities. 150 ft. height limit.
Industrial Zones (91 billboards)		
52	M-1	Light Industrial District. Warehouse and light industrial uses. 75 ft. height limit.
29	M-2	Heavy Industrial District. Heavy industrial uses. 100 ft. height limit.
10	PMI	Port Maritime and Industrial District. Heavy industrial uses, with focus on marine related and support facilities. 100 ft. height limit, with allowances for more.
Shoreline Zones (4 billboards)		
0	S9	There are 17 shoreline districts (district numbers do not correlate to density). Depending on the portion of the shoreline, they range from natural areas and park areas, to residential and commercial areas, to the heavy industrial areas in the Port Tideflats. In most, the maximum building height is 35 ft., but in some it may go up to 100 feet.
4	S10	
Overlay Zones (billboard count duplicated above)		
0	VSD	View Sensitive Overlay District. Established to protect views through reduced height limit. Mostly residential areas. 25 ft. height limit.
61	ST-M/IC	South Tacoma Manufacturing/Industrial Center Overlay District. Designed to protect industrial and manufacturing uses in South Tacoma & Nalley Valleys. <i>[Defer to underlying code]</i>
0	HIST	Historical Special Review Overlay District. To protect historic fabric. Generally prevents demolition and requires design review for new buildings and remodels to existing ones.
5	CONS	Conservation Overlay District. Protection of historic resources and traditional development patterns. Generally prevents demolition and requires design review for new buildings.
112	STGPD	South Tacoma Groundwater Protection District. Focused on controlling hazardous substances in this area to protect aquifer. <i>[Defer to underlying code]</i>

ATTACHMENT C: OPTIONS A, B and C

[KR Drafting note: the “lavender cells” have been removed where there was no CWG vote. Yellow highlighted text shows other adjustments to the last Version of this document – in 3 cases, “aggregated votes” have been moved to “no recommendation status” because the group was so evenly split. Also some new explanatory/qualifying text has been at Question 1 and Question 3, also highlighted]

The CWG reached at least a recommendation level of agreement on many, but not all items discussed.

- **Option A** – Option A presents the items on which the CWG reached *at least 60% agreement* (recommendation level). Further details are in the body of the report.
 - On the issues of **buffers and dispersal**, there was no recommendation level support for a specific result. In these cases, Option A incorporates numbers that are an aggregation of those *voting at or below a threshold level (“X or less”)*. These “aggregated votes” are annotated “(AV).” The aggregated vote numbers indicate *the level at which 60% support was reached, with some members of those 60% supporting smaller buffers or dispersal limits*. Where an “aggregated vote” threshold is included, alternatives are provided in Options B and C.
- **Where there is no recommendation at all**, the row is shaded beige and alternatives are provided in Options B and C.
- **Option B** -- Option B *generally* (but not always) is supported by Neighborhood Council, Scenic Tacoma and Historical Tacoma representatives and various other CWG members in some cases.
- **Option C** -- Option C *generally* (but not always) is supported by billboard owners and various other CWG members in support of greater easing of billboard regulations.
- Options B and C only identify alternatives on items where there was no recommendation at all, or only an aggregated vote.

	Item	Option A	Option B	Option C
	Overall Interests:			
1	<ul style="list-style-type: none"> • Consensus: 	<ul style="list-style-type: none"> • Providing a pleasing city environment • Being able to enjoy views of the water and/or mountains from my home (100%) • Establishing a regulatory framework for billboards that balances interests of all stakeholder groups (80%) • Having a clear set of billboard regulations so that everyone understands the rules (80%) 		
2	<ul style="list-style-type: none"> • Recommendation: 	<ul style="list-style-type: none"> • Promoting a positive business climate (60%) • Reducing safety risks from billboards (60%) • Helping the City avoid costly litigation (60%) 		

	Item	Option A	Option B	Option C
		<ul style="list-style-type: none"> • Having attractive streetscapes (60%) • Curtailing over regulation (60%) • Ensuring regulatory costs paid for by those being regulated (60%) 		
3	<ul style="list-style-type: none"> • General Guidance: 	<p>Generally, zoning should be least restrictive in Industrial zones and become more restrictive as zones change, in the following order: Industrial – Commercial – Downtown – Shoreline – Residential</p> <p>Note: because Mixed Use Zones are so variable, they are not included in this statement.</p>		
<p>Question 1: Where Should BB be Allowed? (which zones)—subject to other code conditions being acceptable City Code currently allows billboards in C-2, M-1, M-2 and PMI zones. The willingness to support allow billboards in the additional zones listed in Rows 4 and 5 was conditioned on the acceptability of the other applicable zoning conditions. This was particularly important to the Neighborhood Council, Scenic Tacoma and Historic Tacoma, whose support for these zones was conditioned on those additional code conditions being conservative and very protective of residential impacts.</p>				
4	“Billboards Allowed Zones” -- Consensus	C-2	Current code allows billboards in this zone. Consensus agreement to continue to allow billboards here.	
		M-1	Current code allows billboards in this zone. Consensus agreement to continue to allow billboards here.	
		M-2	Current code allows billboards in this zone. Consensus agreement to continue to allow billboards here.	
		PMI	Current code allows billboards in this zone. Consensus agreement to continue to allow billboards here.	
		PDB	New zone for billboards. Consensus to allow billboards in this zone, subject to acceptability of other zoning conditions.	
		UCX	New zone for billboards. Consensus to allow billboards in this zone, subject to acceptability of other zoning conditions.	
		CIX	New zone for billboards. Consensus to allow billboards in this zone, subject to acceptability of other zoning conditions.	
5	“Billboards Allowed Zones”-- Recommendation Level Support	DCC	New zone for billboards. Recommendation level support to allow billboards in this zone, subject to acceptability of other zoning conditions.	
		DMU	New zone for billboards. Recommendation level support to allow billboards in this zone, subject to acceptability of other zoning conditions.	
		WR	New zone for billboards. Recommendation level support to allow billboards in this zone, subject to acceptability of other zoning conditions.	
		CCX	New zone for billboards. Recommendation level support to allow billboards in this zone, subject to acceptability of other zoning conditions.	

	Item	Option A	Option B	Option C	
6	Priority to remove all BB in these zones -- "No Billboard Zones" & Districts	All "R" zones	Consensus		
		All Shoreline districts	Consensus		
		DR	Recommendation		
		RCX	Recommendation		
		VSD	Consensus		
		HIST	Consensus		
		CONS	Recommendation		
		NRX	Consensus		
		URX	Consensus		
		HMX	Consensus		
7	No Recommendation on these zones.	C-1	No recommendation.	Do not allow billboards	Allow billboards.
		T	No recommendation.	Do not allow billboards.	Allow billboards.
		NCX	No recommendation.	Do not allow billboards.	Allow billboards.
<p>Question 2: What Should Billboards Look Like? (Design, Buffers, Dispersal) Where votes are demarked with ("AV") that indicates the level at which 60% support was reached, with some members of those 60% supporting smaller buffers or dispersal limits. Note: Options shaded in grey offered under Question 2 had support from less than 50% of the CWG. Support of individual CWG members differs between issues.</p>					
Design Code					
8	Faces must be back to back	This condition is important: keep in current code			
9	No rooftop construction	This condition is important: keep in current code			
10	Must have facing to cover back bracing and framework	This condition is important: keep in current code			

	Item	Option A	Option B	Option C
11	Faces must be w/in 5 degrees of perpendicular with road	This condition is not very important: consider eliminating from code		
12	No offset or cantilevered construction of structure	This condition is not very important: consider eliminating from code		
13	May not project above adjacent building	This condition is not very important: consider eliminating from code		
14	Maximum 10 foot setback from street	This condition is not very important: consider eliminating from code		
15	Screen base of support from pedestrian view. Alteration of street trees requires prior city approval	This condition is not very important: consider eliminating from code		
16	2 billboard faces per structure, max	<i>No recommendation</i>	Keep requirements	Eliminate requirements
17	May not install a BB structure or onsite signage structure on a parcel/property where either such type of structure is already present	<i>No recommendation</i>	Keep requirements	Eliminate requirements
Buffers				
18	Between BB in Industrial Zones (M-1, M-2, PMI), and R-zones	100 ft. or less (AV) ¹⁴	300 ft.	100 ft.
19	Between BB in Mixed Use	250 ft. or less (AV)	300 ft.	100 ft.

¹⁴ (AV) indicates recommendations where votes are aggregated—this is the level at which at least 60% support was reached, with some of the 60% voting for smaller buffers.

	Item	Option A	Option B	Option C
	Zones (CCX, UCX, CIX), Commercial Zones (C-2, PDB), and R-zones			
20	Between BB in Downtown Zones (DCC, DMU, WR) and R-zones	<i>No recommendation:</i> Group is split: 300 ft. or more v. 250 ft. or less.	300 ft.	100 ft.
21	Between BB in Industrial Zones (M-1, M-2, PMI), Commercial Zones (C-2, PDB) and other “No Billboard Zones”	250 ft. or less (AV)	300 ft.	100 ft.
22	Between Mixed Use Zones (CCX, UCX, CIX) and “No Billboard Zones”	<i>No recommendation:</i> Group is split: 300 ft. or more v. 250 ft. or less.	300 ft.	100 ft.
23	Between Downtown Zones (DCC, DMU, WR) and “No Billboard Zones”	<i>No recommendation:</i> Group is split: 300 ft. or more v. 250 ft. or less.	300 ft.	100 ft.
24	Between BB in Industrial Zones (M-1, M-2, PMI), Downtown Zones (DCC, DMU, WR) and “special uses”¹⁵	250 ft. or less (AV)	300 ft.	0 ft.
25	Between BB Mixed Use Zones (CCX, UCX, CIX), Commercial Zones (C-2, PDB) and “special uses”	100 ft. or less (AV)	300 ft.	0 ft.

¹⁵ Special Uses include those defined in current code: schools, churches, public open space, playgrounds, parks, historic and conservation districts, and registered historic properties.

	Item	Option A	Option B	Option C
	Dispersal of Billboards			
26	In Industrial Zones (M-1, M-2, PMI)	200 ft. or less (AV) ¹⁶	200 ft.	100 ft.
27	In Commercial Zones (C-2, PDB)	--No recommendation--	400 ft.	100 ft.
28	In Mixed Use Zones (CCX, UCX)	300 ft. or less (AV)	400 ft.	100 ft.
29	In Mixed Use Zone CIX	200 ft. or less (AV)	300 ft.	100 ft.
30	In Downtown Zones (DCC, DMU, WR)	--No recommendation--	500 ft.	100 ft. or less
	Size of Billboards			
31	In Industrial Zones (M-1, M-2, PMI)	672 sq. ft. (Bulletin size)		
32	In Mixed Use Zones (CCX, UCX, CIX)	-- No recommendation--	300 sq. ft.	672 sq. ft.
33	In Commercial Zones (C-2, PDB)	-- No recommendation--	300 sq. ft.	672 sq. ft.
34	In Downtown Zones (DCC, DMU, WR)	--No recommendation--	300 sq. ft.	672 sq. ft.
	Height of Billboards			
35	Industrial Zones (M-1, M-2, PMI)	--No recommendation--	30 ft.	>35 ft.
36	In Mixed Use Zones (CCX, UCX, CIX)	--No recommendation--	30 ft.	>35 ft.

¹⁶ (AV) indicates recommendations where votes are aggregated—this is the level at which at least 60% support was reached, with some of the 60% voting for smaller dispersal levels.

	Item	Option A	Option B	Option C
37	Commercial Zones (C-2, PDB)	--No recommendation--	30 ft.	>35 ft.
38	Downtown Zones (DCC, DMU, WR)	--No recommendation--	30 ft.	>35 ft.
	Lighting of Billboards			
39	Digital Billboards	Continue prohibition on digital billboards		
	Question 3: How do we get there from here?			
40	<p>There is no specific recommendation on this issue. Most of the CWG members support the concept of an exchange ratio of some sort, where a new billboard could be constructed (in an acceptable zone subject to other zoning criteria being met) in exchange for nonconforming billboards coming down. The exchange ratio could consider both value to the community (an interest in seeing billboards come down sooner rather than later, areas where it is the highest priority to do so, etc.) and the value to billboard owners (commercial value of particular locations and sizes of billboards). It should also provide sufficient incentive for billboard owners to result in real changes on the ground – removal of high priority billboards, consolidation of billboards into fewer signs, etc. We do not have a recommendation on a precise exchange ratio, however, we agree that it should be simple enough to understand, and be fairly administered without manipulation by any party. We encourage the City to also consider other options. It may be that a combination of approaches is appropriate.</p>			

Attachment D: Reasons Why Billboards are Nonconforming Under Current Code (as of January 2015)

Data per City staff. 308 of 311 billboard faces are currently non-conforming.

Type of Code Provision	# of faces not complying	% of total faces not complying
1. Buffer (within 500 ft, of zone/special districts/etc.)	263	85%
a. R2 zone	141	
b. R2SRD zone	15	
c. R3 zone	37	
d. R4 zone	43	
e. UCX zone	11	
f. CCX zone	15	
g. CIX zone	13	
h. NCX zone	43	
i. RCX zone	24	
j. HMX zone	2	
k. NRX zone	0	
l. URX zone	29	
m. Shoreline zone	10	
n. Publicly owned open space, park, recreation, playground	0	
o. School	13	
p. Church	45	
q. Historic district	included below	
r. Historic property on federal, state, local register	70	
s. Conservation district	included above	
2. Design	220	71%
a. Cantilevered	83	
b. Offset	81	
c. Project over roof	73	
d. Setback no more than 10 ft from ROW	26	
e. 3+ faces	25	
f. Not Perpendicular to adjacent street	23	
g. More than one pole sign on site	22	
3. Dispersal (within 500 ft of another billboard)	199	65%
4. Height (over 30 ft)	146	47%
5. Zone (all except C2, M1, M2, PMI)	114	37%

6. Size	31	10%
7. Maintenance	70	23%
a. Rust	66	
b. No Backing	11	
c. Graffiti	1	