

## Tacoma Billboard Community Working Group

### Meeting 11

**Monday February 2, 2015, 4:00-6:00 P.M**  
**Center for Urban Waters, 326 East D Street**

#### DRAFT MEETING SUMMARY

<b>Working Group Members Attending:</b>					
Tricia DeOme	x	Jill Jensen		Doug Schafer	x
Dale Cope	x	Eric Jackson	x	Ray Velkers	x
Nick Fediay	x	Mike Luinstra	x	Steve Wamback	x
Rusty George	x	Evette Mason	x	Sharon Winters	x
Pete Grignon	x	Rose Mednick	x	John Thurlow	x
Pam Guinn	x	Dale Reed	x		
<b>Working Group Member Alternates Attending (* -- in audience):</b>					
<i>*Dalton Gittens</i>		<i>*Peter Wangoe</i>	x	<i>*Al Ralston</i>	x
<b>City Representatives, Staff, &amp; Support Team Attending:</b>					
T.C. Broadnax	x	Brian Boudet	x	Karen Reed	X
John Harrington	x	John Griffith	x	Elliott Fitzgerald	X

The meeting convened at 4:05PM.

Facilitator Karen Reed welcomed the attendees and reviewed the agenda.

Nick Fediay asked for more information on the city's enforcement strategy for non-conforming billboards. Doug Schafer highlighted a situation that he felt provided the city with a legal precedent for not renewing the leases of non-conforming billboards. Brian Boudet commented that those specific cases were a result of rezone conditions. He added that requiring removal of all billboards at the time the lease expires is essentially amortization. Mr. Harrington provided additional details on the situation with the specific billboard in the example provide by Mr. Schafer.

The group reviewed the minutes. Ray Velkers provided a correction to the statement on page 3 regarding billboards being 10% of the total sign "problem," changing it to "10% percent of the total signs." Tricia DeOme noted that her proposal to maintain the current code and not enforce removal of the signs was absent from the minutes; Karen will add a sentence on that. *The minutes were approved as amended.*

Karen welcome City Manager TC Broadnax to the meeting. Mr. Broadnax commented that he had been away from the process purposefully and Brian Boudet had kept him informed of the CWG's hard work. He related that back in September he expressed interest in wanting to have the various interests involved in the discussion at the beginning rather than waiting until the end for feedback. He told the group that the City Council would take up the CWG report at its March 3 meeting. He added that hopefully the end result would be something other than staying with the status quo or going back to

litigation. City Manager Broadnax expressed thanks to the work group and facilitator Karen Reed for their hard work.

Karen Reed called the group's attention to the maps prepared by John Harrington, which contained updated information on changes in buffers, though not all of the proposed buffers are mapped. The group reviewed a table prepared by John summarizing the impact of various changes in buffers on (1) existing billboards status (conforming or nonconforming), and (2) mileage of arterial roads available for possible billboard location.

The group moved on to Clear Channel's written statement of interests and compromises prepared at the request of the group at the last meeting. The handout speaks to ways in which Clear Channel has compromised and sought to collaborate with the City of Tacoma on this issue. Pam Guinn commented that the handout notes some additional compromises beyond those she mentioned at the previous meeting.

Karen Reed proceeded to the review of the draft report and briefed the work group on how they would be looking through it to suggest corrections or revisions. She called attention to the one page document in the packet that includes the proposed minority statement from the Neighborhood Councils/Scenic Tacoma/Historic Tacoma, and a sentence that Karen recommends be added to expand upon the CWG process and the understanding that the City could decide to retain current code and other parties could oppose the City in court. She noted that she had just received the memo from Doug Schafer listing his suggested corrections. Karen Reed reviewed the concept of the minority statement and the mission statement of the work group. She reiterated that the report was meant to be an accurate statement of what had occurred in the previous ten meetings.

Nick Fediay expressed concerned that they had not had enough time to discuss the nonconforming billboards. He added that even with an exchange mechanism Clear Channel might not be interested in replacing all of them. He wanted Council to look at removing the non-conforming billboards when the leases are up instead. Ms. Reed suggested that they might be able to include that under the Issues Not Addressed section towards the end of the report.

- *Comments on the Report*

*Executive Summary:* Karen reviewed Doug Schafer's suggestion of deleting the phrase "for over a decade;" the group had no objections.

Tricia DeOme wanted to add a minority statement to the Executive Summary. Karen suggested it be included in the body of the report instead. Discussion ensued. Sharon Winters stated that she was fine with the statement going in another place as suggested by Mike Luinstra.

John Thurlow suggested the Executive Summary acknowledge that there were minority statements in the report.

Doug Schafer had a suggestion for further language clarifications on billboards being legal when originally constructed adding "presumably." Karen agreed this makes sense. There was a suggestion that the statement be removed entirely. Pam Guinn commented that the statement was important and should not be removed entirely.

Sharon Winters requested a language change to the 2<sup>nd</sup> to the last paragraph, deleting the line on litigation. Discussion ensued. Karen Reed asked for a vote from the group on opposition to removal. Pam Guinn said it is important but could be worded differently. Steve Wambach supported removing the sentence entirely as the issues discussed are addressed later in the report. Doug Schafer wanted to retain the language. Evette Mason suggested that it should be kept in as many people will only read the Executive Summary. Tricia DeOme suggested a small modification to the statement that was agreed upon by the group.

*Introduction:* Doug Schafer suggested a revision of the phrase “finding and conclusions.” Karen will remove the word “findings.”

*Our Process.* Doug Schafer had concerns about the reference to things being posted online and recommended it to be more specific. He also wanted an easier to remember “URL” for the website.

Tricia DeOme noted that there wasn’t a description of what the State DOT representative had said in his presentation. There was some discussion reviewing what he had said and how a lot of the discussion had been on potential impact not yet known.

*Recent History.* Karen reviewed the comment from Doug Schafer’s memo on the 308 billboards being considered nonconforming versus illegal. Discussion ensued. The City views the billboards as being legally nonconforming. John Harrington commented that the standstill agreement precluded the law. Tricia DeOme proposed an alteration to the language, which Pam Guinn expressed reservations about. Karen will remove the word “legal” and add “because they are not consistent with code.” Per Doug’s request, Karen will also remove the phrase in the sentence about the 1997 code reducing the maximum billboard count.

Doug Schafer had a revision to the language on the purchase history. Pam Guinn said she did not know the exact date and asked if she could get back to Karen on the accuracy of the dates.

Doug wanted to change the language on when the code was adopted: it was actually adopted in 2011. Karen will make the change and footnote the issue.

Doug wanted changes on the discussion on amortization on page 6. Pam suggested that it should be a minority opinion. Discussion ensued. Tricia DeOme suggested removing the parenthetical billboard count. The sentence about CWG views on amortization will be changed to say “some of the CWG members,” rather than “a few”, and the parenthetical on billboard count will be removed.

Pam Guinn requested a footnote that Clear Channel is working with city to confirm the billboard face count. Karen will add this.

Doug noted he does not agree that City Code ever added C-1 to “billboard allowed” zones. Karen will add a minority statement to this effect under Table 1.

Doug asked for a revision on the time involved in the extension of the amortization period under the current (2011) code: after discussion, it was agreed to remove the information in parentheses in the third row, 2<sup>nd</sup> bullet in Table 2.

*CWG Conclusions* -- Karen reviewed the descriptions of the three options presented. Tricia DeOme discussed her interpretation of the options. Should it be what the group thinks, or how they voted at the time? Sharon Winters asked for option B to call out the principles and values that the group holds. Mike Luinstra said that too much opinion is being added to the body of the document. Sharon Winters responded that there needs to be a differentiation between the viewpoints on options A and C. Pam Guinn said that there could be a place for the opinion elsewhere. Karen Reed suggested a footnote. Sharon commented that B and C were already minority opinions. Nick Fediay commented that he wasn't aware that during the votes they wouldn't be discussing a compromise. Pam commented on Clear Channel having common interests and values with others in the group. After discussion, it was agreed Karen will add a statement below Table 3 on CWG Interests and Values to describe the Neighborhood Councils, Scenic Tacoma and Historic Tacoma values as presented at the last meeting, and a statement from Clear Channel that Pam will forward to Karen, a shorter version of the document distributed by Clear Channel at this meeting.

*Question 1: Where—Which Zones—Should Billboards be Allowed or Not Allowed?* Doug took issue with the draft report statement that there are many billboards in T and C-1 zones. Karen proposed revising the sentence. Evette Mason didn't see a problem with the statement as is. Karen will remove the phrase "given that there are many billboards already in these zones" and replace it with a more general statement about their value to advertisers. She will also include a reference to Table 6.

On Table 6, Evette asked about C-1 being mentioned as both a high and low priority. Pam requested additional language clarifying that it was a low priority for *new* billboards.

On Table 9, Doug suggested more specificity in the last sentence about the height limits under various codes; Karen will make the requested changes.

*Question 2: What Should Billboards Look Like?* On the buffers discussion, Doug said his interpretation is that DR is a residential district and thus has 500 ft. buffers under current code. Evette pointed out that it was a downtown zone, not a residential zone, at least according the zoning reference guide. Doug wanted a footnote that he believed DR should be included in the 500 foot residential buffer. Dale Cope agreed. Upon further discussion, it was agreed the footnote would not be included in the report.

Steve Wamback commented that special uses were an area where option B people had voted differently than in the other sections. He wanted to call attention to the unusual alignments of votes on this section. Karen will add a sentence to this effect.

Nick Fediay wanted to understand why there were so many votes for no buffer on special uses. Doug Schafer said that he was personally concerned about the vague definition for churches.

On Table 12, Tricia DeOme asked if there had been two separate votes on industrial sign size. Steve Wamback responded that to his knowledge it was a follow up question about signs along 509. Karen commented on how the table was constructed and why they were providing alternatives in some of the cases but not others. Tricia requested to add a minority statement for Table 12 that the Scenic Tacoma

and neighborhood councils would like to see 300 feet as the size in industrial zones except along 509. Karen will add the minority statement.

On Table 13, Doug Schafer was concerned about item nine regarding street trees. Karen agreed to remove it as it created confusion. Mike Luinstra said that since the vote was approved with both items, item nine should be combined with item 8 as it was presented for original the vote. Karen will reinsert the text, and add a note to make clear the confusion from the original statement.

Tricia DeOme wanted to add a minority statement that the requirement that billboards should not be allowed to overhang buildings should be retained from current code. Karen will add the statement.

Mike Luinstra revisited table 12 and Option C commenting that his group would have stayed at 672 across the board. Karen reviewed the votes and observed that the size and height tables may need to be separated. Tricia suggested that Clear Channel could add a minority statement on the section. Karen reviewed the corrections that would be made to table 12: the CIX row will be removed, and the Industrial zone size cells will be merged. Commercial Zones under Option C will be amended to say 672 sq. ft. and 378 sq. ft. for Downtown Zones, with the minority statement for Clear Channel preferring 672 sq. ft. in downtown zones.

*Question 3: How do we get “there” from “here”?* Doug had a clarification that he wanted on the last paragraph that the exchange was a last resort since the removal wasn’t going to happen. Steve said he felt that in the last sentence the results are framed around the idea that a small group owns the billboards and none of the options deal with the ownership of the market. Karen suggested adding a statement to the Issues Not Addressed section to anticipate the possibility that external entities could enter the market. Pam commented that the competition between owners had been a factor in the overall number of billboards.

Nick asked why there was no discussion of compensation. Karen responded that the CWG hasn’t had time to discuss the varied results of the homework on Question 3, but in reviewing the results, only the general concept of an exchange ratio had any agreement above 50% as a path forward for transitioning what is on the ground.

Tricia asked to add in a minority statement for question 3, per the minority statement distributed with the meeting packet. Karen will add this. Nick wanted to add a statement about looking into not allowing the leases to be renewed as an issue not addressed. Mike Luinstra was concerned that this idea was inappropriate government intervention in the interaction between parties. Discussion ensued. Karen Reed clarified that no opinion was being expressed, but the idea was being put forward to be explored for feasibility: she suggested placing Nick’s issue under the next section, “Issues Not Addressed.”

*Issues Not Addressed.* Karen Reed reviewed the items discussed so far that would be added to the section, including: whether the city should explore the feasibility of reducing billboard count through preventing landlords from renewing leases on nonconforming billboards; and how to deal with possible new billboard firms. Steve added that the section should also include Tricia’s proposed alternative, brought up at a prior meeting, that the current code could be retained.

*Conclusion.* Steve Wamback suggested revising the 3<sup>rd</sup> bullet, to acknowledge other billboard companies.

*Attachments.* Karen asked if the group was interested in including maps in the attachments. There was some discussion with concerns expressed that the maps might be too small or increase the length of the report too much. Steve suggested providing a web link to the maps in the report. There was agreement from the work group to provide a weblink instead.

Dale Reed discussed his own minority report, asking why he can't submit it later. Discussion ensued. Dale will be allowed to submit a minority statement to Karen for inclusion in the report; it will speak to property owner rights.

There was some discussion as to how to vote on the report. Steve did not want "silence equals consent" but an actual vote. Karen suggested the group vote to approve the report with Tricia DeOme and Steve Wamback to follow up and make sure that the report is finalized with the recommended changes and Dale Reed's minority report. Evette Mason motioned and Ray Velkers seconded.

The members voted unanimously in support of submitting the report as an accurate statement of their proceedings, with the edits to be confirmed by the Co-Chairs, and a minority statement to be submitted later by Dale Reed.

The meeting ended at 6:40 PM.