



TO: T.C. Broadnax, City Manager
FROM: John Harrington, Principal Planner, Planning and Development Services
Peter Huffman, Director, Planning and Development Services
COPY: City Council and City Clerk
SUBJECT: Billboard Community Working Group
Resolution Accepting the Final Report and Providing Direction – March 24, 2015
DATE: March 16, 2015

SUMMARY:

A Resolution acknowledging receipt of the Final Report of the Tacoma Billboards Community Working Group and expressing appreciation for their excellent work to develop regulatory alternatives for billboards, and to direct staff to use this work as a foundation from which to continue work with billboard owners and other community stakeholders and the Planning Commission to amend the billboard regulations in the Tacoma Municipal Code by moving the matter to the Planning Commission for their development of recommendations to Council.

STRATEGIC POLICY PRIORITY:

The efforts of the Billboards Community Working Group align with the following strategic policy priorities:

- Strengthen and maintain a strong fiscal management position
- Foster neighborhood, community, and economic development vitality and sustainability
- Encourage and promote an open, effective, results-oriented organization.

BACKGROUND:

The Tacoma Billboards Community Working Group (CWG) was convened in September and tasked with exploring alternative options for billboard regulation in Tacoma that are different from current City code and could potentially lead to a more balanced, effective approach for addressing billboards in the city. This 17 member group represented community stakeholders with diverse viewpoints in regard to regulatory alternatives for billboards. The CWG met 11 times from September through February and presented their final report to Council on Tuesday, March 3, 2015.

Billboard regulation in Tacoma has been highly contentious and fraught with litigation between the City and Clear Channel Outdoor (the current owner of most of the billboards in the City). 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 the 311 existing billboard faces – although presumably legal when originally installed – now no longer conform to code. In response to the most recent litigation, the City and Clear Channel Outdoor entered into a “standstill agreement” in 2012. That agreement put a hold on the existing litigation and 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 CWG focused on three basic questions: (1) in what zones of the City are billboards potentially allowable (subject to reaching agreement on other applicable code condition); (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 presented three options for consideration by the City Council 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 were presented: Option B



representing the position of most (but not all) of the neighborhood/Scenic Tacoma/Historic Tacoma group members, and Option C representing the positions of those on the CWG who favored comparably less restrictive billboard zoning, including most (but not all) votes of billboard owners.

The CWG also considered other key regulatory provisions, such as buffering, dispersion, height, size, other design and development standards, and exchange mechanisms. The group made recommendations on many of these issues, while making clear that balancing the appropriate standards with potential locations for billboards would be crucial to ensuring that any long-term program can be supported by both the community and the billboards owners and operators. The CWG supported the concept of an exchange program as a mechanism to help reduce and consolidate billboards in a manner that better matches the goals and vision of the community, but did not make specific recommendations on how such a program might work.

Through their considerable work and the willingness of the CWG members to identify common interests and 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 and create a foundation on which the City and Clear Channel can continue their discussions.

ISSUE:

Should the Tacoma City Council forward the work of the Billboards Community Working Group to the City Manager to evaluate and utilize as the foundation from which to work with billboard owners and operators, other community stakeholders, and the Planning Commission to amend the City's billboard regulations consistent with the current goals and objectives of the City. This new approach would better balance the interests of all the various stakeholders and provide more predictability and certainty both for the community and billboard owners, while significantly reducing the number of billboards in the city and better ensure that the remaining billboards are in more appropriate locations and with better mitigation of negative impacts.

ALTERNATIVES:

The city has two alternatives to the recommended course of action:

- Continue under a standstill agreement, not allowing any new billboards and not enforcing the existing billboard regulations, or
- Let the standstill agreement expire and resume enforcement of the existing billboard regulations.

RECOMMENDATION:

Staff recommends the City Council accept the Report and recommendations of the Billboards Community Working Group and direct the City Manager to work with staff, billboard owners, the community and the Planning Commission through a community process to refine the regulatory concepts of CWG and expand the scope to include a full set of recommended amendments to the billboard regulations in the Tacoma Municipal Code to achieve the goals of the city to reduce the number of billboards in the city by removing them from areas not desirable and consolidating them in more acceptable areas.

FISCAL IMPACT:

If the billboard regulatory amendment process is to proceed, there will be significant policy, code, and financial analysis, along with public meetings and hearings, which would include staff resources from numerous City departments and offices, as well as cooperative efforts with Clear Channel Outdoor and other community stakeholders.