



Planning Commission Staff Report

Meeting Date: February 3, 2015

Subject: Request to Re-Initiate Development Code Amendment DCA14-009

Applicant: Planning and Development Division

Agenda Item Number: 8A

Summary: To re-initiate an amendment to Washoe County Code, Chapter 110, Development Code, Article 500 (Signs: Title and Contents), Article 502 (Billboard Regulations) and Article 504 (Sign Regulations) to combine Articles 502 and 504 into a new Article 505 (Sign Regulations) in order to consolidate all Washoe County sign regulations and to provide comprehensive changes to those sign regulations (DCA14-009).

Recommendation: Adopt and authorize the Chair to sign the attached resolution.

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Planning and Development Division

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Description

To re-initiate an amendment to Washoe County Code, Chapter 110, Development Code, Article 500 (Signs: Title and Contents), Article 502 (Billboard Regulations) and Article 504 (Sign Regulations) to combine Articles 502 and 504 into a new Article 505 (Sign Regulations) in order to consolidate all Washoe County sign regulations and to provide comprehensive changes to those sign regulations (DCA14-009).

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Initiating Development Code Amendments

The Washoe County Development Code is Chapter 110 of the Washoe County Code (WCC). The Development Code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters. Because the Development Code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code to keep it up to date with the most current and desirable trends in planning and development.

The Development Code amendment process provides a method of review and analysis for such proposed changes. Development Code amendments may be initiated by the Washoe County Commission, the Washoe County Planning Commission, or an owner of real property. Development Code amendments are initiated by resolution of the Washoe County Commission or the Planning Commission. Real property owners may submit an application to initiate a Development Code amendment.

After initiation, the Planning Commission considers the proposed amendment in a public hearing. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment. The Planning Commission records its recommendation by resolution.

The Washoe County Commission hears all amendments recommended for approval, and amendments recommended for denial upon appeal. The County Commission will hold a first reading and introduction of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading. Unless otherwise specified, ordinances are effective 10 days after adoption.

Public Notice

There are no public notice requirements established within the Development Code for initiation of a Development Code amendment.

Background

In order to comply with the 125 day period mandated by Washoe County Code Section 110.818.15(b) for the public hearing to be held on any Development Code Amendment after initiation, Planning and Development staff is asking the Planning Commission (PC) to re-initiate the DCA14-009 relating to Articles 500, 502 and 504 on the County's Sign Codes. The Development Code Amendment was previously initiated by the PC on September 16, 2014. The following background is essentially the same as was presented to the PC on September 16, 2014.

Amendments to the Development Code are often necessary to keep it up to date with the most current and desirable trends in Planning and Development. Planning and Development staff received direction from the Washoe County Commission on November 12, 2013 and confirmed again on August 26, 2014 to make possible policy changes to Article 502 (Billboard Regulations) and Article 504 (Sign Regulations) of Washoe County Code Chapter 110 (Development Code). Specifically, the County Commission directed that the changes to the sign code provide for content neutrality when evaluating signage, limit signage on vacant properties; provide for the regulation of electronic message displays (EMDs) signage, provide clear regulation for election period signs, and not allow for additional billboards.

The proposed Development Code Amendment will incorporate a wholesale change to the current Sign Code based on the County Commission's direction, staff difficulties in reading and applying the current code, and Court rulings since the Sign Code's adoption which impact how signs are regulated. The purpose of the amendment is consolidate the regulations that are recommended to remain unchanged into a new single, sign code regulation to be entitled Article 505, Sign Regulations. The new Article will also include code changes reflecting the policy direction provided by the County Commission and changes designed to simplify and clean-up many of the provisions of the current code. Staff's intent is to create consolidated sign regulations which are easier to read, simpler to understand, and which comply with both the County Commission's direction and Court rulings.

Recommendation

Staff recommends that the Planning Commission adopt the resolution as set forth in Exhibit A re-initiating an amendment to Washoe County Code, Chapter 110, Development Code, to combine Articles 502 and 504 into a new Article 505 (Sign Regulations) in order to consolidate all Washoe County sign regulations and to provide comprehensive changes to those sign regulations (DCA14-009). The following motion is provided for your consideration:

Motion

After giving reasoned consideration to the information contained in the staff report, I move to adopt the resolution contained in Exhibit A to re-initiate an amendment to Washoe County Code, Chapter 110, Development Code, Article 500 (Signs: Title and Contents), Article 502 (Billboard Regulations) and Article 504 (Sign Regulations) to combine Articles 502 and 504 into a new Article 505 (Sign Regulations) in order to

consolidate all Washoe County sign regulations and to provide comprehensive changes to those sign regulations (DAC14-009). I further move to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Washoe County Planning Commission and to direct staff to bring the amendment back to this Commission for a hearing within 125 days of today's date.

xc: Gregory Salter, Esq., District Attorney's Office
Bill Whitney, Director, Planning and Development



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RE-INITIATING AN AMENDMENT TO WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 500 (SIGNS: TITLE AND CONTENTS), ARTICLE 502 (BILLBOARD REGULATIONS), AND ARTICLE 504 (SIGN REGULATIONS) TO COMBINE ARTICLES 502 AND 504 INTO A NEW ARTICLE 505 (SIGN REGULATIONS) IN ORDER TO CONSOLIDATE ALL WASHOE COUNTY SIGN REGULATIONS AND TO PROVIDE COMPREHENSIVE CHANGES TO THOSE SIGN REGULATIONS (DCA14-009)

Resolution Number 15-03

Whereas, the Washoe County Development Code requires that amendments to the Code be initiated by resolution of the Washoe County Planning Commission; and

Whereas, the Board of Washoe County Commissioner provided direction to amend the Washoe County sign code to provide for content neutrality when evaluating signage, to limit signage on vacant properties; to provide for the regulation of electronic message displays (EMDs) signage, to provide clear regulation for election period signs, and to not allow for additional billboards; and

Whereas, such amendments would make changes to Articles 502 and 504 that follow the policy direction provided by the Board of County Commission, would simplify and clean-up many of the provisions of the current code, and will comply with Court rulings on signage;

Whereas, the Washoe County Planning Commission initiated Development Code Amendment DCA14-009 on September 16, 2014; however, the Development Code Amendment was not brought before the Washoe County Planning Commission for a public hearing within the 125 day time period mandated by Washoe County Code Section 110.818.15(b);

Now, therefore, be it resolved that pursuant to Washoe County Code Section 110.818.05(a) that an amendment (DCA14-009) is re-initiated to the Washoe County Code, Chapter 110, Development Code, Article 500 (Signs: Title and Contents), Article 502 (Billboard Regulations) and Article 504 (Sign Regulations) to combine Articles 502 and 504 into a new Article 505 (Sign Regulations) in order to consolidate all Washoe County sign regulations and to provide comprehensive changes to those sign regulations as set forth in the agenda for the February 3, 2015 meeting of the Washoe County Planning Commission, that a public hearing with this Planning Commission on the amendment shall be held within 125 days of this resolution's adoption date, and that this amendment is initiated without prejudice to its final disposition.

ADOPTED on February 3, 2015.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Carl R. Webb, Jr. AICP, Secretary

Roger Edwards, Chairman