

CARSON CITY PLANNING COMMISSION
Minutes of the October 28, 2009 Meeting
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A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, October 28, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Mark Kimbrough
Vice Chairperson Craig Mullet
Commissioner Steve Reynolds
Commissioner Roger Stockton
Commissioner William Vance
Commissioner George Wendell

STAFF: Lee Plemel, Planning Division Director
Jennifer Pruitt, Principal Planner
Melanie Bruketta, Chief Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are available for review, in the Clerk's Office, during regular business hours.

A. CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE (5:00:13) - Chairperson Kimbrough called the meeting to order at 5:00 p.m. Roll was called; a quorum was present. Commissioner Dhami was absent. Chairperson Kimbrough welcomed Commissioner Stockton, who led the pledge of allegiance. Commissioner Reynolds arrived at 5:02 p.m. Vice Chairperson Mullet arrived at 5:03 p.m.

B. COMMISSION ACTION ON APPROVAL OF MINUTES - September 30, 2009 (5:01:19) - Commissioner Vance moved to approve the minutes. Commissioner Wendell seconded the motion. Motion carried 4-0.

C. MODIFICATION OF AGENDA (5:01:45) - None.

D. PUBLIC COMMENTS (5:01:51) - None.

E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (5:01:58) - Mr. Plemel reported that the Stewart Street extension is scheduled to open October 29, 2009.

F. DISCLOSURES (5:02:57) - Commissioner Reynolds advised that he would be abstaining from discussion of item H-2.

G. CONSENT AGENDA (5:03:20) - None.

H. PUBLIC HEARING MATTERS:

H-1. ZCA-09-072 ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS ON AN ORDINANCE AMENDING TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, TO MODIFY THE DEFINITION OF "ANIMALS AND FOWL" (5:04:36) - Chairperson Kimbrough introduced this item, and Ms. Pruitt reviewed the agenda materials. Ms. Pruitt and Mr. Plemel responded to questions of clarification regarding the provisions of Carson City Municipal Code Section 7.13.190, copies of which

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were included in the agenda materials. Chairperson Kimbrough noted there were no citizens present in the audience, and entertained a motion. **Commissioner Vance moved to recommend to the Board of Supervisors the approval of ZCA-09-072, an ordinance amending Title 18, Zoning, Chapter 18.03, Definitions, Section 18.03.010, Words and Terms Defined, to modify the definition of Animals and Fowl, based on the findings contained in the staff report. Commissioner Reynolds seconded the motion. Motion carried 6-0.**

H-2. ZCA-09-085 DISCUSSION ONLY REGARDING A POSSIBLE ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, SECTION 4.4.7, ADMINISTRATION, EXCEPTIONS, TO MODIFY THE REGULATIONS RELATING TO THE TEMPORARY DISPLAY OF BANNERS AND OTHER SIGN DEVICES (5:13:14) - Chairperson Kimbrough introduced this item. Commissioner Reynolds stepped from the dais. Mr. Plemel reviewed the staff report in conjunction with displayed slides, and responded to corresponding questions of clarification. He reviewed the recommendations included in the staff report.

Commissioner Wendell expressed understanding for the need for additional advertising in consideration of the current economy. He expressed concern over sign clutter and safety issues associated with signage blocking pedestrian and automobile pathways. He agreed with the recommendations outlined in the staff report, and suggested requiring professionally-manufactured signs and ensuring that signage does not block pedestrian or automobile pathways. He suggested agendaizing another review of the ordinance in six to twelve months. Commissioner Vance expressed agreement over safety concerns associated with sign visibility and signage which may block driveways or pedestrian pathways. In response to a question, Mr. Plemel clarified recommendation number 5 in the staff report. Vice Chairperson Mullet agreed with concerns expressed regarding sign clutter, and with the suggestion to review the ordinance in six months.

Chairperson Kimbrough inquired as to the possibility of Commissioner Reynolds answering questions from the audience. Ms. Bruketta requested Commissioner Reynolds to state, for the record, his reason for recusing himself from discussion of this item. She advised of no problem with Commissioner Reynolds answering questions. (5:38:03) Commissioner Reynolds advised of having recused himself from the subject discussion because of his ownership of a sign business in the community. In response to a question, he advised of commonly available tables which demonstrate letter sizes readable at various speeds and distances. "The understanding behind it ... is the amount of time that a person driving at x-speed has to look [at a sign]. In most cases, those tables even assume that the person is not looking at anything else except the sign." In response to a further question, Commissioner Reynolds was uncertain as to the origin of A-frame signage. He provided historic information on a public process associated with "the old, old sign ordinances." "One of the decisions that came out of that meeting was that the portable A-frames did not provide the value for the different problems that they created; some of those problems being blocking of view for egress and ingress for parking lots; actual danger because, if the wind comes up, ... the A-frames oftentimes wound up in the middle of the state highway." Commissioner Reynolds suggested that A-frame signs are used, pursuant to the provisions of current ordinance, to attract pedestrians. In response to a further question, he advised of never having reviewed objective information with regard to effectiveness associated with distance between signs. "Signs are part of the entire viewshed ... that includes traffic signals, other vehicles, buildings, permanent signage." Based on his experience, Commissioner Reynolds cautioned against restricting colors, imposing requirements with regard to "professionalism ... things like that because signs are considered a part of free speech." Chairperson Kimbrough thanked Commissioner Reynolds.

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With regard to banners, Chairperson Kimbrough advised of rarely having observed one secured at all four corners. He suggested including specific provisions for banners in the subject ordinance. He expressed the hope that, based on the discussion with Commissioner Reynolds, “some of those standards might come into play to help you, on the enforcement side, establish some ... that make some sense for all the businesses.” (5:46:35) In response to a comment, Commissioner Reynolds explained the subjectiveness associated with the word “professional” in consideration of sign manufacture. “With signage, that’s an infringement on ... First Amendment rights.” Chairperson Kimbrough expressed an interest in hearing from business owners with regard to any benefit realized from the current ordinance. He expressed a preference for “pretty definite standards,” to be included in the ordinance.

Commissioner Stockton expressed appreciation for Commissioner Reynolds’ comments, and inquired as to the possibility of requiring “sufficient construction and materials” for A-frame signs. Commissioner Vance expressed a preference to review the ordinance again in one year. Discussion followed, and Chairperson Kimbrough noted there were no citizens present in the audience. Mr. Plemel acknowledged having received sufficient input, and advised that this item would be reagendized for the November meeting. Commissioner Reynolds returned to the meeting dais.

I. STAFF REPORTS

I-1 COMMISSIONER REPORTS AND COMMENTS (5:52:33) - None.

I-2. DIRECTOR’S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (5:52:53) - Mr. Plemel advised that an appeal of the variance application heard at the September commission meeting will be heard by the Board of Supervisors at their November 5th meeting. He reviewed the tentative November commission agenda, and reminded the commissioners of the meeting date scheduled for November 18th at 3:00 p.m.

J. ACTION ON ADJOURNMENT (5:58:59) - Commissioner Vance moved to adjourn the meeting at 5:58 p.m. Vice Chairperson Mullet seconded the motion. Motion carried 6-0.

The Minutes of the October 28, 2009 Carson City Planning Commission meeting are so approved this 18th day of November, 2009.

MARK KIMBROUGH, Chair