

Item # 12C

**City of Carson City
Agenda Report**

Date Submitted: May 6, 2008

Agenda Date Requested: May 15, 2008
Time Requested 10 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to adopt Resolution No. ____ approving an extension of an existing 120-day moratorium, Resolution 2008-R-2, on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area, and that is designed to be visible from at least one direction of the Carson City Freeway, including future freeway phases, for an additional period of 60 days, thereby extending the moratorium to July 15, 2008. (File MISC-07-187)

Staff Summary: The purpose of the moratorium extension is to allow time for the Planning Commission and staff to amend Title 18 and the Development Standards of the Carson City Municipal Code by developing comprehensive criteria for the review of freeway-oriented signs. This moratorium could affect applications for such signs on commercial and industrial properties along the freeway. The moratorium is currently in place until May 16, 2008. The extension would allow additional time to develop the standards.

Type of Action Requested:

- Resolution
 Formal Action/Motion
- Ordinance
 Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval April 23, 2008, by a vote of 6 ayes, 0 nays, 1 absent.

Recommended Board Action: I move to adopt Resolution No. _____, an extension of an existing 120-day moratorium, Resolution 2008-R-2, on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area, and that is designed to be visible from at least one direction of the Carson City Freeway, including future freeway phases, for an additional period of 60 days, thereby extending the moratorium to July 15, 2008. (File MISC-07-187)

Explanation for Recommended Board Action: The Planning Commission has expressed a desire to develop comprehensive sign criteria for commercial signs along the freeway before additional special use permit applications for increased signage are submitted and reviewed. There are presently no specific criteria for commercial signs along the freeway. See the attached materials for more information.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.120 (Moratorium).

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A


Alternatives: 1) If the Board of Supervisors introduces an ordinance for freeway-oriented sign at its May 15 meeting, take no action on the moratorium extension because it will not be necessary; or 2) modify the length of the moratorium extension to anywhere up to 60 additional days.

Supporting Material:

- 1) Board Resolution
- 2) Staff memo to Planning Commission
- 3) Planning Commission Resolution

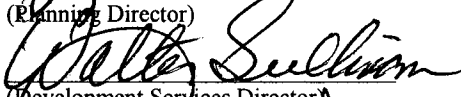
Prepared By: Rose Mary Johnson, Management Assistant III

Reviewed By:



(Planning Director)

Date: 5-6-08



(Development Services Director)

Date: 5-6-08



(City Manager)

Date: 5-6-08



(District Attorney's Office)

Date: 5-6-08

Board Action Taken:

Motion: _____

1) _____ Aye/Nay

2) _____

(Vote Recorded By)

RESOLUTION 2008-R-__

A RESOLUTION EXTENDING AN EXISTING 120-DAY MORATORIUM (RESOLUTION 2008-R-2) ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ANY FREESTANDING SIGN THAT EXCEEDS THE MAXIMUM PERMITTED SIGN HEIGHT OR SIGN AREA AND THAT IS DESIGNED TO BE VISIBLE FROM AT LEAST ONE DIRECTION OF THE CARSON CITY FREEWAY, INCLUDING FUTURE FREEWAY PHASES, FOR AN ADDITIONAL PERIOD OF 60 DAYS, THEREBY EXTENDING THE MORATORIUM TO JULY 15, 2008.

WHEREAS, the Carson City Municipal Code Section 18.02.120 establishes the moratorium process for matters related to planning, zoning and land uses issues; and

WHEREAS, the Planning Commission intends to make possible revisions to the applicable sections of Title 18 related to commercial signs to establish standards for signs along the freeway pursuant to the goals, policies and action plan of the adopted Master Plan; and

WHEREAS, the Planning Commission has reviewed Special Use Permits for two freeway-oriented freestanding signs, anticipates applications for additional freeway-oriented signs and desires to establish comprehensive criteria for the review of such signs; and

WHEREAS, the Planning Commission finds that the moratorium is necessary to promote the health, safety and welfare of properties along the freeway and motorists, that the moratorium is necessary to permit the City to focus on the effective and efficient preparation of a possible amendment to the sign ordinance, and that the moratorium is necessary because continued sign development along the freeway during the moratorium period would possibly result in signs that would conflict with the sign ordinance amendments; and

WHEREAS, the Planning Commission has given proper notice of the proposed amendment in accordance with the provisions of Carson City Municipal Code 18.02.120 and is in conformance with City and State legal requirements; and

WHEREAS, on January 4, 2008, the Planning Commission held a public hearing, obtained public testimony and duly considered recommendations and findings for the proposed moratorium and recommended a 120-day moratorium to the Board of Supervisors; and

WHEREAS, on January 17, 2008, the Board of Supervisors held a public hearing, obtained public testimony and duly considered recommendations and findings for the proposed moratorium and adopted a 120-day moratorium; and

WHEREAS, on April 23, 2008, the Planning Commission held a public hearing, obtained public testimony and duly considered recommendations and findings for the proposed moratorium and recommended a 60-day extension of the moratorium to the Board of Supervisors by a vote of 6-0 (1 absent); and

WHEREAS, on May 15, 2008, the Board of Supervisors held a public hearing, obtained public testimony and duly considered recommendations and findings for the proposed 60-day extension of the moratorium.

NOW, THEREFORE, the Carson City Board of Supervisors hereby extends an existing 120-day moratorium on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area and that is designed to be visible from at least one direction of the Carson City freeway, including future freeway phases, for a period of 60 additional days from the effective date of this moratorium, extending the moratorium to July 15, 2008.

ADOPTED this 15th day of May, 2008.

VOTE: AYES: _____

MARV TEIVEIRA, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

CARSON CITY PLANNING COMMISSION

CASE RECORD

MEETING DATE: April 23, 2008

AGENDA ITEM NO.: H-7

APPLICANT(s) NAME: N/A

FILE NO. Resolution 2008-PC-4

PROPERTY OWNER(s): N/A

ASSESSOR PARCEL NO(s): N/A

ADDRESS: N/A

APPLICANT'S REQUEST: Action to consider a resolution recommending to the Board of Supervisors an extension of an existing 120-day moratorium on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area and that is designed to be visible from at least one direction of the Carson City Freeway, including future freeway phases, for an additional period of 60 days, thereby extending the moratorium to July 15, 2008. (MISC-07-187)

COMMISSIONERS PRESENT: PEERY

KIMBROUGH

BISBEE

MULLET

REYNOLDS

VANCE

WENDELL

STAFF REPORT PRESENTED BY: Lee Plemel

REPORT ATTACHED

STAFF RECOMMENDATION: APPROVAL

DENIAL


MOVED: Wendell **SECOND:** Vance **PASSED:** 6 /AYE 0 /NO 0 /ABSTAIN 1 /ABSENT

SCHEDULED FOR THE BOARD OF SUPERVISORS

DATE: 5-15-08

MEMORANDUM

H-7

TO: Planning Commission
FROM: Planning Division 
DATE: April 23, 2008
SUBJECT: MISC-07-187 – Freeway-Oriented Freestanding Sign Moratorium

If the planning commission continues the freeway-oriented sign ordinance:

RECOMMENDED MOTION: I move to adopt Resolution 2008-PC-4 recommending to the Board of Supervisors an extension of an existing 120-day moratorium on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area and that is designed to be visible from at least one direction of the Carson City freeway, including future freeway phases, for a period of an additional 60 days, extending the moratorium to July 15, 2008, based on the findings contained in the staff report.

If the planning commission forwards the freeway-oriented sign ordinance to the Board:

RECOMMENDED MOTION: I move to adopt Resolution 2008-PC-4 recommending to the Board of Supervisors an extension of an existing 120-day moratorium on the acceptance and processing of applications for any freestanding sign that exceeds the maximum permitted sign height or sign area and that is designed to be visible from at least one direction of the Carson City freeway, including future freeway phases, for a period of an additional 60 days, extending the moratorium to July 15, 2008, only if the Board does not take action to introduce the proposed ordinance, based on the findings contained in the staff report.

DISCUSSION:

The Planning Commission recommended and the Board of Supervisors adopted a resolution imposing a moratorium on freeway-oriented on-premise commercial signs in January 2008, effective 120 days to May 2008. The purpose of the proposed moratorium is to allow time for the Planning Commission and staff to review possible amendments to the sign ordinance (Title 18, Development Standards Division 4) by developing comprehensive criteria for the review of signs along the freeway, including possible regulations relating to location, height, sign area and number of signs.

The purpose of the proposed moratorium extension is to ensure that new standards for freeway-oriented signs are adopted prior to the expiration of the moratorium. The moratorium is presently in effect until late May, before the Planning Commission application submittal deadline in June. If the Planning Commission takes action on the proposed ordinance (ZCA-07-208) in April and the Board of Supervisors introduces and adopts the ordinance at the applicable meetings in May and early June, the ordinance would be adopted prior to new applications for freeway-oriented signs being submitted and the moratorium extension would not be necessary. However, if the ordinance is delayed, the moratorium extension is necessary to ensure that it remains effective until new Special Use Permits for freeway-oriented signs may be submitted.

Pursuant to the Carson City Municipal Code (CCMC) Section 18.02.120, the Planning Commission may initiate a moratorium by recommendation to the Board of Supervisors. The moratorium may be implemented for between 90 and 180 days. The current moratorium is effective for 120 days, and an extension of an additional 60 days may be approved. A recommendation to declare a moratorium requires a two-thirds vote of the total membership of the Planning Commission (5 votes).

FINDINGS

The following findings are required and recommended by staff in approving the proposed moratorium pursuant to CCMC 18.02.120 (Moratorium).

1. *The moratorium is necessary to promote the health, safety and welfare of the area described in the moratorium declaration.*

Rationale: The proposed moratorium furthers the purpose of the sign ordinance, which, in part, is "to provide minimum standards to safeguard life, health, property and public welfare." The moratorium will allow time to develop comprehensive standards for signs along the freeway pursuant to the Carson City Master Plan, Action Plan Implementation Strategy 3.2d, which was identified as a top priority Master Plan implementation strategy. The moratorium is in the interest of the health, safety and welfare of freeway motorists and to protect property values along freeway corridor and citywide.

2. *The moratorium is necessary to permit the staff, Commission, Board and public to focus on the efficient and effective preparation of an amendment to the Zoning Ordinance (Title 18).*

Rationale: Staff anticipates that applications for freeway-oriented signs could be submitted within the next 120 days. Without specific review standards in place, staff and the Planning Commission will continue to struggle with reviewing signs in an objective manner, and reviewing Special Use Permits for freeway-oriented signs concurrently with developing new sign standards could distract from the focus of creating all-inclusive, objective standards.

3. *The moratorium is necessary because continued development during the proposed moratorium period possibly would result in development that may conflict with the amendment.*

Rationale: The two Special Use Permits for freeway-oriented signs that have been reviewed by the Planning Commission have each not met the Commission's satisfaction, as submitted. With no standards presently in place specifically for freeway-oriented signs, it is likely that any signs that were requested prior to the adoption of new standards would not conform with the standards that would ultimately be adopted.

If you have any questions, please contact Walter Sullivan, Planning Director, or Lee Plemel, Principal Planner, at 887-2180.

Attachments:

- A) Resolution 2008-PC-4

RESOLUTION 2008-PC-4

A RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS AN EXTENSION OF AN EXISTING 120-DAY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ANY FREESTANDING SIGN THAT EXCEEDS THE MAXIMUM PERMITTED SIGN HEIGHT OR SIGN AREA AND THAT IS DESIGNED TO BE VISIBLE FROM AT LEAST ONE DIRECTION OF THE CARSON CITY FREEWAY, INCLUDING FUTURE FREEWAY PHASES, FOR AN ADDITIONAL PERIOD OF 60 DAYS, THEREBY EXTENDING THE MORATORIUM TO JULY 15, 2008.

WHEREAS, the Carson City Municipal Code Section 18.02.120 establishes the moratorium process for matters related to planning, zoning and land uses issues; and

WHEREAS, the Planning Commission intends to make possible revisions to the applicable sections of Title 18 related to commercial signs to establish standards for signs along the freeway pursuant to the goals, policies and action plan of the adopted Master Plan; and

WHEREAS, the Planning Commission has reviewed Special Use Permits for two freeway-oriented freestanding signs, anticipates applications for additional freeway-oriented signs and desires to establish comprehensive criteria for the review of such signs; and

WHEREAS, the Planning Commission finds that the moratorium is necessary to promote the health, safety and welfare of properties along the freeway and motorists, that the moratorium is necessary to permit the City to focus on the effective and efficient preparation of a possible amendment to the sign ordinance, and that the moratorium is necessary because continued sign development along the freeway during the moratorium period would possibly result in signs that would conflict with the sign ordinance amendments; and

WHEREAS, the Planning Commission has given proper notice of the proposed amendment in accordance with the provisions of Carson City Municipal Code 18.02.120 and is in conformance with City and State legal requirements; and

WHEREAS, on January 4, 2008, the Planning Commission held a public hearing, obtained public testimony and duly considered recommendations and findings for the proposed moratorium and recommended a 120-day moratorium to the Board of Supervisors; and

WHEREAS, on January 17, 2008, the Board of Supervisors held a public hearing, obtained public testimony and duly considered recommendations and findings for the proposed moratorium and adopted a 120-day moratorium; and

