



STOREY COUNTY PLANNING COMMISSION MEETING

Thursday March 15, 2018 6:00 p.m.
Storey County Courthouse, District Courtroom
26 South B Street, Virginia City, NV

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: John Herrington

COMMISSIONERS:

Virgil Bucchianeri, Larry Prater, Kris Thompson, Laura Kekule, Summer Pellett

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- 1. Call to Order:** The meeting was called to order by the Chairman at 6:05 P.M.
 - 2. Roll Call:** Jim Hindle, Summer Pellett, John Herrington, Laura Kekule, Kris Thompson and Larry Prater.
Absent: Virgil Bucchianeri

Also Present: Planning Director Austin Osborne, Planner Kathy Canfield, Deputy D.A. Keith Loomis, County Commissioner Jack McGuffey, and County Commissioner Lance Gilman.
 - 3. Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
 - 4. Discussion/Possible Action:** Approval of Agenda for March 15, 2018.

Motion: Approve agenda for March 15, 2018, **Action:** Approve, **Moved by** Commissioner Kekule, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).
 - 5. Discussion/Possible Action:** Approval of Minutes for January 4, 2018.

Motion: Approve Minutes for January 04, 2018, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by vote (**summary:** Yes=6).
 - 6. Discussion/Possible Action:** 2018-008 Special Use Permit request by the applicant Evergreen Reno Industrial Park, LLC, to construct a hotel with additional height beyond the allowed 3 stories or 45 feet in height. The proposed hotel will be four stories and approximately 59 feet in height. The subject property is located at 691 Britain Drive, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-041-57.

Commissioner Thompson recused himself due to potential conflict of interest because he is Project Manager for the TRIC.

Planner Canfield: Gave a summary of the request to the commission and introduced David Counts, the applicant and representative for Evergreen Reno Industrial Park LLC. He was “present” via cell phone.

- The applicant has requested to be allowed a four story building with a total height of approximately 59 feet. The additional height includes the architectural features and roof parapets. This property is located in the I2 zone, but because it has been approved for commercial use, the height is restricted to 45 feet.
- The additional height can be allowed with a Special Use Permit per the 1999 Zoning Ordinance.

Commissioner Prater: Asked if it is just a hotel or will it have a restaurant.

David Counts, Applicant: Answered that it is just a standard hotel. Hampton Inn & Suites is a higher mid-level franchise hotel that does not license any hotels that are less than four stories due to booking requirements. The height of 59 feet is due to the architectural features and roof parapets included in the standard design of Hampton Inn hotels.

Keith Loomis, Deputy DA: Brought up a potential issue regarding condition H. Fire, in the staff report.
“The applicant shall meet all regulations identified by the Storey County Fire Protection District for development of this property. The project shall be evaluated for inclusion in the respiratory consortium, the hose and nozzle consortium, ladder reimbursement consortium and/or foam consortium. The Fire Protection District shall have the final authority on participation.”

If the special use permit is granted, the permit holder may be required to be included in the ladder reimbursement consortium which is based on the government services agreement that the county has with Tesla stating that if another building is constructed in TRI that exceeds 55 feet, the obligation of Tesla to pay for a ladder truck is reduced by half. He stated that he understands that the Fire Department approved this condition because it was just the parapets that added the extra height and not the roof, but he wanted the issue of the potential inclusion in the ladder consortium brought up.

Commissioner Prater: Appears that the top five feet is purely architectural. Is the applicant able to reduce the height?

Discussion regarding height of building and parapet heights.

David Counts, Applicant: There are strict guidelines for the design, but changing the drawings to reduce the height to 55 feet may be an option.

Discussion commenced regarding height of building and parapet heights.

Chairman Hindle: Asked for clarification of what is being approved.

Planning Director Osborne: Explained that the condition states that the permit holder meet the fire district requirements, and shall be evaluated. This request is strictly about zoning; whether or not to grant a special use permit for the height allowance. The Fire department, and the D.A. in this case, will evaluate the project and determine if the permit holder will be included in the ladder consortium. Condition H. is sufficient for compliance.

No Public Comment.

Motion: In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I, Larry Prater, recommend approval of Special Use Permit 2018-008, a request by the applicant Evergreen Reno Industrial Park, LLC, to construct a hotel with additional height beyond the allowed 3 stories or 45 feet in height. The proposed hotel will be four stories and approximately 59 feet in height. The subject property is located at 691 Britain Drive, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor’s Parcel Number (APN) 005-041-57. , **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Pellett,

Planner Canfield read the findings of fact into the record:

- (1) This approval is for Special Use Permit 2018-008, a request by the applicant Evergreen Reno Industrial Park, LLC, to construct a hotel with additional height beyond the allowed 3 stories or 45 feet in height. The proposed hotel will be four stories and approximately 59 feet in height. The subject property is located at 691 Britain Drive, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-041-57.
- (2) The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (3) The subject property is located within an existing mixed use industrial and commercial neighborhood in the McCarran area of Storey County. The zoning is based on the 1999 Storey County Zoning Ordinance which identifies this property as I-2 Heavy Industrial. The Tahoe-Reno Industrial Center has identified this parcel as eligible for commercial uses as allowed by the Development Agreement and as such follows the zoning requirements for Commercial zoning. The additional height for this structure is consistent with what would be permitted for adjacent industrial land uses.
- (4) Granting of the Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property. The project is expected to meet the safety and health requirements for the subject area. The use will also be subject to building and fire plan review in order to ensure compliance with federal, state and other codes.
- (5) The Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.
- (6) The conditions under the Special Use Permit do not conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial, 17.28 Commercial, and 17.62 Special Uses.
- (7) Granting of the Special Use Permit will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons working in the neighborhood or area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property.

Vote: Motion carried by vote (**summary:** Yes=5).

7. **Discussion Only/No Possible Action:** Proposed amendments to the Storey County sign ordinance, Storey County Code Title 17 Zoning, including Chapter 17.84 Signs and Billboards. Additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org, or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance.

Planner Canfield gave a power point presentation summarizing what the current sign ordinance allows and disallows, and proposed new draft language for the revision. See some highlights of the presentation below. Text in italics is new language. Strikeouts identify text to be removed.

Comstock Historic District Applicability.

All signs shall be reviewed and approved by the Comstock Historic District Commission. Evidence of approval shall be kept on the premises at all times.

All signs must be immediately removed at the time ~~the~~ *any* business or attraction is no longer operating or *fails to maintain a valid Storey County Business License. If a sign has been identified by the Comstock Historic District Commission as having historical significance, the provision for removing the sign may be administratively waived by the Planning Director.*

Items discussed included (see Options for proposed new language below):

- All new signs shall conform to new code requirements.
- Signs which are consistent with existing code, but not new code.
- Signs which are not consistent with existing code
- Signs which are not consistent with existing code, but have been in existence for a considerable period of time or have historic elements.

Option 1: Signs legally established prior to May 1, 2018, that are not consistent with the requirements of this chapter may remain in place as long as the sign is not altered in any way (except for maintenance activities) and the business license remains valid.

Option 2: Signs legally established prior to May 1, 2018, that are not consistent with the requirements of this chapter may remain in place until May 1, 2019. Prior to May 1, 2019, all signs not conforming to the requirements of this chapter shall be modified to comply.

All signs not consistent with Comstock Historic District regulations shall be retrofitted immediately.

Directional signs, excepting traffic regulatory devices, are subject to a Special Use Permit.

Items to consider- Discussion

- Building frontage vs. parcel frontage
- Public access way or any side
- Include boardwalk hanging signs or keep separate
- Freestanding signs counted in building signs
- Allowable square footage permitted anywhere or just the street frontage
- Only on frontages with public access into building, or any side of the building

17.84.100 Sign allowances per zoning district. The following identifies the calculations for the amount of signs allowed per building (business?). All signs must conform to all other requirements of this chapter. Any proposed sign greater than 128 square feet in area is also defined as a billboard and must meet the requirements identified in this chapter for billboards.

A. CR, C and I zoning districts. The following standards apply to commercial and industrial uses:

Building signs. One, two, three? square foot per linear parcel (building?)frontage (along a public access way?) The total area of all building signs shall not exceed this square footage. Building signs include signs attached to the building, painted directly on the building or projecting from the building. Signs projecting perpendicular to the building frontage and freestanding signs shall only count one side. Freestanding signs, or signs attached to accessory structures or features shall count towards the building frontage sign calculation. Window signs and porch (boardwalk) signs are not included in this calculation.

Window signs. Window signs shall be painted or permanently attached to the window, up to 50% of the total area of windows for the building frontage.

Boardwalk Hanging Signs. One hanging sign is permitted for each business public access doorway along the "C" Street frontage. The sign may extend from the building face to the porch support posts and must be a minimum of 8 feet in height to allow for pedestrian clearance underneath the sign. Signs may have advertising copy on both sides of the sign. Secondary signs may be attached but must meet the 8 foot clearance requirement.

Sandwich Board signs. Each business is allowed one sandwich board sign. The sign shall only be displayed during business hours and shall not exceed 6 square feet on each side. Signs shall be located so as not to impede pedestrian traffic and shall not be located within the street right-of-way. Signs in the Comstock Historic District shall be constructed of approved materials which do not include whiteboards or bulletin boards.

Porch signs. Each business shall be permitted one sign to be attached to the end and front of the porch. The sign shall extend for the entire length of the building frontage and have a minimum of 8 feet of pedestrian clearance and shall not exceed 2-feet (3-feet) in height.

- A. Signs located in A, F, P, and SPR zones, and where allowable by the applicable provisions of this chapter, are limited to the following sizes and measurements:
 1. Signs located in the F zone may not exceed a total of 32 square feet and may not extend 6 feet above grade level.

2. Signs in A, P and SPR zones may not exceed a total of 128 square feet and 10 feet above grade level, unless additional sign area and height is permitted with a Special Use Permit.
3. Signs are limited to allowable onsite uses only, unless the requirements of offsite signs or billboard regulations can be met.

17.84.110 Temporary Signs and Banners.

Any sign or banner, except those listed in sections 17.84.100 and 17.84.120 displayed for a period of time not exceeding 30 consecutive or non-consecutive days in a 12 month period of time is considered a temporary sign or banner. *Temporary signs and banners as defined in this section, are not permitted in the E, R and for residential uses in the CR zones.*

A. The following are considered temporary signs:

1. Banners, posters, pennants, ~~sandwich board signs~~; fliers; ~~blackboards and whiteboards~~; signs attached to temporary structures directly associated with operating special events, fairs, carnivals, and concessions; and devices which are supported, worn, or otherwise displayed on and by human or animal subjects (otherwise known as “human signs”).

The following are not considered a temporary signs or banners *and are prohibited*:

1. Tethered balloons, streamers, inflatable devices, and similar devices.
2. Any sign which is in any way attached, painted to, or otherwise attached to a vehicle, trailer, or other mobile device, as defined in section 17.84.120(C).

C. In addition to all other applicable provisions of this chapter, all temporary signs and banners must comply with the following regulations:

1. They must be professionally painted or printed. Those which become tattered, torn, or otherwise fall into disrepair must be immediately removed or replaced with a similar size and type sign.
2. They may not exceed 12 square-feet in total area, with exception of banners which may not exceed the allowable limitations set forth by subsection (D);
3. *The temporary sign and banner must be associated with the onsite use of the property.*

D. Banners that are mounted to a wall or canopy must be secured taut ~~and not placed over any permanent sign~~. A temporary banner mounted in such a manner that it becomes suspended between two points (e.g., between buildings, poles, trees, etc.) must comply with the following regulations:

1. They ~~banner~~ may not exceed 2 feet in height;
2. ~~They may not be closer than 5 feet to the objects from which it is suspended, and;~~
3. They must be mounted no less than *8 feet over a pedestrian access way and 18 feet over a public right-of-way.*

~~Sandwich board directional signs may be displayed for extended periods with a special use permit. These directional signs must comply with the regulations under subsections 17.84.080(K) and 17.84.080(L). The time in each twenty-four hour period that the directional sandwich board sign must be removed and not displayed must be stipulated in the approved special use permit. No sign may be placed on the public domain.~~

J. No more than 4 temporary signs or banners may be displayed for any 1 ~~household, business, firm, or non-governmental~~ entity within a 12 month period.

17.84.140 Billboards.

Any sign face measuring 128 square feet or more in total area is classified as a billboard and must comply with federal, state, and county regulations, including this section and section 17.84.080. The requirements for signs meeting the definition of billboard that are painted directly on a building, or are attached flush with a building wall, may be waived by Storey County through the Special Use Permit process.

17.84.140 Billboards

B. Other permits & requirements. No billboard or its supporting devices may be erected until plans developed by a licensed engineer for the proposed project have been reviewed by the fire and community development departments and a building permit has been issued. *The licensed engineer requirement may be waived when the billboard is painted directly on a building and no structural support of the sign is proposed.* A building permit may not be issued until the special use permit has been granted and all requirements of the county have been satisfied. The issuance of a building permit or any other authorizations prior to approval of the special use permit must not be construed as an approval to commence construction of a billboard.

Additional items that were discussed included:

- Comstock Historic District will make decision on existing signs that may have historic significance.
- Non-conforming signs erected prior to a certain date (to be determined) may be allowed to stay depending on possible historic significance.

- Current sign ordinance requires permits be issued for signs. This has not been enforced.
- Current sign ordinance states that non-conforming signs are considered nuisances.
- Numbers of signs allowed at each business, and potential changes to how many signs can be allowed and how to calculate the number. Must be 8 feet of clearance above the boardwalk.
- Most of the signs in the county are located in Virginia City. The goal is to simplify the ordinance making it easier for businesses to be in compliance.
- Historic District Commission requirements. Signs must be historically appropriate.
- Unique character of individual businesses is something to consider in allowing enhancements and decorations such as statues and other items outside the business.
- Potential to use square footage of the building to determine amount of signage allowed.
- One sandwich board allowed per business, black boards allowed, white boards prohibited based on being historically inappropriate. Allowed on boardwalk out of the way of pedestrian traffic.

Jack McGuffey, Highlands resident and County Commissioner: Said that he didn't see any provision for hardships in the revised language. He's been around Virginia City for a long time, and some of the shopkeepers don't have a lot of money to spend on updating their signs. Feels there should be some type of avenue for hardship cases to appeal in consideration of their circumstances, rather than just forcing them to remove or change their signs.

No Public Comment

8. **Discussion/Possible Action:** Ordinance No. 2018-283 amending Storey County Code Title 17 Zoning, including Chapter 17.28 C Commercial Zone to restrict "adult uses" with a special use permit, and Chapter 17.10 Definitions to amend definitions and add definitions for adult uses including "adult retail", "adult bookstore", and "adult motion picture theatre" uses. Additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or planning@storeycounty.org, or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board or Planning Commission a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance.

Planning Director Osborne gave a brief summary of the amendment to the zoning ordinance.

Motion: Approve Ordinance 2018-283, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Pellett,

Planning Director Osborne stated a Finding that this amendment is compliant with the Storey County Master Plan and does not conflict with any current zoning ordinance or any other ordinance, and does not conflict with NRS.

No Public Comment

Vote: Motion carried by unanimous vote (**summary:** Yes=5, Abstain= Kris Thompson).

9. **Discussion/Possible Action:** Determination of next planning commission meeting.

Motion: Next planning commission meeting to be held on April 26, 2018, at 6:00 P.M. at the Mark Twain Community Center, Mark Twain, Nevada, **Action:** Approve, **Moved by** Commissioner Kekule, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

10. **Discussion/Possible Action:** Approval of claims – None

11. **Correspondence (No Action)** - None

12. **Public Comment (No Action)** – None

13. **Staff (No Action):**

Planning Director Osborne: No staff comment tonight.

14. Board Comments (No Action) -

Commissioner Thompson thanked Planner Canfield for a good presentation on the Sign Ordinance revision update.

15. Adjournment (No Action) - The meeting was adjourned at 7:51 P.M.

Respectfully Submitted, By Lyndi Renaud