

(14)

Meeting Type: ☒ Regular  
☐ Special  
☐ Joint with \_\_\_\_\_

Date: NOVEMBER 14, 2000

Item: 6. A.

Notes: Canvass of Votes - November 7, 2000 City of Reno General Elections

Moved	Sec'd.	Councilmember	Yes	No
		Hascheff		
	✓	Herndon		
		Rigdon		
✓		Newberg		
		Doyle		
		Aiazzi		
		Griffin		
		COUNT		

Motion:

certify results

CARRIED?

(YES)

NO


JA 595

COR-00080

Agenda Item # 6A  
Ward No.     

This report was reviewed for:  
Legal Implications       
Financial Implications       
Dept. Approval De

**STAFF REPORT**  
November 14, 2000

To: Mayor and City Council  
Thru: Charles E. McNeely, City Manager   
From: Donald J Cook, City Clerk  
Re: Canvass of Votes - November 7, 2000, City of Reno General Election  
Date: November 8, 2000

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**Summary:**

It is recommended that Council certify the results of the November 7, 2000, City of Reno General Election.

**Discussion:**

The total registered voters within the City of Reno as of the close of registration for the General Election was 93,925. The total City of Reno voter turnout was 63.94%. Council will be provided, by the Registrar of Voters Office, the *Precinct Status Report*, which indicates voter turnout and totals by precinct.

The attached *Election Summary* denotes the total votes cast for each candidate.

**Legal Implications:**

Pursuant to Section 5.100 of the City Charter, Council must canvass and declare the results within 10 days following each election.

**Recommendation:**

It is recommended that Council certify the results of the November 7, 2000 City of Reno General Election.

**Proposed Motion:**

I move to accept staff recommendation.

**Election Summary Report  
Washoe County General  
November 7, 2000**

Date:11/08/00  
Time:01:07:27  
Page:1 of 5

**Summary For Countywide. All Races FINAL UNOFFICIAL**

**PRESIDENT/VICE PRESIDENT**

Vote For: 1		Total	
Precincts Reporting		292/292	100.00%
Ballots Cast/Reg. Voters	122454/181795		67.36%
Total Votes	122264		
BROWNE/OLIVIER	LIB	689	0.56%
BUCHANAN/FOSTER	CF	688	0.56%
BUSH/CHENEY	REP	63624	52.04%
GOIRE/LIEBERMAN	DEM	52080	42.60%
HAGELIN/GOLDHABER	NL	65	0.05%
NAIDER/LA DUKE	GRN	4206	3.44%
PHILLIPS/FRAZIER	IA	86	0.07%
NONE OF THESE CANDID		826	0.68%

**U S SENATOR**

Vote For: 1		Total	
Precincts Reporting		291/291	100.00%
Ballots Cast/Reg. Voters	122311/181407		67.42%
Total Votes	121442		
BERGHOF, ERNIE	IA	431	0.35%
BERNSTEIN, ED	DEM	42654	35.12%
ENGLISH, JOHN	REP	70147	57.76%
GRUJTMACHER, BILL	CF	187	0.15%
JOHNSON, J. J.	LIB	1276	1.05%
RUSCO, KATHRYN	GRN	3358	2.77%
NONE OF THESE CANDID		3389	2.79%

**REP IN CONG DIST 2**

Vote For: 1		Total	
Precincts Reporting		291/291	100.00%
Ballots Cast/Reg. Voters	122311/181407		67.42%
Total Votes	118658		
BRENNEMAN, KEN	CF	357	0.30%
CAHILL, TIERNEY	DEM	34452	29.03%
GIBBONS, JIM	REP	77548	65.35%
HANSEN, DANIEL	IA	1441	1.21%
LAWS, A. CHARLES	GRN	2734	2.30%
SAVAGE, TERRY "CURT"	LIB	1825	1.54%
WINQUIST, ROBERT W.	NL	301	0.25%

**ST SEN DIST 3**

Vote For: 1		Total	
Precincts Reporting		91/91	100.00%
Ballots Cast/Reg. Voters	40017/54263		73.75%
Total Votes	36619		
AVERY, LOIS	NL	8751	23.90%
RAGGIO, BILL	REP	27868	76.10%

**ST ASSEMBLY 24**

Vote For: 1		Total	
Precincts Reporting		24/24	100.00%
Ballots Cast/Reg. Voters	9563/14880		64.27%
Total Votes	9153		
EBY, CHUCK	LIB	312	3.41%
FREEMAN, VIVIAN	DEM	4908	53.62%
HOLCOMB, BROOKS	REP	3933	42.97%

**ST ASSEMBLY 25**

Vote For: 1		Total	
Precincts Reporting		38/38	100.00%
Ballots Cast/Reg. Voters	16498/22446		73.50%
Total Votes	15020		
BROZYNA, DOUG R.	IA	2655	17.68%
GIBBONS, DAWN	REP	12365	82.32%

**ST ASSEMBLY 26**

Vote For: 1		Total	
Precincts Reporting		30/30	100.00%
Ballots Cast/Reg. Voters	12233/18894		64.75%
Total Votes	11459		
HUMKE, DAVID	REP	7650	66.76%
LACERDA, DAVID	DEM	3809	33.24%

**ST ASSEMBLY 27**

Vote For: 1		Total	
Precincts Reporting		24/24	100.00%
Ballots Cast/Reg. Voters	7568/15460		48.95%
Total Votes	5169		
LESLIE, SHEILA	DEM	5169	100.00%

**ST ASSEMBLY 29**

Vote For: 1		Total	
Precincts Reporting		53/53	100.00%
Ballots Cast/Reg. Voters	20615/28273		72.91%
Total Votes	18009		
ANGLE, SHARRON	REP	14260	79.18%
MIRCH, KEVIN J.	REP	3749	20.82%

**ST ASSEMBLY 30**

Vote For: 1		Total	
Precincts Reporting		21/21	100.00%
Ballots Cast/Reg. Voters	7779/13154		59.14%
Total Votes	7466		
PRIMUS, KEITH	REP	3476	46.56%
SMITH, DEBBIE	DEM	3990	53.44%

**Election Summary Report  
Washoe County General  
November 7, 2000**

Date:11/08/00  
Time:01:07:27  
Page:2 of 5

**Summary For Countywide, All Races FINAL UNOFFICIAL**

**ST ASSEMBLY 31**

Vote For: 1	Total	
Precincts Reporting	22/22	100.00%
Ballots Cast/Reg. Voters	10838/16032	67.60%
Total Votes	10431	
ANDERSON, BERNIE	DEM	5345 51.24%
MCCLELLAND, PATTI	REP	5086 48.76%

**SUP CT JUSTICE C**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	103012	
ROSE, ROBERT E.	NOP	77712 75.44%
NONE OF THESE CANDID		25300 24.56%

**ST ASSEMBLY 32**

Vote For: 1	Total	
Precincts Reporting	50/50	100.00%
Ballots Cast/Reg. Voters	16868/24744	68.17%
Total Votes	16137	
GUSTAVSON, DON	REP	9335 57.85%
STAGG, KENDALL	DEM	6802 42.15%

**SUP CT JUSTICE F**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	101214	
LEAVITT, MYRON E.	NOP	75350 74.45%
NONE OF THESE CANDID		25864 25.55%

**ST ASSEMBLY 37**

Vote For: 1	Total	
Precincts Reporting	50/50	100.00%
Ballots Cast/Reg. Voters	20292/27387	74.09%
Total Votes	17888	
BROWER, GREG	REP	13882 77.61%
LEE, DANIEL TIMOTHY	LA	1019 5.70%
S.V. VAGE, KAREN M.	LIB	2987 16.70%

**SUP CT JUSTICE G**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	106407	
BACKUS, GARY	NOP	26155 24.58%
BECKER, NANCY A.	NOP	63994 60.14%
NONE OF THESE CANDID		16258 15.28%

**C COMM DIST 1**

Vote For: 1	Total	
Precincts Reporting	64/64	100.00%
Ballots Cast/Reg. Voters	31940/44646	71.54%
Total Votes	27927	
COBB, RON	REP	7510 26.89%
GALLOWAY, JIM	REP	20417 73.11%

**DIST CT JUDGE DEPT 3**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	90403	
POLAHA, JERRY	NOP	90403 100.00%

**C COMM DIST 4**

Vote For: 1	Total	
Precincts Reporting	37/37	100.00%
Ballots Cast/Reg. Voters	16647/25791	64.55%
Total Votes	15286	
SHAW, JIM	DEM	11432 74.79%
TRAINOR, BRENDAN	LIB	3854 25.21%

**STATE BOE 1B**

Vote For: 1	Total	
Precincts Reporting	133/133	100.00%
Ballots Cast/Reg. Voters	51845/76599	67.68%
Total Votes	37249	
GWALTNEY, JOHN W.	NOP	37249 100.00%

**I V CONSTABLE**

Vote For: 1	Total	
Precincts Reporting	12/12	100.00%
Ballots Cast/Reg. Voters	5334/8257	64.60%
Total Votes	3975	
KUBO, JOSEPH	REP	3975 100.00%

**STATE BOE 3B**

Vote For: 1	Total	
Precincts Reporting	46/46	100.00%
Ballots Cast/Reg. Voters	19732/27524	71.69%
Total Votes	14519	
COOK, DAVE	NOP	6582 45.33%
MYERS, BARBARA J.	NOP	7937 54.67%

**UNR REGENTS 3B**

Vote For: 1	Total	
Precincts Reporting	46/46	100.00%
Ballots Cast/Reg. Voters	19732/27524	71.69%
Total Votes	12921	
DERBY, JILL TALBOT	NOP	12921 100.00%



**Election Summary Report  
Washoe County General  
November 7, 2000**

Date:11/08/00  
Time:01:07:27  
Page:3 of 5

**Summary For Countywide, All Races FINAL UNOFFICIAL**

**SCHOOL TRUSTEE DIST A**

Vote For: 1	Total		
Precincts Reporting	81/81	100.00%	
Ballots Cast/Reg. Voters	32029/46050	69.55%	
Total Votes	24872		
CARNE, DAN	NOP	12913	51.92%
SEYKOTA, ED	NOP	11959	48.08%

**NORTH LAKE TAHOE FIRE**

Vote For: 1	Total		
Precincts Reporting	10/10	100.00%	
Ballots Cast/Reg. Voters	5334/8257	64.60%	
Total Votes	4127		
CONNORS, JEFF	NOP	2497	60.50%
ENSTAD, LOREN	NOP	1630	39.50%

**SCHOOL TRUSTEE DIST D**

Vote For: 1	Total		
Precincts Reporting	44/44	100.00%	
Ballots Cast/Reg. Voters	20850/30390	68.61%	
Total Votes	14371		
PULLMAN, JONNIE	NOP	14371	100.00%

**COUNCIL WARD 1**

Vote For: 1	Total		
Precincts Reporting	135/135	100.00%	
Ballots Cast/Reg. Voters	60053/93925	63.94%	
Total Votes	52494		
HARSH, TONI	NOP	30596	58.28%
HERNDON, TOM	NOP	21898	41.72%

**SCHOOL TRUSTEE DIST E**

Vote For: 1	Total		
Precincts Reporting	58/58	100.00%	
Ballots Cast/Reg. Voters	22371/35655	62.74%	
Total Votes	18041		
DALTON, KENNY	NOP	8507	47.15%
RUGGIERO, JODY	NOP	9534	52.85%

**COUNCIL WARD 3**

Vote For: 1	Total		
Precincts Reporting	135/135	100.00%	
Ballots Cast/Reg. Voters	60053/93925	63.94%	
Total Votes	53721		
HALL, GLADE L.	NOP	25449	47.37%
SPERRAZZA-HOGAN, J	NOP	28272	52.63%

**SCHOOL TRUSTEE DIST G**

Vote For: 1	Total		
Precincts Reporting	161/161	100.00%	
Ballots Cast/Reg. Voters	69193/99590	69.48%	
Total Votes	56870		
LEVARIO, ESTELA	NOP	15886	27.93%
LORING, ANNE	NOP	40984	72.07%

**COUNCIL WARD 5**

Vote For: 1	Total		
Precincts Reporting	135/135	100.00%	
Ballots Cast/Reg. Voters	60053/93925	63.94%	
Total Votes	51074		
ALAZZI, DAVE	NOP	27083	53.03%
TRACY, JAMES MICHAEL	NOP	23991	46.97%

**INCLINE VILLAGE GID**

Vote For: 3	Total		
Precincts Reporting	9/9	100.00%	
Ballots Cast/Reg. Voters	5330/8252	64.59%	
Total Votes	12490		
BROSTEN, SYD	NOP	2460	19.70%
CALLICRATE, TIM G.	NOP	1684	13.48%
FULLER, TED	NOP	2854	22.85%
KAPLAN, DONALD	NOP	1863	14.92%
MENNING, THOMAS TOM	NOP	1658	13.27%
WOLF, BOB	NOP	1971	15.78%

**COUNCIL AT LARGE**

Vote For: 1	Total		
Precincts Reporting	135/135	100.00%	
Ballots Cast/Reg. Voters	60053/93925	63.94%	
Total Votes	53528		
HASCHEFF, PIERRE A.	NOP	30866	57.66%
PRUETT-HERMAN, JUDY	NOP	22662	42.34%

**SUN VALLEY GID**

Vote For: 3	Total		
Precincts Reporting	8/8	100.00%	
Ballots Cast/Reg. Voters	4083/6596	61.90%	
Total Votes	7818		
AINSWORTH, JIM	NOP	2214	28.32%
HEATH, TED	NOP	1262	16.14%
JACKSON, JOHN W JJ	NOP	1097	14.03%
SHORT, FRAN	NOP	1692	21.64%
TOURIN, MIKE	NOP	1553	19.86%

**MUN CT JUDGE DEPT 2**

Vote For: 1	Total		
Precincts Reporting	135/135	100.00%	
Ballots Cast/Reg. Voters	60053/93925	63.94%	
Total Votes	40570		
HICKMAN, PAUL	NOP	40570	100.00%

**MUN CT JUDGE DEPT 3**

Vote For: 1	Total		
Precincts Reporting	135/135	100.00%	
Ballots Cast/Reg. Voters	60053/93925	63.94%	
Total Votes	40431		
VANWINKLE, JAMES C.	NOP	40431	100.00%

**Election Summary Report  
Washoe County General  
November 7, 2000**

Date: 11/08/00  
Time: 01:07:27  
Page: 4 of 5

**Summary For Countywide, All Races FINAL UNOFFICIAL**

**MUN CT JUDGE DEPT 4**

Vote For: 1	Total	
Precincts Reporting	135/135	100.00%
Ballots Cast/Reg. Voters	60053/93925	63.94%
Total Votes	40636	
HCWARD, KEN	NOP	40636 100.00%

**JP RENO DEPT 1**

Vote For: 1	Total	
Precincts Reporting	200/200	100.00%
Ballots Cast/Reg. Voters	81351/121476	66.97%
Total Votes	72698	
HUBACH, JENNY DIANE	NOP	32566 44.80%
SALCEDO, FIDEL	NOP	40132 55.20%

**JP SPARKS DEPT 1**

Vote For: 1	Total	
Precincts Reporting	75/75	100.00%
Ballots Cast/Reg. Voters	33412/48766	68.51%
Total Votes	29664	
DERISO, SUSAN	NOP	15218 51.30%
STRALLA, ROY L.	NOP	14446 48.70%

**JP GIERLACH**

Vote For: 1	Total	
Precincts Reporting	3/3	100.00%
Ballots Cast/Reg. Voters	246/301	81.73%
Total Votes	192	
THOMAS, PHIL	NOP	192 100.00%

**JP INCLINE VILLAGE**

Vote For: 1	Total	
Precincts Reporting	12/12	100.00%
Ballots Cast/Reg. Voters	5334/8257	64.60%
Total Votes	4472	
MANCUSO, JIM	NOP	4472 100.00%

**JP VIERDI**

Vote For: 1	Total	
Precincts Reporting	6/6	100.00%
Ballots Cast/Reg. Voters	1574/1922	81.89%
Total Votes	1260	
CLARK, MARGIE	NOP	1260 100.00%

**STATE QUESTION 1**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	116840	
YES	46769	40.03%
NO	70071	59.97%

**STATE QUESTION 2**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	119014	
YES	75274	63.25%
NO	43740	36.75%

**STATE QUESTION 9**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	118560	
YES	77812	65.63%
NO	40748	34.37%

**WC QUESTION 1**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	117787	
YES	63085	53.56%
NO	54702	46.44%

**WC QUESTION 2**

Vote For: 1	Total	
Precincts Reporting	290/290	100.00%
Ballots Cast/Reg. Voters	122254/181270	67.44%
Total Votes	117152	
YES	34844	29.74%
NO	82308	70.26%

**RENO QUESTION**

Vote For: 1	Total	
Precincts Reporting	135/135	100.00%
Ballots Cast/Reg. Voters	60053/93925	63.94%
Total Votes	57782	
YES	32765	56.70%
NO	25017	43.30%

**SPARKS QUESTION 1**

Vote For: 1	Total	
Precincts Reporting	43/43	100.00%
Ballots Cast/Reg. Voters	22759/546	67.64%
Total Votes	209	
YES	4	38.91%
NO	15	61.09%

Election Summary Report  
Washoe County General  
November 7, 2000

Date:11/08/00  
Time:01:07:27  
Page:5 of 5

Summary For Countywide, All Races FINAL UNOFFICIAL

SPARKS QUESTION 2

Vote For: 1	Total	
Precincts Reporting	43/43	100.00%
Ballots Cast/Reg. Voters	22759/33646	67.64%
Total Votes	22050	
YES	8941	40.55%
NO	13109	59.45%

**Statement of Votes Cast**  
**Washoe County General**  
**November 7, 2000**

Date: 11/08/00  
 Time: 07:19:26  
 Page: 39 of 136

COUNCIL WARD 1				COUNCIL WARD 3				COUNCIL WARD 5			
Rep. Votes	Total Votes	HARSH, TONI	HERNDON, TONI	Rep. Votes	Total Votes	HALL, GRADE L.	SPERLAZZA-HO, J	Rep. Votes	Total Votes	ALAZZI, DAVE	TRACY JAMES MICHAEL
RENO 100	435	299	221	73	435	288	130	435	280	145	135
RENO 101 (ND)	73	36	23	73	38	14	36,84%	73	33	12	21
RENO 102	514	149	91	514	150	49	32,67%	514	141	61	80
RENO 103	1122	777	404	1122	719	335	49,37%	1122	675	353	323
RENO 105	280	186	149	280	178	91	51,12%	280	168	83	85
RENO 106	876	619	348	876	626	353	56,39%	876	588	358	230
RENO 107 (ND)	120	84	45	120	82	55	67,07%	120	77	40	52
RENO 109	1214	909	662	1214	880	473	53,15%	1214	853	444	409
RENO 110	1116	483	307	1116	497	229	46,08%	1116	453	214	239
RENO 111	1393	1064	797	1393	1061	538	50,71%	1393	995	553	442
RENO 112	947	360	189	947	366	160	43,72%	947	346	216	110
RENO 113	1486	1106	739	1486	1106	588	53,96%	1486	1068	537	430
RENO 117	1439	631	404	1439	624	345	55,29%	1439	947	525	412
RENO 118	1289	1030	682	1289	998	600	60,12%	1289	949	525	412
RENO 121	1395	1024	682	1395	998	592	59,50%	1395	957	525	412
RENO 122	833	640	394	833	661	367	57,27%	833	618	330	387
RENO 123	462	358	224	462	351	204	58,12%	462	330	164	268
RENO 124	1187	801	547	1187	787	387	49,17%	1187	747	449	298
RENO 125	530	411	292	530	359	219	54,89%	530	376	212	116
RENO 126	566	451	289	566	435	247	56,76%	566	418	246	164
RENO 132	1434	446	255	1434	461	185	40,13%	1434	425	201	224
RENO 135	517	193	134	517	351	76	39,18%	517	317	181	106
RENO 140	870	438	264	870	438	183	41,73%	870	402	218	184
RENO 141 (ND)	479	247	133	479	251	86	34,26%	479	236	136	100
RENO 142 (ND)	106	74	39	106	76	40	52,63%	106	74	48	26
RENO 143 (ND)	186	142	54	186	131	78	52,74%	186	128	89	39
RENO 148 (ND)	187	148	89	187	146	77	52,74%	187	146	87	59
RENO 200	885	428	254	885	430	186	43,26%	885	412	187	225
RENO 202	965	489	310	965	506	195	38,54%	965	477	233	244
RENO 206	1033	625	429	1033	626	256	40,89%	1033	580	289	291
RENO 207	1071	440	293	1071	444	191	43,07%	1071	422	207	207
RENO 208	1084	330	181	1084	336	172	36,90%	1084	310	152	158
RENO 210	929	697	478	929	678	379	55,90%	929	665	371	294
RENO 211	663	467	319	663	467	269	42,61%	663	454	260	184
RENO 212	396	239	166	396	240	165	44,17%	396	237	115	118
RENO 223	412	301	170	412	302	165	44,17%	412	283	173	114
RENO 229 (ND)	1048	383	191	1048	416	201	48,32%	1048	365	178	187
RENO 231	1139	697	373	1139	653	380	59,57%	1139	616	359	257
RENO 232	1127	817	472	1127	811	478	57,95%	1127	767	445	322

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:26  
Page: 50 of 136

COUNCIL WARD 1				COUNCIL WARD 3				COUNCIL WARD 5					
Reg. Votes	Total Votes	HARSH, TONI	HERNDON, TOM	Reg. Votes	Total Votes	HALL, CLADEL J	SERRAZA-HOI	Reg. Votes	Total Votes	ALAZZI, DAVE	TRACY, JAMES MICHAEL		
RENO 233	262	180	119	71	262	188	114	74	262	187	118	69	36,30%
RENO 234	436	203	203	233	761	437	262	195	761	413	235	160	38,74%
RENO 235	184	470	286	184	664	478	267	211	664	453	252	201	44,37%
RENO 236	320	80	40	40	320	84	21	63	320	78	35	43	55,13%
RENO 240	542	237	143	94	542	289	93	156	542	233	110	123	52,79%
RENO 241	466	136	72	64	466	140	99	99	466	127	64	63	49,41%
RENO 242	1074	376	201	175	1074	386	164	222	1074	357	184	173	48,48%
RENO 243	563	318	166	152	563	326	176	150	563	310	147	103	50,00%
RENO 249	679	218	120	98	679	225	108	117	679	206	103	103	50,00%
RENO 252	412	312	174	139	412	316	169	147	412	297	123	94	31,45%
RENO 253	636	271	162	109	636	275	126	149	636	257	123	134	52,14%
RENO 254 (M)	58	47	15	32	58	48	27	21	58	48	31	17	35,42%
RENO 301 (M)	1173	856	436	420	1173	915	475	440	1173	836	486	350	41,87%
RENO 306	336	365	169	196	336	387	208	179	336	351	212	159	39,60%
RENO 307	637	320	188	152	637	331	159	203	637	314	167	147	46,27%
RENO 310	951	323	149	174	951	337	134	231	951	318	189	129	40,57%
RENO 312	874	404	316	178	874	514	243	199	874	470	224	246	52,34%
RENO 313	853	299	162	137	853	305	99	206	853	284	126	138	55,63%
RENO 317	728	286	144	142	728	300	101	199	728	275	134	141	51,27%
RENO 322	799	438	243	195	799	463	208	225	799	428	239	189	44,16%
RENO 322 (M)	705	333	197	136	705	339	181	158	705	321	143	178	55,45%
RENO 322 (M)	55	38	19	19	55	39	25	14	55	35	18	17	48,57%
RENO 324	92	69	41	28	92	73	37	36	92	66	29	37	56,06%
RENO 334	1523	696	363	353	1523	739	314	425	1523	679	375	304	44,77%
RENO 335	548	181	96	85	548	185	72	113	548	176	91	83	48,30%
RENO 336	958	638	370	268	958	666	354	312	958	616	324	292	47,40%
RENO 337	1028	679	375	304	1028	711	385	328	1028	652	334	318	48,77%
RENO 338	445	290	166	124	445	312	145	167	445	282	139	143	50,71%
RENO 340 (M)	35	41	23	18	35	43	20	26	35	43	21	18	45,18%
RENO 341	660	430	246	184	660	452	206	246	660	431	227	194	45,01%
RENO 342 (M)	386	277	151	126	386	284	160	124	386	270	156	104	38,33%
RENO 346	657	342	184	106	657	360	129	133	657	386	189	164	44,44%
RENO 347	874	342	178	164	874	360	76	231	874	386	189	164	44,44%
RENO 348	674	200	94	106	674	211	132	113	674	228	109	88	44,67%
RENO 349	959	324	155	169	959	343	132	211	959	323	190	133	41,18%
RENO 350	1353	876	501	375	1353	930	499	431	1353	859	518	341	39,70%
RENO 351	948	376	189	187	948	396	138	238	948	364	200	164	43,02%
RENO 354	514	358	190	168	514	366	188	118	514	329	177	132	46,20%
RENO 400 (M)	463	182	93	89	463	194	79	115	463	171	96	73	43,86%
RENO 401	531	237	126	81	531	246	95	151	531	233	116	117	50,21%
RENO 402	252	312	151	121	252	315	89	250	252	306	161	145	47,37%

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:26  
Page: 91 of 136

COUNCIL WARD 1				COUNCIL WARD 3				COUNCIL WARD 5				
Reg. Voters	Total Votes	HARSH, TONI	HERNDON, TOM.	Reg. Voters	Total Votes	HAUL, GLEDEL	SEBRANZLA-HON	Reg. Voters	Total Votes	ALAZZI, DAVE	TRACY, JAMES, MICHAEL	
RENO 404	337	304	205 52.03%	189 67.97%	957	407	182 44.72%	225 55.28%	957	396	212 53.54%	184 46.46%
RENO 410	924	342	155 43.23%	187 54.68%	924	353	112 31.73%	241 68.27%	924	317	159 47.18%	178 52.82%
RENO 413 (M/F)	140	77	30 64.94%	27 35.06%	140	82	23 28.05%	59 71.95%	140	76	34 44.74%	42 55.26%
RENO 419	726	332	187 56.33%	145 49.67%	726	337	137 40.63%	200 59.35%	726	318	181 56.92%	137 43.08%
RENO 420	1438	633	317 50.08%	316 49.92%	1438	654	324 54.23%	430 65.75%	1438	603	297 49.23%	306 50.75%
RENO 421	1276	720	368 51.11%	332 48.89%	1276	732	292 39.89%	440 60.11%	1276	706	358 50.71%	348 49.29%
RENO 422	325	143	82 57.34%	61 42.66%	325	152	61 40.13%	91 59.87%	325	139	63 45.32%	76 54.68%
RENO 424 (M/F)	104	62	37 59.68%	25 40.32%	104	63	27 42.86%	36 57.14%	104	46	22 39.29%	34 60.71%
RENO 425	699	332	162 50.15%	161 49.85%	699	336	120 35.71%	216 64.29%	699	307	174 56.68%	133 43.32%
RENO 426 (M/F)	54	49	19 47.30%	21 42.86%	54	40	19 47.50%	21 52.50%	54	40	16 40.00%	24 60.00%
RENO 428	570	273	139 50.92%	134 49.08%	570	287	119 41.46%	168 58.54%	570	268	151 56.34%	117 43.66%
RENO 430	909	286	151 52.80%	135 47.20%	909	318	148 45.44%	170 53.46%	909	293	162 55.29%	131 44.71%
RENO 432 (M/F)	887	453	245 54.08%	208 45.92%	887	476	178 37.39%	208 62.61%	887	460	249 54.13%	211 45.87%
RENO 433 (M/F)	48	33	22 66.67%	11 33.33%	48	22	12 33.33%	10 45.00%	48	33	25 75.76%	23 69.70%
RENO 434	110	67	34 35.82%	43 64.18%	110	63	23 33.33%	40 63.29%	110	60	25 41.67%	35 58.33%
RENO 435	352	294	153 52.04%	141 47.96%	352	305	142 46.56%	163 53.44%	352	288	133 46.18%	155 53.82%
RENO 436	1082	709	409 57.69%	300 42.31%	1082	732	297 40.57%	435 59.43%	1082	684	315 46.18%	369 53.82%
RENO 437	921	364	184 50.55%	180 49.45%	921	317	114 36.08%	203 63.92%	921	350	199 56.80%	151 43.19%
RENO 443	144	304	149 49.01%	155 50.99%	144	317	135 42.59%	182 57.41%	144	309	174 56.31%	135 43.69%
RENO 446 (M/F)	144	97	58 57.33%	41 42.77%	144	100	42 42.00%	58 58.00%	144	93	50 53.76%	43 46.24%
RENO 452	1501	977	497 50.87%	480 49.13%	1501	1005	523 52.00%	482 47.99%	1501	988	559 57.73%	409 42.25%
RENO 453 (M/F)	17	13	4 26.67%	11 73.33%	17	15	3 20.00%	12 80.00%	17	14	9 64.29%	5 35.71%
RENO 455	858	423	205 48.46%	218 51.54%	858	450	193 42.89%	257 57.11%	858	429	218 50.82%	211 49.18%
RENO 456	757	314	168 53.50%	146 46.50%	757	359	135 41.03%	194 58.97%	757	314	168 53.50%	146 46.50%
RENO 457	595	182	100 54.93%	82 45.07%	595	191	80 41.88%	111 58.12%	595	170	93 54.71%	77 43.29%
RENO 458	642	347	181 52.16%	166 47.84%	642	362	155 42.82%	207 57.18%	642	351	189 53.85%	162 46.15%
RENO 459	845	560	343 61.23%	211 36.75%	845	574	283 49.39%	291 50.70%	845	563	253 44.94%	310 55.06%
RENO 501 (M/F)	64	33	16 48.48%	17 51.52%	64	38	11 28.95%	27 71.05%	64	32	26 81.25%	6 18.75%
RENO 504	330	210	126 60.00%	84 40.00%	330	212	94 44.34%	118 55.66%	330	217	101 46.54%	116 53.46%
RENO 505	966	667	408 61.17%	259 38.83%	966	675	344 50.96%	331 49.04%	966	671	357 53.20%	314 46.80%
RENO 507	925	471	274 58.17%	197 41.83%	925	490	238 48.57%	252 51.43%	925	469	246 52.43%	223 47.57%
RENO 508	674	382	227 62.04%	145 37.96%	674	404	156 38.61%	248 61.39%	674	376	175 46.54%	201 53.46%
RENO 509	611	333	320 52.37%	291 47.63%	611	642	317 49.38%	325 50.62%	611	627	312 49.76%	315 50.24%
RENO 510	1211	508	268 51.28%	240 47.24%	1211	521	222 42.61%	299 57.39%	1211	509	278 54.62%	231 45.38%
RENO 511	686	478	245 51.28%	233 47.44%	686	500	211 42.09%	289 57.91%	686	496	287 57.86%	209 42.14%
RENO 512 (M/F)	117	77	34 44.16%	43 55.84%	117	84	38 45.24%	46 54.76%	117	79	43 54.43%	36 45.57%
RENO 515	754	514	302 58.75%	212 41.25%	754	543	287 52.18%	256 47.82%	754	556	277 50.66%	273 49.34%
RENO 516	817	578	351 60.73%	227 44.55%	817	575	294 51.13%	281 48.87%	817	575	292 50.78%	283 49.22%
RENO 517	459	312	173 55.45%	139 44.55%	459	326	174 52.39%	152 46.61%	459	315	157 49.84%	158 50.16%
RENO 520 (M/F)	40	27	13 48.15%	14 41.85%	40	32	20 62.50%	12 37.50%	40	31	16 51.61%	15 48.39%
RENO 521	567	562	327 54.15%	235 41.81%	567	573	266 46.42%	307 53.58%	567	553	277 50.09%	276 49.91%

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:26  
Page: 92 of 136

COUNCIL WARD 1				COUNCIL WARD 3				COUNCIL WARD 5			
Reg. Voters	Total Votes	HARSH, TONI	HERNDON, TOM	Reg. Voters	Total Votes	HAUL, GLADE L.	SFERAZZA, JOHN	Reg. Voters	Total Votes	ALVAZZI, DAVE	TRACY, JAMES MICHAEL
REGO 522	715	430	243 54.44%	203 45.56%	715	472	218 46.19%	254 55.81%	715	463	227 48.03%
REGO 524	904	592	332 56.08%	250 43.92%	904	597	298 49.52%	299 50.08%	904	586	304 51.88%
REGO 528 (NP)	113	69	39 56.31%	30 43.69%	113	80	39 48.79%	41 51.21%	113	76	42 55.26%
REGO 531	656	460	377 60.22%	183 39.78%	656	464	219 47.20%	245 52.80%	656	462	230 49.78%
REGO 537	947	620	327 52.74%	253 47.26%	947	644	284 44.19%	360 55.80%	947	636	333 52.38%
REGO 539	767	504	313 52.26%	191 37.99%	767	523	248 47.43%	275 52.57%	767	513	263 52.38%
REGO 534	1402	840	481 57.26%	319 42.74%	1402	871	379 43.51%	492 56.49%	1402	866	407 47.00%
REGO 535	915	618	336 54.37%	282 42.63%	915	635	301 47.40%	334 52.60%	915	632	332 52.53%
REGO 536	444	288	174 60.42%	116 39.58%	444	293	124 42.32%	169 57.68%	444	294	104 35.37%
REGO 537	1509	813	487 57.77%	356 42.23%	1509	853	451 48.10%	454 51.90%	1509	880	399 45.39%
SPARKS 610	1412	559	303 54.20%	256 45.80%	1412	574	249 45.58%	325 56.62%	1412	568	259 45.60%
SPARKS 611	0	0	0	0	0	0	0	0	0	0	0
SPARKS 613	0	0	0	0	0	0	0	0	0	0	0
SPARKS 614	0	0	0	0	0	0	0	0	0	0	0
SPARKS 615	0	0	0	0	0	0	0	0	0	0	0
SPARKS 619	0	0	0	0	0	0	0	0	0	0	0
SPARKS 621	0	0	0	0	0	0	0	0	0	0	0
SPARKS 623	0	0	0	0	0	0	0	0	0	0	0
SPARKS 624	0	0	0	0	0	0	0	0	0	0	0
SPARKS 625	0	0	0	0	0	0	0	0	0	0	0
SPARKS 627	0	0	0	0	0	0	0	0	0	0	0
SPARKS 629	0	0	0	0	0	0	0	0	0	0	0
SPARKS 630	0	0	0	0	0	0	0	0	0	0	0
SPARKS 631	0	0	0	0	0	0	0	0	0	0	0
SPARKS 632	0	0	0	0	0	0	0	0	0	0	0
SPARKS 632 (NP)	0	0	0	0	0	0	0	0	0	0	0
SPARKS 633	0	0	0	0	0	0	0	0	0	0	0
SPARKS 635	0	0	0	0	0	0	0	0	0	0	0
SPARKS 637	0	0	0	0	0	0	0	0	0	0	0
SPARKS 638	0	0	0	0	0	0	0	0	0	0	0
SPARKS 639	0	0	0	0	0	0	0	0	0	0	0
SPARKS 640	0	0	0	0	0	0	0	0	0	0	0
SPARKS 641	0	0	0	0	0	0	0	0	0	0	0
SPARKS 643	0	0	0	0	0	0	0	0	0	0	0
SPARKS 644	0	0	0	0	0	0	0	0	0	0	0
SPARKS 645	0	0	0	0	0	0	0	0	0	0	0
SPARKS 647	0	0	0	0	0	0	0	0	0	0	0
SPARKS 649	0	0	0	0	0	0	0	0	0	0	0
Sparks (Council 2NP)	0	0	0	0	0	0	0	0	0	0	0

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:26  
Page: 97 of 136

COUNCIL AT LARGE				MUN CT JUDGE DEPT 2				MUN CT JUDGE DEPT 3				MUN CT JUDGE DEPT 4			
Reg. Votes	Total Votes	HASCHER, PIERRE A.	PRUD'HERMAN, JUDY	Reg. Votes	Total Votes	HECKMAN, PAUL	Reg. Votes	Total Votes	VANWINKLE, JAMES C.	Reg. Votes	Total Votes	Reg. Votes	Total Votes	HOWARD, KEN	
REGNO 100	435	236	138	435	200	200	435	202	202	435	201	435	201	201	
REGNO 101 (M/F)	73	37	18	73	24	24	73	24	24	73	24	73	24	24	
REGNO 102	514	151	53	514	109	109	514	110	110	514	110	514	110	110	
REGNO 103	1122	719	332	1122	515	515	1122	521	521	1122	508	1122	508	508	
REGNO 104	280	181	71	280	119	119	280	121	121	280	123	280	123	123	
REGNO 105	876	614	156	876	476	476	876	488	488	876	484	876	484	484	
REGNO 107 (M/F)	120	89	28	120	56	56	120	57	57	120	59	120	59	59	
REGNO 108	1214	892	333	1214	652	652	1214	652	652	1214	657	1214	657	657	
REGNO 109	1116	486	233	1116	786	786	1116	787	787	1116	781	1116	781	781	
REGNO 110	1393	1057	390	1393	786	786	1393	787	787	1393	781	1393	781	781	
REGNO 111	947	354	164	947	286	286	947	282	282	947	282	947	282	282	
REGNO 112	1486	1120	425	1486	776	776	1486	793	793	1486	788	1486	788	788	
REGNO 113	839	643	186	839	459	459	839	452	452	839	444	839	444	444	
REGNO 114	1289	1000	364	1289	749	749	1289	760	760	1289	760	1289	760	760	
REGNO 115	1305	1015	366	1305	754	754	1305	764	764	1305	763	1305	763	763	
REGNO 116	843	648	202	843	467	467	843	458	458	843	465	843	465	465	
REGNO 117	1187	789	322	1187	595	595	1187	594	594	1187	594	1187	594	594	
REGNO 118	520	406	131	520	285	285	520	270	270	520	282	520	282	282	
REGNO 119	566	443	125	566	342	342	566	335	335	566	335	566	335	335	
REGNO 120	1434	457	204	1434	316	316	1434	315	315	1434	314	1434	314	314	
REGNO 121	517	195	97	517	132	132	517	127	127	517	133	517	133	133	
REGNO 122	870	430	201	870	328	328	870	316	316	870	321	870	321	321	
REGNO 123	479	251	144	479	206	206	479	206	206	479	208	479	208	208	
REGNO 124	106	76	27	106	62	62	106	59	59	106	60	106	60	60	
REGNO 125	186	137	54	186	110	110	186	112	112	186	110	186	110	110	
REGNO 126	187	146	54	187	101	101	187	100	100	187	101	187	101	101	
REGNO 128 (M/F)	187	146	54	187	101	101	187	100	100	187	101	187	101	101	
REGNO 129	885	437	215	885	313	313	885	308	308	885	308	885	308	308	
REGNO 130	953	488	235	953	366	366	953	361	361	953	361	953	361	361	
REGNO 131	1031	445	265	1031	366	366	1031	361	361	1031	361	1031	361	361	
REGNO 132	1071	443	300	1071	305	305	1071	305	305	1071	302	1071	302	302	
REGNO 133	1084	334	191	1084	245	245	1084	248	248	1084	250	1084	250	250	
REGNO 134	929	690	251	929	331	331	929	327	327	929	328	929	328	328	
REGNO 135	663	467	186	663	340	340	663	346	346	663	341	663	341	341	
REGNO 136	396	242	114	396	177	177	396	178	178	396	175	396	175	175	
REGNO 137	1048	306	128	1048	219	219	1048	221	221	1048	221	1048	221	221	
REGNO 138	411	226	185	411	285	285	411	294	294	411	294	411	294	294	
REGNO 139 (M/F)	15	9	185	15	285	285	15	294	294	15	294	15	294	294	
REGNO 140	1139	658	250	1139	478	478	1139	481	481	1139	479	1139	479	479	
REGNO 141	1127	828	250	1127	621	621	1127	623	623	1127	617	1127	617	617	
REGNO 142 (M/F)															
REGNO 143 (M/F)															
REGNO 144															
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**Statement of Votes Cast**  
**Washoe County General**  
**November 7, 2000**

Date: 11/08/00  
 Time: 07:15:26  
 Page: 98 of 136

COUNCIL AT LARGE				MUN CT JUDGE DEPT 2				MUN CT JUDGE DEPT 3				MUN CT JUDGE DEPT 4			
Rep.	Total	HASCHKE,	PIERRE A.	Reg.	Total	HICKMAN,	PAUL	Reg.	Total	VANWINKLE,	JAMES C.	Reg.	Total	HOWARD, KEN	
Votes	Votes			Votes	Votes			Votes	Votes			Votes	Votes		
RENO 211	262	191	141	73.83%	50	36.18%	163	35.21%	262	145	145	262	142	142	100.00%
RENO 212	761	463	300	64.79%	163	35.21%	163	35.21%	761	341	341	761	342	342	100.00%
RENO 213	664	483	317	65.63%	166	34.37%	166	34.37%	664	359	359	664	360	360	100.00%
RENO 214	520	84	32	38.10%	52	61.90%	52	61.90%	520	64	64	520	64	64	100.00%
RENO 215	542	249	138	55.40%	111	44.59%	111	44.59%	542	185	185	542	189	189	100.00%
RENO 216	466	136	71	52.21%	63	47.79%	63	47.79%	466	98	98	466	99	99	100.00%
RENO 217	1074	386	198	50.00%	198	50.00%	198	50.00%	1074	309	309	1074	312	312	100.00%
RENO 218	563	327	187	57.19%	198	50.00%	198	50.00%	563	244	244	563	244	244	100.00%
RENO 219	679	223	110	49.33%	110	49.33%	110	49.33%	679	150	150	679	156	156	100.00%
RENO 220	412	323	233	72.14%	113	50.67%	113	50.67%	412	241	241	412	241	241	100.00%
RENO 221	636	285	148	51.93%	137	48.07%	137	48.07%	636	205	205	636	205	205	100.00%
RENO 222	38	47	38	80.85%	9	19.15%	9	19.15%	38	35	35	38	36	36	100.00%
RENO 223	1173	887	574	64.31%	313	35.29%	313	35.29%	1173	680	680	1173	691	691	100.00%
RENO 224	536	371	246	66.31%	125	33.69%	125	33.69%	536	290	290	536	285	285	100.00%
RENO 225	637	326	177	54.39%	149	45.71%	149	45.71%	637	238	238	637	249	249	100.00%
RENO 226	951	326	173	53.07%	153	46.93%	153	46.93%	951	261	261	951	260	260	100.00%
RENO 227	834	492	249	50.61%	162	53.47%	162	53.47%	834	374	374	834	380	380	100.00%
RENO 228	853	303	141	46.53%	156	54.17%	156	54.17%	853	234	234	853	250	250	100.00%
RENO 229	738	288	132	45.83%	217	47.69%	217	47.69%	738	219	219	738	224	224	100.00%
RENO 230	799	455	238	52.31%	151	45.48%	151	45.48%	799	349	349	799	349	349	100.00%
RENO 231	705	332	181	54.52%	131	45.48%	131	45.48%	705	253	253	705	261	261	100.00%
RENO 232	55	39	24	61.54%	35	51.35%	35	51.35%	55	26	26	55	28	28	100.00%
RENO 233	92	74	36	48.65%	16	38.46%	16	38.46%	92	49	49	92	52	52	100.00%
RENO 234	1523	723	392	54.22%	351	45.78%	351	45.78%	1523	588	588	1523	590	590	100.00%
RENO 235	548	177	90	50.85%	87	49.15%	87	49.15%	548	154	154	548	154	154	100.00%
RENO 236	958	635	404	61.87%	269	40.29%	269	40.29%	958	516	516	958	522	522	100.00%
RENO 237	1028	690	412	59.71%	278	40.29%	278	40.29%	1028	532	532	1028	541	541	100.00%
RENO 238	445	297	167	56.23%	130	43.77%	130	43.77%	445	231	231	445	237	237	100.00%
RENO 239	35	41	27	65.85%	14	34.15%	14	34.15%	35	33	33	35	32	32	100.00%
RENO 240	660	445	245	55.00%	200	44.94%	200	44.94%	660	349	349	660	342	342	100.00%
RENO 241	386	244	213	75.00%	71	25.00%	71	25.00%	386	226	226	386	227	227	100.00%
RENO 242	657	202	71	36.63%	128	63.37%	128	63.37%	657	156	156	657	162	162	100.00%
RENO 243	874	330	156	44.57%	194	55.43%	194	55.43%	874	267	267	874	280	280	100.00%
RENO 244	959	209	103	49.28%	106	50.72%	106	50.72%	959	764	764	959	763	763	100.00%
RENO 245	1353	339	183	53.98%	156	46.02%	156	46.02%	1353	744	744	1353	744	744	100.00%
RENO 246	948	300	180	47.37%	327	52.63%	327	52.63%	948	307	307	948	311	311	100.00%
RENO 247	514	366	167	45.83%	199	54.17%	199	54.17%	514	258	258	514	264	264	100.00%
RENO 248	463	185	83	44.86%	102	55.14%	102	55.14%	463	133	133	463	138	138	100.00%
RENO 249	531	245	97	59.52%	146	60.08%	146	60.08%	531	189	189	531	191	191	100.00%
RENO 250	656	326	159	48.77%	167	51.23%	167	51.23%	656	241	241	656	265	265	100.00%

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:27  
Page: 99 of 136

COUNCIL AT LARGE				MUN CT JUDGE DIST 2				MUN CT JUDGE DIST 3				MUN CT JUDGE DIST 4			
Reg. Votes	Total Votes	HASCHER, PIERRE A.	PARRETT-HERMAN, JODY	Reg. Votes	Total Votes	HICKMAN, PAUL	Reg. Votes	Reg. Votes	Total Votes	VANWINKLE, JAMES C.	Reg. Votes	Total Votes	Reg. Votes	Total Votes	HOWARD, KEN
RENO 404	937	404	189	46.78%	215	53.22%	937	924	345	345	937	334	937	334	334
RENO 410	924	356	147	41.29%	209	58.71%	924	924	266	266	924	271	924	271	271
RENO 413 (M/P)	140	82	47	57.32%	15	42.68%	140	140	51	51	140	51	140	51	51
RENO 418	726	339	182	53.69%	157	46.31%	726	726	262	262	726	263	726	263	263
RENO 420	1438	636	304	47.08%	332	52.92%	1438	1438	497	497	1438	516	1438	516	516
RENO 421	1276	739	378	51.15%	561	48.85%	1276	1276	581	581	1276	579	1276	579	579
RENO 422 (M/P)	325	184	80	51.59%	74	48.41%	325	325	103	103	325	104	325	104	104
RENO 423	104	68	31	45.59%	37	54.41%	104	104	46	46	104	48	104	48	48
RENO 424	699	329	162	49.24%	167	50.76%	699	699	254	254	699	259	699	259	259
RENO 426 (M/P)	54	40	18	45.00%	22	55.00%	54	54	36	36	54	35	54	35	35
RENO 429	570	279	140	50.18%	139	49.82%	570	570	218	218	570	222	570	222	222
RENO 430	909	305	144	47.21%	161	52.79%	909	909	239	239	909	241	909	241	241
RENO 431 (M/P)	887	477	238	49.09%	239	50.91%	887	887	367	367	887	374	887	374	374
RENO 433 (M/P)	48	34	17	50.00%	17	50.00%	48	48	30	30	48	28	48	28	28
RENO 434	110	63	26	41.27%	37	58.73%	110	110	57	57	110	55	110	55	55
RENO 435	562	297	156	52.53%	141	47.47%	562	562	228	228	562	244	562	244	244
RENO 436	1082	728	436	59.89%	292	40.11%	1082	1082	513	513	1082	522	1082	522	522
RENO 443	921	368	177	48.10%	191	51.90%	921	921	298	298	921	307	921	307	307
RENO 445	437	309	171	55.34%	138	44.66%	437	437	251	251	437	247	437	247	247
RENO 446 (M/P)	144	99	54	54.53%	45	45.47%	144	144	76	76	144	77	144	77	77
RENO 452	1501	1007	601	59.65%	406	40.35%	1501	1501	833	833	1501	834	1501	834	834
RENO 453 (M/P)	17	15	9	60.00%	6	40.00%	17	17	14	14	17	14	17	14	14
RENO 455	838	441	231	52.38%	210	47.62%	838	838	349	349	838	353	838	353	353
RENO 457	737	326	152	46.63%	179	53.37%	737	737	273	273	737	276	737	276	276
RENO 458	595	188	81	43.09%	107	56.91%	595	595	143	143	595	149	595	149	149
RENO 459	642	352	190	53.98%	162	46.02%	642	642	286	286	642	283	642	283	283
RENO 501	845	368	166	61.13%	220	38.87%	845	845	417	417	845	427	845	427	427
RENO 503 (M/P)	64	34	16	47.06%	18	52.94%	64	64	24	24	64	24	64	24	24
RENO 504	330	220	125	56.82%	95	43.18%	330	330	175	175	330	178	330	178	178
RENO 505	966	682	421	61.73%	261	38.27%	966	966	497	497	966	503	966	503	503
RENO 507	925	496	273	55.04%	223	44.96%	925	925	316	316	925	341	925	341	341
RENO 508	674	392	216	55.10%	176	44.90%	674	674	275	275	674	272	674	272	272
RENO 509	1015	636	390	61.32%	246	38.68%	1015	1015	504	504	1015	516	1015	516	516
RENO 510	1211	517	279	53.97%	238	46.03%	1211	1211	406	406	1211	411	1211	411	411
RENO 511	686	496	310	62.59%	186	37.41%	686	686	370	370	686	387	686	387	387
RENO 512 (M/P)	117	87	62	71.26%	25	28.74%	117	117	59	59	117	59	117	59	59
RENO 515	754	338	192	64.31%	129	35.69%	754	754	387	387	754	391	754	391	391
RENO 516	817	577	348	60.31%	229	39.69%	817	817	456	456	817	455	817	455	455
RENO 517	459	321	207	64.49%	114	35.51%	459	459	256	256	459	257	459	257	257
RENO 520 (M/P)	40	32	23	71.88%	9	28.12%	40	40	23	23	40	23	40	23	23
RENO 521	847	571	333	58.37%	238	41.63%	847	847	440	440	847	442	847	442	442

**Statement of Votes Cast**  
**Washtoe County General**  
**November 7, 2000**

Date: 11/08/00  
 Time: 07:19:27  
 Page: 100 of 136

COUNCIL AT LARGE					MUN CT JUDGE DEPT 2					MUN CT JUDGE DEPT 3					MUN CT JUDGE DEPT 4				
Reg. Votes	Total Votes	HASCHIEFF, PIERRE A.	PUUSTI-NERMAN, JUDY		Reg. Votes	Total Votes	HICKMAN, PAUL			Reg. Votes	Total Votes	VANWINKLE, JAMES C.			Reg. Votes	Total Votes	HOWARD, KEN		
RENO 572	715	467	352	58.34%	715	367	357	100.00%		715	365	365	100.00%		715	365	365	100.00%	
RENO 574	904	605	352	58.34%	904	465	465	100.00%		904	463	463	100.00%		904	463	463	100.00%	
RENO 576 (ADP)	113	81	41	50.62%	113	50	50	100.00%		113	49	49	100.00%		113	50	50	100.00%	
RENO 578	656	409	271	59.60%	656	362	362	100.00%		656	363	363	100.00%		656	367	367	100.00%	
RENO 579	947	646	406	62.35%	947	495	495	100.00%		947	496	496	100.00%		947	489	489	100.00%	
RENO 580	767	525	288	54.86%	767	398	398	100.00%		767	402	402	100.00%		767	392	392	100.00%	
RENO 581	1402	876	506	57.26%	1402	636	636	100.00%		1402	651	651	100.00%		1402	657	657	100.00%	
RENO 582	915	632	404	63.07%	915	485	485	100.00%		915	485	485	100.00%		915	493	493	100.00%	
RENO 583	444	291	140	48.11%	444	222	222	100.00%		444	223	223	100.00%		444	222	222	100.00%	
RENO 584	1309	871	540	62.00%	1309	674	674	100.00%		1309	663	663	100.00%		1309	667	667	100.00%	
RENO 585	1112	575	330	57.39%	1112	475	475	100.00%		1112	464	464	100.00%		1112	472	472	100.00%	
SPARKS 600	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 601	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 602	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 603	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 604	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 605	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 606	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 607	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 608	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 609	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 610	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 611	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 612	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 613	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 614	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 615	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 616	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 617	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 618	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 619	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 620	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 621	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 622	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 623	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 624	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 625	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 626	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 627	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 628	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 629	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 630	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 631	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 632	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 633 (ADP)	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 634	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 635	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 636	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 637	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 638	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 639	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 640	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 641	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 642	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 643	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 644	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 645	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 646	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 647	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 648	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 649	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	
SPARKS 650 (ADP)	0	0	0	0.00%	0	0	0	0.00%		0	0	0	0.00%		0	0	0	0.00%	

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:29  
Page: 121 of 136

WC QUESTION 1					WC QUESTION 2					RENO QUESTION				
Reg. Voters	Total Votes	YES	NO		Reg. Voters	Total Votes	YES	NO		Reg. Voters	Total Votes	YES	NO	
COREVILLE														
RENO 100	435	312	202	64.74%	110	35,26%				435	306	114	37.25%	192
RENO 101	73	42	30	71.43%	12	28.57%				73	42	15	34.71%	27
RENO 102	514	138	109	68.99%	49	31.01%				514	161	54	33.54%	107
RENO 103	1122	780	463	58.61%	337	41.39%				1122	779	260	33.38%	519
RENO 105	280	197	133	67.51%	64	32.49%				280	194	70	36.08%	124
RENO 107	876	702	404	57.53%	292	42.47%				876	694	233	33.57%	461
RENO 107 (M/D)	120	95	64	67.37%	31	32.63%				120	94	23	24.47%	71
RENO 110	1214	945	533	54.83%	408	43.17%				1214	929	315	32.91%	614
RENO 111	1116	544	327	60.11%	217	39.89%				1116	543	176	32.41%	367
RENO 112	1393	1098	632	57.56%	466	42.44%				1393	1098	349	31.79%	749
RENO 113	947	417	300	71.54%	117	28.06%				947	415	157	37.83%	258
RENO 117	1485	1173	668	58.99%	505	42.03%				1485	1166	350	30.03%	816
RENO 118	839	670	417	62.24%	253	43.03%				839	665	200	30.03%	465
RENO 120	1289	1053	621	56.57%	432	41.03%				1289	1047	360	34.38%	687
RENO 121	1365	1059	633	62.19%	397	37.81%				1365	1045	338	34.26%	707
RENO 122	853	681	439	64.46%	262	35.54%				853	679	242	35.64%	437
RENO 124	442	371	228	61.46%	143	38.54%				442	367	139	37.87%	228
RENO 125	1187	837	526	62.84%	311	37.16%				1187	840	290	34.52%	550
RENO 126	520	371	264	64.23%	107	35.77%				520	412	140	33.98%	272
RENO 128	566	458	307	67.03%	151	32.97%				566	435	170	37.44%	265
RENO 131	1434	481	281	58.42%	200	41.58%				1434	478	160	32.47%	318
RENO 132	517	212	130	61.33%	82	38.67%				517	212	60	28.30%	152
RENO 140	870	491	320	65.17%	171	34.83%				870	488	158	32.08%	330
RENO 141	479	303	224	73.93%	79	26.07%				479	286	125	42.23%	171
RENO 143 (M/D)	186	81	51	62.96%	30	37.04%				186	81	31	38.27%	50
RENO 144 (M/D)	187	172	104	60.47%	83	39.53%				187	170	42	24.71%	128
RENO 145 (M/D)	885	447	269	60.18%	178	39.82%				885	449	149	33.18%	300
RENO 146 (M/D)	965	528	292	55.30%	256	44.70%				965	523	148	28.30%	375
RENO 205	1013	685	424	64.76%	241	36.24%				1013	658	204	31.00%	454
RENO 207	1011	497	318	64.77%	173	32.23%				1011	486	143	29.84%	343
RENO 210	1004	356	217	60.99%	139	39.01%				1004	332	136	39.20%	244
RENO 211	929	705	439	55.01%	247	34.99%				929	701	246	35.09%	455
RENO 212	663	503	280	55.67%	223	44.33%				663	466	151	30.44%	345
RENO 213	386	259	161	62.18%	96	37.82%				386	255	81	31.76%	174
RENO 221	412	317	184	59.31%	129	40.69%				412	311	94	30.22%	217
RENO 222 (M/D)	1048	441	259	58.73%	182	41.27%				1048	445	142	31.79%	303
RENO 231	13	13	8	61.54%	5	38.46%				13	13	7	53.85%	6
RENO 232	119	703	410	58.31%	293	41.69%				119	703	262	37.27%	441
RENO 233	1127	889	577	64.30%	312	35.70%				1127	891	314	36.36%	567

Date:11/08/00  
Time:07:19:29  
Page:122 of 136

JA 611

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:29  
Page: 123 of 136

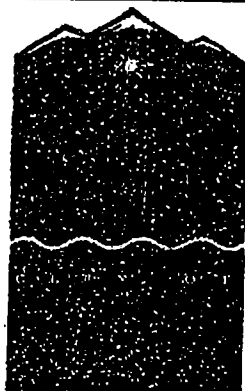
WC QUESTION 1				WC QUESTION 2				RENO QUESTION			
Reg. Voters	Total Votes	YES	NO	Reg. Voters	Total Votes	YES	NO	Reg. Voters	Total Votes	YES	NO
RENO 404	957	301	339	957	499	155	344	957	510	239	251
RENO 410	924	392	226	924	390	145	245	924	397	197	200
RENO 413 (NP)	140	40	50	140	89	21	68	140	89	40	49
RENO 419	726	370	227	726	372	98	274	726	375	231	144
RENO 420	1438	627	370	1438	627	238	389	1438	643	288	355
RENO 431	1216	778	389	1216	775	215	560	1216	783	366	419
RENO 432	325	160	68	325	161	36	125	325	161	69	92
RENO 438 (NP)	104	73	34	104	73	14	59	104	74	34	40
RENO 439	699	364	198	699	366	147	219	699	369	155	214
RENO 442 (NP)	54	34	23	54	44	7	37	54	45	24	21
RENO 448	370	301	165	370	299	96	203	370	306	141	165
RENO 450	887	345	152	887	342	83	259	887	342	153	187
RENO 452 (NP)	48	40	274	48	497	145	352	48	39	28	11
RENO 453	110	86	34	110	85	20	28	110	87	44	43
RENO 454	362	316	139	362	313	96	219	362	316	130	186
RENO 455	1082	783	415	1082	779	245	534	1082	788	452	336
RENO 456 (NP)	921	402	210	921	397	129	268	921	399	186	213
RENO 457	437	345	169	437	349	84	265	437	347	176	171
RENO 458	144	111	58	144	108	25	83	144	112	57	55
RENO 459	1501	1121	562	1501	1117	342	775	1501	1123	556	567
RENO 460	17	15	9	17	15	3	12	17	15	5	10
RENO 461	838	480	254	838	482	131	351	838	485	231	254
RENO 462	737	355	220	737	350	124	226	737	355	180	175
RENO 463	595	208	141	595	285	84	121	595	206	109	97
RENO 464	642	383	196	642	382	98	284	642	381	165	216
RENO 465	845	602	374	845	603	160	443	845	605	369	236
RENO 466 (NP)	64	54	32	64	56	20	36	64	55	28	27
RENO 467	130	237	152	130	234	74	160	130	238	143	95
RENO 468	966	707	452	966	710	244	350	966	720	435	285
RENO 469	925	520	294	925	521	171	350	925	518	294	224
RENO 470	674	436	213	674	431	129	302	674	437	214	163
RENO 471	1015	696	381	1015	689	211	478	1015	705	437	268
RENO 472	1211	585	391	1211	584	210	374	1211	589	350	243
RENO 473 (NP)	686	551	330	686	580	165	515	686	587	350	233
RENO 474	117	96	39	117	95	26	69	117	94	49	45
RENO 475	754	378	355	754	378	197	418	754	387	234	253
RENO 476	817	396	272	817	392	197	395	817	396	204	193
RENO 477	459	329	169	459	330	13	240	459	333	159	174
RENO 478 (NP)	40	33	20	40	34	13	21	40	34	14	20
RENO 479	647	602	363	647	599	171	428	647	609	360	243

Statement of Votes Cast  
Washoe County General  
November 7, 2000

Date: 11/08/00  
Time: 07:19:29  
Page: 124 of 136

WC QUESTION 1					WC QUESTION 2					RENO QUESTION				
Reg. Votes	Total Votes	YES	NO		Reg. Votes	Total Votes	YES	NO		Reg. Votes	Total Votes	YES	NO	
715	486	245	241		715	495	128	368		715	498	247	251	
904	632	385	247	50.63%	904	650	222	428	74.19%	904	652	377	275	50.40%
113	95	67	28	70.53%	113	92	21	71	77.17%	113	95	59	36	62.11%
636	491	290	201	59.06%	636	484	146	338	69.83%	636	488	282	206	57.79%
947	698	381	317	54.58%	947	704	231	473	67.19%	947	703	379	324	53.91%
767	552	317	235	57.43%	767	550	152	398	72.36%	767	550	301	249	52.73%
1402	946	587	359	62.05%	1402	940	293	647	68.83%	1402	951	571	380	59.95%
915	666	383	283	57.51%	915	661	203	458	69.29%	915	665	399	366	59.99%
444	317	169	148	53.31%	444	315	97	218	69.21%	444	316	180	136	56.96%
1309	989	612	377	61.85%	1309	920	298	622	69.21%	1309	994	621	373	62.47%
1112	652	399	253	61.20%	1112	648	221	427	65.09%	1112	662	357	305	53.93%
1143	514	277	237	53.87%	1143	529	147	382	72.21%					
912	870	363	507	41.72%	912	871	179	692	79.45%					
918	355	196	159	55.21%	918	436	119	248	71.08%					
435	483	235	248	48.65%	435	480	166	317	72.11%					
716	483	189	294	39.13%	716	480	181	372	77.29%					
1154	555	312	243	56.22%	1154	553	181	372	77.29%					
845	465	221	244	47.53%	845	466	154	312	66.09%					
1184	506	249	257	49.21%	1184	505	144	361	71.49%					
768	282	179	103	63.48%	768	281	95	186	66.19%					
370	370	192	178	51.89%	370	365	117	248	67.95%					
1313	714	343	371	48.04%	1313	717	217	500	69.74%					
714	239	100	139	41.84%	714	241	60	181	75.10%					
819	573	253	318	44.50%	819	570	134	436	76.49%					
494	294	134	160	45.58%	494	292	173	204	69.86%					
947	651	296	355	45.47%	947	650	173	477	73.39%					
1171	486	229	257	47.12%	1171	476	139	337	70.80%					
38	33	17	16	51.52%	38	33	10	33	69.70%					
725	513	226	277	44.06%	725	512	148	364	71.09%					
238	237	85	107	35.87%	238	160	53	107	66.88%					
245	162	130	77	80.86%	245	160	77	83	67.23%					
1378	941	433	508	46.01%	1378	944	255	689	72.33%					
672	495	216	279	43.64%	672	497	138	359	72.33%					
899	634	315	319	48.17%	899	651	166	485	74.50%					
903	619	308	371	49.76%	903	673	163	510	75.78%					
565	394	209	292	53.05%	565	384	126	258	67.19%					
766	547	255	292	46.62%	766	548	143	405	73.91%					
1233	1003	434	569	43.27%	1233	1007	224	783	77.68%					
975	794	328	466	41.31%	975	794	180	614	77.33%					
1520	1237	582	655	47.03%	1520	1238	280	958	77.38%					
19	14	5	9	35.71%	19	14	4	10	71.43%					

Donald J. Cook  
City Clerk  
(775) 334-2030  
dcook@ci.reno.nv.us



Office of the City Clerk  
Central Cashiering - (775) 334-2032  
Parking Tickets - (775) 334-2279  
Steven D. Whitaker, CRM  
Records Systems Manager  
(775) 326-6633

November 17, 2000

Dan Burke  
Washoe County  
Registrar of Voters  
P. O. Box 11130  
Reno, NV 89520

RE: Canvass of Votes - November 7, 2000, City of Reno General Election

Dear Mr. Burke:

At a regular meeting held November 14, 2000, the City Council certified the results of the November 7, 2000, City of Reno General Election.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don Cook", is written over a horizontal line.

Donald J. Cook  
City Clerk

DJC:cdg



Meeting Type: ☒ Regular  
☐ Special  
☐ Joint with \_\_\_\_\_

Date: NOVEMBER 14, 2000

Item: 13. E. PUBLIC HEARING

Notes: 2:00 P.M.

Staff Report: Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

*No correspondence*

Moved	Sec'd.	Councilmember	Yes	No
<input checked="" type="checkbox"/>		Hascheff		
		Harsh		
		Rigdon		
		Sferrazza-Hogan		
		Doyle		
		Aiazzi		
		Griffin		
		COUNT		

Motion:

*bring back w/  
additions to include  
I, IB & JC*

CARRIED? /YES NO

Agenda Item No. 12C

Department Approval [Signature]

## PLANNING COMMISSION REPORT

July 18, 2000

To: Mayor and City Council  
Thru: Charles E. McNeely, City Manager  
From: Laura Tuttle, AICP, Planning Manager  
Re: AT-4-00 (Off-Premise Advertising Displays in the Commercial Zones of Arterial Commercial (AC), Community Commercial (CC), and Central Business (CB))  
Date: July 13, 2000

**Summary:** The Planning Commission recommends that the City Council enact a moratorium related to off-premise advertising displays in the arterial commercial (AC), community commercial (CC), and central business (CB) zoning districts. The moratorium restricts the City for a three month period, from accepting any applications or issuing special use or building permits for this use. The Planning Commission recommends approval of the moratorium as an amendment to RMC 18.06.504.

**Discussion:** At the June 13, 2000 City Council meeting, City Council directed staff to prepare a moratorium related to off-premise advertising displays (billboards). As a moratorium is a temporary suspension of zoning regulations, the ordinance is an amendment to the zoning text adding sections RMC 18.06.501 through 18.06.504.

At the July 5, 2000, Planning Commission public hearing, the Commission voted to recommend approval of the moratorium to the City Council. Copies of minutes from both meetings are attached to this staff report.

**Advisory Commission Vote:** Four (4) in favor; one (1) opposed; two (2) absent.

**Recommendation:** The Planning Commission recommends approval of AT-4-00, Off-Premise Advertising Displays in the Commercial Zones of Arterial Commercial (AC), Community Commercial (CC), and Central Business (CB).

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission and to enact the moratorium by adopting the attached ordinance.

**First Reading:** I move to refer Bill No. \_\_\_\_\_ to the Committee of the Whole.

13E + 13E.1

**Agenda  
Item  
No.**

**12**

**COMMUNITY DEVELOPMENT**

- 12C** Bill No. 5732 - Ordinance to enact a Moratorium on the Acceptance, Processing, and Permitting of Billboard Applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month Period.

Mr. Scott Groneck, attorney representing Eller Media, spoke in opposition to the proposed moratorium.

Mr. Doug Smith, 2845 Idilewild Drive, encouraged the Council to move forward with the moratorium.

Mr. Warren Ronsheimer, 6675 Evans Creek, spoke in support of the moratorium.

Ms. Diane Ronsheimer, 6675 Evans Creek, spoke in support of the moratorium.

In response to Councilperson Aiazzi, Ms. Marilyn Craig, Deputy City Attorney, outlined the affects of passing a moratorium.

It was moved by Councilperson Aiazzi, seconded by Councilperson Herndon to refer Bill No. 5732 to the Committee of the Whole.

Motion carried with Councilpersons Hascheff, Rigdon and Newberg absent.

It was noted that the moratorium issue needs to be placed on a Council agenda for any further action after the November 7, 2000 election.

**Excerpt from Reno City Council Minutes - 10/10/00**

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## PROOF OF PUBLICATION

### STATE OF NEVADA COUNTY OF WASHOE

ss. Tana Ciccotti

being first duly sworn, deposes and says:  
That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:

public hearing

of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:

Nov. 3, 2000

Signed

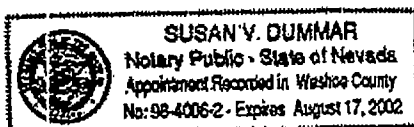
*T. Ciccotti*

Subscribed and sworn to before me this

NOV 03 2000

*Susan V. Dummer*

Notary Public



**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that the City Council of the City of Reno will hold the below listed public hearing in the Council Chambers of the Reno City Hall, 450 South Center Street, on November 14, 2000, commencing at the time indicated:  
2:00 p.m. LBCH-00026 (Shore Road Corridor/180 Nth Street) - Request to amend a 22.5 x 42.17 foot section of South Center Street containing 22.52 square feet to allow for construction of a driveway and building to be situated in the southeast corner of the Shore Road Corridor located along the east side of South Center Street 230 feet south of its intersection with the Truckee River in a TRC-DR (Truckee River Corridor - Driveway Right-of-Way) zone.  
2:00 p.m. LBCH-00025 (Land Military Used Properties) - Request for: (1) an Amendment to the Master Plan from Mixed Residential (R-2) zoning (acre/acre) to Industrial on 21.23 acres, from Mixed Residential to Part/Residential/Open Space on 24.1 acres, from Single Family Residential to 400 dwelling units/acre to Industrial on 21.24 acres, from Single Family Residential to Mixed Residential on 22.25 acres, from Industrial to Mixed Residential on 22.11 acres, and from Industrial to Part/Residential/Open Space on 22.57 acres; and (2) a zoning map amendment from SF-14/2H (Single Family, Medium Density Overlay) to LIR-2.5 (Large Lot Residential 2.5 acres) on 2.42 acres, from SF-15 (Single Family Residential 15,000 square feet) to MF16/2H on 21.04 acres, from SF-15 to LIR-2.5 on 23.57 acres, from SF-15 to 1 (Industrial) on 22.25 acres, and from 1 to LIR-2.5 on 21.48 acres on a site located on the west side of Military Road, 2,400 feet south of Cor Boulevard.  
2:00 p.m. Ordinance to amend a Resolution on the acceptance, procuring and providing of billboard applications in AC (Artistic Commercial), CC (Community Commercial), and CS (Central Business) Zones for a 3-month period.  
2:00 p.m. Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to Chapter 12.23 "Maintenance Districts of Landscaping, Public Lighting, and Security Work" establishing a maintenance district for landscaping for a subdivision known as Shoshone Ranch Estates Units 6 and 7, in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly pertaining thereto.  
2:00 p.m. Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to Chapter 12.23 "Maintenance Districts of Landscaping, Public Lighting, and Security Work" establishing a maintenance district for landscaping for a subdivision known as Silver Shores Unit 31 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly pertaining thereto.  
All interested parties are invited to present testimony.  
DONALD J. COOK, CITY CLERK AND CLERK OF THE CITY COUNCIL  
No. 4139 Nov. 3, 2000

JA 618

COR-00103



Office of the City Clerk

---

MEMORANDUM

**Date:** November 16, 2000  
**To:** Laura Tuttle, Planning Manager  
**From:** Donald J. Cook, City Clerk  
**Subject:** Item No. 13E - Public Hearing Regarding Ordinance to Enact Billboard Moratorium

---

At a regular meeting held November 14, 2000, and following a public hearing thereon, the City Council passed and adopted Ordinance No. 5028, which is attached, and directed staff to bring the ordinance back to Council with additions to include I, IB and IC zones.

---

Donald J. Cook  
City Clerk

DJC:cdg

Attachment

32

Meeting Type: ☒ Regular  
☐ Special  
☐ Joint with \_\_\_\_\_

Date: NOVEMBER 14, 2000

Item: 2nd 13.E.1. Adopt

Notes: ~~FIRST~~ READING ORDINANCE

Bill No. Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

Need new title  
as read by  
CIA

Moved	Sec'd.	Councilmember	Yes	No
		Hascheff		
		Harsh		
		Rigdon		
		Sferrazza-Hogan		
		Doyle		
		Aiazzi		
		Griffin		
		COUNT		

Motion:

refer to clw # SZ08  
SZ10

CARRIED? (YES) NO

**PLANNING COMMISSION REPORT**

July 18, 2000

To: Mayor and City Council  
 Thru: Charles E. McNeely, City Manager  
 From: Laura Tuttle, AICP, Planning Manager  
 Re: AT-4-00 (Off-Premise Advertising Displays in the Commercial Zones of Arterial Commercial (AC), Community Commercial (CC), and Central Business (CB))  
 Date: July 13, 2000

**Summary:** The Planning Commission recommends that the City Council enact a moratorium related to off-premise advertising displays in the arterial commercial (AC), community commercial (CC), and central business (CB) zoning districts. The moratorium restricts the City for a three month period, from accepting any applications or issuing special use or building permits for this use. The Planning Commission recommends approval of the moratorium as an amendment to RMC 18.06.504.

**Discussion:** At the June 13, 2000 City Council meeting, City Council directed staff to prepare a moratorium related to off-premise advertising displays (billboards). As a moratorium is a temporary suspension of zoning regulations, the ordinance is an amendment to the zoning text adding sections RMC 18.06.501 through 18.06.504.

At the July 5, 2000, Planning Commission public hearing, the Commission voted to recommend approval of the moratorium to the City Council. Copies of minutes from both meetings are attached to this staff report.

**Advisory Commission Vote:** Four (4) in favor; one (1) opposed; two (2) absent.

**Recommendation:** The Planning Commission recommends approval of AT-4-00, Off-Premise Advertising Displays in the Commercial Zones of Arterial Commercial (AC), Community Commercial (CC), and Central Business (CB).

**Proposed Motion:** I move to uphold the recommendation of the Planning Commission and to enact the moratorium by adopting the attached ordinance.

**First Reading:** I move to refer Bill No. \_\_\_\_\_ to the Committee of the Whole.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 18.06.500(d) CHAPTER 18.06 TITLE 18 OF THE MUNICIPAL CODE ENTITLED "ZONING" BY ADOPTING A MORATORIUM ON THE FILING AND ACCEPTANCE OF THE APPLICATIONS OR ISSUANCE OF USE OR BUILDING PERMITS FOR OFF-PREMISES ADVERTISING DISPLAYS IN THE COMMERCIAL ZONES OF ARTERIAL COMMERCIAL (AC), COMMUNITY COMMERCIAL (CC), AND CENTRAL BUSINESS (CB) AND PROVIDING THE MORATORIUM SHALL BE IN EFFECT FOR A PERIOD OF THREE MONTHS AND OTHER MATTERS PROPERLY RELATING THERETO.

Preamble

WHEREAS, the City had adopted Reno Municipal Code Section 18.06.500(d) in November, 1982, to identify the zoning districts in which off-premises advertising displays could be erected;

WHEREAS, Reno Municipal Code Section 18.06.500(d) identifies that off-premises advertising displays shall be permitted only in the M-1 and C-3 zoning districts;

WHEREAS, the City desired to up-date and amend its zoning code in 1989;

WHEREAS, on or about August 16, 1989, the Council gave direction to the Planning Commission to hold a workshop on the location of the appropriate districts, if any, in which off-premises advertising displays, should be located;

WHEREAS, on or about August 14, 1989 adopted Ordinance 3845 which provided by section 4 that "all properties zoned M-1 shall be zoned I ...;"

WHEREAS, the City adopted Ordinance 3859 in September, 1989 without reference to which zoning districts or on what locations off-premises advertising displays should be located, to extinguish the zoning districts of C-1, C-2, and C-3 and to create new zoning districts of neighborhood commercial (NC), arterial commercial (AC), central business (CB) and community commercial;



WHEREAS, RMC Section 18.06.500(d) remained in force, without amendment, because of Council's anticipation that the issue in which zoning districts, if any, off-premises advertising displays would be allowed would come before them at a later date;

WHEREAS, the Planning Commission held two workshops, November 8, 1989 and December 14, 1989. Neither resulted in a recommendation from the Planning Commission to the City Council;

WHEREAS, Reno Municipal Code (RMC) section 18.06.360(b) provides an administrator may interpret the provision of Title;

WHEREAS, the zoning administrator after December, 1989, construed RMC § 18.06.500(d) to mean that off-premises advertising displays would be allowed only in an industrial (I) zoning district;

WHEREAS, on June 13, 2000, the City Council overturned a portion of the administrator's decision on agenda item 17B, case number 128-00 (Donrey Outdoor Advertising Appeal) and allowed off-premise advertising displays to be constructed in the arterial commercial (AC), community commercial (CC), and central business (CB) zoning districts;

WHEREAS, also June 13, 2000, because the City Council was concerned with a proliferation of off-premises advertising displays, it requested a moratorium ordinance be prepared for its review;

WHEREAS, the City Attorney's Office opined a portion of the City Council's decision of June 13, 2000, to overturn the administrative decision to allow off-premises advertising in the arterial commercial (AC), community commercial (CC), and central business (CB) districts is null and void;

WHEREAS, on June 27, 2000, the City Council voted to reconsider its decision of June 13, 2000 regarding the Donrey appeal;

WHEREAS, pursuant to RMC §§ 18.05.010 and 18.05.020, the purpose and duty of the Reno City Planning Commission is to advise the City Council on matters relating land use planning including but not limited to zoning;

WHEREAS, on July 5, 2000, the Planning Commission considered a moratorium ordinance at a public hearing and recommended City Council adopt said moratorium ordinance;

WHEREAS, on July 18, 2000, the City Council considered the moratorium ordinance and took no action;

WHEREAS, on August 2, 2000 the Planning Commission held a public hearing regarding an amended RMC § 18.06.500(d) which the Planning Commission continued until September 6, 2000;

WHEREAS, on September 6, 2000, the Planning Commission recommended the City Council adopt an amended RMC §18.06.500;

WHEREAS, on September 26, 2000, the City Council held a public hearing with respect to the amended RMC §18.06.500 and continued all subsections of RMC § 18.06.500 except those pertinent to amend the ordinance given that the Federal District Court had scheduled oral arguments on RMC §18.06.500 on October 11, 2000.

WHEREAS, on September 29, 2000, the Community Development Department, City of Reno, issued a memorandum indicating it would accept billboard applications in the arterial commercial (AC), community commercial (CC), and central business (CB) zoning districts.

WHEREAS, the voters of the City of Reno will approve or disapprove an initiative regarding off-premises advertising displays/billboards on November 8, 2000;

WHEREAS, the City Council is concerned about the proliferation of off-premises advertising displays/billboards during the interim period until the voters have spoken;

WHEREAS, the City Council has determined that the protection of the safety of the citizens and the preservation of the beauty of the City of Reno raises a concern for the welfare and safety of community;

WHEREAS, the City Council needs opportunity to more thoroughly consider all aspects of the location of off-premises advertising displays/billboards including but not limited to the voters' action on the initiative;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

Section 1: Title 18 of the Reno Municipal Code is hereby amended to add Sections 18.06.501 through 18.06.504:

Section 18.06.501: Moratorium Established  
Section 18.06.502: Exemption to Moratorium.  
Section 18.06.503: Effective Period of Moratorium.  
Section 18.06.504: Severability.

Section 18.06.501: Moratorium Established.

From and after the effective date of this ordinance, the City shall not file nor accept any applications nor issue use or building permits for off-premises advertising displays made pursuant to Reno Municipal Code section 18.06.500(d) for applications for off-premises advertising displays in the commercial zoning districts of arterial commercial (AC), community commercial (CC), and central business (CB).

Section 18.06.502: Exemption to Moratorium.

Applications which are legally vested as of the effective date of Ordinance \_\_\_\_\_ shall continue to be processed by the City according to the regulations in effect on the date of vesting.

Section 18.06.503: Effective Period of Moratorium.

The moratorium set forth by Section 18.06.501 shall become effective upon the adoption of Ordinance \_\_\_\_\_ and remain in effect for three (3) months thereafter.

Section 18.06.504: Severability of Moratorium Ordinance.

If any section, sentence, clause or phrase of the Ordinance \_\_\_\_\_ should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase.

Section 2: This Ordinance shall be in effect from and after its passage, adoption, and publication in one issue of a newspaper printed and published in the City of Reno.

Section 3: The City Clerk and the Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2000, by the following vote of the Council:

AYES \_\_\_\_\_ NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

MAYOR OF THE CITY OF RENO

ATTEST:

CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF RENO, NEVADA.

EFFECTIVE DATE: \_\_\_\_\_

Don Cook, City Clerk  
(6/00)  
\*\*Full\*\*

# AGENDA REGULAR SESSION RENO CITY COUNCIL

Tuesday  
November 14, 2000  
12:00 P.M.

RENO CITY COUNCIL CHAMBERS  
490 SOUTH CENTER STREET  
RENO, NEVADA 89501

Mayor Jeff Griffin  
Council Member, Ward 1  
David Rigdon, Council Member, Ward 2  
Council Member, Ward 3  
Sherrie Doyle, Council Member, Ward 4  
Council Member, Ward 5  
Council Member, At-Large

THIS AGENDA IS POSTED AT CITY HALL, THE WASHOE COUNTY LIBRARY, CITY OF RENO COMMUNITY DEVELOPMENT BUILDING AT 450 SINCLAIR STREET, AND THE CITY OF RENO PUBLIC WORKS DEPARTMENT, 4<sup>TH</sup> FLOOR, PAINE-WEBBER BUILDING AT 350 SOUTH CENTER STREET.

[ ] Indicates time certain only for the next specific agenda item.  
Does not indicate time schedule of any other items.

ALL ITEMS ARE FOR CITY COUNCIL ACTION UNLESS OTHERWISE NOTED WITH AN ASTERISK (\*).

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend meetings. If you should require special arrangements for a any Council meeting, please contact our offices at 334-2002 24 hours prior to the date of the meeting.

An Agenda CAUCUS Meeting will be held in Room 211, Redevelopment Wing of Reno City Hall (490 South Center Street, Reno) on Monday, November 13, 2000 at 11:00 A.M. in order to review agenda items for the regular session of the Reno City Council as described in the agenda below. Said review, if requested by the Council, is limited to brief staff presentation of issues and may include review of background information and questions to be answered at the regular session.

ITEM.

ACTION

1. \*FLEDGE OF ALLEGIANCE
2. A. \*ROLL CALL
- B. \*PROCLAMATIONS/PRESENTATIONS: Veteran's Day Parade Awards
3. A. APPROVAL OF MINUTES - October 24, 2000
- B. APPROVAL OF AGENDA - November 14, 2000
- C. CASH DISBURSEMENTS - October 8, 2000 through October 28, 2000
4. \*Public Comment - Limited to No More Than three (3) Minutes And Limited to Items That Do Not Appear on The Agenda. Comments to Be Addressed to The Council as a Whole. The public may comment on agenda items by submitting a Request to Speak form to the City Clerk. Comment on agenda items is limited to no more than three minutes.

Adjourned 4:35 PM

5. **ORDINANCES, ADOPTION** [Other ORDINANCES, ADOPTION can be found under the PUBLIC HEARING section of this Agenda.]

- A. Staff Report: Bill No.5738 Ordinance to amend Title 18, Chapter 18.06 of the Reno Municipal Code entitled "Zoning" by adding language to Section 18.06.1110 Special Use Permits to Reinstate Exemptions found in former code Section 18.06.400 and clarifying the process for conversion of residences to offices and other matters properly relating thereto.

6. A. Canvass of Votes - November 7, 2000 City of Reno General Elections.

- B. **SWEARING IN OF NEWLY ELECTED OFFICIALS** - Judge Jay Dilworth  
There will be a ½ hour break following this item for a reception honoring retiring council members and welcoming new council members.

7. **IDENTIFICATION OF ITEMS FROM THE CONSENT AGENDA FOR DISCUSSION.**

8. **RESOLUTIONS** [Other RESOLUTIONS can be found under the Mayor & City Council section of this Agenda.] 5778

- A. Staff Report: Resolution No. Resolution Accepting Streets - Northgate Unit 16C (LDC96-196) [Ward 5]

9. **CONSENT AGENDA**

A. Business License

New License - Liquor

1. Kanaka's Hawaii Style Kaukau
2. Sassy's Deli and Catering

Change of Ownership - Liquor

3. Dee Liquor Store
4. Reno KOA at the Reno Hilton

Change of Location - Liquor

5. The Tinder Box

B. Staff Report: Map of Dedication - Ferrari McLeod Boulevard [Ward 4]

C. Staff Report: Acceptance of VOCA 2000 Grant for victim support services.

D. Staff Report: Improvement Agreement, Security and Final Map of Double Diamond Ranch Village 6B Subdivision (LDC 00-00547) [Ward 3]

E. Staff Report: Settlement of Claim of Eric Tijerina against City of Reno.

F. Staff Report: Reno City Hall Annex Re-Roof Contract No. 1076. **Contract or Agreement**

G. Staff Report: Approval of Professional Service Agreements for Sanitary Sewer Interceptor Data Collection. **Contract or Agreement**

H. Staff Report: Compensation for Special Counsel in the case of Fitzgerald's v. City of Reno, et al. [Depressed Trainway Project]

I. Staff Report: Final Payment to Rapid Construction, Inc. for the Stead Effluent Reuse Pipeline. Contract No. 953; Project No. 12066.

J. Staff Report: City Attorney's Office requests authority to settle claim and lawsuit of plaintiff Harold A. White in the matter of Harold A. White v. Jerry D. Brown; City of Reno.

K. Staff Report: Interlocal agreement to establish the Truckee Meadows Water Authority for the purpose of purchasing and operating the water system owned by Sierra Pacific Resources.

**10. CITY MANAGER**

A. Report from Washoe County staff regarding the status of regional projects: Flood control, 800 MHz, Public Safety Training Center. EOC/Dispatch, Juvenile Justice Facility.

B. Staff Report: Update on Tiburon Project

2:30 p.m.

**11. CITY CLERK**

A. Boards and Commissions Appointments

1. Senior Citizen Advisory Board

2. Traffic Advisory Board - made

3. Northeast Neighborhood Advisory Board - Deborah J. McElroy

B. Election of Assistant Mayor. Sherris Doyle

C. League of Cities Committee Appointments

**12. MAYOR AND CITY COUNCIL**

\*A. Liaison Reports

Access Advisory Committee

Airport Authority of Washoe County

Airport Noise Advisory Panel

Animal Services Advisory Board

Board of Adjustment

Board of Directors, Nevada League of Cities

City of Reno Housing Authority

Civil Service Commission

Criminal Justice Advisory Committee

District Board of Health

Financial Advisory Board

Fire Advisory Board

Historical Resources Commission

Human Services Consortium

Neighborhood Advisory Boards

Recreation and Parks Commission

Redevelopment Agency Citizen's Advisory Committee

Regional Transportation Commission

Regional Planning Governing Board

Regional Water Planning Commission

Reno Arts and Culture Commission

Reno City Planning Commission

Reno Sparks Convention & Visitors Authority

Reno Sparks Joint Sewer Coordinating Committee

Senior Citizen's Advisory Committee

Sierra Arts Foundation

Traffic Advisory Committee

Truckee Meadows Tourism Facility and Revitalization Committee

Urban Forestry Commission

Oversight Panel for School Facilities

\*B. Reports from any Conferences or Professional Meetings

C. Report on Senior Outreach by Connie McMullen - Senior Advocate

Develop Comm to

\* develop work program to address

short term & long term needs

staff to come back w/ schedule of outreach locations and have staff assist

3:30 p.m.

13. PUBLIC HEARINGS - 2:00 P.M.

A. Staff Report: Request to abandon a  $\pm 5.5 \times 42.17$  foot section of South Center Street containing  $\pm 232$  square feet to allow for construction of a stairwell and landing to be attached to the northwest corner of the Siena Hotel Casino located along the east side of South Center Street  $\pm 30$  feet south of its intersection with the Truckee River in a TRC-DR (Truckee River Corridor - Downtown Riverfront) zone. LDC01-00086 (Siena Hotel Casino/100 Mill Street) [Ward 1]

The Planning Commission recommends approval of the requested abandonment, subject to conditions by a vote of six in favor; none opposed; one absent.

B. Staff Report: Request for : (1) an Amendment to the Master Plan from Mixed Residential (3-21 dwelling units/acre) to Industrial on  $\pm 11.89$  acres, from Mixed Residential to Parks/Recreation/Open Space on  $\pm 4.1$  acres, from Single Family Residential ( $\pm 3$  dwelling units/acre) to Industrial on  $\pm 12.14$  acres, from Single Family Residential to Mixed Residential on  $\pm 9.93$  acres, from Industrial to Mixed Residential on  $\pm 2.11$  acres, and from Industrial to Parks/Recreation/Open Space on  $\pm 3.67$  acres; and (2) a zoning map amendment from MF-14/MH (Multi-Family/Mobile Home Overlay) to LLR-2.5 (Large Lot Residential-2.5 acres) on  $\pm .62$  acres, from SFR-15 (Single Family Residential-15,000 square feet) to MF14/MH on  $\pm 12.04$  acres, from SFR-15 to LLR-2.5 on  $\pm 3.67$  acres, from SFR-15 to I (Industrial) on  $\pm 25.85$  acres, and from I to LLR-2.5 on  $\pm 3.48$  acres on a site located on the east side of Military Road,  $\pm 400$  feet south of Lear Boulevard. LDC01-00025 (East Military Road Properties) [Ward 4]

B.1 RESOLUTION Resolution No. <sup>5779</sup> Resolution amending Resolution No. 5673 by adopting a change to the Land Use Guide of the Reno Master Plan as approved in Case No. LDC01-00025.

B.2 ORDINANCE, INTRODUCTION Bill No. <sup>5739</sup> Ordinance to amend Chapter 18.06 of the Reno Municipal code, entitled "zoning" by adding a new section rezoning  $\pm 45.66$  acres from MF-14/MH (Multi-Family/Mobile Home Overlay) to LLR-2.5 (Large Lot Residential-2.5 acres) on  $\pm .62$  acres, from SFR-15 (Single Family Residential-15,000 square feet) to MF14/MH on  $\pm 12.04$  acres, from SFR-15 to LLR-2.5 on  $\pm 3.67$  acres, from SFR-15 to I (Industrial) on  $\pm 25.85$  acres, and from I to LLR-2.5 on  $\pm 3.48$  acres on a site located on the east side of Military Road,  $\pm 400$  feet south of Lear Boulevard.

The Planning Commission recommends approval of the requested Master Plan amendment by resolution, subject to a finding of conformance by the Regional Planning Commission; and approval of the zoning map amendment by ordinance, by a vote of six in favor; none opposed; one absent.

C. Staff Report: Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to Chapter 12.28 "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping for a subdivision known as Silverado Ranch Estates Units 6 and 7 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and others matters properly pertaining thereto. (Silverado Ranch Estates 6 & 7) [Ward 5]

C.1. ORDINANCE, ADOPTION Bill No. 5736 Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code entitled "Public Works and Utilities" by adding additional sections "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly relating thereto. (Silverado Ranch Estates 6 & 7)

[Ward 5]



### 13. PUBLIC HEARINGS - 2:00 P.M. (Continued)

D. Staff Report: Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to chapter 12.28 "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping for a subdivision known as Silver Shores Unit 31 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and others matters properly pertaining thereto. (Silver Shores 31) [Ward 4]

D.1. ORDINANCE, ADOPTION Bill No. 5737 <sup>5207</sup> Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code entitled "Public Works and Utilities" by adding additional sections "Maintenance Districts of Landscaping, Public Light, and Security Walls" establishing a maintenance district for landscaping in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly relating thereto. (Silver Shores 31) [Ward 4]

E. Staff Report: Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

E.1. ORDINANCE, ADOPTION Bill No. <sup>5208</sup> Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

### 14. ADJOURNMENT

→ Bring back to council, I, 2/3 1/2

BILL NO. 5732

ORDINANCE NO. 5208

AN ORDINANCE AMENDING SECTION 18.06.910 CHAPTER 18.06 TITLE 18 OF THE MUNICIPAL CODE ENTITLED "ZONING" BY ADOPTING A MORATORIUM ON THE FILING AND ACCEPTANCE OF THE APPLICATIONS OR ISSUANCE OF USE OR BUILDING PERMITS FOR OFF-PREMISES ADVERTISING DISPLAYS IN THE COMMERCIAL ZONES OF ARTERIAL COMMERCIAL (AC), COMMUNITY COMMERCIAL (CC), AND CENTRAL BUSINESS (CB) AND PROVIDING THE MORATORIUM SHALL BE IN EFFECT FOR A PERIOD OF THREE MONTHS AND OTHER MATTERS PROPERLY RELATING THERETO.

Preamble

WHEREAS, the City had adopted Reno Municipal Code Section 18.06.500(d) in November, 1982, to identify the zoning districts in which off-premises advertising displays could be erected;

WHEREAS, Reno Municipal Code Section 18.06.500(d) identifies that off-premises advertising displays shall be permitted only in the M-1 and C-3 zoning districts;

WHEREAS, the City desired to up-date and amend its zoning code in 1989;

WHEREAS, on or about August 16, 1989, the Council gave direction to the Planning Commission to hold a workshop on the location of the appropriate districts, if any, in which off-premises advertising displays, should be located;

WHEREAS, on or about August 14, 1989 adopted Ordinance 3845 which provided by section 4 that "all properties zoned M-1 shall be zoned I ....;"

WHEREAS, the City adopted Ordinance 3859 in September, 1989 without reference to which zoning districts or on what locations off-premises advertising displays should be located, to extinguish the zoning districts of C-1, C-2, and C-3 and to create new zoning districts of neighborhood commercial (NC), arterial commercial (AC), central business (CB) and community commercial;

WHEREAS, RMC Section 18.06.500(d) remained in force, without amendment, because of Council's anticipation that the issue in which zoning districts, if any, off-premises advertising displays would be allowed would come before them at a later date;

WHEREAS, the Planning Commission held two workshops, November 8, 1989 and December 14, 1989. Neither resulted in a recommendation from the Planning Commission to the City Council;

WHEREAS, Reno Municipal Code (RMC) section 18.06.360(b) provides an administrator may interpret the provision of Title;

WHEREAS, the zoning administrator after December, 1989, construed RMC § 18.06.500(d) to mean that off-premises advertising displays would be allowed only in an industrial (I) zoning district;

WHEREAS, on June 13, 2000, the City Council overturned a portion of the administrator's decision on agenda item 17B, case number 128-00 (Donrey Outdoor Advertising Appeal) and allowed off-premise advertising displays to be constructed in the arterial commercial (AC), community commercial (CC), and central business (CB) zoning districts;

WHEREAS, also June 13, 2000, because the City Council was concerned with a proliferation of off-premises advertising displays, it requested a moratorium ordinance be prepared for its review;

WHEREAS, the City Attorney's Office opined a portion of the City Council's decision of June 13, 2000, to overturn the administrative decision to allow off-premises advertising in the arterial commercial (AC), community commercial (CC), and central business (CB) districts is null and void;

WHEREAS, on June 27, 2000, the City Council voted to reconsider its decision of June 13, 2000 regarding the Donrey appeal;

WHEREAS, pursuant to RMC §§ 18.05.010 and 18.05.020, the purpose and duty of the Reno City Planning Commission is to advise the City Council on matters relating land use planning including but not limited to zoning;

WHEREAS, on July 5, 2000, the Planning Commission considered a moratorium ordinance at a public hearing and recommended City Council adopt said moratorium ordinance;

WHEREAS, on July 18, 2000, the City Council considered the moratorium ordinance and took no action;

WHEREAS, on August 2, 2000 the Planning Commission held a public hearing regarding an amended RMC § 18.06.500(d) which the Planning Commission continued until September 6, 2000;

WHEREAS, on September 6, 2000, the Planning Commission recommended the City Council adopt an amended RMC §18.06.500;

WHEREAS, on September 26, 2000, the City Council held a public hearing with respect to the amended RMC §18.06.500 and continued all subsections of RMC § 18.06.500 except those pertinent to amend the ordinance given that the Federal District Court had scheduled oral arguments on RMC §18.06.500 on October 11, 2000.

WHEREAS, on September 29, 2000, the Community Development Department, City of Reno, issued a memorandum indicating it would accept billboard applications in the arterial commercial (AC), community commercial (CC), and central business (CB) zoning districts.

WHEREAS, the voters of the City of Reno will approve or disapprove an initiative regarding off-premises advertising displays/billboards on November 8, 2000;

WHEREAS, the City Council is concerned about the proliferation of off-premises advertising displays/billboards during the interim period until the voters have spoken;

WHEREAS, the City Council has determined that the protection of the safety of the citizens and the preservation of the beauty of the City of Reno raises a concern for the welfare and safety of community;

WHEREAS, the City Council needs opportunity to more thoroughly consider all aspects of the location of off-premises advertising displays/billboards including but not limited to the voters' action on the initiative;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

Section 1: Title 18 of the Reno Municipal Code is hereby amended by adding certain wording to Section 18.06.910 the same to read as follows:

Sec. 18.06.910. Off-premises advertising displays.

A. Purpose. Recognizing that Reno is a unique city in which outdoor advertising is particularly important and effective in promoting Reno's twenty-four-hour gaming/entertainment/recreation/tourism economy and also recognizing that the promotion of tourism generates a commercial interest in the environmental attractiveness of the community, the purpose of these provisions is to establishment a comprehensive system for the regulation of the commercial use of off-premises signs. It is intended that these regulations impose reasonable standards on the number, size, height and location of off-premises signs, and facilitate the removal or replacement of nonessential signs in order to prevent and relieve needless distraction and clutter resulting from excessive and confusing advertising displays; to safeguard and enhance property values; and to promote the public safety and general welfare. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city which is instrumental in attracting those who come to visit, vacation and trade.

B. Building permit required. It shall be unlawful for any person to erect, construct, install, enlarge (excluding cut-outs of 50 square feet or less), or to place an off-premises advertising display without first having obtained a building permit issued by the city.

C. General standards.

1. The area of display surface shall be the sum total square feet of geometric area of display surfaces which comprise the total advertising display. The computation of display surface of a back-to-back off-premises advertising display shall be limited to one display surface.
2. No off-premises advertising display shall have a display surface greater than 800 square feet.

3. No off-premises advertising display may exceed 50 feet in height except as provided in section 18.06.910F entitled "Off-premises advertising displays requiring a special use permit."
4. No off-premises advertising display having a display surface of 300 square feet or greater may be located closer than 750 feet to the next off-premises advertising display on the same side of the street, except as provided in Section 18.06.910F entitled "Off-premises advertising displays requiring a special use permit."
5. No advertising display having a display surface smaller than three hundred (300) square feet may be located closer than five hundred (500) feet to the next off-premises advertising display on the same side of the street, except as provided in Section 18.06.910F entitled "Off-premises advertising displays requiring a special use permit."
6. No off-premises advertising display may be located within three hundred (300) feet of the right-of-way line of a freeway, except as provided in Section 18.06.910F entitled "Off-premises advertising displays requiring a special use permit."
7. All off-premises advertising displays, as well as supporting structures, shall be maintained in a safe and clean state of repair and preservation. Display surfaces shall be neatly painted or posted. Premises immediately surrounding such structures or displays shall be kept in a clean, good and workmanlike condition, free of litter, rubbish, weeds and debris.
8. The permit number and address, as assigned by the building official, shall be painted on every off-premises advertising display erected in accordance with the provisions of this section. The display shall also identify its owner.
9. The reverse side of a cut-out shall be painted so as to be compatible with the background surrounding it.

10. The reverse side of a single-face sign shall be painted so as to be compatible with the background surrounding it. Single-face, off-premises advertising displays which were erected prior to the adoption of this section shall comply with this requirement within one year from the date of adoption of this section.
11. No tree may be removed for the purpose of erecting an off-premises advertising display unless an application for a variance, pursuant to subsection 18.06.1112, has first been filed with the zoning administrator and denied. When such a variance is approved by the zoning administrator, it shall be unlawful to remove the tree in order to erect an off-premises advertising display.

D. . Permitted locations. Off-premises advertising displays shall be permitted in only the M-1 (industrial) and C-3 (commercial) districts.

E. Prohibited locations.

1. No off-premises advertising display shall be established closer to the street than the right-of-way line. No portion of any outdoor advertising display may be placed on or extend over the right-of-way line of any street or highway.
2. No off-premises advertising display, or part thereof, shall be located on any property without the consent of the owner, holder, lessee, agent or trustee.
3. No off-premises advertising display shall be located within three hundred (300) feet of the center line of the Truckee River or within three hundred (300) feet of the outer boundary of any area designated as the Truckee River corridor, or as open space adjacent to the Truckee River.
4. No off-premises advertising display shall be located within three hundred (300) feet of a park, school or public building, or house of worship.

5. No off-premises advertising display shall be erected over residential structures or mobile homes.

F. Off-premises advertising displays requiring a special use permit. Erection of the following off-premises advertising displays shall first require the approval of a special use permit:

1. Any advertising display which exceeds fifty (50) feet in height as measured from the surface of the ground to the highest point of the sign.
2. Any advertising display having a display surface equal to or greater than three hundred (300) square feet which is to be located closer than seven hundred fifty (750) feet to the next off-premises advertising display on the same side of the street.
3. Any advertising display having a display surface smaller than three hundred (300) square feet which is to be located closer than five hundred (500) feet to the next off-premises advertising display on the same side of the street.
4. Any advertising display which is to be located within three hundred (300) feet of the right-of-way line of a freeway.

G. Prohibited off-premises advertising displays. The following off-premises advertising displays are prohibited:

1. Canvas signs, banners, pennants, streamers, balloons or other temporary or wind signs except as provided in Section 18.06.910L entitled "Special events signs."
2. Mobile, A-frame and portable signs except as provided in Section 18.06.910L entitled "Special events signs."
3. Signs which emit noise via artificial devices.
4. Roof signs.



5. Signs which resemble any official marker erected by the city, state, or any governmental agency, or which, by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal.
6. Signs which produce odor, sound, smoke, fire or other such emissions.
7. Stacked signs.
8. Temporary signs except as provided in Section 18.06.910L, "Special events signs."
9. Wall signs.

H. Continued use of nonconforming signs.

1. An off-premises advertising display which becomes nonconforming as the result of the adoption of this section may be continued and maintained except as follows:
  - a. A nonconforming display destroyed to an extent greater than fifty (50) percent of the cost of advertising display or device new shall not be reestablished.
  - b. A nonconforming display which is determined to be abandoned shall be removed.
2. Right to maintain. Any off-premises advertising display erected prior to the effective date of this section which becomes nonconforming as the result of this section, may continue in existence, except that any enlargement (excluding cut-outs of fifty (50) square feet or less), alteration or relocation shall make said sign subject to the provisions of this section.
3. Changes to nonconforming sign. Nothing contained herein shall prohibit changes which bring a display into conformance with the provisions of this section or reduce its size.

4. Safety hazard. Notwithstanding any other provision of this subsection, the right to use any nonconforming advertising display ceases whenever the city council determines that the advertising display constitutes a safety hazard.

I. Abandoned signs.

1. Cessation of right to continue use. The right of a person to continue to use an abandoned, nonconforming, off-premises advertising display shall terminate following receipt of notification that the zoning administrator has deemed the sign abandoned.
2. Responsibility for removal. Responsibility for removal of an abandoned, nonconforming, off-premises advertising display shall rest with the owner of the sign or the owner of the property upon which the sign is constructed.

J. Reporting. Each sign company licensed to do business in the city must report to the zoning administrator the size, height, location and building permit number of each off-premises advertising display owned by the sign company and located within the city on July first by July fifteenth of each year.

K. Off-premises temporary commercial advertising displays. Off-premises temporary advertising commercial displays are allowed without permit on private property in any zoning district with the permission of the owners, holder, leasee, agent or trustee as applicable, when the temporary off-premises advertising commercial displays are.

1. in all zoning districts within one-half mile of the site on which the activity will take place;
2. shall be a maximum of six (6) square feet;
3. shall be designed to be stable under all weather conditions, including high winds;
4. shall not obstruct the sight distance triangle or impair access to a sidewalk, street or driveway, traffic control sign, bus stop, or fire hydrant;

5. displayed for less than twelve (12) hours each day;  
and

L. Off-premises advertising displays for special events. Upon application, the administrator may permit temporary off-premises advertising displays promoting a special event if:

1. the temporary off-premises advertising display will not conflict with the general purpose of sections 18.06.910A such as aesthetics and traffic safety because of its size or location;
2. the applicant has obtained a permit to hold a special event;
3. the proposal complies with City policies if the applicant seeks to use City owned improvements such as poles designed for temporary signs or buildings;
4. such off-premises advertising displays, when permitted, shall not be installed prior to thirty (30) days before and shall be removed within ten (10) days after the special event advertised.
5. the sign may not exceed 100 square feet.

M. Time limitations on review of applications for permanent off-premises advertising displays. Unless continued with the consent of the applicant, the following are time limitations on review of applications for off-premises advertising displays as applicable:

1. If the Board of Adjustment or the Planning Commission will review the application, the Board of Adjustment or the Planning Commission shall hold a public hearing within sixty-five (65) days of the date the application is complete and in conformance with this Chapter;
2. The Board of Adjustment or Planning Commission shall make its decision within thirty (30) days from the date of the public hearing; or

3. The council shall make its decision within thirty (30) days of the date the appeal was filed with the City Clerk on the appropriate form and fee.

N. Off-premises advertising displays; judicial review.  
Judicial review may be sought in accordance with Chapter 34 of the NRS.

O. Interpretation and severability.

1. This ordinance amending Chapter 18.06. relates to and is to be integrated with the Reno Municipal Code then in effect at the time of adoption and will be read consistently with any future adopted ordinances.
2. Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid.

P. Moratorium Established.

From and after the effective date of this ordinance, the City shall not file nor accept any applications nor issue use or building permits for off-premises advertising displays made pursuant to Reno Municipal Code section 18.06.910 for applications for off-premises advertising displays in the commercial zoning districts of arterial commercial (AC), community commercial (CC), and central business (CB).

(1) Exemption to Moratorium.

Applications which are legally vested as of the effective date of Ordinance 5208 shall continue to be processed by the City according to the regulations in effect on the date of vesting.

(2) Effective Period of Moratorium.

The moratorium set forth by Section 18.06.910 shall become effective upon the adoption of Ordinance 5208 and remain in effect for three (3) months thereafter.

(3) Severability of Moratorium Ordinance.

If any section, sentence, clause or phrase of the Ordinance 5208 should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phase.

Section 2: This Ordinance shall be in effect from and after its passage, adoption, and publication in one issue of a newspaper printed and published in the City of Reno.

Section 3: The City Clerk and the Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this 14<sup>th</sup> day of November, 2000, by the following vote of the Council:

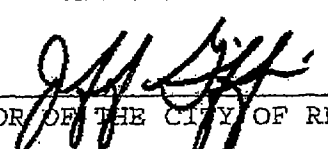
AYES: Doyle, Rigdon, Hascheff, Harsh, Sferrazza-Hogan, Aiazzi, Griffin

NAYS: None


ABSTAIN: None

ABSENT: None

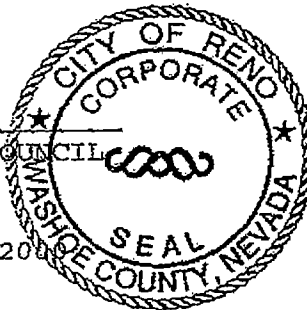
APPROVED this 14<sup>th</sup> day of November, 2000.

  
MAYOR OF THE CITY OF RENO

ATTEST:

  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF RENO, NEVADA.

EFFECTIVE DATE: November 17, 2000



RENO NEWSPAPERS INC.  
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STATE OF NEVADA  
COUNTY OF WASHOE

SS. Tana Ciccotti

being first duly sworn, deposes and says:  
That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:

ordinance

of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:

Nov. 17, 2000

Signed

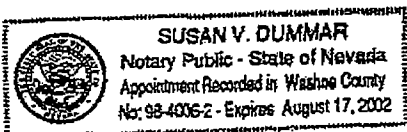
*T. Ciccotti*

Subscribed and sworn to before me this

NOV 17 2000

*Susan V. Dummer*

Notary Public



**PROOF OF PUBLICATION**

**NOTICE OF CITY ORDINANCES**

NOTICE IS HEREBY GIVEN that the ordinances, listed below by title and containing the vote of the Council, were prepared on October 24, 2000, and final action and adoption of such ordinances took place on November 14, 2000.

BILL NO. 5736, ORDINANCE NO. 5206: AN ORDINANCE AMENDING TITLE 12 OF THE MUNICIPAL CODE ENTITLED "PUBLIC WORKS AND UTILITIES" BY ADDING ADDITIONAL SECTIONS TO CHAPTER 12.28 "MAINTENANCE DISTRICTS OF LANDSCAPING, PUBLIC LIGHTING, AND SECURITY WALLS" ESTABLISHING A MAINTENANCE DISTRICT FOR LANDSCAPING FOR A SUBDIVISION KNOWN AS SILVERADO RANCH ESTATES UNITS 6 AND 7 IN ACCORDANCE WITH MUNICIPAL CODE SECTIONS 12.28.010 THROUGH 12.28.120, INCLUSIVE AND OTHERS MATTERS PROPERLY PERTAINING THERE TO.

AYES: Alazzi, Hascheff, Harsh, Rigdon, Sierraza-Hogan, Doyle, Griffin  
NAYS: None  
ABSTAIN: None  
ABSENT: None

BILL NO. 5737, ORDINANCE NO. 5207: AN ORDINANCE AMENDING TITLE 12 OF THE MUNICIPAL CODE ENTITLED "PUBLIC WORKS AND UTILITIES" BY ADDING ADDITIONAL SECTIONS TO CHAPTER 12.28 "MAINTENANCE DISTRICTS OF LANDSCAPING, PUBLIC LIGHTING, AND SECURITY WALLS" ESTABLISHING A MAINTENANCE DISTRICT FOR LANDSCAPING FOR A SUBDIVISION KNOWN AS SEVER SHORES UNIT 31 IN ACCORDANCE WITH MUNICIPAL CODE SECTIONS 12.28.010 THROUGH 12.28.120, INCLUSIVE AND OTHERS MATTERS PROPERLY PERTAINING THERE TO.

AYES: Doyle, Hascheff, Harsh, Rigdon, Sierraza-Hogan, Alazzi, Griffin  
NAYS: None  
ABSTAIN: None  
ABSENT: None

BILL NO. 5732, ORDINANCE NO. 5208: AN ORDINANCE AMENDING SECTION 18.06.910 CHAPTER 18.06 TITLE 18 OF THE MUNICIPAL CODE ENTITLED "ZONING" BY ADOPTING A MORATORIUM ON THE FILING AND ACCEPTANCE OF THE APPLICATIONS OR ISSUANCE OF USE OR BUILDING PERMITS FOR OFF-PREMISES ADVERTISING DISPLAYS IN THE COMMERCIAL ZONES OF ARTERIAL COMMERCIAL (AC), COMMUNITY COMMERCIAL (CC), AND CENTRAL BUSINESS (CB) AND PROVIDING THE MORATORIUM SHALL BE IN EFFECT FOR A PERIOD OF THREE MONTHS AND OTHER MATTERS PROPERLY RELATING THERE TO.

AYES: Doyle, Rigdon, Hascheff, Harsh, Sierraza-Hogan, Alazzi, Griffin  
NAYS: None  
ABSTAIN: None  
ABSENT: None

These ordinances shall be in full force and effect from and after November 17, 2000, the date of publication of this notice. Notice is further given that copies of the above ordinances are available for inspection by all interested parties at the office of the City Clerk, City Hall, 490 South Center Street, Room 209, Reno, Nevada.

DONALD J. COOK, CITY CLERK AND CLERK OF THE CITY COUNCIL

No. 4326 Nov. 17, 2000

JA 644

COR-00129

**RENO CITY COUNCIL  
REGULAR MEETING  
BRIEF OF MINUTES  
NOVEMBER 14, 2000  
(Official Minutes in City Clerk's Office)**

The Regular Meeting of the Reno City Council was called to order at 12:15 p.m. on November 14, 2000 in the Council Chambers at City Hall.

**PRESENT:** Council Members Hascheff, Herndon, Rigdon, Newberg, Doyle, Aiazzi and Griffin.

**ABSENT:** None.

**ALSO PRESENT:** City Manager McNeely, City Attorney Lynch and City Clerk Cook.

**Agenda**

**Item**

**No.**

**2B**

**\*PROCLAMATIONS/PRESENTATIONS:  
Veteran's Day Parade Awards**

**3A APPROVAL OF MINUTES - October 24, 2000**

It was moved by Councilperson Doyle, seconded by Councilperson Aiazzi to approve the October 24, 2000 Minutes as submitted.

Motion carried.

**3B APPROVAL OF AGENDA - November 14, 2000**

It was moved by Councilperson Hascheff, seconded by Councilperson Newberg to approve the Agenda as submitted.

Motion carried.

**3C CASH DISBURSEMENTS - October 8, 2000 through October 28, 2000**

① Councilperson Newberg indicated that he would abstain on any disbursements made to his employer, Grove Madsen.

It was moved by Councilperson Aiazzi, seconded by Councilperson Doyle to approve the Cash Disbursements as submitted.

Motion carried.

**Agenda**

**Item**

**No.**

4  
② \*Public Comment - Limited to No More Than three (3) Minutes And Limited to Items That Do Not Appear on The Agenda. Comments to Be Addressed to The Council as a Whole. The public may comment on agenda items by submitting a Request to Speak form to the City Clerk. Comment on agenda items is limited to no more than three minutes.

Mr. Sam Dehne, Reno Citizen, addressed the Council with his concerns about politics in the City of Reno.

Mr. Al Hesson, P.O. Box 1788, congratulated the Veterans of Foreign Wars on all of their fine accomplishments.

Mr. Dave Howard, representing the Reno-Sparks Chamber of Commerce, wished the two new Council members good luck and offered his thanks to Councilpersons Herndon and Newberg for all of their hard work.

Ms. Cathy Brandhorst, area resident, voiced her concerns to the Council.

NO ACTION WAS TAKEN ON THIS ITEM.

5A  
③ Bill No. 5738 - Ordinance to amend Title 18, Chapter 18.06 of the Reno Municipal Code entitled "Zoning" by adding language to Section 18.06.1110 Special Use Permits to Reinstate Exemptions found in former code Section 18.06.400 and clarifying the process for conversion of residences to offices and other matters properly relating thereto.

It was moved by Councilperson Rigdon, seconded by Councilperson Hascheff to pass and adopt Bill No. 5738, Ordinance No. 5205.

④ Motion carried.

6A  
④ Canvass of Votes - November 7, 2000 City of Reno General Elections.

It was moved by Councilperson Newberg, seconded by Councilperson Herndon to certify the results of the November 7, 2000 City of Reno General Election.

⑤ Motion carried.

6B  
⑤ SWEARING IN OF NEWLY ELECTED OFFICIALS - Judge Jay Dilworth administered the Oath of Office to the following:

Toni Harsh - Council Member Ward One  
Jessica Sferrazza-Hogan - Council Member Ward Three  
Dave Aiazzi - Council Member Ward Five  
Pierre Hascheff - Council Member At-Large  
Paul Hickman - Reno Municipal Court Judge - Dept. 2  
Jim Van Winkle - Reno Municipal Court Judge - Dept. 3  
Ken Howard - Reno Municipal Court Judge - Dept. 4

There was a break following this item for a reception honoring retiring council members and welcoming new council members.



**Agenda  
Item  
No.**

-0-0-0-0-0-0-

A recess was called at 1:05 p.m. and upon reconvening at 1:40 p.m., roll was taken with the following Council members present: Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi and Griffin. Absent: None.

-0-0-0-0-0-0-

7 IDENTIFICATION OF ITEMS FROM THE CONSENT AGENDA FOR DISCUSSION.

NO ITEMS WERE PULLED FOR SEPARATE DISCUSSION.

9 CONSENT AGENDA

9A Staff Report: Business License Applications

1. Kanaka's Hawaii Style Kaukau
2. Sassy's Deli and Catering
3. Dee Liquor Store
4. Reno KOA at the Reno Hilton
5. The Tinder Box

Recommended: Council approve the Business License applications as submitted.

9B Staff Report: Map of Dedication - Ferrari McLeod Boulevard.

Recommended: Council approve the subject map of dedication; reject the offer of dedication; and authorize the Mayor to sign the Council certificate.

9C Staff Report: Acceptance of VOCA 2000 Grant for victim support services.

Recommended: Council accept the grant.

9D Staff Report: Improvement Agreement, Security and Final Map of Double Diamond Ranch Village 6B Subdivision (LDC 00-00547).

Recommended: Council approve the Final Map of Double Diamond Ranch Village 6B Subdivision.

9E Staff Report: Settlement of Claim of Eric Tijerina against City of Reno.

Recommended: Council approve the settlement in the amount of \$30,000.00.

9F Staff Report: Reno City Hall Annex Re-Roof Contract No. 1076.

Recommended: Council award the bid to Alpine Roofing for re-roofing the City Hall Annex in the amount of \$55,591.00.

Item

No.

9G Staff Report: Approval of Professional Service Agreements for Sanitary Sewer Interceptor Data Collection.

Recommended: Council approve the agreement with Tri State Surveying, LTD., for the contract amount not to exceed \$48,000.00, the agreement with CFA, Inc. for the contract amount not to exceed \$27,500.00 and the agreement with Advanced Flagging and Pilot Car, Inc. for the contract amount not to exceed \$49,370.00 and authorize the Mayor to sign.

9H Staff Report: Compensation for Special Counsel in the case of Fitzgerald's v. City of Reno, et al. [Depressed Trainway Project]

Recommended: Council increase the budget for Special Counsel in the matter of Fitzgeralds v. City of Reno et al. and that the City Attorney provide Council with updates of Special Counsel Fees.

9I Staff Report: Final Payment to Rapid Construction, Inc. for the Stead Effluent Reuse Pipeline. Contract No. 953; Project No. 12066.

Recommended: Council approve the final payment to RaPiD Construction, Inc. in the amount of \$22,040.70.

9J Staff Report: City Attorney's Office requests authority to settle claim and lawsuit of plaintiff Harold A. White in the matter of Harold A. White v. Jerry D. Brown; City of Reno.

Recommended: Council approve the settlement in the amount of \$32,000.00.

9K Staff Report: Interlocal agreement to establish the Truckee Meadows Water Authority for the purpose of purchasing and operating the water system owned by Sierra Pacific Resources.

Recommended: Council approve the interlocal agreement to establish the Truckee Meadows Water Authority for the purpose of purchasing and operating the water system owned by Sierra Pacific Resources.

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to approve the Consent Agenda Items as recommended.

Motion carried.

8A Resolution No. 5778 - Resolution Accepting Streets - Northgate Unit 16C (LDC96-196).

It was moved by Councilperson Aiazzi, seconded by Councilperson Doyle to pass and adopt Resolution No. 5778.

Motion carried.

CITY CLERK

11A1 Boards and Commissions Appointments - Senior Citizen Advisory Board

It was moved by Councilperson Hascheff, seconded by Councilperson Aiazzi to appoint Zanny Walsh to the Senior Citizen Advisory Board.

Motion carried.

11A2 Appointments to Boards and Commissions - Traffic Advisory Board

NO ACTION WAS TAKEN ON THIS ITEM.

11A3 Appointments to Boards and Commissions - Northeast Neighborhood Advisory Board

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to appoint Deborah McCarty to the Northeast Neighborhood Advisory Board.

Motion carried.

11A4 Appointments to Boards and Commissions - Financial Advisory Board

It was moved by Councilperson Hascheff, seconded by Councilperson Rigdon to appoint Richard Young to the Financial Advisory Board.

Motion carried.

11B Election of Assistant Mayor.

It was moved by Councilperson Aiazzi, seconded by Councilperson Sferrazza-Hogan to appoint Councilperson Doyle as Assistant Mayor.

Motion carried.

11C League of Cities Committees Appointments.

Discussion took place with respect to the various committees. It was noted that each Council Member should provide the City Manager with information on which committee they have an interest.

NO ACTION WAS TAKEN ON THIS ITEM.

12

MAYOR AND CITY COUNCIL

12A Liaison Reports

NO ACTION WAS TAKEN ON THIS ITEM.

**Agenda**

**Item**

**No.**

**12B** Reports from any Conferences or Professional Meetings

NO ACTION WAS TAKEN ON THIS ITEM.

**13**

**PUBLIC HEARINGS**

**2:00 P.M.**

**13A** Staff Report: Request to abandon a  $\pm 5.5 \times 42.17$  foot section of South Center Street containing  $\pm 232$  square feet to allow for construction of a stairwell and landing to be attached to the northwest corner of the Siena Hotel Casino located along the east side of South Center Street  $\pm 30$  feet south of its intersection with the Truckee River in a TRC-DR (Truckee River Corridor - Downtown Riverfront) zone. LDC01-00086 (Siena Hotel Casino/100 Mill Street)

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that proper notice was given and no correspondence was received.

The Mayor declared the public hearing open and asked if anyone cared to speak. Hearing no one he closed the public hearing.

It was moved by Councilperson Hascheff, seconded by Councilperson Doyle to uphold the recommendation of the Planning Commission and approve Case No. LDC01-00086.

Motion carried.

**13**

**PUBLIC HEARINGS**

**2:00 P.M.**

**13B** Staff Report: Request for : (1) an Amendment to the Master Plan from Mixed Residential (3-21 dwelling units/acre) to Industrial on  $\pm 11.89$  acres, from Mixed Residential to Parks/Recreation/Open Space on  $\pm 4.1$  acres, from Single Family Residential ( $\leq 3$  dwelling units/acre) to Industrial on  $\pm 12.14$  acres, from Single Family Residential to Mixed Residential on  $\pm 9.93$  acres, from Industrial to Mixed Residential on  $\pm 2.11$  acres, and from Industrial to Parks/Recreation/Open Space on  $\pm 3.67$  acres; and (2) a zoning map amendment from MF-14/MH (Multi-Family/Mobile Home Overlay) to LLR-2.5 (Large Lot Residential-2.5 acres) on  $\pm .62$  acres, from SFR-15 (Single Family Residential-15,000 square feet) to MF14/MH on  $\pm 12.04$  acres, from SFR-15 to LLR-2.5 on  $\pm 3.67$  acres, from SFR-15 to I (Industrial) on  $\pm 25.85$  acres, and from I to LLR-2.5 on  $\pm 3.48$  acres on a site located on the east side of Military Road,  $\pm 400$  feet south of Lear Boulevard. LDC01-00025 (East Military Road Properties)

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that proper notice was given and no correspondence was received.

The Mayor declared the public hearing open and asked if anyone cared to speak. Hearing no one he closed the public hearing.

**Agenda  
Item  
No.**

**13B Staff Report: LDC01-00025 (East Military Road Properties), continued:**

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to uphold the recommendation of the Planning Commission and approve Case No. LDC01-00025.

Motion carried.

**13B1 Resolution No. 5779 - Resolution amending Resolution No. 5673 by adopting a change to the Land Use Guide of the Reno Master Plan as approved in Case No. LDC01-00025.**

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to pass and adopt Resolution No. 5779.

Motion carried.

**13B2 Bill No. 5739 - Ordinance to amend Chapter 18.06 of the Reno Municipal code, entitled "zoning" by adding a new section rezoning +45.66 acres from MF-14/MH (Multi-Family/Mobile Home Overlay) to LLR-2.5 (Large Lot Residential-2.5 acres) on ±.62 acres, from SFR-15 (Single Family Residential-15,000 square feet) to MF14/MH on ±12.04 acres, from SFR-15 to LLR-2.5 on ±3.67 acres, from SFR-15 to I (Industrial) on ±25.85 acres, and from I to LLR-2.5 on ±3.48 acres on a site located on the east side of Military Road, ±400 feet south of Lear Boulevard.**

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to refer Bill No. 5739 to the Committee of the Whole.

Motion carried.

13

**PUBLIC HEARING**

**13C Staff Report: Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to Chapter 12.28 "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping for a subdivision known as Silverado Ranch Estates Units 6 and 7 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and others matters properly pertaining thereto. (Silverado Ranch Estates 6 & 7).**

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that proper notice was given and no correspondence was received.

Mr. Jeff Mann, Parks and Recreation, responded to questions regarding the administrative process associated with the landscaping districts.

The Mayor declared the public hearing open and asked if anyone cared to speak. Hearing no one he closed the public hearing.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to uphold the staff recommendation related Ordinance.

Motion carried.

13C1 Bill No. 5736 - Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code entitled "Public Works and Utilities" by adding additional sections "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly relating thereto. (Silverado Ranch Estates 6 & 7)

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to pass and adopt Bill No. 5736, Ordinance No. 5206.

Motion carried.

13

PUBLIC HEARING

2:00 P.M.

13D Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to chapter 12.28 "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping for a subdivision known as Silver Shores Unit 31 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and others matters properly pertaining thereto. (Silver Shores 31)

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that proper notice was given and no correspondence was received.

The Mayor declared the public hearing open and asked if anyone cared to speak. Hearing no one he closed the public hearing.

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to uphold the staff recommendation and adopt the related Ordinance.

Motion carried.

13D1 Bill No. 5737 - Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code entitled "Public Works and Utilities" by adding additional sections "Maintenance Districts of Landscaping, Public Light, and Security Walls" establishing a maintenance district for landscaping in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly relating thereto.

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to pass and adopt Bill No. 5737, Ordinance No. 5207.

Motion carried.

PUBLIC HEARING2:00 P.M.

13E

(21)

Staff Report: Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

In response to Councilperson Aiazzi, Mr. Michael Halley, indicated that the Council should adopt this ordinance in order to maintain the initiative that was approved on the November 7th Ballot.

Councilperson Doyle inquired about the Industrial zones and whether or not they should be included in this ordinance.

Ms. Patricia Lynch, City Attorney, pointed out that this ordinance could be adopted and an amendment could be brought back to include the Industrial zones.

It was moved by Councilperson Doyle, seconded by Councilperson Aiazzi to uphold the staff recommendation and adopt the related ordinance.

Motion carried.

13E1

(32)

Bill No. 5732 - Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period, as amended.

It was moved by Councilperson Doyle, seconded by Councilperson Rigdon to pass and adopt Bill No. 5732, Ordinance No. 5208.

Motion carried.

16

CITY MANAGER

10A

(33)

Report from Washoe County staff regarding the status of regional projects: Flood control, 800 MHZ, Public Safety Training Center, EOC/Dispatch, Juvenile Justice Facility.

Mr. David Roundtree, Washoe County Public Works Director, updated the City Council on the status of the Public Safety Training Center, EOC/Dispatch, and the Juvenile Justice Facility.

Councilperson Doyle requested that the Washoe County Finance Director be present for the next update.

Mr. Jim Lucioni, of Washoe County, provided an update on the 800 MHZ project.

NO ACTION WAS TAKEN ON THIS ITEM.

Item

No.

10B

Staff Report: Update on Tiburon Project

(24) Mr. Rick Vandenberg, Information Services Manager, highlighted the report that was provided to the Council regarding the County/City Tiburon Project. He noted that the system went live two days ago and there have been several glitches which are in the process of being corrected.

Councilperson Sferrazza-Hogan requested that City staff work directly with the Washoe County personnel who are actually using the system in order to analyze and correct the problems that have been occurring.

NO ACTION WAS TAKEN ON THIS ITEM.

10A

(33) Report from Washoe County staff regarding the status of regional projects: Flood control, 800 MHZ, Public Safety Training Center, EOC/Dispatch, Juvenile Justice Facility, continued:

Mr. Paul Urban, Washoe County Flood Control Manager, provided a status update on the Flood Control Project. He responded to questions from the Council with respect to the Flood Control process. Mr. Urban also discussed the funding associated with the project.

NO ACTION WAS TAKEN ON THIS ITEM.

12C

(45) Report on Senior Outreach by Connie McMullen, Senior Advocate

Ms. Connie McMullen, Senior Advocate, highlighted the outreach sessions that were held over the past few months. She outlined the programs that exist and are geared toward seniors. Ms. McMullen also provided an overview of the public safety steps that have been recently taken to promote senior safety.

Discussion took place with respect to short term and long term work program that would allow for the continued success of the Senior Outreach Program.

It was the determination of the Council to direct the City Manager to return with a schedule and work program for Senior Outreach, Education and Follow-up.

The Meeting was adjourned at 4:03 p.m.



**City Council Outfall**  
**Items Requiring Staff Attention/Follow-up**  
**November 14, 2000**

- 10A. Report from Washoe County staff regarding the status of regional projects:**  
**Flood Control, 800 Mhz, Public Safety Training Center, EOC/Dispatch,**  
**Juvenile Justice Facility**  
*Council directed staff to request that the Washoe County Finance Director be available at the next update to address questions and that City staff provide updated financial information/analysis.*
- 10B. Update on Tiburon Project**  
*Staff to address the concerns raised by Council member Sferrazza-Hogan*
- 11A1. Senior Citizen Advisory Board**  
*Council appointed Zanny Walsh*
- 11A2. Traffic Advisory Board**  
*Staff to continue advertising for applicants*
- 11A3. Northeast Neighborhood Advisory Board**  
*Council appointed Deborah J. McCarty*
- 11A4. Financial Advisory Board**  
*Council appointed Richard Young*
- 11B. Election of Assistant Mayor**  
*Council appointed Sherrie Doyle as assistant mayor.*
- 12C. Report on Senior Outreach by Connie McMullen - Senior Advocate**  
*Council directed staff to come back with a schedule noting the various outreach locations and to provide assistance to the committee in developing a work program to address both short term and long term needs.*
- 13E.1 Ordinance, Adoption (Billboard Moratorium)**  
*Council adopted ordinance #5208 and directed staff to bring back a revised ordinance to include "I", "IB", and "IC" zoning.*

**Reno, Nevada, Land Development Code >> - SUPPLEMENT HISTORY TABLE >> CHAPTER 18.16 -  
SIGNS >> ARTICLE II: OFF-PREMISE ADVERTISING DISPLAYS >>**

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**ARTICLE II: OFF-PREMISE ADVERTISING DISPLAYS**

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Section 18.16.901. Purpose and Intent.

Section 18.16.902. Restrictions on Permanent Off-Premises Advertising Displays.

Section 18.16.903. Continued Use of Permanent Off-Premises Advertising Displays.

Section 18.16.904. Permanent Off-Premises Advertising Displays—Permitted and Prohibited Locations.

Section 18.16.905. General Standards for Permanent Off-Premises Advertising Displays.

Section 18.16.906. Reserved.

Section 18.16.907. Prohibited Types of Off-Premises Advertising Displays.

Section 18.16.908. Relocation of Existing, Legally Established Permanent Off-Premises Advertising Displays.

Section 18.16.909. Permanent Off-Premises Advertising Displays-Reporting.

Section 18.16.910. Temporary Off-Premises Advertising Displays.

Section 18.16.911. Temporary Off-Premises Advertising Displays—Special Events.

Section 18.16.912. Reserved.

Section 18.16.913. Abandoned Off-Premises Advertising Displays.

Section 18.16.914. Time Limitations on Review of Applications for Off-Premises Advertising Displays.

Section 18.16.915. Judicial Review.

Section 18.16.960. Appeal of Administrator's Decision.

Section 18.16.965. Judicial Review.

Section 18.16.970. Decisions regarding Off-Premises Advertising Display.

Section 18.16.995. Noncommercial Speech is Allowed Whenever Commercial Speech is Allowed.

Section 18.16.1000. Regulated Off-Premises Advertising Display.

Section 18.16.1010. Permit Required.

Section 18.16.1500. Moratorium on Conversion of Static Billboards to Digital Billboards.

**Section 18.16.901. Purpose and Intent.**

- (a) Recognizing that the City of Reno is a unique city in which public safety, maintenance, and enhancement of the city's esthetic qualities are important and effective in promoting quality of life for its inhabitants and the City of Reno's 24-hour gaming/ entertainment/ recreation/ tourism economy; recognizing that the promotion of tourism generates a commercial interest in the environmental attractiveness of the community; and recognizing that the visual landscape is more than a passive backdrop in that it shapes the character of our city, community, and region, the purpose of this article is to establish a comprehensive system for the regulation of the commercial use of off-premises advertising displays. It is intended that these regulations impose reasonable standards on the number, size, height, and location of off-premises advertising displays to prevent and alleviate needless distraction and clutter resulting from excessive and confusing off-premises advertising displays; to safeguard and enhance property values; and to promote the general welfare and public safety of the city's inhabitants and to promote the maintenance and enhancement of the city's esthetic qualities and improve the character of our city. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city which is instrumental in attracting those who come to visit, vacation, live, and trade and to permit noncommercial speech on any otherwise permissible sign.

(Ord. No. 5189, § 1, 9-26-00; Ord. No. 5195, § 1, 10-10-00; Ord. No. 5208, § 1, 11-14-00; Ord. No. 5215, § 1, 1-23-01; Ord. No. 5295, § 1, 1-22-02; Ord. No. 6201, § 1, 9-14-11)

### **Section 18.16.902. Restrictions on Permanent Off-Premises Advertising Displays.**

- (a) The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction. (Approved by the voters at the November 7, 2000, General Election, Question R\_1 - The results were certified by the city council on November 14, 2000).
- (b) In no event shall the number of off-premises advertising displays exceed the number of existing off-premises advertising displays located within the city on November 14, 2000, unless further provided herein. This number shall include all applications for off-premises advertising displays approved in final action by the city on or before November 14, 2000, but unbuilt as well as those applications approved by a court of competent jurisdiction. In the event the city annexes property in another governing body's jurisdiction on or after November 14, 2000, the number of off-premises advertising displays located on such annexed property shall be included in the calculation of the number of existing off-premises advertising displays provided they were legal and existing in the governing body's jurisdiction when annexed to the city. For purposes of annexation, an application for a permanent off-premises advertising display approved in final action by the governing body, although unbuilt, shall be included in the calculation of the number of existing off-premises advertising displays as of November 14, 2000.

(Ord. No. 5295, § 1, 1-22-02; Ord. No. 6258, § 1, 10-24-12)

### **Section 18.16.903. Continued Use of Permanent Off-Premises Advertising Displays.**

- (a) All existing, legally established, permanent off-premises advertising displays, whether identified as conforming or nonconforming, are deemed conforming and may be continued and maintained at their current location.
- (b) An existing, legally established, off-premises display may be replaced in its original position with a new structure provided the area of the display surface is not increased and all requirements of Section 18.16.905(a)–(d) and (f)–(h) are met.
- (c) For purposes of the chapter, an application for a permanent off-premises advertising display approved in final action by the city council, although unbuilt, is an existing permanent off-premises advertising display.

(Ord. No. 5295, § 1, 1-22-02; Ord. No. 6258, § 1, 10-24-12)

### **Section 18.16.904. Permanent Off-Premises Advertising Displays—Permitted and Prohibited Locations.**

#### **(a) Permitted Locations.**

- (1) Permanent off-premises advertising displays shall be permitted only in the I (Industrial), IB (Industrial Business), IC (Industrial Commercial), AC (Arterial Commercial), and CC (Community Commercial) District when within 100 feet of the edge of the right-of-way line of a major or minor arterial road or freeway unless otherwise prohibited within Article IX (Off-Premise Advertising Displays).

JA 657

# AGENDA REGULAR SESSION RENO CITY COUNCIL

Don Cook, City Clerk  
(1/01)  
Full

Tuesday  
December 18, 2001  
12:00 P.M.

RENO CITY COUNCIL CHAMBERS  
490 SOUTH CENTER STREET  
RENO, NEVADA 89501

Mayor Jeff Griffin  
Toni Harsh, Council Member, Ward 1  
David Rigdon, Council Member, Ward 2  
Jessica Sferazza-Hogan, Council Member, Ward 3  
Sherrie Doyle, Council Member, Ward 4  
David Aiazzi, Council Member, Ward 5  
Pierre Hascheff, Council Member, At-Large

*Adjourned*  
11:50 PM

THIS AGENDA IS POSTED AT CITY HALL, THE WASHOE COUNTY CENTRAL LIBRARY, CITY OF RENO COMMUNITY DEVELOPMENT BUILDING AT 450 SINCLAIR STREET, AND THE CITY OF RENO PUBLIC WORKS DEPARTMENT, 4<sup>TH</sup> FLOOR, LIBERTY CENTER, 350 SOUTH CENTER STREET.

A time listed next to a specific agenda item indicates that the specific item will not be heard before that time - it does not indicate the time schedule of any other item. Agenda items may be considered out of order.

ALL ITEMS ARE FOR CITY COUNCIL ACTION UNLESS OTHERWISE NOTED WITH AN ASTERISK (\*).

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend meetings. If you should require special arrangements for a any Council meeting, please contact our offices at 334-2002 24 hours prior to the date of the meeting.

An Agenda CAUCUS Meeting will be held in Room 211, Redevelopment Wing of Reno City Hall (490 South Center Street, Reno) on Monday, December 17, 2001 at 10:00 A.M. in order to review agenda items for the regular session of the Reno City Council as described in the agenda below. Said review, if requested by the Council, is limited to brief staff presentation of issues and may include review of background information and questions to be answered at the regular session.

## ITEM

1. \*PLEDGE OF ALLEGIANCE

2. A. \*ROLL CALL

B. APPROVAL OF THE AGENDA - December 18, 2001

C. PRESENTATION: Reno Citizen's Institute Graduation (RCI)

3. \*Public Comment - Limited to No More Than three (3) Minutes And Limited to Items That Do Not Appear on The Agenda. Comments to Be Addressed to The Council as a Whole. The public may comment on agenda items by submitting a Request to Speak form to the City Clerk. Comment on agenda items is limited to no more than three minutes.

4. CASH DISBURSEMENTS - November 22, 2001 through December 8, 2001.

5. CONSENT AGENDA

*Doyle - Lee Bros. Leasing : Jones West payments - certification of change*  
*Harsh - Question on catering expenses (Creative Catering)*

A. New License - Liquor

1. Fot's Lounge

2. Sage Creek Grill & Tapproom

JA 658

5/10  
COR-00143

## 5. CONSENT AGENDA (Continued)

### A. Change of Ownership - Liquor

3. Crocodiles

4. Sparky's Sports Bar & Grill

### Supplemental Application - Liquor

5. La Mansion Del Marisco

### New License - Gaming

6. United Coin DB at Sparky's

### Supplemental Application - Gaming

7. Blue Cactus Bar

B. Staff Report: Capital Contribution Front Ending Agreement (CCFEA) for Somerset Parkway from Station 125+00 to Station 158+82.

C. Staff Report: Renewal of Hired Auto Liability Insurance Policy.

D. Staff Report: Amendment "A" to Reciprocal Massage Licensing Agreement among the City of Sparks and the City of Reno.

E. Staff Report: Bid Award - California Building. Asbestos Abatement. Contract #1120.

F. Staff Report: Reno Tennis Center - Termination of Maintenance and Use Agreement.

## 6. RESOLUTIONS [Other RESOLUTIONS may be found under the Mayor and Council Section of this Agenda]

A. Staff Report: Resolution No. Resolution of intent proposing the issuance of and authorizing the publication of notices relating to the general obligation (limited tax) capital improvement bonds (additionally secured by pledged revenues) for the purposes of financing capital improvement projects for the City and providing other matters properly relating thereto. (Downtown Events Center)

## 7. ORDINANCES, INTRODUCTION [Other Ordinances, Introduction may be found in the Public Hearing Section of this Agenda]

A. Staff Report: Bill No. <sup>5826</sup> Ordinance concerning 2000 Special Assessment District No. 2 Bonds (Sierra Corporate Center).

B. Staff Report: Bill No. <sup>5827</sup> Ordinance concerning 1999 Special Assessment District No. 3 Bonds (Dry Creek).

C. Staff Report: Bill No. Ordinance amending Chapter 5.18, Title 5 of the Reno Municipal Code to increase the Right-of-Way Toll by amending Section 5.18.010. *cont. to joint mtg. of TRWA (provide notifications)*

## 8. PUBLIC WORKS

A. Presentation by NDOT on Spaghetti Bowl Improvements. *no action* [1:00 pm]

B. Staff Report: Council Review/Input of the ReTRAC Design-Build Request for Proposal and other related matters. *mtg to 1/4/02 @ 1:00 PM* (Depressed Trainway) ~~[3:00 pm]~~ (4:00 pm)

C. Staff Report: ReTRAC Stakeholders Escalated Issues. (Depressed Trainway)

## 8. PUBLIC WORKS (Continued)

- D. Staff Report: Amendment to increase the contract amount of the contract with Manatt, Phelps, and Phillips. (Depressed Trainway) *approve*
- E. Staff Report: Agreement for Consulting Services from Adams and Reese, LLP. (Depressed Trainway) *approve*

## 9. POLICE

- A. Staff Report: Tiburon Project Status. *pulled*

## 10. CITY MANAGER

- A. Presentation and Memorandum from Gustincurtis regarding funding for the "Just Imagine" advertising campaign. *Not to be presented at this time.* [1:15 pm]

## 11. PARKS, RECREATION AND COMMUNITY SERVICES

- A. Staff Report: Special Events Co-sponsorship roster for FY 02/03. *approve* [1:45 pm]  
*include Trade Fest & Street Vibrations @ Level 3*

## 12. CITY CLERK

- A. Staff Report: Proposed City Council Quarterly Financial Reporting. *cont.*
- B. Appointment of a Councilperson to the Regional Transportation Commission. *True Lidor*

## 13. PUBLIC HEARINGS - 2:00 P.M.

- A. Staff Report: Request to Remove Condition #4 of Siena Hotel Spa Casino approval - Mill Street Abandonment. *approve staff reas: w/60 days applicant shall submit plans for improvement*  
*amend cond. #14; (cond. #4 revision would be removed upon submission of plans)*

- B. Staff Report: City Initiated amendment to Title 18, Chapter 18.06 entitled "Zoning" to amend Section 18.06.302 regarding Single Room Occupancy (SRO) and congregate care standards, Section 18.06.1200 concerning the definition of SRO, and Section 18.06.301 to permit congregate care in the NC zone.

- B.1 ORDINANCE, INTRODUCTION Bill No. 5829 Ordinance to amend Title 18, Chapter 18.06, entitled "Zoning" of the Reno Municipal Code regarding the definition of Single Room Occupancy (SRO), providing standards for SROs and congregate care facilities and permitting congregate care facilities in an NC zone together with other matters properly relating thereto.

- C. Staff Report: Amendment to Chapter 18.06 of the Reno Municipal Code entitled "Zoning" regarding regulations related to Off-premises Advertising Displays. Case No. AT-1-01 (Billboard Ordinance)

- C.1 ORDINANCE, INTRODUCTION Bill No. Ordinance amending Title 18, Chapter 18.06 of the Reno Municipal Code entitled "Zoning" by adding language to and deleting language from Sections 18.06.910-18.06.985 entitled "Off-Premises Advertising Displays" which governs how off-premises advertising displays will be regulated; together with other matters properly relating thereto.

The Planning Commission recommends approval of the ordinance by a vote of four (4) in favor of the proposed ordinance; none (0) opposed; one (1) abstain; two (2) absent.

14. FINANCE

- A Presentation of Comprehensive Annual Report for the Fiscal year 2000-2001 with Auditor's Opinion.  
*approve; schedule for study session for discuss* [4:00 pm]

45. MAYOR AND CITY COUNCIL

\*A. Liaison Reports

- Access Advisory Board
- Airport Authority of Washoe County
- Airport Noise Advisory Panel
- Animal Services Advisory Board
- Board of Adjustment
- Board of Directors, Nevada League of Cities
- Citizen's Traffic Advisory Committee
- City of Reno Housing Authority
- Civil Service Commission
- Criminal Justice Advisory Committee
- District Board of Health
- Downtown Police Tax District
- Financial Advisory Board
- Fire Advisory Board
- Historical Resources Commission
- Human Services Consortium
- Neighborhood Advisory Boards
- Recreation and Parks Commission
- Redevelopment Agency Citizen's Advisory Committee
- Regional Transportation Commission
- Regional Planning Governing Board
- Regional Water Planning Commission
- Reno Arts and Culture Commission
- Reno City Planning Commission
- Reno Sparks Convention & Visitors Authority
- Reno-Sparks Joint Sewer Coordinating Committee
- Sierra Arts Foundation
- Senior Citizen's Advisory Committee
- Truckee Meadows Tourism Facility and Revitalization Committee
- Truckee Meadows Water Authority
- Urban Forestry Commission
- Oversight Panel for School Facilities

\*B. Reports from any Conferences or Professional Meetings

- C. RESOLUTION <sup>5922</sup> Resolution granting \$1,000 to Reno Pop Warner Football League to participate in the National Pop Warner Super Bowl. D. Aiazzi

- D. Discussion and possible direction to conduct a graffiti summit sponsored by the City of Reno.  
*approve* S. Doyle, D. Aiazzi

- E. RESOLUTION Resolution requesting the Airport Authority of Washoe County to hold a public hearing on the FAR Part 150 Noise Study. *no action* J. Sferrazza-Hogan





JA 663

COR-00148

# ADDENDUM REGULAR SESSION RENO CITY COUNCIL

Tuesday

December 18, 2001

12:00 P.M.

RENO CITY COUNCIL CHAMBERS  
490 SOUTH CENTER STREET  
RENO, NEVADA 89501

Mayor Jeff Griffin

Toni Harsh, Council Member, Ward 1  
David Rigdon, Council Member, Ward 2  
Jessica Sferrazza-Hogan, Council Member, Ward 3  
Sherrie Doyle, Council Member, Ward 4  
David Ajazzi, Council Member, Ward 5  
Pierre Hascheff, Council Member, At-Large

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## ITEM

### CLARIFICATION OF ITEM 7. A.

A. Staff Report: Bill No. Ordinance concerning 2000 Special Assessment District No. 2; authorizing the issuance of "City of Reno, Nevada 2000 Special Assessment District No. 2 Bonds (Sierra Corporate Center Project)," in the Aggregate Principal Amount of not to exceed \$5,055,000 to Finance the Acquisition, Construction and Improvement of an Improvement Project for the Benefit of Land withing said Improvement District; Authorizing the Sale of such Bonds and Ratifying actions previously taken. (Sierra Corporate Center)

### CLARIFICATION OF ITEM 7. B.

B. Staff Report: Bill No. Ordinance concerning 1999 Special Assessment District No. 3; authorizing the issuance of "City of Reno, Nevada 1999 Special Assessment District No. 3 Bonds (Dry Creek Project)" in the Aggregate Principal Amount of not to exceed \$4,490,000 to Finance the Acquisition, Construction and Improvement of an Improvement Project for the Benefit of Land within said Improvement District; Authorizing the Sale of such Bonds and Ratifying Actions previously taken. (Dry Creek - Principal Bond Ordinance)

# ADDITION OF THE FOLLOWING ITEMS:

## 7. ORDINANCES, INTRODUCTION {Other Ordinances, Introduction may be found in the Public Hearing Section of this Agenda}

- 5828* D. Staff Report: Bill No. Ordinance concerning the City of Reno, Nevada. 1999 Special Assessment District No. 3: authorizing the issuance of "City of Reno, Nevada 1999 Special Assessment District No. 3 Bonds (Assessor's Parcel No. 0433-282-05 Only)" in the Aggregate Principal Amount of Not to Exceed 100,000 to Finance the Acquisition, Construction and improvement of an Improvement Project for the Benefit of Land within said Improvement District: authorizing the sale of such Bonds and Ratifying Actions previously taken. (Dry Creek - Snyder Parcel only)

## 8. PUBLIC WORKS

- F. Staff Report: City policy regarding requests for monetary compensation by private businesses who claim to have suffered economic loss due to impacts derived from public works construction activities. (Depressed Trainway)

## 14. FINANCE

- 5828* B. Staff Report: Selection of the Financing Plan for the Downtown <sup>Staff</sup> Events Center. (Please note: This item is to be heard before Item 6A.) *Accept. Staff recs. Meet w/ RSCUA & NEWCO re: possible excess*  
*Direct Staff bring back final structure on 1/8/02*

## 15. MAYOR AND CITY COUNCIL

- 5823* F. RESOLUTION Resolution granting \$5,000 to the Reno Chapter of the National Latino Police Officers Association for expenses associated with the Latino Citizen's Police Academy.

S. Doyle

- G. RESOLUTION Resolution granting \$5,000 to Desert Heights Family Resource Center to assist in their after school programming. *pulled*

S. Doyle

ITEMS 8B, 8C, 8D, 8E, AND 8F REGARDING THE ReTRAC PROJECT WILL BEGIN  
AT 6:00 P.M. (Depressed Trainway)

8B.

- ✓ • accept staff recommendations for stipends (#2)
- ✓ • Direct staff to  
• Come back w/ different model to address change orders (RSCVA process)
- Send out RFP w/ ~~unrelated~~ <sup>weighting of</sup> single trade ~~specific~~, but do not limit other options
- Where possible, staff to explore "apprenticeship program" ~~issue~~

8C.

Direct staff to review all concerns of stakeholders and ~~return~~ return in 60 days.

✓ cont to 1/4/02 <sup>1:00 PM</sup> stakeholders to meet w/ staff. Come back w/ recommendations

15

Meeting Type: ☒ Regular

☐ Special

☐ Joint with \_\_\_\_\_

Date: DECEMBER 18, 2001

Item: 13. C. 1.

Notes: FIRST READING ORDINANCE

Bill No. Ordinance amending Title 18, Chapter 18.06 of the Reno Municipal Code entitled "Zoning" by adding language to and deleting language from Sections 18.06.910-18.06.985 entitled "Off-Premises Advertising Displays" which governs how off-premises advertising displays will be regulated; together with other matters properly relating thereto.

Moved	Sec'd.	Councilmember	Yes	No
		Hascheff		
		Harsh		
✓		Rigdon		
		Sferrazza-Hogan		
	✓	Doyle		
		Aiazzi		
		Griffin		
		COUNT		

Motion:

*refer to staff*  
*entitled to 1/8/02*

CARRIED?

YES

NO

10/20

EXPLANATION: Matter underlined is new; matter in brackets [ ] is material to be omitted.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 18.06 TITLE 18 OF THE MUNICIPAL CODE ENTITLED "ZONING" BY ADDING LANGUAGE TO AND DELETING LANGUAGE FROM SECTION 18.06.910-18.06.985 ENTITLED "OFF-PREMISES ADVERTISING DISPLAYS" WHICH GOVERNS HOW OFF-PREMISES ADVERTISING DISPLAYS WILL BE REGULATED; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

Preamble

WHEREAS, a majority of the voters of the City of Reno approved an initiative regarding off-premises advertising displays/billboards on November 8, 2000;

WHEREAS, NRS 295.220 provides, in part, "[i]f a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results . . .";

WHEREAS, the City of Reno certified the election results on November 14, 2000;

WHEREAS, the initiative is codified in Section 18.20.100 of the Reno Municipal Code;

WHEREAS, the City desires to amend Chapter 18.06.910 of the Reno Municipal Code to make it consistent with the initiative and set out other matters relating thereto;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

Section 1: Title 18 of the Reno Municipal Code is hereby amended to add and delete language from Section 18.06.910 "OFF-PREMISES ADVERTISING DISPLAYS" to read as follows:

SECTION 18.06.910. OFF-PREMISES ADVERTISING DISPLAYS; PURPOSE.

- [A. PURPOSE] Recognizing that Reno is a unique city in which [outdoor advertising] public safety, maintenance, and enhancement of the City's esthetic qualities [is] are important and effective in promoting quality of life for its inhabitants and Reno's twenty-four[-]hour gaming/entertainment/recreation/tourism economy; [and also] recognizing that the promotion of tourism generates a commercial interest in the environmental attractiveness of the community; and recognizing that the visual landscape is more than a passive backdrop in that it shapes the character of our city, community, and region, the purpose of [these provisions] this Chapter is to establish[ment] a comprehensive system for the regulation of the commercial use of off-premises [signs] advertising displays.

It is intended that these regulations impose reasonable standards on the number, size, height and location of off-premises [signs] advertising displays [, and facilitate the removal or replacement of nonessential signs in order] to prevent and [relieve] alleviate needless distraction and clutter resulting from excessive and confusing off-premises advertising displays; to safeguard and enhance property values; and to promote the general welfare and public safety of the City's inhabitants and to promote the maintenance and enhancement of the City's esthetic qualities [and the general welfare] and improve the character of our City. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city which is instrumental in attracting those who come to visit, vacation, live, and trade.

SECTION 18.06.915. OFF-PREMISES ADVERTISING DISPLAYS; DEFINITIONS.

In addition to the definitions set forth in Section 18.06.1202, the following definitions apply to off-premises advertising displays:

- A. Animated Sign: A sign which meets the definition of changeable sign as contained in 18.06.1200 or a tri-vision display.
- B. Building Wrap: A sign applied to or painted on, all or a portion of a building wall(s). Building wraps may include the application of a flexible material to a building containing an advertising display.
- C. Conforming permanent off-premises advertising display: Any sign, display, billboard, or other device that is designed, intended or used to advertise or

inform readers about services rendered or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected and which is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display.

- D. Cut-out: An extension of the display beyond the surface display area which shall not exceed ten (10) percent of the surface area of the off-premise display.
- E. Off-premises advertising displays: An off-premises advertising displays includes its structure in addition to the definition set forth in section 18.06.1202, "Sign," paragraph (gg):
- F. Final action: Final action means that action which could not be subjected to any further discretionary action by the City or the County of Washoe, as applicable.
- G. Freeway: A freeway is the portions of Interstate 80 and U.S. 395 within the City of Reno or its sphere of influence.
- H. Gateway: In addition to the definition set forth in Section 18.06.1202, gateway includes the property within 300 feet from each side of the center line on the following:

  - 1. Stead Boulevard starting at one mile west of the intersection of U.S. 395 and continuing south down U.S. 395 to North McCarran Boulevard:
  - 2. U.S. 395 from the intersection of Damonte Lane continuing to the intersection of Del Monte Lane:
  - 3. Interstate 80 from the Boomtown Exit to Keystone Avenue:
  - 4. Virginia Street from Interstate 80 to Sixth Street:
  - (5) Sierra Street from Interstate 80 to Sixth Street:
- I. Highway: A highway means a highway as defined in NRS 484.065.
- J. Maintain: Maintain means to keep in a state of repair provided there is no increase in the movement of any visible portion of the off-premises



advertising display nor any increase in the illumination emitted by the off-premises advertising display or any other characteristic beyond that allowed by the permit or law under which it exists.

K. Non-conforming permanent off-premises advertising display: Any sign, display, billboard, or other device that is designed, intended or used to advertise or inform readers about services rendered or good produced or sold on property other than the property upon which the sign, display, billboard or other device is erected and which is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display and which does not conform subsequently because of a change to the local ordinances or codes.

L. Person: A person is a corporation, firm, partnership, association, as well as individuals. It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law.

M. Residentially zoned parcel: A parcel contained in a Residentially Zoned District, as defined under section 18.06.1200, entitled "Residentially Zoned District."

SECTION 18.06.920. [D. PERMITTED LOCATIONS] RESTRICTION ON PERMANENT OFF-PREMISES ADVERTISING DISPLAYS.

[(a)] A. [Off-premises advertising displays shall be permitted in only the M-1 (industrial) and C-3 (commercial) districts.] Applications for off-premises advertising displays may be controlled or restricted by the initiative approved by the voters on November 7, 2000, which is set forth in Section 18.29.100 of the Code, as applicable.

[(b)] B. In no event shall the number of off-premises advertising displays as identified in the Section 18.290.100 exceed the number of existing off-premises advertising displays currently located within the City except off-premises advertising displays which are legal in the governing body's jurisdiction and which are annexed to the City. For purposes of annexation, an application for a permanent off-premises advertising display approved in final action by the County of Washoe, although unbuilt, is an existing off-premises advertising display.

SECTION 18.06.922. CONTINUED USE OF PERMANENT OFF-PREMISE  
ADVERTISING DISPLAYS.

- A. All existing, legally established permanent off-premises advertising displays are deemed conforming and may be continued and maintained at their current location.
- B. All existing, legally established, off-premises displays may be replaced in situ with a new sign structure provided the area of the display surface is not increased and all requirements of 18.06.930 A-C and E-L are met.
- C. For purposes of this Chapter, an application for a permanent off-premises advertising display approved in final action by the City Council, although unbuilt, is an existing permanent off-premises advertising display.

SECTION 18.06.925. PERMITTED LOCATIONS.

Off-premises advertising displays shall be only permitted in the I (Industrial), IB (Industrial Business), IC (Industrial Commercial), AC (Arterial Commercial), CC (Community Commercial) and HCD (Hotel/Casino Downtown) districts when within 200 feet of a major or minor arterial road.

SECTION 18.06.930. GENERAL STANDARDS FOR PERMANENT OFF-PREMISES  
ADVERTISING DISPLAYS.

[C. GENERAL STANDARDS]

- [1.] A. The area of display surface shall be the sum total square feet of geometric area of display surfaces which comprise the total off-premises advertising display, except the structure. The computation of display surface of a back-to-back off-premises advertising display shall be limited to one display surface.
- [2.] B. No off-premises advertising display shall have a primary display surface greater than [800] six hundred seventy-two (672) square feet. Cutouts may increase the display surface by ten (10) percent.
- [3.] C. No off-premises advertising display [may] shall exceed [50] forty (40) feet, or thirty-five (35) feet in height as measured from the surface of the road grade to which the sign is oriented to the highest point of the off-premises advertising display, whichever is greater. [except as provided in section

18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit".]

- [4.] D. No off-premises advertising display [having a display surface of 300 square feet or greater may] shall be located closer than seven hundred fifty (750) feet to the next off-premises advertising display visible from [on] the same [side of the] street. No animated sign shall be located closer than one-thousand (1,000) feet to the next animated off-premises sign visible from the same street traveling in the same direction. [, except as provided in Section 18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit."]
- [5.] No advertising display having a display surface smaller than three hundred (300) square feet may be located closer than five hundred (500) feet to the next off-premises advertising display on the same side of the street, except as provided in Section 18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit."
6. No off-premises advertising display may be located within three hundred (300) feet of the right-of-way line of a freeway, except as provided in Section 18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit."]
- [7.] E. All off-premises advertising displays[, as well as supporting structures,] shall be maintained in a [safe and] clean and workmanlike condition [state of repair and preservation. Display s]Surfaces shall be neatly painted [or posted]. [Premises] Property immediately surrounding [such structures or] off-premises advertising displays shall be [kept in a clean,] maintained and kept free of litter, rubbish, weeds and debris. Any off-premises display deemed to be a nuisance as defined in 8.22.100 shall be enforced as provided for in 1.05.
- [8.] F. The permit number [and address], as assigned by the building official[, or the identity of the owner and [the] his address shall be displayed [painted] on every permanent off-premises advertising display [erected in accordance with the provisions of this section. The display shall also identify its owner].
- [9.] G. The reverse side of a cut-out shall be [painted so as to be compatible with the background surrounding it] dull and non-reflective.
- [10.] H. The reverse side of a single-face [sign] off-premises advertising display shall be [painted so as to be compatible with the background surrounding it] dull

and non-reflective [Single-face, off-premises advertising displays which were erected prior to the adoption of this section shall comply with this requirement within one year from the date of adoption of this section].

- [11]. L. [No tree may be removed for the purpose of erecting an off-premises advertising display unless an application for a variance, pursuant to Section 18.06.1112, has first been filed with the zoning administrator and denied. When such a variance is approved by the zoning administrator it shall be unlawful to remove the tree in order to erect an off-premises advertising display.] No tree may be removed for the purpose of erecting an off-premises advertising display. If an existing tree would impact the visibility of a site which otherwise meets the requirements of 18.06.925 and 18.06.930, a variance to the spacing requirements may be requested. If the variance to the spacing requirements is denied as a final action, the tree may be removed. If the variance to spacing requirements is approved, the tree may not be removed.
- J. Off-premises advertising displays shall be of monopole design.
- K. All lighting shall be directed toward the off-premises advertising display.
- L. An off-premises advertising display may not contain more than two (2) faces and one face may not be angled from the other face by more than twenty (20) degrees as measured from the back of the structure supporting the face.

SECTION 18.06.935. [E] PROHIBITED LOCATIONS.

- [1]. A. No off-premises advertising display shall be established closer to the street than the right-of-way line. No portion of any outdoor advertising display may be placed on or extend over the right-of-way line of any street or highway.
- [2]. B. No off-premises advertising display, or part thereof, shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
- [3]. C. No off-premises advertising display shall be located within three hundred (300) feet of the center line of the Truckee River or within three hundred (300) feet of the outer boundary of any area designated in this Chapter as the Truckee River corridor[,] or as open space adjacent to the Truckee River.
- [4]. D. No off-premises advertising display shall be [located] erected within three hundred (300) feet of a [park, school or public building, or house of worship] residentially zoned parcel.

E. No off-premises advertising displays shall be located in the gateways to the City.

- [5. No off-premises advertising display shall be erected over residential structures or mobile homes.]

SECTION 18.06.940. [G] PROHIBITED OFF-PREMISES ADVERTISING DISPLAYS.

The following off-premises advertising displays are prohibited:

- [1. Canvas signs, banners, pennants, streamers, balloons or other temporary or wind signs except as provided in Section 18.06.910(L) entitled "Special events signs".
2. Mobile, A-frame and portable signs except as provided in Section 18.06.910(L) entitled "Special events signs".
- 3.] A. Signs which emit noise via artificial devices.
- [4.] B. Roof signs.
- [5.] C. Signs which [resemble any official marker erected by the city, state, or any governmental agency, or which,] by reason of position, shape, color or illumination would conflict with the [proper] functioning of any traffic sign or signal.
- [6.] D. Signs which produce odor, sound, smoke, fire or other such emissions.
- [7.] E. Stacked signs.
- [8.] F. Temporary signs except as otherwise provided in this Chapter. [section 18.06.910(L), "Special events signs."]
- [9.] G. Wall signs.
- H. Signs with more than two faces.
- I. Building wraps.

SECTION 18.06.945.

CONTINUED USE OF NONCONFORMING PERMANENT  
OFF-PREMISES ADVERTISING DISPLAYS.

[H. CONTINUED USE OF NONCONFORMING SIGNS]

[1. An off-premises advertising display which becomes nonconforming as the result of the adopting of this section may be continued and except as follows:

a.] A. A nonconforming permanent off-premises advertising display destroyed [to an extent greater than] in excess of [fifty (50)] percent [of the cost of advertising display or device new shall not be reestablished] of its material structural value as a result of a natural disaster, including, without limitation, a fire, flood, earthquake, windstorm, rainstorm and snowstorm shall be removed.

[b.] B. A nonconforming off-premises advertising display which is determined to be abandoned in accordance with section 18.06.965 shall be removed.

[2. Right to maintain. Any off-premises advertising display erected prior to the effective date of this section which becomes nonconforming as the result of this section, may continue in existence, except that any enlargement (excluding cut-outs of fifty (50) square feet or less), alternation or relocation shall make said sign subject to the provisions of this section. Changes to nonconforming sign. Nothing contained herein shall prohibit changes which bring a display into conformance with the provisions of this section or reduce its size.]

C. Changes to nonconforming sign. Nothing contained herein shall prohibit changes which bring a display into conformance with the provisions of this section or reduce its size.

D [4]. [Safety hazard]. Notwithstanding any other [provision] section of this [subsection] Chapter, the right to [use] continue any nonconforming off-premises advertising display ceases and shall be deemed abandoned whenever the [city council] City determines [that] the off-premises advertising display constitutes a safety hazard if the safety hazard is not corrected within forty-eight (48) hours after receipt of notice sent pursuant to the Section 1.05 to the owners of the off-premises advertising display and the owner of the property on which the off-premises advertising display is located.

[F. OFF-PREMISES ADVERTISING DISPLAYS REQUIRING A SPECIAL USE PERMIT

Erection of the following off-premises advertising displays shall first require the approval of a special use permit:

1. Any advertising display which exceeds fifty (50) feet in height as measured from the surface of the ground to the highest point of the sign.
2. Any advertising display having a display surface equal to or greater than three hundred (300) square feet which is to be located closer than seven hundred fifty (750) feet to the next off-premises advertising display on the same side of the street.
3. Any advertising display having a display surface smaller than three hundred (300) square feet which is to be located closer than five hundred (500) feet to the next off-premises advertising display on the same side of the street.
4. Any advertising display which is to be located within three hundred (300) feet of the right-of-way line of a freeway.]

18.06.950 RELOCATION OF PERMANENT ADVERTISING DISPLAYS.

- A. Except as otherwise provided in this chapter, a legally established, permanent off-premises advertising display may be relocated to a permitted location as described in 18.06.925 provided that such display complies with all requirements of this chapter.
- B. Two permits shall be required prior to relocation of a legally established, permanent off-premises advertising display, one for removal of the existing sign(s), one for relocation of the existing sign.
  1. Removal of the existing sign. A permit requested for the removal of an off-premises advertising display proposed to be relocated under this section shall:
    - a. Remove the off-premises advertising display(s) in all aspects from the original location within the time set by the permit and prior to installation of a relocated off-premises advertising

display. A letter of credit may be required to guarantee removal of the existing off-premises advertising display.

- b. Return the original site to a condition consistent with the immediately surrounding area within the time set by the permit.
- c. Identify all off-premises advertising displays that the company has, or has caused to be, relocated under this provision within the calendar year by address and building permit number. Each company which owns off-premises advertising displays may relocate, or cause to be relocated, ten (10) off-premises advertising displays under their ownership each calendar year.
- d. Off-premises advertising displays which have a display area less than the maximum allowed under 18.06.930 and are proposed to be increased in display area, shall require a two (2) for one (1) removal to relocation ratio prior to issuance of the permit for relocation.

2. Relocation of the existing sign. A permit requested for the relocation of an existing off-premises advertising display shall:

- a. Meet all requirements of the building code adopted by the City of Reno.
- b. Identify the off-premises advertising display(s) that has been removed, by address and building permit number, that the relocated sign will replace.
- c. Include a notarized statement from the off-premises advertising display owner that has removed, or had caused to be removed, a sign under B. 1. above, authorizing the relocation of the off-premises display(s).

- C. The owner of an off-premises display(s) that has been removed, has ten (10) years in which to apply for, and secure a permit to relocate the off-premises display. The ten (10) years shall run from the date the City approves all work performed under B. 1. above, in writing, and/or releases the letter of credit. The opportunity to apply for a permit to relocate an off-premises advertising display may be sold or otherwise conveyed at the discretion of the owner.



- D. Nothing in this section shall be construed to mandate relocation of any off-premises advertising display. Relocation of an existing off-premises advertising display under this section shall constitute a waiver to any rights conferred by SB 265, 2001 legislative session.

SECTION 18.06.955. [K.] OFF-PREMISES TEMPORARY COMMERCIAL ADVERTISING DISPLAYS

- A. Off-premises temporary advertising commercial displays are allowed without permit on private property in any zoning district with the permission of the owners, holder, [leasee] lessee, agent or trustee as applicable, when the temporary off-premises advertising commercial displays are:

1. In all zoning districts within one-half mile of the site on which the activity will take place;
2. Shall be a maximum of six (6) square feet;
3. Shall be designed to be stable under all weather conditions, including high winds;
4. Shall not obstruct the sight distance triangle or impair access to a sidewalk, street or driveway, traffic control sign, bus stop, or fire hydrant; and
5. Displayed for less than twelve (12) hours each day, and no earlier than 6:00 a.m. nor later than 9:00 p.m.

SECTION 18.06.960. [L.] OFF-PREMISES ADVERTISING DISPLAYS FOR SPECIAL EVENTS

- A. A holder of a special event's permit may make application for a permit pursuant to Chapter 14 of this Code to erect an temporary off-premises advertising display promoting the special event provided [Upon application, the administrator may permit temporary off-premises advertising displays promoting a special event if] the temporary off-premises advertising display:

1. Complies with section 18.06.910-18.06.985 as applicable; [will not conflict with the general purpose of Section 18.06.910(A) such as aesthetics and traffic safety because of its size or location;
2. The applicant has obtained a permit to hold a special event;

3. The proposal complies with City policies if the applicant seeks to use City owned improvements such as poles designed for temporary signs or buildings;
- 4.] 2. [Such off-premises advertising displays,] When permitted, shall not be installed prior to thirty (30) days before and shall be removed within ten (10) days after the special event advertised; [and
- 5.] 3. [The sign may] Shall not exceed 100 square feet[.];
4. Shall be designed to be stable under all weather conditions, including high winds; and
5. Shall not obstruct the sight distance triangle or impair access to a sidewalk, street, highway driveway, traffic control device, bus stop, or fire hydrant.

[B. BUILDING PERMIT REQUIRED

It shall be unlawful for any person to erect, construct, install, enlarge (excluding cut-outs of 50 square feet or less), or to place an off-premises advertising display without first having obtained a building permit issued by the City.]

SECTION 18.06.965. ABANDONED OFF-PREMISES ADVERTISING DISPLAYS.

[I. ABANDONED SIGNS]

- [1.] A. Abandonment is the cessation of the right to continue the [use] existence of an off-premise advertising display:
1. under Section 18.06.945;
  2. under existing law;
  3. when a state of disrepair exists because of substantial tearing, chipping, or missing material thirty (30) days after receipt of notice sent pursuant to Section 1.05;
  4. when there is no current business license in existence for the off-premises advertising display; or

5. when there has been no display for a period of one (1) year.

[The right of a person to continue to use an abandoned, nonconforming, off-premises advertising display shall terminate following receipt of notification that the zoning administrator has deemed the sign abandoned.]

- [2.] B. [Responsibility for removal.] An abandoned off-premises advertising display shall be removed upon final action of determination of abandonment. Responsibility for removal of an abandoned, [nonconforming,] off-premises advertising display shall rest with the owner of the [sign] off-premises advertising display or the owner of the property upon which the [sign] off-premises advertising display is [constructed] erected.

- C. An abandoned off-premises advertising display shall not be relocated and the number of off-premises advertising displays identified under section 18.06.920B shall be reduced accordingly.

SECTION 18.06.970. [M.] TIME LIMITATIONS ON REVIEW OF APPLICATIONS FOR PERMANENT OFF-PREMISES ADVERTISING DISPLAYS.

- A. [Unless continued with the consent of the applicant,] The following are time limitations on the pertinent decision-maker to [the] review [of] applications for off-premises advertising displays as applicable:

1. The zoning administrator or designee shall review and make a decision regarding the application within five (5) working days of the date the application is filed-stamped with the Community Development Department.
- [1] 2. If the Board of Adjustment or the Planning Commission [will] review the application, the Board of Adjustment or the Planning Commission shall hold a public hearing within sixty-five (65) days of the date the application is [complete and in conformance with this Chapter] filed-stamped with the Community Development Department.
- [2] 3. The Board of Adjustment or Planning Commission shall make its decision within thirty (30) days from the date of the public hearing.

- [3] 4. The City Council shall make its decision within thirty (30) days of the date the appeal [was] is filed-stamped with the City Clerk on the appropriate form and payment of the appropriate fee.
5. If the applicant requests a continuance or a specified time or date for the matter to be heard, the time lines provided herein are deemed waived.

#### SECTION 18.06.972 [J] REPORTING

Each sign company licensed to do business in the City must report to the Zoning Administrator the size, height, location and building permit number of each off-premises advertising display owned by the sign company and located within the City on July first by July fifteenth of each year.

#### SECTION 18.06.975. [N.] OFF-PREMISES ADVERTISING DISPLAYS; JUDICIAL REVIEW

- [a.] A. Judicial review may be sought in accordance with Chapter 34 of the NRS.
- B. If the City denies a "First Amendment" application, the City will institute legal proceedings within ten (10) working days of its final action to determine in an adversarial proceeding the constitutionality of the denial on prior restraint grounds, unless otherwise waived by the applicant. For purposes of this subsection, a "First Amendment" application is one in which the applicant has inserted the words "First Amendment" in the caption of the application.

#### SECTION 18.06.985. [O.] INTERPRETATION AND SEVERABILITY

- [1.] A. This ordinance amending Chapter 18.06. relates to and is to be integrated with the Reno Municipal Code then in effect at the time of adoption and will be read consistently with any future adopted ordinances.
- [2.] B. Should any section, subsection, clause or provision of [this Ordinance] sections 18.06.910-18.06.985 be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity of [the Ordinance] sections 18.06.910-18.06.985 as a whole or any part thereof other than the part declared to be unconstitutional or invalid.

#### [18.06.911 MORATORIUM ESTABLISHED

From and after the effective date of this ordinance, the City shall not file nor accept any applications nor issue use or building permits for off-premises advertising displays made pursuant to Reno Municipal Code section 18.06.500(d), now 18.06.910 D, for applications for off-premises advertising displays in the commercial zoning districts of arterial commercial (AC), community commercial (CC), and central business (CB).

#### 18.06.912 EXEMPTION TO MORATORIUM

Applications which are legally vested as of the effective date of Ordinance 5208 shall continue to be processed by the City according to the regulations in effect on the date of vesting.

#### 18.06.913 EFFECTIVE PERIOD OF MORATORIUM

The moratorium set forth by Section 18.06.911 shall become effective upon the adoption of Ordinance 5229 and remain in effect for three (3) months thereafter.

#### 18.06.914 SEVERABILITY OF MORATORIUM ORDINANCE

If any section, sentence, clause or phrase of the Ordinance 5208 should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase.]

SECTION 2. This ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 3. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno Gazette-Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2001, by the following vote of the Council:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
MAYOR OF THE CITY OF RENO

ATTEST:

\_\_\_\_\_  
CITY CLERK AND CLERK OF THE CITY  
COUNCIL OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE:

Meeting Type: ☒ Regular

☐ Special

☐ Joint with \_\_\_\_\_

Date: DECEMBER 18, 2001

Item: 13. C. PUBLIC HEARING

Notes: 2:00 P.M.

Staff Report: Amendment to Chapter 18.06 of the Reno Municipal Code entitled "Zoning" regarding regulations related to Off-premises Advertising Displays. Case No. AT-1-01 (Billboard Ordinance)

Moved	Sec'd.	Councilmember	Yes	No
		Hascheff		
		Harsh		
✓		Rigdon		
		Sferrazza-Hogan		
	✓	Doyle		
		Aiazzi		
		Griffin		
		COUNT		

Motion:

unt to 1/8/02

@ 2:00 PM

CARRIED?

YES

NO

5/10

JA 685

COR-00170

13C+C.1

INTER-OFFICE

RENO CITY ATTORNEY

MEMORANDUM

DATE: December 12, 2001

TO: Mayor, Members of Council, City Manager, and Chief of Staff

FROM: Marilyn D. Craig, Deputy City Attorney *MDC*

RE: Billboard ordinance

Pursuant to your instructions, Clear Channel, Young Sign Company, members of Citizens for a Scenic Northern Nevada along with their attorneys, staff, and I met to discuss various issues. There is another meeting set for December 17, 2001. Accordingly, staff may be offering changes to the billboard ordinance. In addition, I anticipate making recommendations to change the billboard ordinance for legal reasons. We believe these recommendations would significantly change the billboard ordinance.

We therefore requested that the billboard agenda item be changed from a second to a first reading.



# RENO NEWSPAPERS INC

Publishers of

## RENO GAZETTE-JOURNAL

955 Kuenzli St. P.O.Box 22000 RENO, NV 89520 PHONE: (775) 788-6200  
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STATE OF NEVADA  
COUNTY OF WASHOE

ss Tana Ciccotti

Being first duly sworn, deposes and says:  
That as the legal clerk of the RENO  
GAZETTE-JOURNAL, a daily newspaper  
published in Reno, Washoe County,  
State of Nevada, that the notice:  
public hearing

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:  
Dec. 7, 2001

Signed *Tana Ciccotti*

Subscribed and sworn to before me this  
DEC 14 2001

*Susan V. Dummer*  
Notary Public



SUSAN V. DUMMAR  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 98-4006-2 - Expires August 17, 2002

### PROOF OF PUBLICATION

#### NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN  
that the City Council of the  
City of Reno will hold the  
below listed public hearings  
in the Council Chambers of  
the Reno City Hall, 490  
South Center Street, on  
December 18, 2001, com-  
mencing at the times indi-  
cated.

2:00 p.m. AT-5-01 (Single  
Room Occupancy, Hotel and  
Related Definitions) - An  
amendment to Title 18, Chap-  
ter 18.06, entitled "Zoning"  
to amend 18.06.302 regard-  
ing SRU Standards.  
18.06.1200 regarding the def-  
inition of SRU, 18.06.301  
Land Use Table concerning  
congregate care, 18.06.302  
concerning congregate care  
standards, and other matters  
properly relating thereto.

2:00 p.m. Case No.  
LDC01-00332 (Sierra Hotel  
Addition) - Request to  
remove Condition No.14  
from the approval of the  
abandonment of Mill Street  
and the \$172,000 deposit  
associated with the condition  
be refunded.

2:00 p.m. AT-1-01 (Billboard  
Ordinance) - Request for  
approval of an ordinance  
amending Chapter 18.06,  
Title 18 of the Reno Muni-  
cipal Code entitled "Zoning" by  
adding language to and delet-  
ing language from section  
18.06.910 entitled "Off-  
premises Advertising" which  
governs how Off-premises  
Advertising Displays will be  
regulated, together with other  
matters properly relating  
thereto.

All interested persons are  
invited to present testimony.

DONALD J. COOK, CITY  
CLERK  
AND CLERK OF THE CITY  
COUNCIL  
No. 4204 Dec. 7, 2001

JA 687

COR-00172

Submitted by  
Kristin Shields

The following items were discussed and agreed to at the December 17, 2001 meeting of the billboard working group.

- The 300' spacing from residential outlined in the ordinance will be lineal, not radial, spacing (same side of the street).
- The gateways are:  
north - U.S. 395 from Panther Dr. to N. McCarran Boulevard  
south - U.S. 395 from Patriot Boulevard to Del Monte Lane  
west - I-80 from McCarran Boulevard to Keystone  
the Virginia and Sierra Street gateways will be eliminated

Within the gateways, a cap will be set which is the number of off-premises advertising displays in the gateway as of adoption of the ordinance. No new off-premises advertising display may be erected within the gateway. Existing off-premises advertising displays may relocate within the gateway and may be reconstructed on the same site, conforming with all other aspects of the ordinance. One exception to this cap is in the south gateway. There shall be no more than ten off-premises advertising displays in this gateway.

- Off-premises advertising displays will be prohibited on McCarran Boulevard except in the following areas:  
Talbot Lane, east to Mill Street  
Northtowne Lane, west to Sutro Street  
Sierra Highlands Drive, south to Summit Ridge Drive  
In the areas where off-premises advertising displays are prohibited, they may be located, on an intersecting street, no closer than 200' to McCarran Boulevard.
- The group agreed that **building wraps** need to be addressed but not within this ordinance. They would like to resolve the current off-premises advertising display ordinance and then have the ability to research and prepare a separate section to address building wraps. For now, they will be left as a prohibited off-premises advertising display.
- The remaining issue about which the group does not, and perhaps cannot, agree is height.

Those in attendance at the 12/17 meeting were:

Buffy Dreiling, Warren Ronsheimer and Doug Smith representing Citizens for a Scenic Northern Nevada;

Marilyn Craig, City Attorney's Office and Kristen Shields, Community Development Department, representing the City of Reno; and,

John Frankovich, Ed Lawson, Steve Raper and Robin Reeve representing the industry.



Office of the City Clerk

MEMORANDUM

Date: December 18, 2001  
To: Laura Tuttle, Planning Manager  
From: Donald J. Cook, City Clerk  
Subject: Item No. 13C - Case No. AT-1-01 (Billboard Ordinance)

At a regular meeting held December 18, 2001, the City Council continued the above matter and the first reading ordinance to their January 8, 2002, Council meeting at 2:00 p.m.

Donald J. Cook  
City Clerk

DJC:cdg

xc: Leann McElroy, Chief of Staff

**RENO CITY COUNCIL  
BRIEF OF MINUTES  
DECEMBER 18, 2001  
(Official Minutes in City Clerk's Office)**

The Regular Meeting of the Reno City Council was called to order at 12:30 p.m. on December 18, 2001 in the Council Chambers at City Hall.

**PRESENT:** Council Members Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi and Griffin.

**ABSENT:** None.

**ALSO PRESENT:** City Manager McNeely, City Attorney Lynch and City Clerk Cook.

**Agenda**

**Item**

**No.**

**2B APPROVAL OF THE AGENDA - December 18, 2001**

Mayor Griffin pointed out that Item 9A has been pulled from the Agenda.

It was moved by Councilperson Rigdon, seconded by Councilperson Aiazzi to approve the Agenda as amended, with Item 9A withdrawn.

Motion carried.

**15**

**MAYOR AND CITY COUNCIL**

**15B Reports from any Conferences or Professional Meetings**

Mayor Griffin announced that when Councilpersons Rigdon, Sferrazza-Hogan, Aiazzi and Griffin traveled to Atlanta they were the recipients of the James C. Howland Urban Enrichment Gold Award for Cities up to 500,000 people with recognition for the Riverside Artist Lofts. In addition, American City and County magazine presented the America's Crown Communities 2001 Award to the City of Reno, City of Sparks and Washoe County for the creation of the Truckee Meadows Water Authority.

**2C**

**PRESENTATIONS:**

Reno Citizen's Institute Graduation (RCI)

**3**

**\*Public Comment - Limited to No More Than three (3) Minutes And Limited to Items That Do Not Appear on The Agenda. Comments to Be Addressed to The Council as a Whole. The public may comment on agenda items by submitting a Request to Speak form to the City Clerk. Comment on agenda items is limited to no more than three minutes.**

Mr. Eddie Anderson, Reno citizen, spoke about naming the new District Attorney's Complex after William Raggio because of his accomplishments.

**Agenda  
Item  
No.**

Mr. Brent Cushner, representing Citizens for Good Government, asked that Councilperson Doyle recuse herself from decisions regarding the ReTRAC Project.

Ms. Cathy Brandhorst spoke about people from Mexico based on a book she has read.

Mr. Sam Dehne, Reno citizen, suggested the City Council provide donuts to citizens in order to get more interest in attending City Council meetings.

Mr. David Aiazzi invited RTC and County Commissioners to participate in the upcoming discussions regarding the traffic conditions in southeast Reno.

NO ACTION WAS TAKEN ON THIS ITEM.

**4 CASH DISBURSEMENTS - November 22, 2001 through December 8, 2001.**

Councilperson Doyle asked for clarification on expenditures regarding the Ford Crown Victoria automobile; and Councilperson Harsh asked about catering expenses.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve the Cash Disbursements of November 22, 2001 through December 8, 2001.

Motion carried.

**5 CONSENT AGENDA**

**5A Staff Report: Business License Applications**

Recommended: Council approve the business license applications as submitted.

**5B Staff Report: Capital Contribution Front Ending Agreement (CCFEA) for Somersett Parkway from Station 125+00 to Station 158+82.**

Recommended: Council approve the Capital Contribution Front Ending Agreement for Somersett Parkway from Station 125+00 to Station 158+82.

**5C Staff Report: Renewal of Hired Auto Liability Insurance Policy.**

Recommended: Council authorize staff to bind coverage renewing the Hired Auto Liability coverage as outlined in the staff report.

**5D Staff Report: Amendment "A" to Reciprocal Massage Licensing Agreement among the City of Sparks and the City of Reno.**

Recommended: Council approve the attached Amendment "A" to Reciprocal Massage Licensing Agreement and authorize the execution of the amendment by the Mayor.

**5E Staff Report: Bid Award - California Building, Asbestos Abatement, Contract #1120**

Recommended: Council approve the contract with Advanced Installation in the amount of \$38,250.00.

## Agenda

### Item

#### No.

5F Staff Report: Reno Tennis Center - Termination of Maintenance and Use Agreement

Recommended: Council approve the maintenance and use agreement and authorize the Mayor to sign.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to approve Consent Agenda Items A through F.

Motion carried.

8

### PUBLIC WORKS

8A Presentation by NDOT on Spaghetti Bowl Improvements.

COUNCILPERSON HARSH ABSENT 1:15 PM

Kathleen Weaver, Nevada Department of Transportation, Project Manager for the upcoming improvements to the Spaghetti Bowl, explained that northbound 395 will be two lanes going eastbound on 80, and two lanes westbound to 80. The northbound lane that stops at Oddie Boulevard will continue to McCarran, and southbound 395 will have an additional lane from McCarran to the I-80 interchange. There will be an additional lane southbound to Mill Street, and I-80 will have an additional lane from the spaghetti bowl eastbound to the Nugget. In addition, the 4<sup>th</sup> Street on and off-ramps will be modified and expanded which will require two new structures in that area over 4<sup>th</sup> Street. The improvements will also consist of repaving, maintenance and landscaping, as well as soundwalls. The project will begin in May and should take approximately three years to finish.

NO ACTION TAKEN ON THIS ITEM

7

### FIRST READING ORDINANCES

7C Staff Report: Bill No. Ordinance amending Chapter 5.18, Title 5 of the Reno Municipal Code to increase the Right-of-Way Toll by amending Section 5.18.010.

Mr. Dave Howard, Reno-Sparks Chamber of Commerce, is concerned that the staff report determination may not protect businesses that will be impacted by the proposal.

Mr. John Moore, representing the Atlantis and the Peppermill, is opposed to the ordinance.

There was discussion regarding have a joint meeting with TMWA, Sparks, the School District, and those businesses who would see an impact.

The City Manager noted that he will schedule this meeting with proper notifications.

Agenda  
Item  
No.  
10

CITY MANAGER

10A Presentation and Memorandum from GustinCurtis regarding funding for the "Just Imagine" advertising campaign

Mr. Mark Curtis, from GustinCurtis, explained that many downtown and area businesses have shown their support by making either cash contributions or in-kind contributions to this campaign. He noted that there is a request for \$75,000 to \$100,000 from the City to complete the funding, and would like to get started soon. It is felt that the success already achieved downtown should be promoted along with future plans. Mr. Curtis also related several other cities' campaigns.

Discussion ensued including whether the City needs to be a financial part of this advertising campaign, as well as the timing of the project, the measurement of the campaign's success, and compliance with the open meeting law, and if this should be a redevelopment issue to possibly use ReTRAC fund.

Councilperson Aiazzi disclosed that he met with Mr. Curtis on this matter.

This item was continued to later in the meeting.

-0-0-0-0-0-0-

A recess was called at 2:25 p.m. and upon reconvening at 2:30 p.m. roll was taken with the following Council members present Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi, and Griffin. Absent: None.

-0-0-0-0-0-0-

13

PUBLIC HEARING

2:00 PM

13C Staff Report: Amendment to Chapter 18.06 of the Reno Municipal Code entitled "Zoning" regarding regulations related to Off-premises Advertising Displays. Case No. AT-1-01 (Billboard Ordinance).

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that no correspondence was received.

Mayor Griffin asked if anyone cared to speak. Hearing no one he closed the public hearing.

Ms. Marilyn Craig, Deputy City Attorney, explained that due to developments yesterday, all legal aspects are not complete, and she suggested continuing this item to January 8, 2002.

Ms. Kristen Shields, Associate Planner, briefed the City Council on the changes that have been made.

It was moved by Councilperson Rigdon, seconded by Councilperson Doyle to continue this item until January 8, 2002 at 2:00 p.m.

Motion carried.

## Agenda

### Item

#### No.

- 13C1 Bill No. Ordinance amending Title 18, Chapter 18.06 of the Reno Municipal Code entitled "Zoning" by adding language to and deleting language from Sections 18.06.910-18.06.985 entitled 'Off-Premises Advertising Displays' which governs how off-premises advertising displays will be regulated; together with other matters properly relating thereto.

It was moved by Councilperson Rigdon, seconded by Councilperson Doyle to continue this item until January 8, 2002 at 2:00 p.m.

Motion carried.

11

### PARKS, RECREATION AND COMMUNITY SERVICES

- 11A Staff Report: Special Events Co-sponsorship roster for FY 02/03.

Ms. Christine Fey, Arts and Culture Manager, explained that co-sponsorship is not generally recommended for for-profit special events, and that the staff recommends co-sponsorship for the 16 special events.

Ralph Jaeck, Assistant City Manager, recommends that the "Truck Fest" event be included as it is not a for-profit event.

There was significant discussion regarding the possibility co-sponsoring certain for-profit special events if the City's support would assist in making that event more successful and bringing more revenue to the City.

It was moved by Councilperson Rigdon, seconded by Councilperson Sferrazza-Hogan to approve the staff recommendation to include #22 & #25 at Level 3, with a cap of \$40,000 for Street Vibrations.

Motion carried.

13

### PUBLIC HEARING

2:00 PM

- 13A Staff Report: Request to Remove Condition #14 of Siena Hotel Spa Casino approval - Mill Street Abandonment.

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that no correspondence was received. Mayor Griffin asked if anyone cared to speak.

Ken Crater, explained why Condition #14 should be removed, and also discussed the extensive studies that were done in support of the abandonment.

Mayor Griffin asked if anyone else cared to speak. Hearing no one he closed the public hearing.

There was discussion about the sewer interceptor, the timing of the parking garage construction, other City abandonments, traffic flow and right-of-way issues, changes in the project and the impact of the September 11<sup>th</sup> attacks on the Siena' business, and the specifics of the May 8<sup>th</sup> abandonment and conditions.



## Agenda

### Item

#### No.

**13A** Staff Report: Request to Remove Condition #14 of Siena Hotel Spa Casino approval - Mill Street Abandonment, continued:

It was moved by Councilperson Doyle, seconded by Councilperson Rigdon to approve the staff recommendation, and amend #14, refund the \$172,000 deposit to the developer, and for submission of plans in 60 days for improvements which shall be located in the abandoned portion of Mill Street.

Motion carried, with Councilpersons Harsh and Sferrazza-Hogan voting Nay.

-0-0-0-0-0-0-

A recess was called at 3:45 p.m. and upon reconvening at 3:55 p.m., roll was taken with the following Council members present: Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi and Griffin. Absent: None.

-0-0-0-0-0-0-

**14**

### FINANCE

**14B** Staff Report: Selection of the Financing Plan for the Downtown Events Center.

COUNCILPERSON HARSH PRESENT 3:57 PM

Mr. Andrew Green, Finance Director, discussed a proposal that would issue General Obligation Revenue Backed Bonds for the construction of the Downtown Events Center, that was directed at the joint RSCVA and City Council meeting on November 8, 2001. He discussed the specifics of what the financing would cover.

Mr. Jeff Holt, Goldman Sachs, reviewed the general obligation bond issues, including movement of interest rates, the repayment to the RDA, the project size increase to \$68 million, the financing of the parking, and the lack of a reserve. He discussed the possibility of instituting this bond without involving the public.

Ms. Jonnie Pullman, Affordable Housing Resources Council, doesn't believe it is necessary to tax the working poor in order to finance a downtown events center.

Mr. Sam Dehne, Reno Citizen, stated that the downtown casinos should get as good a deal as the outlying area casinos, and is in favor of the downtown events center.

Ms. Roberta Ross, of Ross Manor, is in support of the bonding for the events center, and not put the burden on the working poor people.

Discussion ensued regarding debt reserves, the 15% city debt pledge, the possibility of reducing the cost of the construction, clarification on the parking study that was done, proposed agreement with the RSCVA that would pay back the City on this project, who determines how any excess monies are spent, the request for qualifications for contractors and architects, interest that may be earned on any excess, economic survival in the downtown core and recession planning. In general, there was much questions and discussion on both a reserve and the ramifications of excess.

**Agenda**

**Item**

**No.**

**14B** Staff Report: Selection of the Financing Plan for the Downtown Events Center, continued:

It was moved by Councilperson Hascheff, seconded by Councilperson Doyle to approve the staff recommendations, with staff to bring back the final structure on January 8, 2002; meet with RSCVA and NEWCO regarding the share of the excess.

Motion carried, with Councilpersons Harsh and Rigdon voting Nay.

**7**

**FIRST READING ORDINANCES**

**7A** Bill No. 5826 - Ordinance concerning 2000 Special Assessment District No. 2 Bonds (Sierra Corporate Center).

It was moved by Councilperson Rigdon, seconded by Councilperson Sferrazza-Hogan to refer Bill No. 5826 to the Committee of the Whole.

Motion carried.

**7B** Bill No. 5827 - Ordinance concerning 1999 Special Assessment District No. 3 Bonds (Dry Creek).

It was moved by Councilperson Rigdon, seconded by Councilperson Hascheff to refer Bill No. 5827 to the Committee of the Whole.

Motion carried.

**7D** Bill No. 5828 - Ordinance concerning the City of Reno, Nevada, 1999 Special Assessment District No. 3; authorizing the issuance of "City of Reno, Nevada 1999 Special Assessment District No. 3 Bond (Assessor's Parcel No. 0433-282-05 Only)" in the Aggregate Principal Amount of Not to Exceed 100,000 to Finance the Acquisition, Construction and Improvement of an Improvement Project for the Benefit of Land within said Improvement District; authorizing the sale of such Bonds and Ratifying Actions previously taken. (Dry Creek - Snyder Parcel only)

It was moved by Councilperson Rigdon, seconded by Councilperson Doyle to refer Bill No. 5828 to the Committee of the Whole.

Motion carried.

**15**

**MAYOR AND CITY COUNCIL**

**15C** Resolution No. 5922 - Resolution granting \$1,000 to Reno Pop Warner Football League to participate in the National Pop Warner Super Bowl.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to adopt Resolution No. 5922.

Motion carried.

**Agenda**

**Item**

**No.**

- 15D** Discussion and possible direction to conduct a graffiti summit sponsored by the City of Reno. - S. Doyle & D. Aiazzi.

Cindy Merritt, Chairman of Secret Witness, is in favor of the summit.

It was moved by Councilperson Doyle, seconded by Councilperson Sferrazza-Hogan to approve the City of Reno sponsorship of a graffiti summit.

Motion carried.

- 15E** Resolution requesting the Airport Authority of Washoe County to hold a public hearing on the FAR Part 150 Noise Study.

Councilperson Sferrazza-Hogan stated that the Airport Authority will be holding another public hearing, and that no action is necessary on this resolution at this time.

NO ACTION TAKEN ON THIS ITEM.

- 15F** Resolution No. 5923 - Resolution granting \$5,000 to the Reno Chapter of the National Latino Police Officers Association for expenses associated with the Latino Citizen's Police Academy. - S. Doyle

It was moved by Councilperson Doyle, seconded by Councilperson Sferrazza-Hogan to adopt Resolution No. 5923.

Motion carried.

COUNCILPERSON DOYLE ABSENT 6:10 PM

**16** CITY ATTORNEY

- 16A** Report regarding proposal ordinance requiring severance pay for hotel-casino workers.

Randall Edwards recommended that the City Council not pass this ordinance as he believes it would be challenged and most likely, successfully.

Ms. Alexander spoke in favor of the ordinance.

There was discussion regarding what recourse the hotel-casino workers have to enact this ordinance, possibly at the State level.

It was moved by Councilperson Rigdon, seconded by Councilperson Aiazzi to accept the report.

Motion carried with Councilperson Doyle absent.

NO ACTION TAKEN ON THIS ITEM.

Agenda

Item

No.

13

PUBLIC HEARINGS

2:00 PM

- 13B Staff Report: City Initiated amendment to Title 18, Chapter 18.06 entitled "Zoning" to amend Section 18.06.302 regarding Single Room Occupancy (SRO) and congregate care standards, Section 18.06.1200 concerning the definition of SRO, and Section 18.06.301 to permit congregate care in the NC zone.

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that no correspondence was received. Mayor Griffin asked if anyone cared to speak. Hearing no one he closed the public hearing.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to approve AT-5-01 by Ordinance.

Motion carried with Councilperson Doyle absent.

COUNCILPERSON DOYLE PRESENT 6:20 PM

- 13B1 Bill No. 5829 - Ordinance to amend Title 18, Chapter 18.06, entitled "Zoning" of the Reno Municipal Code regarding the definition of Single Room Occupancy (SRO), providing standards for SROs and congregate care facilities and permitting congregate care facilities in an NC zone together with other matters properly relating thereto.

It was moved by Councilperson Aiazzi, seconded by Councilperson Doyle to refer Bill No. 5829 to the Committee of the Whole.

Motion carried.

- 10A Presentation and Memorandum from Gustin Curtis regarding funding for the "Just Imagine" advertising campaign. continued:

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve up to \$75,000 to Gustin Curtis for this advertising campaign, and provide polling for and review of time frames to avoid election period.

Discussion ensued regarding repayment of this funding by the ReTRAC Project, as well as taking the issue to Redevelopment for payment. There was also discussion about the open meeting law if there is a Council member on the committee.

Motion failed with Councilpersons Harsh, Rigdon, Sferrazza-Hogan and Doyle voting Nay.

-0-0-0-0-0-0-

A recess was called at 6:25 p.m. and upon reconvening at 6:30 p.m., roll was taken with the following Council members present: Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi and Griffin. Absent: None.

-0-0-0-0-0-0-

**Agenda**

**Item**

**No.**

**12**

**CITY CLERK**

**12B Appointment of a Councilperson to the Regional Transportation Commission.**

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to appoint Councilperson Rigdon to the Regional Transportation Commission.

Motion carried.

-0-0-0-0-0-0-

A recess was called at 6:30 p.m., and upon reconvening at 7:25 p.m., roll was taken with the following Council members present: Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi, and Griffin. Absent: None.

-0-0-0-0-0-0-

**8**

**PUBLIC WORKS**

**8B Staff Report: Council Review/Input of the ReTRAC Design-Build Request for Proposal and other related matters. (Depressed Trainway).**

The City Attorney stated that in response to a letter asking that Councilperson Doyle not participate in any ReTRAC proceedings, that they find no conflict of interest and no problem with ethics laws, and the City Attorney's office feels Ms. Doyle is fully qualified to listen to and vote on any matters having to do with ReTRAC.

Steve Varela, Director of Public Works, introduced the team that will be making the presentation, and summarize the items the City Council will be considering and taking action on. Those items are 1) adopt the evaluation criteria and waiting criteria for the selection of the Design-Build contractor; 2) discuss the payment of stipends; 3) review and provide input on the proposed responsibility and allocation of contract provisions; and 4) approve the change order authority.

***Evaluation Criteria and Weightings***

Duane Kenagy, with Moffit Nichols and part of the ReTRAC team, explained that when proposals are received in May 2002, they will be reviewed for specific criteria and then technical scoring, which will be done separately. Then the pricing information and the best value score will be combined in a formula to determine the recommendation for award based on the best value. The recommended would be forwarded to the City Council to accept or reject. He explained what "best value" entails. Mr. Kenagy reviewed the preferred routes for hauling fill from the trench to a site near the University.

Elbert Cox, owner of the old Reno Casino adjacent to Fitzgerald's, is concerned that the shoofly will be 29 feet from his business, and that his business will not survive.

Harry York, CEO of the Reno-Sparks Chamber, would like to see the walls of the structure built to where the structure could be covered. They are also concerned about the businesses along the shoofly and the length of time they will be impacted.

Vernon Nelson, representing Harrah's, is concerned about the shoofly.

**Agenda  
Item  
No.**

Joan Mack, 40-year Reno resident, downtown business and property owner, asked the City Council members if they would vote for this trench if they knew that businesses would be destroyed.

Janet Lee Larson, retired union organizer from Local 971, spoke in favor of ReTRAC

Steve Machico, representing the carpenters union, spoke in favor of the project, and asked that it be specified in the RFP that skilled labor be utilized for the project.

The following people did not wish to make a statement but are in favor of the ReTRAC Project:

Richard Daly  
Richard Hardenbrook  
Cindy Ohmont  
Raul Lopez  
Ken Meyer  
Tony Mayorga  
John Russell  
Ralph Fellows  
Greg Dunbar  
William McHeney, II  
Mike Brittan  
William McHeney, III  
Alan Tracy  
Pat Sanderson  
Carlos Martinez  
Anhel Delarosa  
James Gates  
Michael Nance  
Mike Whitt  
Jimmy Thomas  
Francisco Martinez  
Richard Emerson  
Aurora Bagicalupi  
Ben Steele  
Jesse Pollock  
Jim Hagen

Discussion and questions ensued regarding technical quality, quality assurance and future maintenance; warranty on construction defects; delay of issuance of Notice to Proceed; mobilization payments; assurance of payment to subcontractors; the technical specifications that are going out for RFP; scoring of the proposals; how to specify skilled, qualified work force; right-of-way preparation and projected dates; alteration of buildings along the track such as the Amtrack building; contract administration; paying stipends; review of change orders; liability caps; cost sharing with regard to excess materials; differing site conditions; language on improper communication of the RFP process; earthwork disposal and review of the excavation plan; contamination material and groundwater; flexibility of schedules; the point system for scoring the proposals; utility and other high risk factor identification and possible incentives for contractors who identify those in the beginning of the project; extended warranty provisions; relocation of utilities; weighing the scheduling and sequencing of work.

Agenda  
Item  
No.

*Stipends*

Duane Kenagy, explained that the stipends are recommended to reimburse the extra cost in preparing the proposals, that encourage incentive for creativity and competitiveness in bids. It also allows for intellectual property whereby the bid winner will be able to use other proposers' engineering designs and ideas.

It was moved by Councilperson Aiazzi, seconded by Councilperson Doyle to accept staff's recommendation for stipends (#2).

Motion carried with Councilpersons Harsh and Sferrazza-Hogan voting Nay.

*Change Orders*

Discussion ensued regarding the change order process.

It was moved by Councilperson Sferrazza-Hogan, seconded by Councilperson Aiazzi to direct staff to come back with different model for change orders.

Motion carried.

Discussion ensued regarding warranty requirements regarding standards on the walls.

-0-0-0-0-0-0-

A recess was called at 9:30 p.m. and upon reconvening at 9:45 p.m., roll was taken with the following Council members present: Hascheff, Harsh, Rigdon, Sferrazza-Hogan, Doyle, Aiazzi and Griffin. Absent: None.

-0-0-0-0-0-0-

8C Staff Report: ReTRAC Stakeholders Escalated Issues. (Depressed Trainway)

Councilperson Sferrazza-Hogan disclosed that her husband has no financial interest in the Men's Club other than salary, and that her husband's business does not impact her judgment and causes any conflict of interest.

David Levy, Project Manager for the ReTRAC Project Team, explained the stakeholder issues that the project team has not agreed to. He explained that Stage I of the project would be the acquisition of the property for the shoofly and the relocation of utilities. Stage II is the construction of the shoofly on the west end and the east end, and then trench construction would begin. Stage III is where a single track shoofly would be constructed through the downtown area connecting the two shoofly tracks on the east and west end, and the construction of the entire trench would be completed. Stage IV would be the removal of the shoofly and completion of the project. Union Pacific preferred a double track shoofly, but there wasn't enough room in the downtown area. Mr. Levy also explained an alternative which would be combining Stages II and III which would build the shoofly in one stage in a one-track shoofly. He then discussed the impacts the concept of the single-track shoofly versus the double-track shoofly would have in the downtown area - specifically the downtown stakeholders. The difference between the more recent proposal would be 25 months versus 30 months for the closure of Commercial Row, and Third Street would not be closed under the recent proposal.

**Agenda  
Item  
No.**

Mr. Levy reviewed the cost savings involved, including less property acquisition necessary, less track having to be built on the double-track shoofly, less utility relocation, resulting in a cost savings of \$4.2 million.

Dan Edgington, Chairman of the Downtown Stakeholders, stated that the stakeholders support the method with the least disruption to downtown property owners. Further discussion will be held at the stakeholders' meeting scheduled for tomorrow morning at 10:00 at the Sands Regency.

Craig Questa, spoke about business loss during the construction of the shoofly along Commercial Row.

Bruce McKay, from the Eldorado Hotel, is concerned with the possibility of contaminated soil in the trench, and if there will be compensation and consideration given if that were to occur.

Lloyd Scott, West End Stakeholder Chairman, spoke about the grandfathering clauses for business being relocated, as well as upgrading of any equipment necessary for the businesses.

David Wood, from the Sands and the Downtown Stakeholders' group, is also concerned about hazardous materials from the trench.

Frank Lepori, spoke regarding the time frame for the property owners impacted from acquisition of 30 days, which he feels should be 90 days so that additional appraisals could be acquired if necessary.

Vernon Nelson, Associate General Counsel for Harrah's, stated that Harrah's supports the ReTRAC project, and suggests that the RFP provide for this new shoofly alternative. He also stated that they need more time to look at the proposal before they can take a position.

Karen Schlichting, Sierra Pacific Power Company, spoke about Agenda Item 8B regarding language that is recommended to be included in the RFP under the contract.

Council members further discussed the single-track shoofly, the possibility of opening negotiations with Union Pacific to re-route the trains to the Feather River, the surprise of the stakeholders regarding announcing the closure of Third Street, more discussion about possible contamination of soil or water and who is responsible for cleaning up the hazard,

There seemed to be confusion by the stakeholders regarding the construction time line. Dave Levy then addressed the five issues of the staff recommendation.

Andrea Pelter, Reno Iron Works, spoke about the importance of communication and information. She is very concerned about her losses of land and business. She also addressed the grandfather clause.

Councilperson Hascheff suggested that compensation on economic loss should be on a case-by-case basis.

Patty Paulson Property Specialist, land acquisition relocation consultants, discussed the relocation program, and will look at each individual business.

Bob Edmunds, President of R Supply Co. and Chairman of the East End Stakeholders, stated that they understand that the stakeholder issues can be added to the RFP as an Addendum at a later date and become part of the record so that those questions can be answered at a later time or date, so that the RFP decision tonight can move forward. Any delay will cost stakeholders time and money also.



No.

It was suggested putting the RFP out for single-track, and if the stakeholders disagree, then put it out as double-track as an Addendum. It was also suggested that the City Council should wait until after the stakeholders' meeting tomorrow to make a decision on the RFP.

It was moved by Councilperson Doyle, seconded by Councilperson Rigdon to continue Item 8B and 8C until January 4, 2002 at 1:00 p.m.

**Motion carried.**

**8D** Staff Report: Amendment to increase the contract amount of the contract with Manatt, Phelps, and Phillips. (Depressed Trainway)

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to approve the staff recommendation.

Motion carried, with Councilpersons Harsh and Sferrazza-Hogan voting Nay.

8E Staff Report: Agreement for Consulting Services from Adams and Reese, LLP.  
(Depressed Trainway)

It was moved by Councilperson Rigdon, seconded by Councilperson Doyle to approve the staff recommendation.

Motion carried, with Councilperson Harsh voting Nay.

12 CITY CLERK

**12A Staff Report: Proposed City Council Quarterly Financial Reporting.**

It was moved by Councilperson Aiazzi, seconded by Councilperson Sferrazza-Hogan to continue this item until January 8, 2002.

Motion carried.

6A Staff Report: Resolution No. Resolution of intent proposing the issuance of and authorizing the publication of notices relating to the general obligation (limited tax) capital improvement bonds (additionally secured by pledged revenues) for the purposes of financing capital improvement projects for the City and providing other matters properly relating thereto. (Downtown Events Center)

NO ACTION WAS TAKEN ON THIS ITEM.

## 14 FINANCE

**14A Presentation of Comprehensive Annual Report for the Fiscal year 2000-2001 with Auditor's Opinion.**

It was moved by Councilperson Rigdon, seconded by Councilperson Hascheff to accept the staff recommendations and direct staff to schedule this item on a study session for discussion.

Motion carried.

**Agenda  
Item  
No.  
15**

**MAYOR AND CITY COUNCIL**

**15A** Liaison Reports

NO ACTION WAS TAKEN ON THIS ITEM.

**15B** Report from any Conferences or Professional Meetings.

NO ACTION WAS TAKEN ON THIS ITEM.

**8F** Staff Report: City policy regarding requests for monetary compensaiton by private businesses who claim to have suffered economic loss due to impacts derived from public works construction activities.

THIS ITEM WAS CONTINUED.

**9A** Staff Report: Tiburon Project Status.

The Meeting was adjourned at 11:50 p.m.

**15G** Resolution granting \$5,000 to Desert Heights Family Resource Center to assist in their after school programming - S. Doyle.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

Electronically Filed  
Dec 19 2014 03:41 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

SCENIC NEVADA, INC.

Appellant,

Case No. 65364

v.

CITY OF RENO, a Political Subdivision  
of the State of Nevada,

Respondent.

**JOINT APPENDIX**

**VOL. 3**

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(775) 348-8351 fax  
Attorney for Appellant  
SCENIC NEVADA, INC.

## INDEX OF APPENDIX

<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
1	Answer to First Amended Complaint	7/30/2013	1	059-067
2	Case Appeal Statement	3/28/2014	3	511-515
3	Complaint for Judicial Review to Invalidate City of Reno Digital Billboard Ordinance	11/16/2012	1	001-019
4	Defendant's Trial Statement	2/13/2014	1	097-127
5	First Amended Answer to First Amended Complaint	8/6/2013	1	068-077
6	First Amended Complaint to Invalidate City of Reno Digital Billboard Ordinance	4/15/2013	1	032-051
7	Minutes of Non-Jury Trial	2/25/2014	2	458-475
8	Minutes of Oral Arguments	3/28/2013	1	027
9	Minutes of Oral Arguments	11/6/2013	1	092
10	Minutes of Pre-Trial Conference	2/3/2014	1	096
11	Notice of Appeal	3/28/2014	3	507-510
12	Notice of Entry of Order	3/28/2014	3	503-506
13	Order (to set oral argument)	3/12/2013	1	025-026
14	Order (granting motion to dismiss/motion to amend)	3/29/2013	1	028-031
15	Order (to set oral argument)	6/7/2013	1	052-053
16	Order (granting motion to supplement motion to dismiss)	6/27/2013	1	054-056
17	Order (denying motion to dismiss first amended complaint)	7/23/2013	1	057-058
18	Order (denying motion to dismiss Saunders' complaint)	9/19/2013	1	088-091
19	Order (denying motion for summary judgment)	2/18/2014	1	142-144
20	Order (judgment in favor of defendant)	3/27/2014	3	476-502
21	Plaintiff's Trial Statement	2/13/2014	1	128-141
22	Pretrial Order	8/27/2013	1	078-085
23	Proof of Service of Summons and Complaint	11/16/2012	1	020-024
24	Stipulation and Order to Consolidate Actions	9/11/2013	1	086-087

	<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
1					
2					
3	25	Stipulation and Order to Continue Trial	1/10/2014	1	093-095
4	26	Transcript of Proceedings – Trial, Part 1	9/26/2014	1	145-250
5		Transcript of Proceedings – Trial, Part 2	9/26/2014	2	251-457
6	27	Trial Exhibit 1		3	516-518
7	28	Trial Exhibit 2		3	519
8	29	Trial Exhibit 3		3	520-541
9	30	Trial Exhibit 4		3	542-576
10	31	Trial Exhibit 5		3	577-586
11	32	Trial Exhibit 6		3	587-589
12	33	Trial Exhibit 7		3	590-594
13	34	Trial Exhibit 8		3	595-614
14	35	Trial Exhibit 9		3	615-619
15	36	Trial Exhibit 10		3	620-631
16	37	Trial Exhibit 11		3	632-644
17	38	Trial Exhibit 12		3	645-655
18	39	Trial Exhibit 13		3	656-657
19	40	Trial Exhibit 14		3	658-666
20	41	Trial Exhibit 15		3	667-684
21	42	Trial Exhibit 16		3	685-689
22	43	Trial Exhibit 17		3	690-704
23	44	Trial Exhibit 18		4	705-854
24	45	Trial Exhibit 19		4	855-866
25	46	Trial Exhibit 20		4	867-873
26	47	Trial Exhibit 21		4	874-895
27	48	Trial Exhibit 22		4	896-917
28	49	Trial Exhibit 23		4	918-934
	50	Trial Exhibit 24		4	935-952
	51	Trial Exhibit 25		5	953-959
	52	Trial Exhibit 26		5	960-992
					993-
	53	Trial Exhibit 27		5	1037
					1038-
	54	Trial Exhibit 28		5	1052
					1053-
	55	Trial Exhibit 29		5	1055
					1056-
	56	Trial Exhibit 30		5	1061

	<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
1					
2					
3					
4	57	Trial Exhibit 31		5	1062- 1064
5	58	Trial Exhibit 32		5	1065- 1070
6					1071-
7	59	Trial Exhibit 33		5	1083 1084-
8	60	Trial Exhibit 34		5	1093
9					1094-
10	61	Trial Exhibit 35		5	1095 1096-
11	62	Trial Exhibit 36		5	1113 1114-
12					1131
13	63	Trial Exhibit 37		5	1132-
14	64	Trial Exhibit 38		5	1145 1146-
15	65	Trial Exhibit 39		5	1150 1151-
16					1162
17	66	Trial Exhibit 40		5	1163- 1164
18	67	Trial Exhibit 41		5	1165- 1167
19					1168-
20	68	Trial Exhibit 42		5	1182 1183-
21	69	Trial Exhibit 43		5	1188 1189-
22					1191
23	70	Trial Exhibit 44		5	1192- 1193
24					1194-
25	71	Trial Exhibit 45		5	1197 1198-
26	72	Trial Exhibit 46		5	1202
27	73	Trial Exhibit 47			
28	74	Trial Exhibit 48			

	<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
1					
2					
3					
4	75	Trial Exhibit 49		6	1203- 1206
5	76	Trial Exhibit 50		6	1207- 1213
6					1214-
7	77	Trial Exhibit 51		6	1223
8	78	Trial Exhibit 52		6	1224- 1229
9					1230-
10	79	Trial Exhibit 53		6	1232
11	80	Trial Exhibit 54		6	1233- 1235
12					1236-
13	81	Trial Exhibit 55		6	1239
14	82	Trial Exhibit 56		6	1240- 1246
15	83	Trial Exhibit 57		6	1247- 1249
16					1250-
17	84	Trial Exhibit 58		6	1252
18	85	Trial Exhibit 59		6	1253- 1259
19					1260-
20	86	Trial Exhibit 60		6	1264
21	87	Trial Exhibit 61		6	1265- 1269
22	88	Trial Exhibit 62		6	1270- 1271
23					1272-
24	89	Trial Exhibit 63		6	1273
25	90	Trial Exhibit 64		6	1274- 1293
26					1294-
27	91	Trial Exhibit 65		6	1315
28	92	Trial Exhibit 66		6	1316- 1320

	<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
1					
2					
3					
4	93	Trial Exhibit 67		6	1321- 1344
5	94	Trial Exhibit 68		6	1345- 1396
6					1397-
7	95	Trial Exhibit 69		6	1411 1412-
8	96	Trial Exhibit 70		6	1415 1416-
9					1417
10	97	Trial Exhibit 71		6	1418- 1422
11	98	Trial Exhibit 100		6	1423- 1432
12	99	Trial Exhibit 101		6	1433- 1435
13					1436-
14	100	Trial Exhibit 102		6	1492 1493-
15	101	Trial Exhibit 200		7	1552 1553-
16					1568
17	102	Trial Exhibit 201		7	1569- 1576
18	103	Trial Exhibit 202		7	1577- 1593
19					1594-
20	104	Trial Exhibit 203		7	1595 1596-
21	105	Trial Exhibit 204		7	1606 1607-
22	106	Trial Exhibit 205		7	1608 1609
23					1610-
24	107	Trial Exhibit 206		7	1611 1612
25	108	Trial Exhibit 207		7	
26	109	Trial Exhibit 208		7	
27	110	Trial Exhibit 209		7	
28	111	Trial Exhibit 210		7	



	<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
1					
2					
3					
4	112	Trial Exhibit 211		7	1613- 1622
5	113	Trial Exhibit 212		7	1623- 1624
6					1625-
7	114	Trial Exhibit 213		7	1644
8	115	Trial Exhibit 214		7	1645- 1647
9					1648-
10	116	Trial Exhibit 215		7	1649
11	117	Trial Exhibit 216		7	1650
12	118	Trial Exhibit 217		8	1651- 1790
13	119	Trial Exhibit 218		8	1791- 1799
14					1800-
15	120	Trial Exhibit 219		8	1824
16	121	Trial Exhibit 220		8	1825- 1830
17	122	Trial Exhibit 221		8	1831- 1834
18					1835-
19	123	Trial Exhibit 222		8	1854
20	124	Trial Exhibit 223		8	1855- 1867
21					1868-
22	125	Trial Exhibit 224		8	1869
23	126	Trial Exhibit 225 (DVD)			
24	127	Trial Exhibit 226		8	1870- 1876
25	128	Trial Exhibit 227		8	1877- 1882
26					1883-
27	129	Trial Exhibit 228		8	1888
28	130	Trial Exhibit 229		8	1889- 1900

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<u>NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL.</u>	<u>PAGE NO.</u>
131	Trial Exhibit 230		9	1901- 1951
132	Trial Exhibit 231		9	1952- 1958
133	Trial Exhibit 232		9	1959- 1961
134	Trial Exhibit 233		9	1962
135	Trial Exhibit 234		9	1963
136	Trial Exhibit 235		9	1964- 1969
137	Trial Exhibit 236		9	1970- 1974
138	Trial Exhibit 237		9	1975- 1980

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE  
8

9 SCENIC NEVADA, INC.,

Case No. CV12-02863

10 Plaintiff,

Dept. No. 7

11 vs.

12 CITY OF RENO, a political  
13 subdivision of the State of Nevada,  
and the CITY COUNCIL thereof,

14 Defendant.  
15 \_\_\_\_\_/

16 SAUNDERS OUTDOOR ADVERTISING,  
17 INC., a Utah corporation,

Case No.: CV12-02917

18 Plaintiff,

Dept. No. 7

19 vs.

20 CITY OF RENO, a political  
21 subdivision of the State of Nevada,  
and the CITY COUNCIL thereof,

22 Defendant.  
23 \_\_\_\_\_/

24 **ORDER**  
**INTRODUCTION**

25 Surrounded by the Sierra Nevada Mountains and the Great Basin Desert,  
26 Reno's bucolic landscape shapes the character of this city, community, and region.  
27 This panorama is celebrated in Nevada's State Song and western regional  
28

1 literature.<sup>1</sup> However, the City of Reno is more than mountains and desert; it is  
2 home to 231,027 residents and 21,297 businesses whose taxes contribute millions of  
3 dollars to its economy.<sup>2</sup> The City of Reno drew over 4.6 million visitors in 2013,<sup>3</sup>  
4 many of whom are guided to their destination by billboards on the public highways.  
5 The City of Reno is also the battleground of this litigation.

## 6 BACKGROUND

### 7 Factual History

8 On January 20, 2000, a volunteer organization called "Citizens for a Scenic  
9 Reno" ("CFASR") was formed to persuade the Reno City Council to adopt stronger  
10 billboard controls. On March 29, 2000, CFASR filed an Initiative Petition which  
11 stated:

12 **"New off-premise advertising displays/billboards in**  
13 **the City of Reno are prohibited, and the City of Reno**  
14 **may not issue permits for their construction."**

15 The initiative qualified for the 2000 general election. Question R-1 read:

16 **"The construction of new off-premises advertising**  
17 **displays/billboards is prohibited, and the City of**  
18 **Reno may not issue permits for their construction."**

19 On November 7, 2000, Ballot Question R-1 passed with 57% approval. On  
20 November 14, 2000, it became effective and is presently codified as Reno Municipal  
21 Code ("RMC") § 18.16.902(a).<sup>4</sup> Entitled as "Restrictions on Permanent Off-Premises  
22 Advertising Displays" it reads:

23 **"The construction of new off-premises advertising**  
24 **displays/billboards is prohibited, and the City of**  
25 **Reno may not issue permits for their construction."**

26 <sup>1</sup> "Mt. Rose is the sole, white, exalted patron angel and fountain of wind and storm to south Reno,  
27 while in north Reno, her reign is strongly contested by black Peavine Mountain, less austere, wilder,  
28 and home of two winds. Mt. Rose is a detached goal of the spirit, requiring a lofty and difficult  
worship. Peavine is the great humped child of the desert. He is barren, and often powering, but he  
reaches out and brings unto him, while Rose stands aloof." *The City of Trembling Leaves*, Clark,  
Walter Van Tilburg, University of Nevada Press (1945).

<sup>2</sup> [www.reno.gov](http://www.reno.gov)

<sup>3</sup> [www.visitrenotahoe.com](http://www.visitrenotahoe.com)

<sup>4</sup> The Initiative only applied to off-premises billboards, and did not place similar restrictions on on-  
premises advertising displays.

1 On November 14, 2000, the City Council adopted Ordinance No. 5206 which  
2 established a moratorium on applications for billboards. Ex. 9, 10, 11, 12. On  
3 January 22, 2002, the City Council enacted Ordinance No. 5295 (the "Conforming  
4 Ordinance"). This interpreted the "no new billboards" language in the Initiative to  
5 mean that no *additional* billboards could be built in the City of Reno, thus capping  
6 the number of billboards in the City. RMC § 18.06.920(b).

7 In September 2002, CFASR changed its name to "Citizens For A Scenic  
8 Northern Nevada" and adopted its current name, "Scenic Nevada."<sup>5</sup>

9 On June 11, 2003, the City adopted Ordinance No. 5461 (the "Banking  
10 Ordinance") which allowed billboard owners to remove a billboard from one area  
11 and relocate it to a permitted location, provided it complied with all requirements of  
12 RMC § 18.16.908(a). Neither Scenic Nevada nor the billboard industry challenged  
13 the constitutionality of either ordinance from 2003 to 2012.

#### 14 Digital Billboards<sup>6</sup>

15 Until recently, all billboard lighting in the City of Reno was required to be  
16 directed toward the billboard and not toward the street. RMC §18.16.905(l). This  
17 requirement effectively prevented the construction of any digital billboards in Reno.  
18 On February 13, 2008, the City Council directed staff to initiate an amendment to  
19 the Reno Municipal Code which would allow the construction and permitting of  
20 digital billboards.

21 Thereafter, City staff, legal counsel, Scenic Nevada and billboard industry  
22 representatives held numerous meetings to draft a digital billboard ordinance. Ex.  
23 19, 29-70. As a result of these discussions, the City Council enacted Ordinance No.  
24 6258 entitled "Digital Off-Premises Advertising Displays, including Light-Emitting  
25

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26 <sup>5</sup> Plaintiff Scenic Nevada, Inc. is a non-profit Nevada corporation whose mission is to educate the  
27 general public on the economic, social, and cultural benefits of scenic preservation by means of  
28 encouraging billboard and sign control, among other issues. [www.scenicnevada.org](http://www.scenicnevada.org)

<sup>6</sup> Digital billboards are computer controlled variable message electronic signs whose informational  
content can be changed or altered by means of computer-driven impulses (including "light emitting  
diodes") or "LED" light bulbs.

1 Diode (LED”) (“the digital billboard ordinance”), which allowed static billboards to  
2 be converted to digital billboards on October 24, 2012.<sup>7</sup>

3 The Billboard Litigation

4 On November 16, 2012, Scenic Nevada filed a *Petition for Judicial Review*  
5 seeking to invalidate the digital billboard ordinance. The City filed a *Motion to*  
6 *Dismiss* on the basis that the Petition improperly raised substantive, not  
7 procedural, issues. While granting the City’s *Motion to Dismiss*, this court  
8 permitted Scenic Nevada to file an amended complaint challenging the digital  
9 billboard ordinance.

10 On November 21, 2012, Saunders Outdoor Advertising, Inc.,<sup>8</sup> (“Saunders”)   
11 filed a civil rights complaint against the City of Reno under 42 U.S.C. § 1983  
12 alleging the digital billboard ordinance violated the First Amendment and the  
13 Equal Protection Clause of the Fourteenth Amendment to the Constitution. The  
14 City of Reno filed a *Motion to Dismiss* Saunders’ *Complaint*. This court denied the  
15 City’s motion on January 30, 2014.

16 On April 15, 2013, Scenic Nevada’s filed its *First Amended Complaint* alleging  
17 the digital billboard ordinance violated the Nevada Constitution, the Reno Municipal  
18 Code and the Federal Highway Beautification Act. The City filed its *Motion to Dismiss*  
19 on April 24, 2013. This court denied the City of Reno’s motion on July 23, 2013.

20 On September 11, 2013, the parties agreed to consolidate the actions. Both  
21 cases were tried to the Bench on February 24, 2014. The court has reviewed the  
22 record in its entirety, the legal authorities, considered the relative merits of the  
23 arguments of the parties and all the evidence presented at trial. This Order follows.

24  
25  
26 <sup>7</sup> The particulars of the Ordinance permit the approval of digital off-premises advertising displays  
27 when the proposing party removes existing static billboards or exchanges banked receipts. The  
28 Ordinance does not assume a 1:1 ratio of removal to approval of a digital display, but rather creates  
a ratio system for different areas identified in the Ordinance and is intended to reduce billboard  
‘clutter’ in certain problem areas identified in RMC § 18.16.904(b)(5).

<sup>8</sup> Saunders Outdoor Advertisements, Inc., a Utah corporation, owns a number of billboards within  
the City of Reno.

## DISCUSSION

### Saunders Outdoor Advertising, Inc. v. City of Reno

#### Arguments

Saunders contends that the digital billboard ordinance violates its rights under the First Amendment by restricting the ability of a billboard sign owner to upgrade from a single static vinyl billboard to a single digital billboard. Saunders argues that the digital billboard ordinance does not advance the traffic safety and aesthetic goals of the City of Reno. Saunders posits that the "ratio requirement" is not so narrowly tailored to achieve those goals because it restricts more speech than is necessary to achieve the goal of reducing clutter and protecting the health, safety and welfare of the general public.

Additionally, Saunders argues that the digital billboard ordinance's ratio system does not cabin the discretion of the City Council in approving or rejecting applicants for permits or special exceptions thus constituting a prior restraint on its First Amendment rights. Finally, Saunders argues that the ratio system favors large billboard companies who have more billboard inventory over the smaller operators with little or no inventory, thereby creating separate classes of billboard operators in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

#### Legal Standard for Equal Protection Claims

Saunders claims that the ratio system adopted by the City creates different classes of billboard operators and discriminates against those smaller companies with less billboard inventory to trade for digital billboards in favor of larger billboard operators. This may be true but this market-based challenge does not give rise to an Equal Protection Clause claim under the Fourteenth Amendment.

The Equal Protection Clause of the Fourteenth Amendment does not create any substantive rights for individuals but rather, "embodies a general rule that States must treat like classes alike but may treat unlike cases accordingly." *Vacco v.*

1 *Quill*, 521 U.S. 793, 799 (1997); *Higgs v. Neven*, 2013 WL 5663127 (D. Nev. 2013).  
2 Saunders claims it suffers an unfair impact from the ratio system's removal  
3 formulae, given's Saunders' smaller inventory than that of its larger competitors.  
4 This may be the case, but the ratio's impact is felt by all billboard owners, large and  
5 small. This system does not single out Saunders. Thus, Saunders' claim under the  
6 Fourteenth Amendment is unavailing.

7 Legal Standard for First Amendment Claims

8 While plead as a violation of its civil rights, the constitutional rights  
9 Saunders asserts have been violated by the digital billboard ordinance really arise  
10 under the First Amendment to the Constitution of the United States and the court  
11 analyzes these claims under the standard governing commercial speech.

12 The United States Supreme Court has adopted a four-part test for  
13 determining the validity of government restrictions on commercial speech:

14 At the outset, we must determine whether the expression is protected  
15 by the First Amendment. For commercial speech to come within that  
16 provision, it at least must concern lawful activity and must not be  
17 misleading. Next, we ask whether the asserted governmental interest  
18 is substantial. If both inquiries yield positive answers, we must  
determine whether the regulation directly advances the governmental  
interest asserted, and whether it is not more extensive than is necessary  
to serve that interest.

19 *Central Hudson Gas & Electric Corp. v. Public Serv. Comm'n of New York*, 447 U.S.  
20 557, 566, 100 S. Ct. 2343, 2350-2351 (1980).

21 The United States Supreme Court applied the *Central Hudson* standards to  
22 static billboards in *Metromedia, Inc. v. City of San Diego et al.*, 453 U.S. 590, 101 S.  
23 Ct. 2882 (1981). "[T]he government has legitimate interests in controlling the  
24 noncommunicative aspects of the medium." *Metromedia*, 453 U.S. at 502. Although  
25 a billboard may exhibit commercial or noncommercial speech, large, immovable,  
26 and permanent structures (such as billboards) can be subject to restriction for their  
27 noncommunicative qualities. "Because regulation of the noncommunitive aspects of  
28 a medium often impinges to some degree on the communicative aspects, it has been



1 necessary for the courts to reconcile the government's regulatory interests with the  
2 individual's right to expression." *Id.*

3 To reconcile these competing interests, a court must conduct "a particularized  
4 inquiry into the nature of the conflicting interests at stake here, beginning with a  
5 precise appraisal of the character of the ordinance as it affects communication." *Id.*  
6 at 503. This is satisfied through an application of the *Central Hudson* standards.

7 Saunders does not question the City's satisfaction of the first two elements of  
8 the *Central Hudson* test,<sup>9</sup> but asserts the digital billboard ordinance does not  
9 advance any stated or implied purpose the City may have and that it is more  
10 restrictive than it needs to be in order to obtain the City's stated objectives. The  
11 court now turns to an analysis of the final two elements of the *Central Hudson* test  
12 and applies them to the facts of Saunders' case.

### 13 Legal Analysis

14 The Supreme Court has said that "[t]he last two steps of the *Central Hudson*  
15 analysis basically involve a consideration of the 'fit' between the legislature's ends  
16 and the means chosen to accomplish those ends." *United States v. Edge*  
17 *Broadcasting Co.*, 509 U.S. 418, 427-28, 113 S. Ct. 2696 (1993)(internal quotation  
18 marks omitted); see also, *Metro Lights, LLC. v. City of Los Angeles*, 551 F.3d 898,  
19 904, 2009 U.S. App. LEXIS 38 (9<sup>th</sup> Cir. 2008). In *Metromedia*, the Supreme Court  
20 stated that it did not disagree with "lawmakers and the many reviewing courts that  
21 [find] billboards are real and substantial hazards to traffic safety." *Id.* at 509. As a  
22 practical matter, digital billboards serve as multiple billboards in one - part of their  
23 utility is that they can rotate different messages on a single platform.

24 This court finds it reasonable to extend the *Metromedia* analysis to support  
25 the general proposition here that digital billboards in the City of Reno are real and  
26 substantial hazards to traffic safety capable of distracting drivers, even more than  
27

28 <sup>9</sup> 1) The commercial speech is lawful and not misleading; and 2) the City has a substantial interest in regulating billboards.

1 static billboards.<sup>10</sup> A restriction on the use of digital billboards therefore serves to  
2 advance the City of Reno's governmental interest of promoting traffic safety.

3 Furthermore, the court finds the City of Reno's legitimate interest in  
4 preserving the region's aesthetic value is also advanced by restricting the  
5 construction of digital billboards. The Reno Municipal Code recognizes that the  
6 scenic vistas surrounding the City of Reno "shapes the character of our city,  
7 community, and region" and the stated intent and purpose of the billboard  
8 regulations is to "promote the maintenance and enhancement of the city's esthetic  
9 qualities and improve the character of our city[.]" Ex. 3; RMC § 18.16.901(a).  
10 The alternating display of a digital billboard distracts citizens and visitors from the  
11 natural vistas even more than a static billboard. Thus, the court finds the digital  
12 billboard regulation directly advances the City of Reno's interests in enhancing the  
13 aesthetic values in the scenic preservation of this unique environment.

14 The final standard under *Central Hudson* is whether the digital billboard  
15 regulation is more extensive than necessary to serve the City of Reno's  
16 governmental interests. The ratio system adopted in RMC § 18.16.905(14) restricts  
17 the construction of digital billboards by creating an exchange system between  
18 existing (or previously banked) static billboards and digital billboards. To reduce  
19 billboard 'clutter' in certain problem areas, the City has determined it appropriate  
20 to exchange existing static displays totaling four times the square footage of the  
21 proposed digital display<sup>11</sup> in order to obtain a permit for the construction of a single  
22 digital billboard. This municipal regulation reduces the number of billboards in  
23 Reno and is concordant with the declared goals of Scenic Nevada.

24  
25  
26  
27 <sup>10</sup> RMC § 18.16.905(n)(1) states: "[e]ach message or copy shall remain fixed for a minimum of eight  
28 seconds." This restriction serves as an acknowledgment of the potential for distraction posed by  
digital billboards.

<sup>11</sup> Or banked receipts totaling eight times the square footage of the proposed digital display.

1 One of the goals of Scenic Nevada is the elimination of billboard 'blight'  
2 through the enactment of laws to regulate and reduce the numbers of billboards.<sup>12</sup>  
3 The City of Reno has promulgated these municipal ordinances in an effort to  
4 eliminate billboard clutter with the City of Reno. Members of the billboard industry  
5 recognize that the ratio system promulgated in these regulations will lead to the  
6 elimination of some static billboards but they support the effort.<sup>13</sup>

7 The court finds that the digital billboard ordinance is reasonably restricted to  
8 reach the City's governmental interests in enhancing the aesthetic value of the  
9 community and promoting public safety and does not unconstitutionally restrict  
10 Saunders' constitutional rights under the First Amendment.

#### 11 Saunders' Public Policy Challenges

12 Saunders asserts the ratio system adopted by the City of Reno has no relation  
13 to the restriction on digital billboards and is not narrowly tailored because it targets  
14 even those non-cluttered areas of the city. Saunders volunteers several different  
15 methods by which the City could reduce billboard clutter. While these may be  
16 laudable suggestions, it is not within the purview of the court to determine the best  
17 method for the City of Reno to confront the urban problem of billboard clutter.

#### 18 Legal Standard

19 Public policy is the exclusive province of the Legislative branch of  
20 government. As such, the formulation of public policy is not within the purview of  
21 the court. *Koscot Interplanetary v. Draney*, 90 Nev. 450, 530 P.2d 108 (1974). If the  
22 court were to do so, it would supplant the City Council's constitutionally delegated  
23 legislative powers. See, *North Lake Tahoe Fire Pro. Dist. v. Washoe County Bd. of*  
24 *County Comm'rs*, 129 Nev. Ad.Op. 72, 310 P.3d 583 (2013).

25  
26 <sup>12</sup> [www.scenicnevada.org](http://www.scenicnevada.org).

27 <sup>13</sup> "[The billboard industry] is still willing to work with the City to reduce the overall number of  
28 boards in the community. South Virginia was brought up and multiple structures that create a  
cluttered effect. This could be an opportunity to do something about that. We do have a business to  
run. Out of the goodness of our hearts, we cannot mow down 10 structures, but if we could mow  
down 10 and put up two or convert to digital, then I think it is a win for the City." Ex. 36, COR 591.

1 Legal Analysis

2 Whether a legislative enactment is wise or unwise is not a determination to  
3 be made by the judicial branch. *Koscot v. Interplanetary v. Draney*, 90 Nev. at 456,  
4 530 P.2d at 112. "[The law's] wisdom is not the concern of the courts; if a challenged  
5 action does not violate the Constitution, it must be sustained[.]" *I.N.S. v. Chadha*,  
6 462 U.S. 919, 944, 103 S. Ct. 2764, 2780 (1983). The court finds that the proper  
7 entity to decide how to confront the urban problem of billboard clutter and provide  
8 the determination of the best method to solve this issue is the Reno City Council.<sup>14</sup>

9 However, the court does have the constitutional authority to determine  
10 whether the City's method is so narrowly tailored as to comply with the Supreme  
11 Court's *Metromedia* standards. The court finds that it is. A billboard owner  
12 seeking the construct a digital billboard within the corporate limits of the city must  
13 comply with RMC § 18.16, Article II. These standards are objective in nature and  
14 do not grant unfettered discretion to city officials. So long as the billboard owner  
15 can demonstrate compliance, the operator is entitled to a building permit as a  
16 matter of right.

17 The court finds the City's discretion in approving permit applications is not  
18 unconstitutionally unfettered; it is subject to the requirements enumerated in the  
19 Reno Municipal Code. Saunders' claim to the contrary is unsupported by the facts.

20 Saunders' Unfair Competition Claim Arguments

21 Saunders contends that the digital billboard ordinance discriminates against  
22 persons who have no existing billboards, have no existing inventory to exchange or  
23 have no inventory to exchange within the restricted area. The City of Reno  
24 counters that the removal requirements for digital billboards further legitimate  
25 governmental traffic safety and aesthetic goals; and in particular they "prevent and  
26 alleviate needless distraction and clutter resulting from excessive and confusing off-

27  
28 <sup>14</sup> The City of Reno is a municipal corporation, organized and existing under the laws of the State of Nevada through a charter approved by the Legislature. Under the Reno City Charter, the legislative power of the City is vested in the city council. Reno City Charter, Art. II, § 2.010(1).

1 premises advertising displays." See, RMC § 18.16.901(a). The fact these goals may  
2 effect a disparate impact on smaller billboard operators than larger ones is an  
3 economic issue best addressed in the free market and not a constitutional issue to  
4 be resolved by the courts.

5 Legal Analysis

6 Currently, off-premise digital billboards are banned in the City of Reno. To  
7 meet the industry's application of this new technology, reduce billboard clutter  
8 across the City, enhance traffic safety and promote the aesthetic value of the  
9 community, the City has promulgated these municipal regulations. Billboard  
10 operators are free to exercise any of the available regulatory options.

11 First, it is axiomatic that billboard operators are not required by law to  
12 convert their static billboards to digital billboards. They may keep and maintain  
13 their existing inventory with no additional governmental regulation. Second, the  
14 City has provided for special exceptions for those applicants who seek to relocate or  
15 convert a static billboard in the restricted areas to a digital billboard but cannot  
16 meet the billboard ratio requirements discussed in the Reno Municipal Code. RMC  
17 § 8.16.905(n)(15)(the "Special Exceptions"). Additionally, those applicants who have  
18 no inventory to exchange may either apply for a variance or purchase static or  
19 banked billboards from those with inventory at market price. Even if it has an  
20 incidental effect on some billboard operators but not others, all operators are  
21 treated equally under the ordinance. The law does not require that the 'fit' between  
22 regulation and constitution be perfect, only that it be reasonable.

23 The City has also provided specific mechanisms to reduce the stringency of  
24 the ratio requirements for those smaller billboard operators without the inventory  
25 of larger billboard operators. Finally, further questioning as to the precise manner  
26 in which the City of Reno undertook the task of addressing the issues of aesthetic  
27 environmental quality and public safety is outside the ambit of the court's  
28 constitutional authority.

1 The court finds the ratio system is narrowly tailored to serve the legitimate  
2 governmental interests of promoting traffic safety and reducing billboard clutter.

3 Scenic Nevada v. The City of Reno

4 Scenic Nevada's State Constitutional Claim

5 The court next considers Scenic Nevada's assertion that Ordinance 5295 (the  
6 "Conforming Ordinance") interpreting the "no new billboards" language in the 2000  
7 Ballot Initiative violated Article 19 § 2.3 of the Nevada Constitution.

8 Arguments

9 Scenic Nevada asserts Article 19 § 2.3 applies to municipal initiatives and  
10 therefore the conforming ordinance amending the billboard ordinance violated the  
11 Nevada Constitution. The City contends that because the billboard ordinance was a  
12 municipal initiative, Article 19 § 2.3 does not apply and therefore it was permissible  
13 for the City Council to pass the conforming ordinance within three years of the  
14 billboard ordinance's approval. The court turns to an analysis of the applicable  
15 constitutional and legislative provisions.

16 Legal Standard

17 Article 19 § 4 states, in relevant part, "[t]he initiative and referendum powers  
18 provided for in this article are further reserved to the registered voters of each  
19 county and each municipality as to all local, special and municipal legislation of  
20 every kind or for such county or municipality."

21 Article 19 § 2.3 provides, in part,

22 If a majority of the voters voting on such question at such election votes  
23 approval of such statute or amendment to a statute, it shall become law  
24 and take effect upon completion of the canvass of votes by the Supreme  
25 Court. An initiative measure so approved by the voters shall not be  
amended, annulled, repealed, set aside or suspended by the Legislature  
within 3 years from the date it takes effect.

26 Legal Analysis

27 The Nevada Constitution includes specific provisions for the passage of  
28 initiatives and referendums in counties and municipalities: "[i]n counties and

1 municipalities initiative petitioner may be instituted by a number of registered  
2 voters equal to 15 percent or more of the voters who voted at the last preceding  
3 general county or municipal election. Referendum petitioners may be instituted by  
4 10 percent or more of such voters.” Nev. Const. Art. XIX § 4. In this case, the 2000  
5 Ballot Initiative clearly meets the statutory and constitutional requirements for  
6 municipal initiatives.

7 While Art. 19 § 2.3 contains the prohibition on the amendment of state  
8 initiatives by the legislature within 3 years from the date the state initiative takes  
9 effect, there is no similar provision for municipal initiatives. The Nevada  
10 Constitution could have been amended to provide a corollary to the ban on  
11 amendments found in Article 19 § 2.3, instead the Legislature enacted Nevada  
12 Revised Statute 295.220. NRS 295.220 provides that a municipal initiative “shall  
13 be treated in all respects as other ordinances of the same kind adopted by the  
14 council.” The Reno Municipal Code does not provide a ban on amendments similar  
15 to Article 19 § 2.3 of the Nevada Constitution.

16 Foundational differences in the structure of the Legislature and the city  
17 governments of the state caution against a liberal reading of the Nevada  
18 Constitution conflating acts by the Legislature to acts by those city governments. If  
19 a constitutional provision is clear and unambiguous, courts will not look beyond the  
20 provision of the provision. *Miller v. Burk*, 124 Nev. 579, 590, 188 P.3d 1112, 1119-20  
21 (2008).<sup>15</sup>

22 The language of Article 19 § 2.3 of the Nevada Constitution specifically  
23 references approval of a *statute*, a canvass of votes by the Supreme Court, and the  
24 power of the Legislature to amend, annul, repeal, set aside, or suspend the *statute*.  
25 A plain reading of the language cuts against applying the restriction on  
26 amendments to municipal *ordinances*.

27  
28 <sup>15</sup> The court notes while the use of the word “statute” is in and of itself insufficient to identify this  
section as applying to only state-wide initiatives, the totality of the language suggests that this  
interpretation is appropriate.

1 The court finds the 2000 Billboard Initiative was a municipal, not state,  
2 initiative and the provision disallowing amendments of initiative measures found in  
3 Article 19 § 2.3 of the Nevada Constitution is inapplicable to the actions of the Reno  
4 City Council. Thus the court finds the 'banking ordinance' was a proper exercise of  
5 constitutional power given to the City of Reno by the Nevada Legislature and does  
6 not violate the Nevada Constitution's restriction on amendments to state initiatives.  
7 The 2000 Initiative, Ballot Question R-1 and the Term "New Billboards."

8 The court next considers whether the intent of the 2000 Initiative and Ballot  
9 Question R-1 was to completely eliminate billboards or simply cap the number of  
10 billboards in the City of Reno at the number in existence at the time of their  
11 passage and what the proponents of the 2000 Initiative and Ballot Question R-1  
12 meant when they sought to prohibit the construction of "new" billboards.

13 Arguments

14 Scenic Nevada argues that "[t]he voter initiative of 2000, codified as RMC §  
15 18.16.902, prohibited new construction of billboards and banned the issuance of  
16 building permits for their construction." *First Amend. Compl.*, ¶55. The City argues  
17 that the 2000 Initiative and Ballot Question R-1 simply capped the number of  
18 existing billboards which may not be exceeded by additional (i.e. "new") billboards.

19 Under the City of Reno's analysis, so long as a billboard was existing before  
20 November 14, 2000, it is not a "new" billboard and may be moved when zoning,  
21 contractual termination, construction or land use restrictions require its removal.  
22 Scenic Nevada counters that any billboard relocated to another location is "new" to  
23 that location and the City is prohibited from issuing a permit for its construction.

24 Legal Standard

25 Whenever a law is equivocal, courts must define its purpose and intent to  
26 effectuate a reasonable interpretation. "[I]f the statutory language is ambiguous or  
27 does not address the issue before us, we must discern the Legislature's intent and  
28 construe the statute according to that which 'reason and public policy would



1 indicate the legislature intended.” *Sandoval v. Bd. Of Regents*, 119 Nev. 148, 153,  
2 67 P.3d 902, 905 (2003) (internal citation omitted). Otherwise, absent an ambiguity,  
3 courts should interpret a law according to its plain meaning. *See Kay v. Nunez*, 122  
4 Nev. 1100, 1104, 146 P.3d 801, 804 (2006).

5 Legal Analysis

6 The 2000 Ballot Initiative stated:

7  
8 **“New off-premises advertising displays/billboards is**  
9 **prohibited, and the City of Reno may not issue**  
10 **permits for their construction.”**

11 Once it qualified for the General Election Ballot, Question R-1 read:

12 **“The construction of new off-premises advertising**  
13 **displays/billboards is prohibited, and the City of**  
14 **Reno may not issue permits for their construction.”**

15 After passage of Ballot Question R-1, this Reno City Council adopted Reno  
16 Municipal Code section 18.16.902(a) which reads:

17 **“The construction of new off-premises advertising**  
18 **displays/billboards is prohibited, and the City of**  
19 **Reno may not issue permits for their construction.”**

20 In order to understand the intent of the proponents of the Ballot Question,  
21 the court looks first to the language of the Question. This is a compound sentence  
22 with two independent clauses joined by a comma and conjunction. The independent  
23 clauses could function as individual sentences: there is a subject and predicate for  
24 each of the independent clauses. This implies equal attention for both ideas in each  
25 independent clause.<sup>16</sup> This provides little assistance to the court.

26 In the first independent clause, *construction* is the simple subject, *is*  
27 *prohibited* is the predicative (verb) and *of off-premise advertising* is a prepositional  
28 phrase acting as an adjective to modify *construction*.<sup>17</sup> In the second independent

<sup>16</sup> *The Bedford Handbook 8<sup>th</sup> Edition*, p. 177, 14a.

<sup>17</sup> *The Brief McGraw-Hill Handbook 2<sup>nd</sup> Edition*, p. 514, 2. New York: McGraw-Hill, 2012. Print.

1 clause, *the City of Reno* is the simple subject, *may not issue* is the simple predicate  
2 (*may not issue permits for their construction* is the complete predicate which  
3 includes the complement: *permits for their construction*). *Permits* is the object of the  
4 second independent clause and *there is* a pronoun referring to *new off-premises*  
5 *advertising/billboards*. *For their construction* is a prepositional phrase that is  
6 acting as an adjective to modify *permits*.<sup>18</sup>

7 Under this sentence structure analysis, the proponents of 2000 Initiative and  
8 Ballot Question R-1 intended to prohibit the City of Reno from permitting the  
9 construction of new billboards. On this point both Scenic Nevada and the City of  
10 Reno agree. However, the parties diverge on the definition of the word “new” as it  
11 modifies “off-premise advertising display/billboards.” For that answer, the court  
12 turns elsewhere.

13 There are several definitions of the word “new.” One dictionary defines it as:  
14 “Of a kind now existing or appearing for the first time[.]”<sup>19</sup> Another defines “new”  
15 as: “Of any thing recently discovered.”<sup>20</sup> Still another defines “new” as: “Already  
16 existing but seen, experienced or acquired recently or now for the first time.”<sup>21</sup>  
17 These definitions are consistent with the representation of both Scenic Nevada and  
18 the City of Reno, thus establishing the ambiguity of the 2000 Initiative and Ballot  
19 Question R-1.

20 Where ambiguity exists, a court is permitted to consider the history of the  
21 regulation in determining the intent of the legislating body. If a law is ambiguous,  
22 courts “may look to the provision’s history, public policy, and reason to determine  
23 what the voters intended.” *Miller*, 124 Nev. at 590. In this case, in order to guide  
24 the voting public, the ballot contained arguments for and against passage of Ballot  
25 Question R-1. Scenic Nevada’s arguments for passage stated:

26  
27 <sup>18</sup> *The Brief McGraw-Hill Handbook*, 2<sup>nd</sup> Edition, p. 514, 2.

28 <sup>19</sup> The Random House Dictionary, 2014. On-line.

<sup>20</sup> Black’s Law Dictionary, Garner 9<sup>th</sup> edition, 2010. Print.

<sup>21</sup> New Oxford American Dictionary, 3<sup>rd</sup> Ed. 2010. Print.

1                    “[t]his Initiative does not ban existing billboards,  
2                    but it does place a cap on their numbers.”

3                    Ex. 6.

4                    When the opponents of the Initiative argued that the Initiative would  
5                    prohibit all building permits for any billboards, Scenic Nevada responded: “Also,  
6                    [the billboard industry] led voters to believe, *incorrectly*, that R-1 banned all  
7                    billboards.” Ex. 223, SN 34(emphasis added). Even after the passage of the 2000  
8                    Initiative, Scenic Nevada continued to maintain that the Initiative merely placed a  
9                    “cap” of 289 billboards permitted in the City of Reno and prohibited the construction  
10                   of any *additional* billboards.<sup>22</sup> Additionally, Scenic Nevada told the voters that  
11                   “approval of the Initiative would therefore have no significant effect on the current  
12                   level of business of the billboard industry in the City of Reno.” Ex. 6. This stark  
13                   statement cannot be reconciled with Scenic Nevada’s present position on the intent  
14                   of the drafters of the 2000 Initiative and Ballot Question R-1.

15                   In this lawsuit, Scenic Nevada now argues that the intent of the 2000  
16                   Initiative and Ballot Question was to eliminate billboards and that regardless  
17                   where the billboard originated or how long it existed, if it is relocated to another  
18                   location it is a “new” billboard whose construction is prohibited by the Initiative and  
19                   Ballot Question.<sup>23</sup> See, Ex. 223, SN 35-36.

20                   In response, the City argues that the 2000 Initiative and Ballot Question R-1  
21                   only prohibited the construction of “new” billboards and that excludes any billboard  
22                   in existence at the time the 2000 Initiative became law. The City interprets the

23                   <sup>22</sup> “This Initiative Petition, supported by over 7,000 Reno citizens, would prohibit any increase in the  
24                   present number of billboards, but it does place a cap on their numbers.” Ex. 6. “All parties agreed  
25                   that the effect of the voter-approved initiative established a cap of 289 billboards within the City  
26                   limits. That being the number of billboards extant or approved.” Ex 223, SN 35.

27                   <sup>23</sup> “[T]he vote [on the 2000 Initiative] was about putting a ban on it, and then having attrition when  
28                   the billboard comes down so it does not go into the bank. It just never existed again. So eventually  
we would get fewer and fewer billboards.” Ms. Wray, Minutes of Billboards Workshop, May 24, 2011  
Ex. 18, COR-00220. This position has been consistently asserted by other representatives of Scenic  
Nevada. The language “construction of new off-premises advertising displays/billboards is  
prohibited” is unambiguous. Chris Wicker, Minutes of Reno Planning Commission Workshop,  
September 20, 2011. Ex. 36, COR 585-86. Permits for the construction of relocated billboards are  
“prohibited.” Mark Wray, Ex 36, COR 587. “The City Council’s decision [to approve the banking and  
relocation plan] circumvents the will of the voters.” Chris Wicker, Ex. 36, COR 591.

1 term "new billboards" to mean that existing signs can be rebuilt using new  
2 technology, or removed and relocated and that a "new" sign would be one that is in  
3 addition to those already present in the community at the time the 2000 Initiative  
4 was passed into law. Ex. 33; RMC § 18.16.902(b).

5 In examining their language, the court finds that Scenic Nevada's argument  
6 is not supported by either the 2000 Initiative or Ballot Question R-1. If the intent of  
7 the 2000 Initiative and Ballot Question was to ban the construction of billboards  
8 once they had been taken down, the Initiative would simply have read: "Billboards  
9 are prohibited in the City of Reno."<sup>24</sup> However, that is not the language Scenic  
10 Nevada put before the voters. The Initiative and Ballot Question told the voters  
11 that only the construction of "new" billboards was prohibited, not the construction of  
12 all billboards. Indeed, the City of Reno has refused billboard applications seeking  
13 approval of "new" billboards. See Ex. 211.

14 The conflict between the parties' interpretation of the adjective "new" is  
15 resolved when "new billboards" in the 2000 Initiative, Question R-1 and RMC §  
16 18.16.902(a) is interpreted as meaning "additional" billboards. A billboard created  
17 in the place of another may have but lately been brought into being, but its origin is  
18 in the removal of the other existing billboard.<sup>25</sup> This is a reasonable interpretation  
19 considering the changing character of public land usage. Cities expand and contract  
20 to meet the residential and commercial needs of their citizens. Every city must  
21 balance the public need with the private interest. The practical flexibility needed to  
22 meet the demands of the City's citizens and business community was addressed in  
23 the deposition of Claudia Hanson, the Planning and Engineering Manager for the  
24 City of Reno, when she described the basis for the banking ordinance:

25  
26  
27 <sup>24</sup> Four states ban billboards; Maine, Vermont, Alaska and Hawaii. Large cities that have  
prohibitions on new billboards include Houston, Los Angeles, St. Paul and Kansas City. See  
[www.scenic.org](http://www.scenic.org).

28 <sup>25</sup> Under Heraclitus' logic, *nemo discentis bis in indem fluminem*, both the man and the river have  
changed. In this case, while the location has changed, it is still the same billboard.

1 Q: Why are billboards banked?

2 A: Billboards are banked to give owners of the board an  
3 opportunity to relocate them at a later time.

4 Q: Why?

5 A: To maintain their rights to have that board.

6 Q: So—

7 A: Sometimes boards are removed for – if they're falling apart.  
8 Some are moved because right-of-way is expanded. Some are  
9 moved because the lease is lost with the underlying property  
10 owner. Some are moved because a new building is going in.

11 Ex. 203, p. 40.

12 “Statutory provisions should, whenever possible, be read in harmony  
13 provided that doing so does not violate the ascertained spirit and intent of the  
14 legislature.” *City Council of City of Reno v. Reno Newspapers, Inc.*, 105 Nev. 886,  
15 892, 784 P.2d 974, 978 (1989). The banking Ordinance, read in harmony with the  
16 2000 Initiative and Ballot Question R-1, effectuates the voters’ intent in limiting the  
17 number of billboards in the City of Reno to those existing at the time of the 2000  
18 election while protecting the private property rights of billboard owners. Read in  
19 conformity with Scenic Nevada’s position at the time Ballot Question R-1 was put to  
20 the voters, it is clear that Question R-1 meant to ban the construction of *additional*  
21 billboards; i.e., billboards which were not in existence prior to November 14, 2000.

22 Consistent with that interpretation, the City of Reno adopted the conforming  
23 Ordinance 5295 which prohibited additional billboards by capping the number of  
24 billboards to the number that existed on November 14, 2000. RMC § 18.06.920(b).  
25 Thus, while a billboard created pursuant to the banking or removal Ordinance may  
26 appear for the first time in a different area, it isn’t genuinely appearing for the first  
27 time: the location is new, but the billboard is not.<sup>26</sup>

28 “Whenever possible, this court will interpret a rule or statute in harmony  
with other rules and statutes.” *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 993, 860  
P.2d 720, 723 (1993) (per curiam) (citations omitted). “If there is an irreconcilable

<sup>26</sup> Scenic Nevada’s interpretation could be viewed as permitting the movement of billboards provided the original materials were used at the new location. This view begs the question presented in the philosophical conundrum concerning the Ship of Theseus: how much of the original structure would necessarily be included to prevent the resulting billboard from being “new?” For obvious reasons, this construction of the statute would lead to absurd results.

1 conflict between two statutes, the statute which was most recently enacted controls  
2 the provisions of the earlier enactment." *Marschall v. City of Carson*, 86 Nev. 107,  
3 115, 464 P.2d 494, 500 (1970) (citations omitted). The most recent Ordinance  
4 addressing this issue is the conforming Ordinance. Under the law, this court  
5 considers this Ordinance both instructive and persuasive.

6 The conflict between the parties is resolved when "new billboards" in the  
7 2000 Initiative Ballot Question R-1 is interpreted as meaning "additional"  
8 billboards. Thus, in order to effect the stated intent of the proponents of the 2000  
9 Initiative and Ballot Question and also harmonize the City of Reno's municipal  
10 ordinances with its governmental interests, this court finds the 2000 Initiative and  
11 Ballot Question is properly read as creating a cap on the number of billboards in the  
12 City of Reno and the word "new" is intended to refer to additional billboards above  
13 that amount as existed on November 14, 2000. Thus, Reno Municipal Code section  
14 18.16.902 does not violate the voter's intent of the 2000 Initiative or the Ballot  
15 Question and is a lawful and constitutional exercise of its municipal authority.

16 This interpretation is further reinforced when considering the practical  
17 impact Scenic Nevada's recent interpretation would have on the billboard industry  
18 and the citizens of the City of Reno. Scenic Nevada's interpretation of the Initiative  
19 and Ballot Question would clearly lead to the permanent loss of a billboard to its  
20 owner. Not only would this frustrate all parties' interest in reducing billboard  
21 clutter<sup>27</sup> but the billboard's loss could constitute a "taking" under the Fifth  
22 Amendment which could subject the citizens of Reno to litigation and monetary  
23 damages, a consequence not explained to the public voting on Ballot Question R-1.<sup>28</sup>

24  
25  
26 <sup>27</sup> There would be little incentive for an owner to remove a dilapidated billboard if its loss would be permanent.

27 <sup>28</sup> This is not hypothetical. Outdoor Media Dimensions sued the City when it lost the use of its  
28 billboards because of the RETRAC project and the City of Reno paid \$50,000.00 to settle the  
litigation. Ex. 202. In Minnesota, a judge ordered the State to pay Clear Channel Outdoors \$4.321  
million in compensation for removal of a digital billboard. Ex. 218. The litigation risks to the citizens  
of Reno are substantial.

1 The Takings Clause of the Fifth Amendment of the Constitution of the  
2 United States, made applicable to the states through the Fourteenth Amendment,  
3 prohibits the government from taking private property for public use without just  
4 compensation. *Chicago, Burlington & Q. Railroad v. Chicago*, 166 U.S. 226, 17 S.Ct.  
5 581 (1897). Nevada Constitution Article 1 § 8(6) states “[p]rivate property shall not  
6 be taken for public use without just compensation having been first made, or  
7 secured.”

8 In *Pennsylvania Coal Co. v. Mahon*, the United States Supreme Court  
9 determined that state regulation of property may require just compensation,  
10 observing that, “while property may be regulated to a certain extent, if regulation  
11 goes too far it will be recognized as a taking.” 260 U.S. 393, 415, 43 S. Ct. 158  
12 (1922). The Nevada Supreme Court has recognized that government regulation of  
13 private property may, in some instances, be so onerous that its effect is tantamount  
14 to a direct appropriation or ouster and that such regulatory takings may be  
15 compensable under the Fifth Amendment. *McCarran Int’l Airport, et al. v. Sisolak*,  
16 122 Nev. 645, 137 P.3d 1110 (2006). Certainly Scenic Nevada did not intend the  
17 confiscation of private property by its support of the 2000 Initiative and Ballot  
18 Question R-1.

#### 19 The Federal Highway Beautification Act

20 In 1965, Congress passed the Federal Highway Beautification Act (“HBA”),  
21 23 U.S.C. § 131, to preserve the scenic beauty of America’s highways. Among other  
22 things, it required States to provide effective control of billboard advertising along  
23 federally funded highways. In conformity therewith, the Nevada Legislature  
24 authorized the Board of Directors of the Department of Transportation (“NDOT”) to  
25 regulate and restrict the construction and maintenance of outdoor advertising  
26 within 660 feet of the nearest edge of the right-of-way and visible from the main-  
27 traveled way of the interstate and primary highway systems within Nevada. NRS  
28 410.220 to NRS 410.410. The Board of Directors of the NDOT was required to enter

1 into an agreement with the Secretary of Transportation with respect to criteria  
2 regarding spacing, size, and lighting of highway billboards (the "Federal-State  
3 Agreement"). NRS 410.330. On January 28, 1977, NDOT and the Secretary of  
4 Transportation entered into the Federal-State Agreement. Ex. 69.

5 Arguments

6 Scenic Nevada argues that the digital billboard ordinance is void and of no  
7 legal force because it violates Nevada law banning intermittent lighting on  
8 billboards adjacent to interstate highways as adopted by the Federal-State  
9 Agreement ("FSA") and for the same reasons enunciated in *Scenic Arizona v. City of*  
10 *Phoenix Board of Adjustments*, 268 P.3d 370 (Ariz.App. 2011). The City of Reno  
11 argues that Nevada law does not expressly preempt municipalities from adopting  
12 highway billboard ordinances less restrictive than NDOT regulations. The City  
13 argues that state law grants the City and NDOT concurrent jurisdiction over  
14 highway billboards and the right to issue permits.

15 Legal Standard

16 The Highway Beautification Act controls signs along the Interstate Highway  
17 System and the former Federal-aid primary highway system (collectively, "Nevada  
18 Highways"). 23 U.S.C. § 131 (2006). The FSA for Nevada relies upon the Nevada  
19 Department of Transportation ("NDOT") to enforce its provisions. Pursuant to the  
20 FSA, billboards "shall not include or be illuminated by flashing, intermittent or  
21 moving lights . . ." Nevada's corollary is found in NAC 410.350(2) and states, in  
22 part, "[A] commercial electronic variable message sign, including, without  
23 limitation, a trivision sign, may be approved as an off-premises outdoor advertising  
24 sign in an urban area if the sign does not contain flashing, intermittent or moving  
25 lights . . . ." NRS 410.330.

26 Nevada law grants both the City and NDOT concurrent jurisdiction over  
27 highway billboards and the right to issue permits. NRS 278.020; NRS 410.220 to  
28 NRS 410.410, inclusive; and specifically, NRS 410.365. Because both agencies



1 exercise concurrent jurisdiction, an applicant must obtain both a City permit and a  
2 NDOT permit to erect a highway billboard.

3 Legal Analysis

4 An applicant seeking to erect and maintain a digital billboard within the City  
5 limits and within 660 feet of an interstate highway must obtain permits from both  
6 the City of Reno and NDOT as they exercise concurrent jurisdiction over highway  
7 billboards. To the extent a permit issued by the City is less restrictive than a  
8 permit issued by NDOT, the more restrictive standard governs and the City permits  
9 yields to the NDOT permit pursuant to RMC § 18.02.109(a) ("If the provisions of  
10 Title 18 are inconsistent with those of the state or federal governments, the more  
11 restrictive provisions will control, to the extent permitted by law.").

12 Where NDOT regulations control, they supersede the municipal ordinances.  
13 However, for areas in the city not within 660 feet of an interstate highway, and  
14 where the applicant has otherwise satisfied the municipal requirements, the  
15 municipal ordinances are applicable as they do not conflict with NDOT regulations.

16 NDOT is authorized to prescribe regulations governing the issuance of  
17 permits for the erection and maintenance of highway billboards consistent with the  
18 HBA. NRS 410.330. As billboard technology evolved, FHA recognized that the  
19 FSAs and regulations needed to be clarified with regard to commercial electronic  
20 variable message signs (digital billboards), so the FHA issued a memorandum  
21 expressly authorizing the use of digital billboards on September 25, 2007. The  
22 Nevada Legislature enacted Assembly Bill 305 in 2013. AB 305 became effective on  
23 January 1, 2014. This directs the Board of Directors of NDOT to prescribe  
24 regulations specifying the operational requirements for digital billboards which  
25 conform to any regulations promulgated by the Secretary of Transportation. Thus,  
26  
27  
28

1 digital billboards are permitted on highways in Nevada.<sup>29</sup> Thus, the digital  
2 billboard ordinance does not violates the Federal Highway Beautification Act.

3 The Reno Sign Code

4 The court now considers Scenic Nevada's assertion that the digital billboard  
5 ordinance violates RMC § 18.16.905.

6 Arguments

7 Scenic Nevada claims that the digital billboard ordinance violates Reno Sign  
8 Code's prohibition against using flashing intermittent LED lights to display  
9 advertising messages. RMC § 18.16.905(n)(5). Scenic Nevada also argues that  
10 digital billboards are fundamentally unhealthy, unsafe, unaesthetic, anti-  
11 environmental and injurious to public welfare and the City cannot rebut those  
12 assertions. The City argues that it adopted the digital billboard ordinance to  
13 further implement the stated purpose and intent of the Sign Code set forth in RMC  
14 § 18.16.901(a). While the City does not specifically address the public health, safety  
15 and welfare issue, the City argues the digital billboard ordinance is a matter of  
16 public policy not subject to the courts' purview. This court agrees.

17 Legal Standard

18 RMC § 18.24.203.4570 provides that "[f]lashing sign means a sign which uses  
19 blinking, flashing or intermittent illumination, either direct, or indirect or internal."  
20 The Reno City Council enacted the digital billboard ordinance which establishes  
21 standards for off-premises advertising displays in RMC § 18.16.905(n). This  
22 ordinance pertains to permanent off-premises displays in the city. RMC §  
23 18.16.905(n)(5) states, "[D]isplays shall not flash or move during a display period."  
24  
25  
26

27 <sup>29</sup> *Scenic Arizona v. City of Phoenix* is easily distinguished from the case at bar. First, the Arizona  
28 Legislature passed a law specifically banning intermittent lighting on highway billboards across the  
state – Nevada has not. In fact, the Nevada Legislature has directed NDOT to promulgate  
regulations governing the operation of digital billboards on Nevada highways where they are now  
permitted.

1 Legal Analysis

2 Reno Municipal Code § 18.24.203.4570 defines a “flashing sign” as a sign  
3 which uses blinking, flashing or intermittent illumination, either direct, or indirect  
4 or internal. RMC § 18.16.905(n)(5) states: “[d]isplays shall not flash or move during  
5 a display period.” The digital billboard ordinance contains specific limitations on  
6 the types of digital displays permitted. The language of RMC § 18.16.905(n) is  
7 deliberate. The guidelines of that provision are far more detailed than the blanket  
8 restriction on flashing signs. Additionally, the language of § 18.16.905(n)(5) reveals  
9 an intent to distinguish between the typical message rotation of a digital sign and  
10 the flashing sign not permitted under RMC § 18.24.203.4570. Therefore, the digital  
11 billboard ordinance does not violate the Reno Sign Code.

12 **CONCLUSION**

13 This litigation reveals that the parties have more in common than in conflict.  
14 Scenic Nevada promotes the economic, social and cultural benefits of scenic  
15 preservation through the enactment of billboard and sign control regulation.  
16 Through the exercise of the democratic process, their efforts lead to the enactment  
17 of municipal ordinances that cap and will reduce the number of billboards in the  
18 City of Reno. The billboard industry participated in drafting a municipal ordinance  
19 which protects its private property rights while accepting a reduction in static  
20 billboards in exchange for the use of digital technology.

21 Finally, the City of Reno reached out to both constituencies in open workshop  
22 meetings and public hearings to promulgate municipal ordinances that balance the  
23 commercial needs of its business community and the scenic preservation aspirations  
24 of its citizens, enhancing both the economy and the community.

25 Scenic Nevada is correct; the 2000 Initiative and Ballot Question prohibited  
26 the construction of new billboards. The City of Reno is correct; the 2000 Initiative  
27 and Ballot Question does not permit the construction of new billboards. Saunders  
28 Outdoor Advertising has new opportunities to implement digital technology.

1 While these efforts have been difficult, in concluding this litigation, this court  
2 finds the regulations reasonable and the ordinances constitutional.

3  
4 **THEREFORE,**

- 5 1. As to *SAUNDERS OUTDOOR ADVERTISING, INC.'s v. CITY OF RENO*,  
6 this court enters Judgment in favor of Defendant CITY OF RENO and  
7 against Plaintiff SAUNDERS OUTDOOR ADVERTISING, INC.  
8 2. As to the *SCENIC NEVADA v. THE CITY OF RENO*, the court enters  
9 Judgment in favor of Defendant CITY OF RENO and against Plaintiff  
10 SCENIC NEVADA, INC.  
11 3. All parties to bear their own attorney fees and costs.

12 **IT IS SO ORDERED.**

13  
14 DATED this 27 day of March, 2014.

15  
16   
17 Patrick Flanagan  
18 District Judge  
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9  
10 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
11  
12 IN AND FOR THE COUNTY OF WASHOE

13 SCENIC NEVADA, INC.,

14 Plaintiff,

Case No. CV12-02863

15 vs.

Dept. No.: 7

16 CITY OF RENO, a political subdivision  
17 of the State of Nevada, and the CITY  
18 COUNCIL thereof,

**NOTICE OF ENTRY OF  
ORDER**

19 Defendant.

20 SAUNDERS OUTDOOR  
21 ADVERTISING, INC., a Utah  
22 corporation,

23 Plaintiff,

Case No. CV12-02917

24 vs.

Dept. No.: 7

25 THE CITY OF RENO, a municipal  
26 corporation

27 Defendant.  
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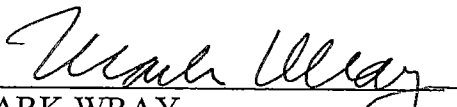
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TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that an Order was entered and filed in the above-entitled matter on the 27<sup>th</sup> day of March, 2014, a true copy of which is attached hereto.

DATED: March 28, 2014

LAW OFFICES OF MARK WRAY

By   
MARK WRAY  
Attorney for Plaintiff SCENIC NEVADA, INC.

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Jonathan Shipman  
Reno City Attorney's Office  
One E. First St., 3<sup>rd</sup> Floor  
P.O. Box 1900  
Reno, NV 89505

Frank Gilmore  
Robison, Belaustegui, Sharp & Low  
71 Washington Street  
Reno, NV 89503

Theresa H. Hearn



1 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
2 IN AND FOR THE COUNTY OF WASHOE

3 **AFFIRMATION**

4 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding  
5 document does not contain the social security number of any person.

6  
7 DATED: March 28, 2014 LAW OFFICES OF MARK WRAY

8  
9 By: 

10 MARK WRAY  
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FILED

2014 MAR 28 AM 9:42

JOEY ORDUÑA HASTINGS  
CLERK OF THE COURT

BY Y. Vitoria  
DEPUTY

1 **\$2515**

2 MARK WRAY, #4425

3 608 Lander Street

4 Reno, Nevada 89509

5 (775) 348-8877

6 (775) 348-8351 fax

7 Attorney for Plaintiff

8 SCENIC NEVADA, INC.

9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10 IN AND FOR THE COUNTY OF WASHOE

11 SCENIC NEVADA, INC.,

12 Plaintiff,

Case No. CV12-02863

13 vs.

Dept. No.: 7

14 CITY OF RENO, a political subdivision  
15 of the State of Nevada, and the CITY  
16 COUNCIL thereof,

**NOTICE OF APPEAL**

17 Defendant.

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20 SAUNDERS OUTDOOR  
21 ADVERTISING, INC., a Utah  
22 corporation,

23 Plaintiff,

Case No. CV12-02917

24 vs.

Dept. No.: 7

25 THE CITY OF RENO, a municipal  
26 corporation

27 Defendant.


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TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that Plaintiff Scenic Nevada, Inc. hereby appeals to the Nevada Supreme Court from the Order entered March 27, 2014, of which the Notice of Entry was served on March 28, 2014 in the above-entitled action.

DATED: March 28, 2014

LAW OFFICES OF MARK WRAY

By   
MARK WRAY  
Attorney for Plaintiff SCENIC NEVADA, INC.

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Jonathan Shipman  
Reno City Attorney's Office  
One E. First St., 3<sup>rd</sup> Floor  
P.O. Box 1900  
Reno, NV 89505

Frank Gilmore  
Robison, Belaustegui, Sharp & Low  
71 Washington Street  
Reno, NV 89503

Thomas H. Mayo

1 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
2 IN AND FOR THE COUNTY OF WASHOE

3 AFFIRMATION

4 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding  
5 document does not contain the social security number of any person.

6  
7 DATED: March 28, 2014

LAW OFFICES OF MARK WRAY

8  
9 By:

Mark Wray  
MARK WRAY

1310

MARK WRAY, #4425  
608 Lander Street  
Reno, Nevada 89509  
(775) 348-8877  
(775) 348-8351 fax  
Attorney for Plaintiff  
SCENIC NEVADA, INC.

FILED

2014 MAR 28 AM 9:55

JOEY ORDUNA HASTINGS  
CLERK OF THE COURT

BY Y. Vitoria  
DEPUTY

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

SCENIC NEVADA, INC.,

Plaintiff,

Case No. CV12-02863

vs.

Dept. No.: 7

CITY OF RENO, a political subdivision  
of the State of Nevada, and the CITY  
COUNCIL thereof,

CASE APPEAL STATEMENT

Defendant.

SAUNDERS OUTDOOR  
ADVERTISING, INC., a Utah  
corporation,

Plaintiff,

Case No. CV12-02917

vs.

Dept. No.: 7

THE CITY OF RENO, a municipal  
corporation

Defendant.

1           1.       The district court case number and names of all parties to the proceedings  
2 in the district court:

3                   (a) CV12-02863 (consolidated with CV12-02917)

4                   (b) Plaintiffs: Scenic Nevada, Inc. and Saunders Outdoor Advertising, Inc.  
5                         Defendant: City of Reno

6           2.       Judge Issuing the Decision: The Hon. Patrick Flanagan, Department 7

7           3.       Each appellant and name and address of counsel: Plaintiff Scenic Nevada,  
8 Inc. represented by the Law Offices of Mark Wray, 608 Lander Street, Reno, Nevada  
9 89509

10          4.       Each respondent and name and address of counsel: Defendant City of Reno  
11 represented by the Reno City Attorney's Office, One E. First Street, 3<sup>rd</sup> Floor, Reno,  
12 Nevada 89505

13          5.       Whether any counsel is not licensed to practice in Nevada: All counsel are  
14 licensed in Nevada

15          6.       Whether appellant was represented by retained counsel in District Court:  
16 Yes

17          7.       Whether appellant is represented by retained counsel on appeal: Yes

18          8.       Whether appellant was granted leave to proceed in forma pauperis: No

19          9.       Date proceedings commenced in district court: November 16, 2012

20          10.      Brief description of nature of action and result in district court: Complaint  
21 for declaratory relief to invalidate City of Reno digital billboard ordinance. Judgment  
22 entered for Defendant City of Reno.

23          11.      Whether the case has previously been the subject of an appeal: No

24          12.      Whether this appeal involves child custody or visitation: No

25          13.      If a civil case, whether this appeal involves the possibility of settlement:  
26 Yes

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DATED: March 28, 2014

LAW OFFICES OF MARK WRAY

By   
MARK WRAY

Attorney for Plaintiff SCENIC NEVADA, INC.



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Reno, NV 89505

Frank Gilmore  
Robison, Belaustegui, Sharp & Low  
71 Washington Street  
Reno, NV 89503

Theresa Mace

1 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
2 IN AND FOR THE COUNTY OF WASHOE

3 AFFIRMATION

4 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding  
5 document does not contain the social security number of any person.

6  
7 DATED: March 28, 2014

LAW OFFICES OF MARK WRAY

8  
9 By: Mark Wray

10 MARK WRAY  
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STATE OF NEVADA       )  
                                  ) SS.  
COUNTY OF WASHOE     )

I, Barbara Aufiero, Deputy City Clerk of the City of Reno, Nevada, do hereby certify that the attached are true and correct copies of documents related to Restrictions on Permanent Off-Premises Advertising Displays, which are on file in the City of Reno City Clerk's Office.

- Ordinance No. 6258 passed and adopted on October 24, 2012
- Ordinance No. 5295 passed and adopted on January 22, 2002
- Staff report for Item 14A for Reno City Council Meeting from August 15, 2000
- Question No. R-1 (Billboard Ballot Question)
- Agenda for Reno City Council Meeting from November 14, 2000
- Staff report for Item 6A for Reno City Council Meeting from November 14, 2000
- Staff report for Item 13E for the Reno City Council Meeting from November 14, 2000
- Agenda, Ordinance & Staff report for Item 13E1 for Reno City Council Meeting from November 14, 2000
- Ordinance No. 5208 passed and adopted on November 17, 2000
- Minutes for Reno City Council meeting from November 14, 2000
- Section 18.16.901 of the Reno, Nevada Land Development Code
- Agenda for the Reno City Council Meeting from December 18, 2001
- Staff report for Item 13C1 for Reno City Council Meeting from December 18, 2001
- Staff report for Item 13C for Reno City Council Meeting from December 18, 2001
- Minutes for Reno City Council Meeting from December 18, 2001
- Staff report for the Reno City Planning Commission Meeting from January 4, 2012
- Agenda for the Reno City Council Meeting from January 8, 2002
- Staff report for Item 15A for Reno City Council Meeting from January 8, 2002
- Staff report for Item 15A1 for Reno City Council Meeting from January 8, 2002
- Draft Minutes for Reno City Council Meeting from January 8, 2002
- Minutes for Reno City Council Meeting from January 8, 2002
- Agenda for the Reno City Council Meeting from January 22, 2002
- Minutes and Staff report for Item 8B for Reno City Council Meeting from January 22, 2002
- Staff report for Item 8B for Reno City Council Meeting from January 22, 2002
- Minutes for Reno City Council Meeting from January 22, 2002
- Partial Minutes for Reno City Council Meeting from February 13, 2008

- Agenda for Reno City Planning Commission from May 6, 2009
- Partial Minutes for Reno City Council Meeting from May 13, 2009
- Staff report for Case No. AT-32-07 for Reno City Planning Commission from November 5, 2009
- Partial Minutes for Reno City Planning Commission from November 5, 2009
- Draft Minutes for Billboards Workshop from May 24, 2011
- Agenda for Reno City Planning Commission Workshop from September 20, 2011
- Minutes for Reno City Planning Commission Workshop from September 20, 2011
- Minutes for Reno City Planning Commission Workshop from September 20, 2011 Exhibit 2
- Partial Minutes for Reno City Planning Commission from October 5, 2011
- Staff report for Case No. AT-32-07 for Reno City Planning Commission from November 2, 2011
- Partial Minutes for Reno City Planning Commission from November 2, 2011
- Appeal from Scenic Nevada for Case No. AT-32-07 received on November 14, 2011
- Partial Minutes for Reno City Planning Commission from December 8, 2011
- Memorandum from Reno City Attorneys (Exhibit 7) from December 19, 2011
- Staff report for Case No. AT-32-07 for Reno City Planning Commission from January 4, 2012
- Partial Minutes for Reno City Planning Commission from January 4, 2012
- Appeal from Scenic Nevada for Case No. AT-32-07 received on January 9, 2012
- Partial Agenda for Reno City Council Meeting from February 8, 2012
- Minutes for Special Session Reno City Council Meeting from March 6, 2012
- Staff report for Item A.6 for Special Session Reno City Council Meeting from March 6, 2012
- Minutes for Special Session Reno City Council Meeting from April 25, 2012
- Staff report for Item A.5 for Special Session Reno City Council Meeting from April 25, 2012
- Partial Agenda for Reno City Council Meeting from July 18, 2012
- Staff report for Item N.2 for Reno City Council Meeting from July 18, 2012
- Partial Minutes for Reno City Council Meeting from August 22, 2012
- Staff report for Item G.3 for Reno City Council Meeting from August 22, 2012
- Staff report for Item I.1.1 for Reno City Council Meeting from September 12, 2012
- Partial Minutes for Reno City Council Meeting from October 10, 2012
- Staff report for Item I.1.1 for Reno City Council Meeting from October 10, 2012
- Staff report for Item I.1.2 for Reno City Council Meeting from October 10, 2012
- Staff report for Item G.6.1 for Reno City Council Meeting from October 24, 2012
- Staff report for Item G.6.2 for Reno City Council Meeting from October 24, 2012
- Staff report for Item G.6.3 for Reno City Council Meeting from October 24, 2012
- Staff report for Item G.6.4 for Reno City Council Meeting from October 24, 2012
- Agenda for Reno City Council Meeting from October 24, 2012
- Ordinance No. 6258 passed and adopted January 24, 2013
- Staff report for Item G.6.1 for Reno City Council Meeting from October 24, 2012
- Staff report for Item G.6.2 for Reno City Council Meeting from October 24, 2012

- Minutes for Reno City Council Meeting from October 24, 2012
- Memorandum from City Attorney dated December 19, 2011
- Partial Minutes for Reno City Council Meeting from December 12, 2012

IN TESTIMONY WHEREOF, I have here unto set  
my hand and affixed the seal of the said City of Reno,  
this the 1st day of November, 2013.

By Bahara J. J. J.  
Deputy City Clerk



### **Section 18.16.902. Restrictions on Permanent Off-Premises Advertising Displays.**

- (a) The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction. (Approved by the voters at the November 7, 2000, General Election, Question R\_1 - The results were certified by the city council on November 14, 2000).
- (b) In no event shall the number of off-premises advertising displays exceed the number of existing off-premises advertising displays located within the city on November 14, 2000, unless further provided herein. This number shall include all applications for off-premises advertising displays approved in final action by the city on or before November 14, 2000, but unbuilt as well as those applications approved by a court of competent jurisdiction. In the event the city annexes property in another governing body's jurisdiction on or after November 14, 2000, the number of off-premises advertising displays located on such annexed property shall be included in the calculation of the number of existing off-premises advertising displays provided they were legal and existing in the governing body's jurisdiction when annexed to the city. For purposes of annexation, an application for a permanent off-premises advertising display approved in final action by the governing body, although unbuilt, shall be included in the calculation of the number of existing off-premises advertising displays as of November 14, 2000.

(Ord. No. 5295, § 1, 1-22-02; Ord. No. 5253, § 1 10-24-12)

EXPLANATION: Matter underlined is new; matter in brackets and stricken [---] is material to be repealed.

BILL NO. 6824

ORDINANCE NO. 6258

ORDINANCE AMENDING THE RENO MUNICIPAL CODE TITLE 18, "ANNEXATION AND LAND DEVELOPMENT", BY ADDING CERTAIN WORDING TO AND DELETING CERTAIN WORDING FROM CHAPTER 18.16, "SIGNS", OFF-PREMISE ADVERTISING DISPLAYS, AND SECTION 18.24.203.4570 (DEFINITION OF SIGN) TO ESTABLISH ADDITIONAL STANDARDS REGARDING DIGITAL OFF-PREMISES ADVERTISING DISPLAYS, INCLUDING LIGHT-EMITTING DIODE (LED), TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

SPONSORED BY: RENO CITY PLANNING COMMISSION

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. Chapter 18.16 of the Reno Municipal Code is hereby amended by adding certain wording to and deleting certain wording from Chapter 18.16, the same to read as follows:

**OFF-PREMISE ADVERTISING DISPLAYS**

**Section 18.16.901. Purpose and Intent.**

- (a) Recognizing that the City of Reno is a unique city in which public safety, maintenance, and enhancement of the city's esthetic qualities are important and effective in promoting quality of life for its inhabitants and the City of Reno's 24-hour gaming/ entertainment/ recreation/ tourism economy; recognizing that the promotion of tourism generates a commercial interest in the environmental attractiveness of the community; and recognizing that the visual landscape is more than a passive backdrop in that it shapes the character of our city, community, and region, the purpose of this article is to establish a comprehensive system for the regulation of the commercial use of off-premises advertising displays. It is intended that these regulations impose reasonable standards on the number, size, height, and location of off-premises advertising displays to prevent and alleviate needless distraction and clutter resulting from excessive and confusing off-premises advertising displays; to safeguard and enhance property values; and to promote the general welfare and public safety of the city's inhabitants and to promote the maintenance and enhancement of the city's esthetic qualities and improve the character of our city. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city which is instrumental in attracting those who come to visit, vacation, live, and trade and to permit noncommercial speech on any otherwise permissible sign.

(Ord. No. 5189, § 1, 9-26-00; Ord. No. 5195, § 1, 10-10-00; Ord. No. 5208, § 1, 11-14-00; Ord. No. 5215, § 1, 1-23-01; Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.902. Restrictions on Permanent Off-Premises Advertising Displays.**

- (a) The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction. (Approved by the voters at the November 7, 2000, General Election, Question R\_1 - The results were certified by the city council on November 14, 2000).
- (b) In no event shall the number of off-premises advertising displays exceed the number of existing off-premises advertising displays located within the city on November 14, 2000, unless further provided herein. This number shall include all applications for off-premises advertising displays approved in final action by the city on or before November 14, 2000 but unbuilt as well as those applications approved by a court of competent jurisdiction. In the event the city annexes property in another governing body's jurisdiction on or after November 14, 2000, the number of off-premises advertising displays located on such annexed property shall be included in the calculation of the number of existing off-premises advertising displays provided they were legal and existing in the governing body's jurisdiction when annexed to the city. For purposes of annexation, an application for a permanent off-premises advertising display approved in final action by the governing body, although unbuilt, shall be included in the calculation of the number of existing off-premises advertising displays as of November 14, 2000.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.903. Continued Use of Permanent Off-Premises Advertising Displays.**

- (a) All existing, legally established, permanent off-premises advertising displays, whether identified as conforming or nonconforming, are deemed conforming and may be continued and maintained at their current location.
- (b) An existing, legally established, off-premises display[s] may be replaced in its original position with a new structure provided the area of the display surface is not increased and all requirements of Section 18.16.905(a)--(d) and (f)--(h) are met.
- (c) For purposes of the chapter, an application for a permanent off-premises advertising display approved in final action by the city council, although unbuilt, is an existing permanent off-premises advertising display.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.904. Permanent Off-Premises Advertising Displays--Permitted and Prohibited Locations.**

- (a) Permitted Locations.
  - (1) Permanent off-premises advertising displays shall be permitted only in the I (Industrial), IB (Industrial Business), IC (Industrial Commercial), AC (Arterial Commercial), and CC (Community Commercial) District when within 100 feet of the edge of the right-of-way line of a major or minor arterial road or freeway



unless otherwise prohibited within Article IX (OFF-PREMISE ADVERTISING DISPLAYS).

- (2) Off-premises advertising displays shall be permitted in the MU (Mixed Use) zoning district where off-premises advertising displays were permitted in the zoning district immediately preceding the Mixed Use zoning district and when within 100 feet of the edge of the right-of-way line of a major or minor arterial road or freeway unless otherwise prohibited by this section.
- (b) Prohibited Locations.
- (1) No permanent off-premises advertising display shall be erected closer to a street than the right-of-way line. No portion of any permanent off-premises advertising display may be placed on or extend over the right-of-way line of any street.
  - (2) No permanent off-premises advertising display, or part thereof, shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
  - (3) No permanent off-premises advertising display shall be located within 300 feet of the centerline of the Truckee River or within 300 feet of the outer boundary of any areas ~~designated~~ed in this title as the Truckee River Corridor or its successor, or as open space adjacent to the Truckee River.
  - (4) No permanent off-premises advertising display shall be erected within 300 lineal feet of a residentially zoned parcel on the same side of the street. No permanent off-premises digital display shall be erected within 1,000 lineal feet of a primary or secondary school classroom building or a residentially zoned parcel on the same side of the street.
  - (5) The number of permanent off-premises advertising displays located within 300 feet of the centerline or within the boundaries of the following areas shall not exceed the number of legally existing permanent off-premises advertising displays in that location on July 1, 2012 ~~[November 14, 2000]~~, as set forth in Section 18.16.902(b):
    - a. Interstate 80 right-of-way from Robb Drive to the most western city limit ~~[Keystone Avenue]~~.
    - b. U.S. 395 right-of-way from Panther Drive to the most northern city limit ~~[North McCarran Boulevard]~~.
    - c. The Downtown Reno Regional Center Plan, the east 4<sup>th</sup> Street TOD Corridor, Mill Street TOD Corridor, the Medical Regional Center, the Wells Avenue Neighborhood Plan, the northern section of the South Virginia Street TOD, and the Midtown District.
    - d. If any off-premises advertising displays are removed from the areas identified in a-c above the maximum number of permanent off-premises advertising displays allowed in the identified area shall be reduced accordingly. The removed signs shall not be replaced or banked.
    - ~~[e]~~e. This subsection neither prohibits relocation of existing off-premises displays within the above locations nor reconstruction of existing off-premises advertising displays provided that the relocated and/or

reconstructed permanent off-premises advertising display conforms with Article IX (Off-Premise Advertising Displays) of this chapter.

- (6) No permanent off-premises advertising displays shall be located within 200 feet of the right-of-way of McCarran Boulevard except within the following locations:
  - a. Talbot Lane east to Mill Street.
  - b. Northtowne Lane west to Sutro Street.
  - c. This subsection neither prohibits relocation of existing off-premises displays within the above locations nor reconstruction of existing off-premises advertising displays provided that the relocated and/or reconstructed permanent off-premises advertising display conforms with Article IX (Off-Premise Advertising Displays) of this chapter.
- (7) The number of permanent off-premises advertising displays within 300 feet of the centerline of U.S. 395 from Patriot Boulevard to Neil Road [~~Del Monte Lane~~] shall not exceed seven permanent off-premises advertising displays. This subsection neither prohibits relocation of existing permanent off-premises displays within the above location nor reconstruction of existing off-premises advertising displays provided that the relocated and/or reconstructed permanent off-premises advertising display conforms with Article IX (Off-Premise Advertising Displays) of this chapter.
- (8) The number of permanent off-premises advertising displays located within the following cooperative planning areas of the City of Reno that are regulated by Washoe County specific plans shall not exceed the number of legally existing off-premises permanent advertising displays as of their respective effective dates of annexation, as set forth in Section 18.16.920(b):
  - a. If permanent off-premises advertising displays are not specifically listed as an allowed use in the pertinent specific plan, permanent off-premises advertising displays shall be prohibited.
  - b. Reconstruction of an existing off-premises advertising display is allowed provided that the reconstructed off-premises advertising display conforms with Article IX (Off-Premise Advertising Displays) of this chapter.
- (9) No permanent off-premises advertising display, or part thereof, shall be located within a Historic or Conservation District.
- (10) No permanent off-premises digital advertising display, or part thereof, shall be located within 300 feet of the right-of-way of:
  - a. State Route 431 (Mount Rose Highway);
  - b. Interstate 80 west of Garson Drive, to the most western city limit;
  - c. Interstate 80 between the east Verdi on/off ramps (exit 5) and the Robb Drive interchange.
  - d. US 395 north of North McCarran Boulevard.
- (11) Any off-premises advertising display that is relocated and/or converted to a digital

off-premises advertising display shall meet all required spacing, design, and location requirements, unless otherwise allowed through Section 18.16.905(n)(15) (Digital Off-Premises Advertising Display Special Exceptions) below.

(Ord. No. 5295, § 1, 1-22-02; Ord. No. 5595, §1, 9-8-04; Ord. No. 5821, § 1, 4-5-06; Ord. No. 5864, § 2, 8-23-06; Ord. No. 6155, § 1, 7-7-10)

**Section 18.16.905. General Standards for Permanent Off-Premises Advertising Displays.**

- (a) The area of display surface shall be the sum total square feet of geometric area of display surfaces which comprise the total off-premises advertising display, except the structure. The computation of display surface of a back-to-back off-premises advertising display shall be limited to one display surface.
- (b) No off-premises advertising display shall have a primary display surface, not including allowed cut-outs, greater than 672 square feet.
- (c) A cut-out shall not exceed ten percent of the primary surface area of the off-premises display.
- (d) No off-premises advertising display shall exceed 35 feet in height as measured from the surface of the road grade to which the sign is oriented to the highest point of the off-premises advertising display. If the off-premises advertising display is oriented to more than one road grade, the lowest road grade shall be the reference point.
- (e) No off-premises advertising display shall be located closer than 750 feet to the next off-premises advertising display on either side of the same street. No computer controlled (digital) [animated] off-premises advertising display shall be located closer than 1,000 feet to the next computer controlled (digital) [animated] off-premises advertising on either side of the same street.
- (f) All off-premises advertising displays shall be maintained in a clean and workmanlike condition. Surface shall be neatly painted. Property immediately surrounding off-premises advertising displays shall be maintained and kept free of litter, rubbish, weeds and debris. Any off-premises display deemed to be a nuisance as defined in RMC Section 8.22.100 shall be enforced as provided for in RMC Chapter 1.05.
- (g) The permit number, as assigned by the administrator or the identity of the owners and his address shall be displayed on every permanent off-premises advertising display.
- (h) The reverse side of a cut-out shall be dull and non-reflective.
- (i) The reverse side of a single-face off-premises advertising display shall be dull and non-reflective.
- (j) No tree may be removed for the purpose of erecting an off-premises advertising display. If an existing tree would impact the visibility of a site which otherwise meets the requirements of Sections 18.16.904 and 18.16.905, a variance to the spacing requirements may be requested. If the variance to the spacing requirements is denied as a final action, the tree may be removed. If the variance to spacing requirements is approved, the tree may not be removed.
- (k) Off-premises advertising displays shall be of monopole design.

- (l) Excluding off-premises digital advertising displays, [A]all lighting shall be directed toward the off-premises advertising display.
- (m) An off-premises advertising display may not contain more than two faces and one face may not be angled from the other face by more than 20 degrees as measured from the back of the structure supporting the face.
- (n) In addition to the other standards indentified in Chapter 18.16 for off-premises advertising displays, off-premises digital advertising displays shall comply with the following standards:
  - (1) Each message or copy shall remain fixed for a minimum of eight seconds.
  - (2) Maximum time allowed for transition between message displays shall be one second.
  - (3) Displays shall not be presented in motion, appear to be in motion or video.
  - (4) Illumination shall not change during a display period.
  - (5) Displays shall not flash or move during a display period.
  - (6) Displays shall not imitate or resemble any official traffic signal, traffic sign or other official warning signs.
  - (7) Displays shall contain a default design that will freeze the device in one position or display solid black if a malfunction occurs.
  - (8) No cutouts shall be permitted.
  - (9) No display shall cause a glare or other condition that impairs the vision of the driver of any motor vehicle or obstructs or interferes with a driver's view of surrounding traffic situations.
  - (10) No display shall emit sounds, pyrotechnics, or odors.
  - (11) The face of each digital off-premises advertising display shall contain a discernable message or graphic at all times, excluding periods during which any of the following occur: repairs, replacement of parts, cleaning, regular maintenance, associated utility outage, natural disaster, or severe weather.
  - (12) Displays shall conform to the requirements for other Off-Premises Advertising Displays as established in Chapter 18.16. If there is a conflict between standards contained in other portions of Section 18.16 and this section, the more restrictive shall prevail.
  - (13) Illuminance. Displays shall have a light sensing device that will adjust the brightness of the display as ambient light conditions change. Each application for a digital off-premises advertising display shall include a photometric plan. The photometric plan shall demonstrate the digital display's maximum light intensity, in foot candles above ambient light. Displays shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set distance. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign as follows:

Table 1: Minimum Distances from Restricted Areas to Digital Off-Premises Advertising Displays	
12 feet x 25 feet (300 square feet)	150 feet
10.5 feet x 36 feet (378 square feet)	200 feet
14 feet x 48 feet (672 square feet)	250 feet

(14) Removal Requirements: Prior to the approval of any digital off-premises advertising display, documentation shall be provided demonstrating:

- a. for any digital off-premises advertising display proposed in the restricted areas identified in 18.16.904(b)(5) above, the removal of existing off-premises advertising displays, located within any restricted area, totaling four times the square footage of the proposed digital display; or
- b. for any digital off-premises advertising display proposed in the restricted areas identified in 18.16.904(b)(5) above, the exchange of banked receipts totaling eight times the square footage of the proposed digital display; or
- c. for any digital off-premises advertising display proposed in the restricted areas identified in 18.16.904(b)(5) above, a combination of a and b above accomplishing an equal ratio; or
- d. approval of a Digital Off-Premises Advertising Display Special Exceptions request for digital off-premises advertising display criteria; or
- e. for any digital off-premises advertising display proposed outside of the restricted areas identified in 18.16.904(b)(5) above, the removal of existing off-premises advertising displays or banked receipts totaling two times the square footage of the proposed digital display.
- f. With respect to 14 a-e above, any off-premises advertising displays removed or banked receipts exchanged to facilitate the installation of a digital off-premises advertising display, whether to meet spacing requirements or to satisfy the removal requirements stated above shall not be replaced or banked and the maximum number of allowed off-premises, legally established permanent advertising displays under 18.16.902(b) shall be reduced accordingly.

(15) Special Exceptions for Digital Off-Premises Advertising Displays: Should an applicant of an application to relocate/convert an off-premises advertising display to a digital off-premises advertising display not be able to demonstrate compliance with 18.16.904(b)(4-7) or 18.16.905(n)(14)(a-c) above they may apply for a Digital Off-Premises Advertising Display Special Exception, in lieu of a variance. Digital Off-Premises Advertising Display Special Exceptions outlined within this section shall be processed under the following procedures:

- a. Applicability. Digital Off-Premises Advertising Display Special Exceptions are exceptions to compliance with standards outlined with

RMC 18.16.904(b)(4-7) or 18.16.905(n)(14)(a-c). These Digital Off-Premises Advertising Display Special Exceptions are intended to alleviate exceptional practical difficulties or undue hardship arising from the strict application of the provisions of this section. These Digital Off-Premises Advertising Display Special Exceptions address unique situations that were not caused by the applicant's act or omission.

b. Initiation. Digital Off-Premises Advertising Display Special Exceptions shall be initiated by application of the off-premises display owner.

c. Application Requirements. Applications shall include a minimum of:

1. Provisions of this section that are being requested to be excepted and an explanation of why the standards cannot be met.
2. Site plans showing the location of all existing and proposed off-premises displays and residentially zoned properties within 1000 feet.
3. Elevations of proposed sign(s).
4. Proposed exchange rate to install the digital off-premises advertising display(s).

d. Review Process.

1. Decision Making Authority. The Reno City Council shall review and decide all Digital Off-Premises Advertising Display Special Exceptions.

2. Decision Making Process.

a. Administrator. The administrator shall review Digital Off-Premises Advertising Display Special Exceptions and provide a recommendation to City Council.

b. City Council. The City Council shall hold a public hearing at the next regularly scheduled City Council meeting which occurs a minimum of 20 days following the date the application is deemed complete. The City Council shall make its decision within 15 days from the date of the opening of the hearing. The City Council may approve, approve with conditions, or deny the Digital Off-Premises Advertising Display Special Exceptions request.

c. Public Notice. The public hearing shall be noticed as is required for a variance application as described in Section 18.06.203 of this title.

3. Findings. In order to approve a Digital Off-Premises Advertising Display Special Exceptions, the City Council shall make the following findings:

a. The location of the proposed digital off-premises advertising display does not vary more than two of the

standards contained within 18.16.904(b)(4-7) and 18.16.905(n)(14);

- b. The proposed digital off-premises advertising display is smaller than the square footage of existing or banked off-premises advertising displays being exchanged by a minimum of 672 square feet.
  - c. The proposed digital off-premises advertising display does not either fully or partially block views from any arterial roadway, freeway, or residentially zoned and used property of the Downtown Reno Skyline, Mount Rose/Sierra Nevada Range, Pea Vine Mountain, the Truckee River.
- 4. Conditions. In approving a Digital Off-Premises Advertising Display Special Exceptions request, the City Council may require conditions under which the digital off-premises advertising display may be used or constructed. These conditions, if imposed, shall be imposed to mitigate material harm to properties within 1000 feet and address:
  - a. Hours of operation
  - b. Structure Height and size.
  - c. Duration of Message.
  - d. Spacing.
- 5. Construction Prior to Approval. If a digital off-premises advertising display exists or is under construction in violation of the provisions of this title, the City Council, in granting a[n] Digital Off-Premises Advertising Display Special Exception for the project, may deny the application or condition such approval upon the payment of a fine of ten percent of the value of such structure, as determined by the administrator in accordance with current practices for assessing building permit fees.
- 6. Time Limitation. The owner or developer shall obtain a permit for the project within one year of the date of final approval of the Off-Premises Digital Advertising Display Special Exception and shall maintain the validity of that permit, or the Off-Premises Digital Advertising Display Special Exception shall be null and void unless a different time limitation is established at the time of approval based on the characteristics and complexity of the project.
- 7. Compliance with Plans. In constructing and operating a digital off-premises display under a Digital Off-Premises Advertising Display Special Exception, the developer and/or owner shall comply with all plans, reports, renderings, and materials which were submitted or presented as part of the application and any conditions of approval. In the event of a conflict between the plans and city codes, city codes shall prevail. The administrator may approve minor alterations or changes in the structure or site plan or minor changes in the conditions of approval at the request of the applicant and/or owner, as applicable, as long as the administrator first

determines that:

- a. The proposed changes are consistent with applicable provisions of Title 18;
- b. The proposed changes are within the scope of the original approval;
- c. The proposed changes will not adversely affect neighboring properties within 1,000 feet;
- d. The proposed changes respond to issues that were not contested at the public hearing; and
- e. The proposed changes are improvements or upgrades to the original approval.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.906. Reserved.**

**Section 18.16.907. Prohibited Types of Off-Premises Advertising Displays.**

The following off-premises advertising displays are prohibited:

- (a) Signs which emit noise via artificial devices.
- (b) Roof signs.
- (c) Signs which produce odor, sound, smoke, fire or other such emissions.
- (d) Stacked signs.
- (e) Temporary signs except as otherwise provided in Sections 18.16.910 and 18.16.911.
- (f) Wall signs.
- (g) Signs with more than two faces.
- (h) Building wraps.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.908. Relocation of Existing, Legally Established Permanent Off-Premises Advertising Displays.**

- (a) Except as otherwise provided in this chapter, an existing, legally established, permanent off-premises advertising display may be relocated to a permitted location as described in Section 18.16.904 provided that such existing, legally established, permanent off-premises advertising display complies with all requirements of this chapter and Chapter 18.08, as amended.
- (b) Two permits shall be required prior to relocation or banking of an existing, legally established, permanent off-premises advertising display, one to remove the existing off-



premises advertising display from its current physical location and one to relocate the existing off-premises advertising display to a different physical location or to a bank of currently not erected but previously existing, legally-established, permanent off-premises advertising displays which are eligible to be erected on a physical location at a later date provided they comply with all requirements of this chapter, as amended.

- (c) A person who is granted a permit to remove an off-premises advertising display proposed to be relocated under this section shall remove the existing, legally established, permanent off-premises advertising display in all visual respects from the original location and return the site to a condition consistent with immediately surrounding area, unless otherwise required by the permit, within the time set by the permit and prior to the issuance of the permit to relocate the existing, legally established, permanent off-premises advertising display. A letter of credit may be required to guarantee removal of the existing off-premises advertising displays, including any parts located below ground, on property in which any governmental entity has a property interest.
- (d) Existing, legally established, permanent off-premises advertising displays which have a display area less than the maximum allowed under Section 18.16.905 and are proposed to be increased in display area, shall require a two for one removal to relocation ratio prior to issuance of the permit for relocation. The number of allowed off-premises existing, legally established, permanent advertising displays under Section 18.16.902(b) will be reduced accordingly.
- (e) A person who requests a permit to relocate an existing, legally established, permanent off-premises advertising display shall:
  - (1) Identify the existing, legally established, permanent advertising display to be relocated, by number assigned by the City of Reno.
  - (2) Present to the community development department a notarized statement from the owner(s) of the existing, legally established, permanent advertising display to be relocated that he/she has/have removed, or caused to be removed, the existing, legally established, permanent off-premises advertising display in accordance with subsection (c) above.
  - (3) The owner of an existing, legally established, permanent advertising display that has been removed and banked pursuant to subsection (b), prior to July 19, 2012, has fifteen years in which to apply for and obtain a permit to relocate the existing, legally established, permanent advertising display. Any permanent advertising display that has been removed and banked pursuant to subsection (b), after July 18, 2012, has three years in which to apply for and obtain a permit to relocate the existing, legally established, permanent advertising display. The fifteen or three years shall run from the date the city approves all work performed under subsection (c), in writing, and/or releases the letter of credit. The permit to relocate an existing, legally established, permanent off-premises advertising display may be sold or otherwise conveyed at the discretion of the owner. If the banked advertising displays are not used within the fifteen or three years they will become unrelocatable.
  - (4) Nothing in this section shall be construed to mandate relocation of any existing, legally established, permanent off-premises advertising display.

- (f) From and after the effective date of this ordinance and for a period of 120 days, the city shall not file nor accept any applications nor issue permits to relocate any off-premises advertising display onto or off of property annexed subject to the stipulation in the "Verdi" litigation or the settlement agreement in the "Verdi" litigation or any interim stipulations in the Reno-Stead Corridor Plan or newly annexed properties subject to the settlement agreement in the regional planning litigation. Copies of these stipulations and/or settlement agreements shall be maintained by the city clerk.

(Ord. No. 5295, § 1, 1-22-02; Ord. No. 5461, § 1, 6-11-03; Ord. No. 5534, § 1, 1-14-04)

**Section 18.16.909. Permanent Off-Premises Advertising Displays-Reporting.**

Each sign company licensed to do business in the city must report to the administrator the size, height, location and location and building permit number of each off-premises advertising display owned by a company and located within the city on July first by July fifteenth of each year.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.910. Temporary Off-Premises Advertising Displays.**

(a) Off-premises temporary advertising displays are allowed without permit on private property in any zoning district with the permission of the owner(s), holder(s) lessee(s), agent(s), or trustee(s) as applicable, when the temporary off-premises advertising displays:

- (1) Are located in any zoning district within one-half radial mile of the site on which the activity will take place;
- (2) Shall be a maximum of six square feet;
- (3) Shall be designed to be stable under all weather conditions, including high winds;
- (4) Shall not obstruct the vision triangle as defined set forth in Section 18.12.902 nor traffic control device or impair access to a sidewalk, street, driveway, bus stop, or fire hydrant; and
- (5) Displayed for less than 12 hours each day, no earlier than 6:00 a.m. nor later than 9:00 p.m.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.911. Temporary Off-Premises Advertising Displays--Special Events.**

A holder of a special event's permit may apply for a building permit pursuant to RMC Chapter 14 to erect a temporary off-premises advertising display promoting the special event provided the temporary off-premises advertising display:

- (a) Complies with Article IX (Off-Premise Advertising Displays) of this chapter, as applicable;
- (b) The applicant has obtained a permit to hold a special event;
- (c) The proposal complies with city policies if the applicant seeks to use city owned

AT-32-07

improvements such as poles designed for temporary signs or buildings;

- (d) Such off-premises advertising displays, when permitted shall not be installed prior to 30 days before and shall be removed within ten after the special event advertised;
- (e) The temporary off-premises advertising display shall not exceed 100 square feet;
- (f) The temporary off-premises advertising display shall be designed to be stable under all weather conditions, including high winds; and
- (g) The temporary off-premises advertising display shall not obstruct the sight distance triangle as defined in Section 18.12.902 nor a traffic control device or impair access to a sidewalk, street, highway, driveway, bus stop or fire hydrant.

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.912. Reserved.**

**Section 18.16.913. Abandoned Off-Premises Advertising Displays.**

- (a) Abandonment is the cessation of the right to continue the existence of a permanent off-premise advertising display:
  - (1) Under existing law;
  - (2) When a state of disrepair exists because of substantial tearing, chipping, or missing material 30 days after receipt of notice sent pursuant to RMC Chapter 1.05;
  - (3) When there is no current business license in existence for the owner(s) of the off-premises advertising display; or
  - (4) When there has been no display for a period of one year with respect to a permanent off-premises advertising display.
- (b) Any off-premises advertising display determined to be abandoned shall reduce the number of off-premises advertising displays allowed under section 18.16.902(b).

(Ord. No. 5295, § 1, 1-22-02)

**Section 18.16.914. Time Limitations on Review of Applications for Off-Premises Advertising Displays.**

The following are time limitations on the pertinent decision-maker to review applications for off-premises advertising displays as applicable:

- (a) The administrator shall review and make a decision regarding an application for an off-premises display within five working days of the date the application is filed-stamped by the community development department, on the appropriate form and with payment of the appropriate fee, if any.
- (b) The administrator shall review and make a decision regarding an application for a

temporary or special events off-premises advertising display within two working days of the date the application is filed-stamped by the community development department, on the appropriate form and with the appropriate fee, if any.

- (c) If the hearing examiner or the planning commission review the application, hearing examiner or the planning commission shall hold a public hearing within 65 days of the date the application is filed-stamped with the community development department.
- (d) The hearing examiner or planning commission shall make its decision within 30 days from the date of the opening of the public hearing.
- (e) The city council shall make its decision within 30 days of the date of the opening of the public hearing. ~~[appeal is filed-stamped with the city clerk on the appropriate form and payment of the appropriate fee.]~~
- (f) If the applicant requests a continuance or a specified time or date for the matter to be hear, the time lines provided herein are deemed waived.

(Ord. No. 5295, § 1, 1-22-02; Ord. No. 5729, § 8, 9-16-05)

#### **Section 18.16.960. Appeal of Administrator's Decision.**

- (a) Aggrieved persons may appeal the administrator's decision to the City Council by filing a written appeal setting forth how they are aggrieved and the reasons for the appeal within five days of the administrator's written decision.
- (b) The City Clerk shall set the hearing before the City Council at the next available City Council meeting at least 15 days in the future.

#### **Section 18.16.965. Judicial Review.**

- (a) Judicial review may be sought may be sought in accordance with Chapter 34 of the NRS.
- (b) If the city denies a "First Amendment" application, the city will institute legal proceedings within ten working days of its final action to determine in an adversarial proceeding the constitutionality of the denial on prior restrain grounds, unless otherwise waived by the applicant. For purposes of this subsection, a "First Amendment" application is one in which the applicant has inserted the words "First Amendment" in the caption of the application.

(Ord. No. 5295, § 1, 1-22-02)

#### **Section 18.16.970. Decisions regarding Off-Premises Advertising Display.**

- (a) Decisions shall be in writing.
- (b) Decisions shall include an explanation setting forth the reasons for the decisions.

**Section 18.16.995. Noncommercial Speech is allowed whenever Commercial Speech is allowed.**

(a) Speech which proposes a commercial transaction and no more or expression related solely to the economic interests of the speaker and its audience is commercial speech.

(b) Any noncommercial speech is allowed wherever commercial speech is permitted.

**Section 18.16.1000. Regulated Off-Premises Advertising Display.**

All off-premises signs erected or located in the city, which are not exempted by federal or state law, are subject to the provisions of this Article of Chapter 18 and Chapter 14.-

**Section 18.16.1010. Permit Required.**

Except as otherwise provided, no person may erect, enlarge, alter, (except for normal maintenance) or relocate within the city, any sign without first having obtained a sign permit.

SECTION 2. Chapter 18.24 of the Reno Municipal Code is hereby amended to establish additional standards regarding Digital Off-premises Advertising Displays, including Light-Emitting Diode (LED) from Section 18.24.203.4570, the same to read as follows:

**Section 18.24.203.4570. Sign.**

A design or device displayed to the public for the purpose of identifying, advertising or promoting the interests of any person, persons, firm, corporation or other entity by conveying an advertising message, a non-commercial message or attracting the attention of the public. This definition shall include all parts of such a device, including its structure and supports and shall also include balloons, flags, banners, building wrap, pennants, streamers, canopies, or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.

The definition of "sign" above includes the following specific sign types, which are further defined below:

1. Abandoned sign means a sign which has not been maintained in accordance with the provisions of this ordinance for a period in excess of 90 days following legal notice from the zoning administrator to the owner of property and the owner of the advertising display that said sign does not meet minimum maintenance standards or the cessation of the right to continue the use of an off-premises advertising display.
2. Advertising display means any arrangement of material or symbols erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the commercial interests of any person, persons, firm, corporation, or other entity, located in view of the general public. This definition shall include signs, billboards, posters, graphic advertising messages, flags, banners, balloons, building wrap, canopies, pennants, streamers, or other devices which used to attract attention, advertising copy, accessory signs and similar displays, but shall not include courtesy bus benches bearing advertising placed in public rights-of-way and covered by the City of Reno/Regional Transportation Commission Franchise Agreement. Advertising structure means any structure or device erected for the purpose of supporting any sign or other advertising display, and the framework of the sign. For the purposes of sign or advertising display removal, the removal shall include advertising structures.

3. **Animated sign.** A sign which meets the definition of changeable sign as contained in this chapter or a tri-vision display.

(Ord. No. 5295, § 1, 1-22-02)

4. **Architectural graphic** means a painted design, mural, relief, mosaic or similar feature of an artistic nature which is incorporated into the architectural design of a building and conveys no advertising message.

5. **Area identification sign** means a permanent, decorative sign used to identify a neighborhood, subdivision, commercial or office complex, industrial district or similar distinct area of the community.

6. **Awning.** (See canopy).

7. **Back-to-back sign** means a structure with two parallel and directly opposite signs with their faces oriented in opposite directions. A back-to-back sign shall constitute one off-premises sign or billboard.

8. **Banner** means a temporary sign made of any on-rigid fabric-like material that is mounted to a pole at one or more edges. National flags, state or municipal flags shall not be considered banners.

9. **Billboard.** (See off-premises advertising display).

10. **Building wrap.** A sign applied to or painted on, all or a portion of a building exterior wall(s). Building wraps include the application of a flexible material to a building containing an off-premises advertising display.

(Ord. No. 5295, § 1, 1-22-02)

11. **Canopy sign** means a sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy. Canopy signs may not project above the roof line. Signs attached to a canopy will be considered a wall sign when flashed back to the canopy.

12. **Changeable sign** means a sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

a. **Manually activated.** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

b. **Electrically activated.** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:

[e.] 1. **Fixed message electronic signs.** Signs whose basic informational content has been preprogrammed to include only certain types of information

projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.

- [d-] 2. Computer controlled variable message electronic signs. These are [S] signs whose informational content can be changed or altered by means of computer-driven electronic impulses. A common example of this type of sign would be a digital advertising display.
3. Mechanically changeable signs. These are signs that contain mechanically driven changeable segments. A common example of this type of manually changeable sign would be a Tri-Vision type display.
13. Community directory sign means a sign, or a group of signs designed as a single display, which gives information.
14. Directional sign means a permanent sign which directs the flow of traffic or pedestrians on private property
15. Directory sign means a sign, or a group of signs designed as a single display, which gives information about the location of businesses, buildings or addresses within a residential, office, commercial or industrial complex.
16. Electronic readerboard. (See changeable signs, electrically activated).
17. Facing or surface. The surface of a sign upon, against, or through which the message is displaced or illustrated.
18. Flashing sign means a sign which uses blinking, flashing or intermittent illumination, either direct, or indirect or internal.
19. Freestanding sign means a sign which is supported by its own structure apart from a building.
20. Inflatable sign means any device which is supported by air pressure or inflated with air or gas which is used to attract the attention of the public, whether or not it displays any specific advertising message.
21. Mobile sign means a sign attached to or suspended from any type of vehicle, other than normal identification of the business owned and served by the vehicle. Mobile signs shall not include those normally painted on or attached permanently to a franchised mass-transit vehicle or taxicab, nor shall mobile signs include special events signs.
22. Official sign means any sign erected by or at the direction of a governmental agency.
23. Off-premises advertising display. Any arrangement of material, words, symbols or any other display erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the commercial interests of any person, persons,

firm, corporation or other entity, located in view of the general public, which is not principally sold, available or otherwise provided on the premises on which the display is located. Any display which is composed of at least 80 percent of on-premises display is an on-premises sign. An off-premises advertising display includes its structure. Off-premises advertising displays are commonly called billboards.

(Ord. No. 5295, § 1, 1-22-02)

24. Off-premises advertising display, permanent. A permanent off-premises advertising display is a sign displayed for more than 12 hours in a day and for longer than 30 consecutive days, except signs for special events.
25. Off-premises advertising display, conforming permanent. An off-premises advertising device that is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display.

(Ord. No. 5295, § 1, 1-22-02)

26. Off-premises advertising display, temporary. A temporary off-premises advertising display is a sign displayed only temporarily and is not permanently mounted.

27. Off-premises digital (also known as digital off-premises) advertising display. A type of computer controlled variable electronic message for off-premises signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

- 2[7]8. On-premises sign. Any arrangement of material, words, symbols or any other display erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the commercial interests of any person, persons, firm, corporation or other entity, located in view of the general public, which is principally sold, available or otherwise provided on the premises on which the display is located. ~~[Any display which is composed of at least 80 percent of on-premises display is an on-premises sign.]~~

- 2[8]9. Pennant means a temporary sign made of any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, string, or other similar device usually in series, designed to move in the wind.

- [29]30. Permanent sign means any sign which is designed, constructed and affixed at the site in such a manner that it cannot be conveniently moved from place to place.

- 3[0]1. Pole sign means any sign that is supported by a pole (sometimes more than one) and otherwise separated from other structures, buildings, and the ground by air.

- 3[1]2. Portable sign means any sign which is designed and constructed in such a manner that it can conveniently be moved from place to place. This definition shall include cardboard, paper, fabric, canvas and plastic banners and signs.



- 3[2]3. Projecting sign other than a wall sign, which projects from and is supported by a wall of a building or structure.
- 3[3]4. Roof sign means any sign located on the roof, of a building and either supported by the roof or by an independent structural frame. A sign which is attached flat against the wall of a penthouse or other similar roof structure or architectural blade shall not be considered a roof sign that does not extend above the roof line.
- 3[4]5. Stacked sign means two or more off-premises signs affixed to the same standards which are not back-to-back signs and which vary in height from the ground.
- 3[5]6. Temporary sign means a sign which is which is not permanently mounted and is designed and constructed in such a manner that it can be conveniently moved from place to place and is allowed by Chapter 18.16 to remain in use for a limited time only.
- 3[6]7. Wall sign means a sign attached to or erected against the wall of a building or structure with the exposed face of the sign in a parallel plane to the plane of the wall.
- 3[7]8. Wind sign means any display or series of displays, banners, flags, balloons or other objects designed and fashioned in such a manner as to move when subjected to wind pressure.

**Sec. 18.24.203.5373. Vicinity.**

**Vicinity means the area within 1,500 feet of a property line.**

(Ord. No. 5189, § 1, 9-26-00; Ord. No. 5195, § 3, 10-10-00; Ord. No. 5242, § 8, 5-22-01; Ord. No. 5294, § 2, 1-8-02; Ord. No. 5729, § 11, 9-14-05; Ord. No. 5762, § 3, 11-16-05)

SECTION 3: Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid.

SECTION 4. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 5. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this 24<sup>th</sup> day of October, 2012, by the following vote of the Council:

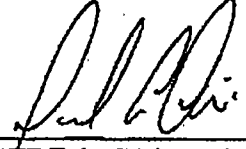
AYES: Dortch, Gustin, Zadra, Sferrazza, Aiazzi, Hascheff

NAYS: None


ABSTAIN: None

ABSENT: Cashell

APPROVED this 24<sup>th</sup> day of October, 2012.

  
for DAVE AIAZZI  
ROBERT A. CASHELL, SR.  
MAYOR OF THE CITY OF RENO

ATTEST:

  
LYNNETTE R. JONES  
CITY CLERK AND CLERK OF THE CITY  
COUNCIL OF THE CITY OF RENO, NEVADA



EFFECTIVE DATE: January 24, 2013.

AT-32-07 (Digital Off-Premise Advertising Display incl LED) - ord - CCH - 091212 CC mtg.doc

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**Publishers of**

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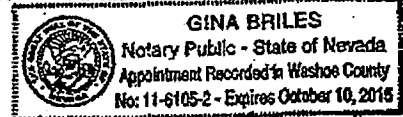
STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: 01/24/2013 - 01/24/2013, for exact publication dates please see last line of Proof of Publication below.

Signed: *K. J. Peniston*

JAN 24 2013

Subscribed and sworn to before me



*[Signature]*

**Proof of Publication**

NOTICE OF CITY ORDINANCES NOTICE IS HEREBY GIVEN that the ordinances, listed below by title and containing the vote of the Council, was prepared on October 10, 2012 and final action and adoption of such ordinances took place on October 24, 2012. BILL NO. 6824, ORDINANCE NO. 6258: AN ORDINANCE AMENDING THE RENO MUNICIPAL CODE TITLE 18, "ANNEXATION AND LAND DEVELOPMENT", BY ADDING CERTAIN WORDING TO AND DELETING CERTAIN WORDING FROM CHAPTER 18.16, "SIGNS", OFF-PREMISE ADVERTISING DISPLAYS, AND SECTION 18.24.203.4570 (DEFINITION OF SIGN) TO ESTABLISH ADDITIONAL STANDARDS REGARDING DIGITAL OFFPREMISES ADVERTISING DISPLAYS, INCLUDING LIGHT-EMITTING DIODE (LED), TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO. AYES: Dortch, Gustin, Zadra, Sferrazza, Aiazzi, Hascheff NAYS: None ABSTAIN: None ABSENT: Cashell These ordinances shall be in full force and effect from and after January 24, 2013. Notice is further given that copy of the above ordinance is available for inspection by all interested parties at the office of the City Clerk, City Hall, One East First Street, Second Floor, Reno, Nevada or by accessing our website at reno.gov. LYNNETTE R. JONES, CITY CLERK AND CLERK OF THE CITY COUNCIL No. 793801 Jan 24, 2013

Ad Number: 1000793801

Page 1 of 1

JA 540

COR-00025

**NOTICE OF CITY ORDINANCES**

NOTICE IS HEREBY GIVEN that the ordinances, listed below by title and containing the vote of the Council, were prepared on October 10, 2012 and final action and adoption of such ordinances took place on October 24, 2012.

BILL NO. 6824, ORDINANCE NO. 6258: AN ORDINANCE AMENDING THE RENO MUNICIPAL CODE TITLE 18, "ANNEXATION AND LAND DEVELOPMENT", BY ADDING CERTAIN WORDING TO AND DELETING CERTAIN WORDING FROM CHAPTER 18.16, "SIGNS", OFF-PREMISE ADVERTISING DISPLAYS, AND SECTION 18.24.203.4570 (DEFINITION OF SIGN) TO ESTABLISH ADDITIONAL STANDARDS REGARDING DIGITAL OFF-PREMISES ADVERTISING DISPLAYS, INCLUDING LIGHT-EMITTING DIODE (LED), TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERE TO.

AYES: Dertch, Gustin, Zadra, Storozza, Alazzi, Hasekoff

NAYS: None

ABSTAIN: None

ABSENT: Cassell

These ordinances shall be in full force and effect from and after January 24, 2013. Notice is further given that copies of the above ordinance is available for inspection by a interested parties at the office of the City Clerk, City Hall One East First Street, Second Floor, Reno, Nevada; or by accessing our website at [reno.gov](http://reno.gov).

LYNNETTE R. JONES, CITY CLERK AND CLERK OF THE CITY COUNCIL

No. 793801 Jan 24, 2013

BILL NO. 5830

ORDINANCE NO. 5295

AN ORDINANCE AMENDING CHAPTER 18.06 of TITLE 18 OF THE MUNICIPAL CODE ENTITLED "ZONING" BY ADDING LANGUAGE TO AND DELETING LANGUAGE FROM SECTIONS 18.06.910-18.06.985 WHICH GOVERN HOW OFF-PREMISES ADVERTISING DISPLAYS WILL BE REGULATED; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

PREAMBLE

WHEREAS, a majority of the voters of the City of Reno ("City") approved an initiative regarding off-premises advertising displays/billboards on November 8, 2000;

WHEREAS, NRS 295.220 provides, in part, "[i]f a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results ...";

WHEREAS, the City certified the election results on November 14, 2000;

WHEREAS, the City wishes to incorporate the initiative into Chapter 18.06;

WHEREAS, the City wishes to reduce advertising distractions, which may contribute to traffic accidents;

WHEREAS, the City wishes to provide an improved visual environment for the inhabitants of and visitors to the City;

WHEREAS, the City wishes to protect its esthetic qualities;

WHEREAS, the City's civic identity is associated with its surrounding mountains and the Truckee River as well as its recreational, gaming, and tourist activities;

WHEREAS, the City, in its desire to preserve its visual environment and esthetic qualities, has examined the gateways to the City as well as certain other streets, such as McCarran Boulevard, to determine which gateways and/or streets or portions thereof are especially linked to the City's visual environment and esthetic qualities;

WHEREAS, the City desires to amend sections 18.06.910-18.06.914 and add and delete language thereto to make the Reno Municipal Code consistent with the initiative and to more fully recognize the role of the City's visual environment and esthetic qualities and set out other matters relating thereto;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DO ORDAIN:

Section 1: Chapter 18.06 of Title 18 of the Reno Municipal Code is hereby amended to add and delete language from sections 18.06.910-914 to read as follows:

Sec. 18.06.910	Off-premises advertising displays; purpose
Sec. 18.06.915	Off-premises advertising displays; definitions
Sec. 18.06.920	Restrictions on permanent off-premises advertising displays
Sec. 18.06.922	Continued use of permanent off-premises advertising displays
Sec. 18.06.925	Permanent off-premises advertising displays; permitted locations
Sec. 18.06.930	General standards for permanent off-premises advertising displays
Sec. 18.06.935	Permanent off-premises advertising displays; prohibited locations
Sec. 18.06.940	Prohibited permanent off-premises advertising displays; types
Sec. 18.06.950	Relocation of permanent off-premises advertising displays
Sec. 18.06.955	Permanent off-premises advertising display; reporting
Sec. 18.06.960	Temporary off-premises advertising displays
Sec. 18.06.965	Off-premises advertising displays; special events
Sec. 18.06.970	Abandoned off-premises advertising displays
Sec. 18.06.975	Time limitations on review of applications for off-premises advertising displays;
Sec. 18.06.980	Off-premises advertising displays; judicial review
Sec. 18.06.985	Interpretation and severability
Sec. 18.06.910.	Off-premises advertising displays; purpose.

Recognizing that the City of Reno is a unique city in which public safety, maintenance, and enhancement of the City's esthetic qualities are important and effective in promoting quality of life

- D. Cut-out: A cut-out is an extension of the display beyond the primary surface display area which shall not exceed ten (10) percent of the primary surface area of the off-premises display.
- E. Off-premises advertising display: An off-premises advertising display includes its structure in addition to the definition set forth in Section 18.06.1202, "Sign," paragraph (gg); Off-premises advertising displays are commonly called billboards.
- F. Final action: Final action means that action which could not be subjected to any further discretionary action by the City or the County of Washoe, as applicable.
- G. Freeway: A freeway is the portions of Interstate 80 and U.S. 395 within the City or Reno or its sphere of influence.
- H. Highway: A highway means a highway as defined in NRS 484.065.
- I. Maintain: Maintain means to keep in a state of repair provided there is no increase in the movement of any visible portion of the off-premises advertising display nor any increase in the illumination emitted by the off-premises advertising display or any other characteristic beyond that allowed by the permit or law under which it exists.
- J. Non-conforming permanent off-premises advertising display: Any sign, display, billboard, or other device that is designed, intended, or used to advertise or inform readers about services rendered or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected and which is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display and which does not conform subsequently because of a change to the local ordinances or codes.
- K. Person: A person is a corporation, firm, partnership, association, individual, executor, administrator, trustee, receiver, or other representative appointed according to law.

for its inhabitants and the City of Reno's twenty-four hour gaming/entertainment/recreation/tourism economy; recognizing that the promotion of tourism generates a commercial interest in the environmental attractiveness of the community; and recognizing that the visual landscape is more than a passive backdrop in that it shapes the character of our city, community, and region, the purpose of this Chapter is to establish a comprehensive system for the regulation of the commercial use of off-premises advertising displays. It is intended that these regulations impose reasonable standards on the number, size height and location of off-premises advertising displays to prevent and alleviate needless distraction and clutter resulting from excessive and confusing off-premises advertising displays; to safeguard and enhance property values; and to promote the general welfare and public safety of the City's inhabitants and to promote the maintenance and enhancement of the City's esthetic qualities and improve the character of our City. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city which is instrumental in attracting those who come to visit, vacation, live, and trade.

**Sec. 18.06.915. Off-premises advertising displays;  
definitions.**

In addition to the definitions set forth in Section 18.06.1202, the following definitions apply to off-premises advertising displays:

- A. **Animated Sign:** A sign which meets the definition of changeable sign as contained in 18.06.1200 or a television display.
- B. **Building Wrap:** A sign applied to or painted on, all or a portion of a building exterior wall(s). Building wraps include the application of a flexible material to a building containing an off-premises advertising display.
- C. **Conforming permanent off-premises advertising display:** Any sign, display, billboard, or other device that is designed, intended, or used to advertise or inform readers about services rendered or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected and which is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display.



- L. Residentially zoned parcel: A parcel contained in a Residentially Zoned District, as defined under Section 18.06.1200, "Residentially Zoned District."

**Sec. 18.06.920. Restrictions on permanent off-premises advertising displays.**

- A. The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction. (Approved by the voters at the November 7, 2000, General election, Question R\_1 - The results were certified by Reno City Council on November 14, 2000).
- B. In no event shall the number of off-premises advertising displays exceed the number of existing off-premises advertising displays located within the City on November 14, 2000. This number shall include all applications for off-premises advertising displays approved in final action by the City on or before November 14, 2000 but unbuilt as well as those applications approved by a court of competent jurisdiction. In the event the City annexes property in another governing body's jurisdiction on or after November 14, 2000, the number of off-premises advertising displays located on such annexed property shall be included in the calculation of the number of existing off-premises advertising displays provided they were legal and existing in the governing body's jurisdiction when annexed to the City. For purposes of annexation, an application for a permanent off-premises advertising display approved in final action by the governing body, although unbuilt, shall be included in the calculation of the number of existing off-premises advertising displays as of November 14, 2000.

**Sec. 18.06.922. Continued use of permanent off-premises advertising displays.**

- A. All existing, legally established, permanent off-premises advertising displays, whether identified as conforming or non-conforming, are deemed conforming and may be continued and maintained at their current location.
- B. All existing, legally established, off-premises displays may be replaced in its original position with a new structure provided the area of the display surface is not increased and all requirements of 18.06.930 (A)-(C) and (E)-(G) are met.

- C. For purposes of the Chapter, an application for a permanent off-premises advertising display approved in final action by City Council, although unbuilt, is an existing permanent off-premises advertising display.

**Sec. 18.06.925. Permanent Off-premises advertising displays; permitted locations.**

Off-premises advertising displays shall be permitted only in the I (Industrial), IB (Industrial Business), IC (Industrial Commercial), AC (Arterial Commercial), CC (Community Commercial) and HDC (Hotel/Casino Downtown) district when within one hundred (100) feet of a major or minor arterial road or freeway unless otherwise prohibited.

**Sec. 18.06.930. General standards for permanent off-premises advertising displays.**

- A. The area of display surface shall be the sum total square feet of geometric area of display surfaces which comprise the total off-premises advertising display, except the structure. The computation of display surface of a back-to-back off-premises advertising display shall be limited to one display surface.
- B. No off-premises advertising display shall have a primary display surface, not including allowed cut-outs, greater than six hundred seventy-two (672) square feet.
- C. No off-premises advertising display shall exceed thirty-five (35) feet in height as measured from the surface of the road grade to which the sign is oriented to the highest point of the off-premises advertising display. If the off-premises advertising display is oriented to more than one road grade, the lowest road grade shall be the reference point.
- D. No off-premises advertising display shall be located closer than seven hundred fifty (750) feet to the next off-premises advertising display on either side of the same street. No animated off-premises advertising display shall be located closer than one-thousand (1,000) feet to the next animated off-premises advertising on either side of the same street.
- E. All off-premises advertising displays shall be maintained in a clean and workmanlike condition. Surface shall be neatly painted. Property immediately surrounding off-

premises advertising displays shall be maintained and kept free of litter, rubbish, weeds and debris. Any off-premises display deemed to be a nuisance as defined in section 8.22.100 shall be enforced as provided for in Chapter 1.05.

- F. The permit number, as assigned by the building official or the identity of the owners and his address shall be displayed on every permanent off-premises advertising display.
- G. The reverse side of a cut-out shall be dull and non-reflective.
- H. The reverse side of a single-face off-premises advertising display shall be dull and non-reflective.
- I. No tree may be removed for the purpose of erecting an off-premises advertising display. If an existing tree would impact the visibility of a site which otherwise meets the requirements sections 18.06.925 and 18.06.930, a variance to the spacing requirements may be requested. If the variance to the spacing requirements is denied as a final action, the tree may be removed. If the variance to spacing requirements is approved, the tree may not be removed.
- J. Off-premises advertising displays shall be of monopole design.
- K. All lighting shall be directed toward the off-premises advertising display.
- L. An off-premises advertising display may not contain more than two (2) faces and one face may not be angled from the other face by more than twenty (20) degrees as measured from the back of the structure supporting the face.

Sec. 18.06.935. Permanent off-premises advertising displays; prohibited locations.

- A. No off-premises advertising display shall be erected closer to a street than the right-of-way line. No portion of any off-premises advertising display may be placed on or extend over the right-of-way line of any street.

- B. No off-premises advertising display, or part thereof, shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
- C. No off-premises advertising display shall be located within three hundred (300) feet of the center line of the Truckee River or within three hundred (300) feet of the outer boundary of any areas designed in this Chapter as the Truckee River Corridor or its successor, or as open space adjacent to the Truckee River.
- D. No off-premises advertising display shall be erected within three hundred (300) lineal feet of a residentially zoned parcel on the same side of the street.
- E. The number of permanent off-premises advertising displays located within three hundred feet (300) of the center line of the following areas shall not exceed the number of legally existing off-premises advertising displays on November 14, 2000 as set forth in section 18.06.920(b):
  - 1. Interstate 80 from Robb Drive to Keystone Avenue.
  - 2. U.S. 395 from Panther Drive to North McCarran Boulevard.
  - 3. No off-premises advertising displays shall be located within two hundred feet (200) of the right-of-way of McCarran Boulevard except within the following locations:
    - a. Talbot Lane east to Mill Street.
    - b. Northtowne Lane west to Sutro Street.
  - 4. This subsection does not prohibit relocation of existing off-premises displays within the above locations nor reconstruction of an existing off-premises advertising display provided that the reconstructed off-premises advertising display conforms with sections 18.06.910-18.06.985.
- F. The number of off-premises advertising displays within three hundred (300) feet of the center line of U.S. 395 from Patriot Boulevard to Del Monte Lane shall not exceed seven (7) off-premises advertising displays. This subsection does not prohibit relocation of existing off-premises displays within the above location nor

reconstruction of an existing off-premises advertising display provided that the reconstructed off-premises advertising display conforms with sections 18.06.910-18.06.985.

Sec. 18.06.940. Prohibited off-premises advertising displays; types.

The following off-premises advertising displays are prohibited:

1. Signs which emit noise via artificial devices.
2. Roof signs.
3. Signs which produce odor, sound, smoke, fire or other such emissions.
4. Stacked signs.
5. Temporary signs except as otherwise provided in sections 18.06.960 and 18.06.965.
6. Wall signs.
7. Signs with more than two faces.
8. Building wraps.

Sec. 18.06.950. Relocation of permanent off-premises advertising displays.

- A. Except as otherwise provided in this chapter, a legally established, permanent off-premises advertising display may be relocated to a permitted location as described in section 18.06.925 provided that such display complies with all requirements of Chapter 18.06.
- B. Two permits shall be required prior to relocation of a legally established, permanent off-premises advertising display, one for removal of an existing sign and one for relocation of the existing off-premises advertising display.
- C. A person who is granted a permit for the removal of an off-premises advertising display proposed to be relocated under this section shall remove the off-premises advertising display in all respects from the original

location and return the site to a condition consistent with immediately surrounding area within the time set by the permit and prior to installation of a relocated off-premises advertising display. A letter of credit may be required to guarantee removal of the existing off-premises advertising display.

- D. Off-premises advertising displays which have a display area less than the maximum allowed under section 18.06.930 and are proposed to be increased in display area, shall require a two (2) for one (1) removal to relocation ratio prior to issuance of the permit for relocation. The number of allowed off-premises advertising displays under section 18.06.920(b) will be reduced accordingly.
- E. A person who requests a permit for the relocation of an existing off-premises advertising display shall:
  - 1. Identify the off-premises advertising display that has been removed, by address and building permit number that the relocated off-premises advertising display will replace.
  - 2. Present to the Community Development Department a notarized statement from the off-premises advertising display owner that he has removed, or caused to be remove, the off-premises advertising display under subsection (b)(3)(1) of this section, authorizing the relocation of the off-premises display.
  - 3. The owner(s) of an off-premises advertising display that has been removed pursuant to subsection (b) has ten (10) years in which to apply for and secure a permit to relocate the off-premises display. The ten (10) years shall run from the date the City approves all work performed under subsection (b), in writing, and/or releases the letter of credit. The permit to relocate an off-premises advertising display may be sold or otherwise conveyed at the discretion of the owner.

4. Nothing in this section shall be construed to mandate relocation of any off-premises advertising display.

**Sec. 18.06.955. Permanent off-premises advertising displays; reporting.**

Each sign company licensed to do business in the City must report to the zoning administrator the size, height, location and location and building permit number of each off-premises advertising display owned by a company and located within the City on July first by July fifteenth of each year.

**Sec. 18.06.960. Temporary off-premises advertising displays.**

Off-premises temporary advertising displays are allowed without permit on private property in any zoning district with the permission of the owner(s), holder(s) lessee(s), agent(s), or trustee(s) as applicable, when the temporary off-premises advertising commercial advertising displays:

1. Are located in any zoning district within one-half radial mile of the site on which the activity will take place;
2. Shall be a maximum of six (6) square feet;
3. Shall be designed to be stable under all weather conditions, including high winds;
4. Shall not obstruct the vision triangle as defined set forth in section 18.06.501(I) nor traffic control device or impair access to a sidewalk, street, driveway, bus stop, or fire hydrant; and
5. Displayed for less than twelve (12) hours each day, no earlier than 6:00 a.m. nor later than 9:00 p.m.

**Sec. 18.06.965. Off-premises advertising displays; special events.**

A holder of a special event's permit may apply for a building permit pursuant to RMC Chapter 14 to erect a temporary off-premises advertising display promoting the special event provided the temporary off-premises advertising display:

1. Complies with sections 18.06.910 through 18.06.985 as applicable;

2. The applicant has obtained a permit to hold a special event;
3. The proposal complies with City policies if the applicant seeks to use City owned improvements such as poles designed for temporary signs or buildings;
4. Such off-premises advertising displays, when permitted shall not be installed prior to thirty (30) days before and shall be removed within ten (10) after the special event advertised;
5. The temporary off-premises advertising display shall not exceed 100 square feet;
6. The temporary off-premises advertising display shall be designed to be stable under all weather conditions, including high winds; and
7. The temporary off-premises advertising display shall not obstruct the sight distance triangle as defined in section 18.06.501(I) nor a traffic control device or impair access to a sidewalk, street, highway, driveway, bus stop or fire hydrant.

**Sec. 18.06.970. Abandoned off-premises advertising displays.**

- A. Abandonment is the cessation of the right to continue the existence of a permanent off-premise advertising display:
  1. under existing law;
  2. when a state of disrepair exists because of substantial tearing, chipping, or missing material thirty (30) days after receipt of notice sent pursuant to Chapter 1.05;
  3. when there is no current business license in existence for the owner(s) of the off-premises advertising display; or
  4. when there has been no display for a period of one (1) year with respect to a permanent off-premises advertising display.
- B. Any off-premises advertising display determined to be abandoned shall reduce the number of off-premises advertising displays allowed under section 18.06.920(b).



Sec. 18.06.975.

Time limitations on review of applications for  
off-premises advertising displays.

The following are time limitations on the pertinent decision-maker to review applications for off-premises advertising displays as applicable:

1. The zoning administrator or his duly authorized designee shall review and make a decision regarding an application for an off-premises display within five (5) working days of the date the application is filed-stamped by the Community Development Department, on the appropriate form and with payment of the appropriate fee, if any.
2. The zoning administrator or his duly authorized designee shall review and make a decision regarding an application for a temporary or special events off-premises advertising display within two (2) working days of the date the application is filed-stamped by the Community Development Department, on the appropriate form and with the appropriate fee, if any.
3. If the Board of Adjustment or the Planning Commission review the application, the Board of Adjustment or the Planning Commission shall hold a public hearing within sixty-five (65) days of the date the application is filed-stamped with the Community Development Department.
4. The Board of Adjustment or Planning Commission shall make its decision within thirty (30) days from the date of the opening of the public hearing.
5. The City Council shall make its decision within thirty (30) days of the date the appeal is filed-stamped with the City Clerk on the appropriate form and payment of the appropriate fee.
6. If the applicant requests a continuance or a specified time or date for the matter to be heard, the time lines provided herein are deemed waived.

Sec. 18.06.980. Off-premises advertising displays; judicial review.

- A. Judicial review may be sought may be sought in accordance with Chapter 34 of the NRS.
- B. If the City denies a "First Amendment" application, the City will institute legal proceedings within ten (10) working days of its final action to determine in an adversarial proceeding the constitutionality of the denial on prior restrain grounds, unless otherwise waived by the applicant. For purposes of this subsection, a "First Amendment" application is one in which the applicant has inserted the words " First Amendment" in the caption of the application.

Sec. 18.06.985. Interpretation and severability.

- A. This ordinance amending Chapter 18.06. relates to and is to be integrated with the Reno Municipal Code then in effect at the time of adoption and will be read consistently with any future adopted ordinances.
- B. Should any section, subsection, clause or provision of Chapter 18.06 be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity shall not affect validity of the Chapter 18.06 as a whole or any part

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thereof other than the part declared to unconstitutional  
or invalid.

PASSED AND ADOPTED this 22<sup>nd</sup> day of January, 2002, by the  
following vote of the Council:

AYES: Aiazzi, Hascheff, Rigdon, Sferrazza-Hogan, Griffin

NAYS: Harsh

ABSTAIN: None

ABSENT: Doyle

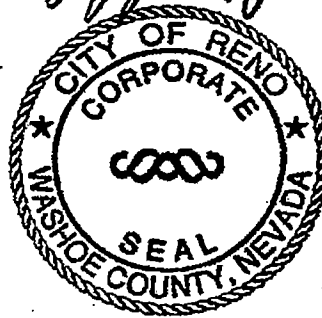
APPROVED this 22<sup>nd</sup> day of January, 2002.

ATTEST:

Carmie Andersen, Deputy  
CITY CLERK AND CLERK OF THE  
COUNCIL OF THE CITY OF RENO,  
NEVADA

EFFECTIVE DATE: January 25, 2002

[Signature]  
MAYOR OF THE CITY OF RENO



# RENO NEWSPAPERS INC

Publishers of

## RENO GAZETTE-JOURNAL

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STATE OF NEVADA  
COUNTY OF WASHOE

ss Tana Ciccotti

Being first duly sworn, deposes and says:  
That as the legal clerk of the RENO  
GAZETTE-JOURNAL, a daily newspaper  
published in Reno, Washoe County,  
State of Nevada, that the notice:

Ordinances

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:  
Jan. 25, 2002

Signed

*T. Ciccotti*

Subscribed and sworn to before me this  
JAN 25 2002

*Susan V. Dummar*  
Notary Public



SUSAN V. DUMMAR  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No. 98-4006-2 - Expires August 17, 2002

### NOTICE OF CITY ORDINANCES

NOTICE IS HEREBY GIVEN that the ordinances, listed below  
by title and containing the vote of the Council, were proposed  
on January 8, 2002, and that action and adoption of such ordi-  
nances took place on January 22, 2002.

BILL NO. 5030, ORDINANCE NO. 5295: AN ORDINANCE  
AMENDING CHAPTER 18.06 OF TITLE 28 OF THE MUNICI-  
PAL CODE ENTITLED "ZONING" BY ADDING LANGUAGE TO  
AND DELETING LANGUAGE FROM SECTIONS  
18.06.010-18.06.060 WHICH GOVERN HOW OFF-PREMISES  
ADVERTISING DISPLAYS WILL BE REGULATED TOGETHER  
WITH OTHER MATTERS PROPERLY RELATING THERETO.  
AYES: Alizzi, Henschel, Rigdon, Sherraza-Hogan, Griffin  
NAYS: None  
ABSTAIN: None  
ABSENT: Doyle

BILL NO. 5025, ORDINANCE NO. 5296: ORDINANCE  
AMENDING 5271 WHICH AMENDED TITLE 2, CHAPTER 2.10,  
ARTICLE III, SECTIONS 2.10.200(a) AND 2.10.230 OF THE  
RENO MUNICIPAL CODE ENTITLED "ROOM TAX" BY AMEND-  
ING THE BOUNDARIES OF THE AREA WITHIN WHICH THE  
ADDITIONAL ONE AND ONE HALF PERCENT ROOM TAX  
WILL BE COLLECTED.  
AYES: Sherraza-Hogan, Alizzi, Marsh, Rigdon  
NAYS: Henschel  
ABSTAIN: None  
ABSENT: Doyle, Griffin

BILL NO. 5037, ORDINANCE NO. 5297: AN ORDINANCE  
AMENDING TITLE 2, CHAPTER 2.08 OF THE RENO MUNICI-  
PAL CODE ENTITLED "ADMINISTRATION" PERTAINING TO  
THE BOARD OF MASSAGE EXAMINERS TO AMEND REGARD-  
ING RESTATEMENT OF A MASSAGE THERAPIST LICENSE  
AFTER MORE THAN TWELVE MONTHS HAS EXPIRED.  
AYES: Alizzi, Henschel, Marsh, Sherraza-Hogan  
NAYS: Rigdon  
ABSTAIN: None  
ABSENT: Doyle, Griffin

BILL NO. 5031, ORDINANCE NO. 5298: AN ORDINANCE TO  
AMEND CHAPTER 18.06 OF THE RENO MUNICIPAL CODE  
ENTITLED "ZONING", REZONING A ±1.80 ACRE SITE  
LOCATED ON THE EAST SIDE OF MT. CHARLESTON STREET  
APPROXIMATELY 300 FEET NORTH OF ECHO AVENUE FROM  
M30 (MULTI-FAMILY) AND CC (COMMUNITY COMMER-  
CIAL) TO M34 (MULTI-FAMILY), TOGETHER WITH OTHER  
MATTERS PROPERLY RELATING THERETO.  
AYES: Alizzi, Henschel, Rigdon, Sherraza-Hogan  
NAYS: None  
ABSTAIN: None  
ABSENT: Doyle, Griffin

BILL NO. 5032, ORDINANCE NO. 5299: AN ORDINANCE TO  
AMEND CHAPTER 18.06 OF THE RENO MUNICIPAL CODE,  
ENTITLED "ZONING", REZONING ±.41±.27 ACRES OF A ±1.27  
ACRE SITE LOCATED ON BOTH SIDES OF WESTERN  
STREET, BETWEEN STANDARD STREET AND WRAPPING  
AROUND IN AN L-SHAPE TO WESTERN ROAD FROM IS  
(INDUSTRIAL BUSINESS) TO IC (INDUSTRIAL COMMER-  
CIAL), TOGETHER WITH OTHER MATTERS PROPERLY RELAT-  
ING THERETO.  
AYES: Alizzi, Henschel, Rigdon, Sherraza-Hogan  
NAYS: None  
ABSTAIN: None  
ABSENT: Doyle, Griffin

BILL NO. 5033, ORDINANCE NO. 5300: AN ORDINANCE TO  
AMEND CHAPTER 18.06 OF THE RENO MUNICIPAL CODE,  
ENTITLED "ZONING", REZONING ±.6±.35 ACRE SITE WHICH  
IS COMPRISED OF FIVE (5) ADJACENT PARCELS LOCATED  
ON THE SOUTHEAST CORNER OF MATTLEY LANE AND MILL  
STREET FROM IS (INDUSTRIAL BUSINESS) TO IC  
(INDUSTRIAL COMMERCIAL), TOGETHER WITH OTHER MAT-  
TERS PROPERLY RELATING THERETO.  
AYES: Sherraza-Hogan, Henschel, Marsh, Rigdon, Alizzi  
NAYS: None  
ABSTAIN: None  
ABSENT: Doyle, Griffin

BILL NO. 5034, ORDINANCE NO. 5301: AN ORDINANCE  
AMENDING TITLE 12 OF THE MUNICIPAL CODE ENTITLED  
"PUBLIC WORKS AND UTILITIES" BY ADDING ADDITIONAL  
SECTIONS 12.28.210 TO 12.28.255, TO CHAPTER 12.28 "MAINTENANCE  
DISTRICTS OF LANDSCAPING, PUBLIC LIGHTING,  
AND SECURITY WALLS" ESTABLISHING A MAINTENANCE  
DISTRICT FOR PROPERTY KNOWN AS MORNINGSTAR AT  
NORTHEAST UNITS #2 and #3, AND OTHERS MATTERS  
PROPERLY PERTAINING THERETO.  
AYES: Alizzi, Henschel, Marsh, Rigdon, Sherraza-Hogan  
NAYS: None  
ABSTAIN: None  
ABSENT: Doyle, Griffin

BILL NO. 5035, ORDINANCE NO. 5302: AN ORDINANCE  
AMENDING TITLE 12 OF THE MUNICIPAL CODE ENTITLED  
"PUBLIC WORKS AND UTILITIES" BY ADDING ADDITIONAL  
SECTIONS 12.28.210 TO 12.28.255, TO CHAPTER 12.28 "MAINTENANCE  
DISTRICTS OF LANDSCAPING, PUBLIC LIGHTING,  
AND SECURITY WALLS" ESTABLISHING A MAINTENANCE  
DISTRICT FOR PROPERTY KNOWN AS MAYBERRY PLACE,  
AND OTHERS MATTERS PROPERLY PERTAINING THERETO.  
AYES: Marsh, Sherraza-Hogan, Henschel, Rigdon, Alizzi  
NAYS: None  
ABSTAIN: None  
ABSENT: Doyle, Griffin

These ordinances shall be in full force and effect from and  
after January 25, 2002. Notice is further given that copies of  
the above ordinances are available for inspection by all inter-  
ested parties at the office of the City Clerk, City Hall, 490  
South Center Street, Room 209, Reno, Nevada.

DONALD L. COOK, CITY CLERK  
AND CLERK OF THE CITY COUNCIL

No.310 Jan.25, 2002

JA 557

COR-00042

JB

EXPLANATION: Matter underlined is new; Matter in brackets [] is material to be omitted.

BILL NO. 5830

ORDINANCE NO. 5295

Ordinance  
Showing  
Changes

AN ORDINANCE AMENDING CHAPTER 18.06 OF TITLE 18 OF THE MUNICIPAL CODE ENTITLED "ZONING" BY ADDING LANGUAGE TO AND DELETING LANGUAGE FROM SECTIONS 18.06.910-18.06.914 WHICH GOVERN HOW OFF-PREMISES ADVERTISING DISPLAYS WILL BE REGULATED; TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

PREAMBLE

WHEREAS, a majority of the voters of the City of Reno ("City") approved an initiative regarding off-premises advertising displays/billboards on November 8, 2000;

WHEREAS, NRS 295.220 provides, in part, "[i]f a majority of the registered voters voting on a proposed initiative ordinance vote in its favor; it shall be considered adopted upon certification of the election results ....";

WHEREAS, the City certified the election results on November 14, 2000;

WHEREAS, the City wishes to incorporate the initiative into Chapter 18.06;

WHEREAS, the City wishes to reduce advertising distractions, which may contribute to traffic accidents;

WHEREAS, the City wishes to provide an improved visual environment for the inhabitants of and visitors to the City;

WHEREAS, the City wishes to protect its esthetic qualities;

WHEREAS, the City's civic identity is associated with its surrounding mountains and the Truckee River as well as its recreational, gaming, and tourist activities;

WHEREAS, the City, in its desire to preserve its visual environment and esthetic qualities, has examined the gateways to

the City as well as certain other streets, such as McCarran Boulevard, to determine which gateways and/or streets or portions thereof are especially linked to the City's visual environment and esthetic qualities;

WHEREAS, the City desires to amend sections 18.06.910-18.06.914 and add and delete language thereto to make the Reno Municipal Code consistent with the initiative and to more fully recognize the role of the City's visual environment and esthetic qualities and set out other matters relating thereto;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENO DO ORDAIN:

Section 1: Chapter 18.06 of Title 18 of the Reno Municipal Code is hereby amended to add and delete language from sections 18.06.910-914 to read as follows:

<u>Sec. 18.06.910</u>	<u>Off-premises advertising displays[.]; purpose</u>
<u>[18.06.911</u>	<u>Moratorium established</u>
<u>18.06.912</u>	<u>Exemption to moratorium</u>
<u>18.06.913</u>	<u>Effective period of moratorium</u>
<u>18.06.914</u>	<u>Severability]</u>
<u>Sec. 18.06.915</u>	<u>Off-premises advertising displays;</u>
	<u>definitions.</u>
<u>Sec. 18.06.920</u>	<u>Restrictions on permanent off-premises</u>
	<u>advertising displays</u>
<u>Sec. 18.06.922</u>	<u>Continued use of permanent off-premises</u>
	<u>advertising displays</u>
<u>Sec. 18.06.925</u>	<u>Permanent off-premises advertising displays;</u>
	<u>permitted locations</u>
<u>Sec. 18.06.930</u>	<u>General standards for permanent off-premises</u>
	<u>advertising displays</u>
<u>Sec. 18.06.935</u>	<u>Permanent off-premises advertising displays;</u>
	<u>prohibited locations</u>
<u>Sec. 18.06.940</u>	<u>Prohibited permanent off-premises advertising</u>
	<u>displays; types</u>
<u>Sec. 18.06.950</u>	<u>Relocation of permanent off-premises</u>
	<u>advertising displays</u>
<u>Sec. 18.06.955</u>	<u>Permanent off-premises advertising display;</u>
	<u>reporting</u>
<u>Sec. 18.06.960</u>	<u>Temporary off-premises advertising displays</u>
<u>Sec. 18.06.965</u>	<u>Off-premises advertising displays; special</u>
	<u>events</u>
<u>Sec. 18.06.970</u>	<u>Abandoned off-premises advertising displays</u>
<u>Sec. 18.06.975</u>	<u>Time limitations on review of applications</u>
	<u>for off-premises advertising displays;</u>
<u>Sec. 18.06.980</u>	<u>Off-premises advertising displays; judicial</u>

Sec. 18.06.985

review  
Interpretation and severability

Sec. 18.06.910.      Off-premises advertising displays[.]; purpose.

[A. PURPOSE] Recognizing that the City of Reno is a unique city in which [outdoor advertising] public safety, maintenance, and enhancement of the City's esthetic qualities [is] are important and effective in promoting quality of life for its inhabitants and the City of Reno's twenty-four[-]hour gaming/entertainment/recreation/tourism economy; [and also] recognizing that the promotion of tourism generates a commercial interest in the environmental attractiveness of the community; and recognizing that the visual landscape is more than a passive backdrop in that it shapes the character of our city, community, and region, the purpose of [these provisions] this Chapter is to establish[ment] a comprehensive system for the regulation of the commercial use of off-premises [signs] advertising displays. It is intended that these regulations impose reasonable standards on the number, size height and location of off-premises [signs] advertising displays [,and facilitate the removal or replacement of nonessential signs in order] to prevent and [relieve] alleviate needless distraction and clutter resulting from excessive and confusing off-premises advertising displays; to safeguard and enhance property values; and to promote the general welfare and public safety of the City's inhabitants and to promote the maintenance and enhancement of the City's esthetic qualities [and: the general welfare] and improve the character of our City. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city which is instrumental in attracting those who come to visit, vacation, live, and trade.

Sec. 18.06.915.      Off-premises advertising displays;  
definitions.

In addition to the definitions set forth in Section 18.06.1202, the following definitions apply to off-premises advertising displays:

1.    Animated Sign: A sign which meets the definition of changeable sign as contained in 18.06.1200 or a tri-vision display.
2.    Building Wrap: A sign applied to or painted on, all or

a portion of a building exterior wall(s). Building wraps include the application of a flexible material to a building containing an off-premises advertising display.

3. Conforming permanent off-premises advertising display: Any sign, display, billboard, or other device that is designed, intended, or used to advertise or inform readers about services rendered or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected and which is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display.
4. Cut-out: A cut-out is an extension of the display beyond the primary surface display area which shall not exceed ten (10) percent of the primary surface area of the off-premises display.
5. Off-premises advertising display: An off-premises advertising display includes its structure in addition to the definition set forth in Section 18.06.1202, "Sign," paragraph (gg); Off-premises advertising displays are commonly called billboards.
6. Final action: Final action means that action which could not be subjected to any further discretionary action by the City or the County of Washoe, as applicable.
7. Freeway: A freeway is the portions of Interstate 80 and U.S. 395 within the City or Reno or its sphere of influence.
8. Highway: A highway means a highway as defined in NRS 484.065.
9. Maintain: Maintain means to keep in a state of repair provided there is no increase in the movement of any visible portion of the off-premises advertising display nor any increase in the illumination emitted by the off-premises advertising display or any other characteristic beyond that allowed by the permit or law under which it exists.
10. Non-conforming permanent off-premises advertising



display: Any sign, display, billboard, or other device that is designed, intended, or used to advertise or inform readers about services rendered or goods produced or sold on property other than the property upon which the sign, display, billboard or other device is erected and which is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display and which does not conform subsequently because of a change to the local ordinances or codes.

11. Person: A person is a corporation, firm, partnership, association, individual, executor, administrator, trustee, receiver, or other representative appointed according to law.
12. Residentially zoned parcel: A parcel contained in a Residentially Zoned-District, as defined under Section 18.06.1200, "Residentially Zoned District."

Sec. 18.06.920. Restrictions on permanent off-premises advertising displays.

- (a) [Off-premises advertising displays shall be permitted in only the M-1 (industrial and C-3 (commercial) districts.] The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction. (Approved by the voters at the November 7, 2000, General election, Question R 1 - The results were certified by Reno City Council on November 14, 2000).
- (b) In no event shall the number of off-premises advertising displays exceed the number of existing off-premises advertising displays located within the City on November 14, 2000. This number shall include all applications for off-premises advertising displays approved in final action by the City on or before November 14, 2000 but unbuilt as well as those applications approved by a court of competent jurisdiction. In the event the City annexes property in another governing body's jurisdiction on or after November 14, 2000, the number of off-premises advertising displays located on such annexed property shall be included in the calculation of the number of existing off-

premises advertising displays provided they were legal and existing in the governing body's jurisdiction when annexed to the City. For purposes of annexation, an application for a permanent off-premises advertising display, approved in final action by the governing body, although unbuilt, shall be included in the calculation of the number of existing off-premises advertising displays as of November 14, 2000.

Sec. 18.06.922. Continued use of permanent off-premises advertising displays.

- (a) All existing, legally established, permanent off-premises advertising displays, whether identified as conforming or non-conforming, are deemed conforming and may be continued and maintained at their current location.
- (b) All existing, legally established, off-premises displays may be replaced in situ with a new structure provided the area of the display surface is not increased and all requirements of 18.06.930 (a)-(c) and (e)-(l) are met.
- (c) For purposes of the Chapter, an application for a permanent off-premises advertising display, approved in final action by City Council, although unbuilt, is an existing permanent off-premises advertising display.

Sec. 18.06.925. Permanent Off-premises advertising displays; permitted locations.

- [D. Permitted locations.] Off-premises advertising displays shall be permitted only in the I. (Industrial), IB (Industrial Business, IC (Industrial Commercial), AC (Arterial Commercial), CC (Community Commercial) and HDC (Hotel/Casino Downtown) district when within two hundred (200) feet of a major or minor arterial road or freeway unless otherwise prohibited.

Sec. 18.06.930. General standards for permanent off-premises advertising displays.

[C. GENERAL STANDARDS]

- [1.] (a) The area of display surface shall be the sum total

square feet of geometric area of display surfaces which comprise the total off-premises advertising display, except the structure. The computation of display surface of a back-to-back off-premises advertising display shall be limited to one display surface.

[2.] (b) No off-premises advertising display shall have a primary display surface, not including allowed cut-outs, greater than [800] six hundred seventy-two (672) square feet.

[3.] (c) No off-premises advertising display [may] shall exceed [50] thirty-five (35) feet in height as measured from the surface of the road grade to which the sign is oriented to the highest point of the off-premises advertising display, whichever is greater but in no event to exceed fifty (50) feet. [except as provided in section 18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit."] If the off-premises advertising display is oriented to more than one road grade, the highest road grade shall be the reference point.

[4.] (d) No off-premises advertising display [having a display surface of 300 square feet or greater may] shall be located closer than seven hundred fifty (750) feet to the next off-premises advertising display on [the] either [same] side of the same street. No animated off-premises advertising display shall be located closer than one-thousand (1,000) feet to the next animated off-premises advertising on either side of the same street. [except as provided in Section 18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit."]

[5.] No advertising display having a display surface smaller than three hundred (300) square feet may be located closer than five hundred (500) to the next off-premises advertising display on the same side of the street, except as provided in Section 18.06.910(F) entitled "Off-premises advertising displays requiring a special use permit."

6. No off-premises advertising display may be located within three hundred (300) feet of the right-of-way line of a freeway, except as provided in Section 18.06.910 (F) entitled "Off-premises advertising displays requiring a special use permit."

- [7.] (e) All off-premises advertising displays[, as well as supporting structures,] shall be maintained in a [safe and] clean and workmanlike condition [state of repair and preservation. Display s] Surface shall be neatly painted [or posted]. [Premises] Property immediately surrounding [such structures or] off-premises advertising displays shall be [kept in a clean,] maintained and kept free of litter, rubbish, weeds and debris. Any off-premises display deemed to be a nuisance as defined in section 8.22.100 shall be enforced as provided for in Chapter 1.05.
- [8.] (f) The permit number [and address], as assigned by the building official[,] or the identity of the owners and [the] his address shall be displayed [painted] on every permanent off-premises advertising display [erected in accordance with the provisions of this section. The display shall also identify its owners.]
- [9.] (g) The reverse side of a cut-out shall be [pointed so as to be compatible with the background surrounding it] dull and non-reflective.
- [10.] (h) The reverse side of a single-face [sign] off-premises advertising display shall be [painted so as to be compatible with the background surrounding it] dull and non-reflective [Single-face, off-premises advertising displays which were erected prior to the adoption of this section shall comply with this requirement within one year from the date of adoption of this section.]
- [11.] (i) [No tree may be removed for the purpose of erecting an off-premises advertising display unless an application for a variance, pursuant to Section 18.06.1112, has been first filed with the zoning administrator and denied. When such a variance is approved by the zoning administrator it shall be unlawful to remove the tree in order to erect an off-premises advertising display.] No tree may be removed for the purpose of erecting an off-premises advertising display. If an existing tree would impact the visibility of a site which otherwise meets the requirements sections 18.06.925 and 18.06.930, a variance to the spacing requirements may be requested. If the variance to the spacing requirements is denied as a final action, the tree may be removed. If the variance to spacing requirements is approved, the tree may not be removed.

- (j) Off-premises advertising displays shall be of monopole design.
- (k) All lighting shall be directed toward the off-premises advertising display. Off-premises advertising displays located outside the McCarran Boulevard will be down-lighted meaning that any lighting will not be directed upward toward the off-premises advertising display to avoid adding light to the night sky.
- (l) An off-premises advertising display may not contain more than two (2) faces and those faces shall be parallel to one another and oriented in opposite directions.

Sec. 18.06.935. Permanent off-premises advertising displays; prohibited locations.

[E. Prohibited locations.]

- [1] (a) No off-premises advertising display shall be [established] erected closer to [the] a street than the right-of-way line. No portion of any [outdoor] off-premises advertising display may be placed on or extend over the right-of-way line of any street [or highway].
- [2] (b) No off-premises advertising display, or part thereof, shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
- [3] (c) No off-premises advertising display shall be located within three hundred (300) feet of the center line of the Truckee River or within three hundred (300) feet of the outer boundary of any areas designed in this Chapter as the Truckee River Corridor [,] or its successor, or as open space adjacent to the Truckee River.
- [4.] (d) No off-premises advertising display shall be [located] erected within three hundred (300) lineal feet of a [park, school or public building, or house of worship] residentially zoned parcel on the same side of the street.
- (e) The number of permanent off-premises advertising displays located within three hundred feet (300) of the center line of the following areas shall not exceed the number of legally existing off-premises advertising

displays on November 14, 2000 as set forth in section 18.06.920(b):

1. Interstate 80 from Robb Drive to Keystone Avenue.
2. U.S. 395 from Panther Drive to North McCarran Boulevard.
3. No off-premises advertising displays shall be located within two hundred (200) of the right-of-way of McCarran Boulevard except within the following locations:
  - (1). Talbot Lane east to Mill Street.
  - (2). Northtowne Lane west to Sutro Street.
4. This subsection does not prohibit relocation of existing off-premises displays within the above locations nor reconstruction of an existing off-premises advertising display provided that the reconstructed off-premises advertising display conforms with sections 18.06.910-18.06.985.

(f) The number of off-premises advertising displays within three hundred (300) feet of the center line of U.S. 395 from Patriot Boulevard to Del Monte Lane shall not exceed ten (10) off-premises advertising displays. This subsection does not prohibit relocation of existing off-premises displays within the above location nor reconstruction of an existing off-premises advertising display provided that the reconstructed off-premises advertising display conforms with sections 18.06.910-18.06.985.

[5. No off-premises advertising display shall be erected over residential structures or mobile homes.

F. Off-premises advertising displays requirement a special use permit. Erection of the following off-premises advertising displays shall first require the approval of a special use permit:

1. Any advertising display which exceeds 50 feet in height as measured from the surface of the ground to the highest point of the sign.
2. Any advertising display having a display surface equal to or

greater than 300 square feet which is to be located closer than 750 feet to the next off-premises advertising display on the same side of the street.

3. Any advertising display having a display surface smaller than 300 square feet which is to be located closer than 500 feet to the next off-premises advertising display on the same side of the street.

4. Any advertising display which is to be located within 300 feet of the right-of-way line of a freeway.]

Sec. 18.06.940. [G Prohibited off-premises advertising displays] Prohibited off-premises advertising displays; types.

The following off-premises advertising displays are prohibited:

[1. Canvas signs, banners, pennants, streamers, balloons or other temporary or wind signs except as provided in Section 18.06.910(L) entitled "special events signs".

2. Mobile, A-frame, and portable signs except as provided in Section 18.06.910(L) entitled "Special events signs".

3.] 1. Signs which emit noise via artificial devices.

[4.] 2. Roof signs.

[5. Signs which resemble any official marker erected by the city, state, or any governmental agency, or which, by reason of position, shape, color or illumination would conflict with the proper functioning of any traffic sign or signal.

6.] 3. Signs which produce odor, sound, smoke, fire or other such emissions.

[7.] 4. Stacked signs.

[8.] 5. Temporary signs except as otherwise provided in sections 18.06.960 and 18.06.965. [section 18.06.910(L), "Special events sign."]

[9.] 6. Wall signs..

7. Signs with more than two faces.

8. Building wraps.

[H. Continued use of nonconforming signs.

1. An off-premises advertising display which becomes nonconforming as the result of the adoption may be continued and maintained except as follows:
  - a. A nonconforming display destroyed to an extent greater than 50 percent of the cost of advertising display or device new shall not be reestablished.
  - b. A nonconforming display which is determined to be abandoned shall be removed.

2. Right to maintain. Any off-premises advertising display erected prior to the effective date of this section which becomes nonconforming as the result of this section, may continue in existence, except that any enlargement (excluding cut-outs of 50 square feet or less), alternation or relocation shall make said sign subject to the provisions of this section.

3. Changes to nonconforming sign. Nothing contained herein shall prohibit changes which bring a display into conformance with the provisions of this section reduce its size.

4. Safety hazard. Notwithstanding any other provision of this subsection, the right to use any nonconforming advertising display ceases when ever the city council determines that the advertising display constitutes a safety hazard.]

Sec. 18.06.950. Relocation of permanent off-premises advertising displays.

- (a) Except as otherwise provided in this chapter, a legally established, permanent off-premises advertising display may be relocated to a permitted location as described in section 18.06.925 provided that such display complies with all requirements of Chapter 18.06.
- (b) Two permits shall be required prior to relocation of a legally established, permanent off-premises advertising display, one for removal of an existing sign and one for relocation of the existing off-premises advertising display.



5. A person who is granted a permit for the removal of an off-premises advertising display proposed to be relocated under this section shall remove the off-premises advertising display in all respects from the original location and return the site to a condition consistent with immediately surrounding area within the time set by the permit and prior to installation of a relocated off-premises advertising display. A letter of credit may be required to guarantee removal of the existing off-premises advertising display.
  2. Off-premises advertising displays which have a display area less than the maximum allowed under section 18.06.930 and are proposed to be increased in display area, shall require a two (2) for one (1) removal to relocation ratio prior to issuance of the permit for relocation. The number of allowed off-premises advertising displays under section 18.06.920(b) will be reduced accordingly.
  3. A person who requests a permit for the relocation of an existing off-premises advertising display shall:
    1. Identify the off-premises advertising display that has been removed, by address and building permit number that the relocated off-premises advertising display will replace.
    2. Present to the Community Development Department a notarized statement from the off-premises advertising display owner that he has removed, or caused to be remove, the off-premises advertising display under subsection (b) (3) (1) of this section, authorizing the relocation of the off-premises display.
- (c) The owner(s) of an off-premises advertising display that has been removed pursuant to subsection (b) has ten (10) years in which to apply for and secure a permit to relocate the off-premises display. The ten (10) years shall run from the date the City approves all work performed under subsection (b). in writing, and/or releases the letter of credit. The permit to relocate an off-premises advertising display may be

sold or otherwise conveyed at the discretion of the owner.

(d) Nothing in this section shall be construed to mandate relocation of any off-premises advertising display.

Sec. 18.06.955. Permanent off-premises advertising displays; reporting.

[J Reporting] Each sign company licensed to do business in the City must report to the z[Z]oning a[A]dministrator the size, height, location and location and building permit number of each off-premises advertising display owned by a [the] company and located within the City on July first by July fifteenth of each year.

Sec. 18.06.960. Temporary off-premises advertising displays.

[K Off-premises temporary commercial advertising displays.] Off-premises temporary advertising [commercial] displays are allowed without permit on private property in any zoning district with the permission of the owner(s), holder(s) [leasee] lessee(s), agent(s), or trustee(s) as applicable, when the temporary off-premises advertising commercial advertising displays [are]:

1. Are located i[I]n any zoning district within one-half radial mile of the site on which the activity will take place;
2. Shall be a maximum of six (6) square feet;
3. Shall be designed to be stable under all weather conditions, including high winds;
4. Shall not obstruct the [sight distance] vision triangle as defined set forth in section 18.06.501(I) nor traffic control device or impair access to a sidewalk, street, [or] driveway, [traffic control sign] bus stop, or fire hydrant; and
5. Displayed for less than twelve (12) hours each day, no earlier than 6:00 a.m. nor later than 9:00 p.m.

Sec. 18.06.965. Off-premises advertising displays; special events.

[L.Off-premises advertising displays for special events.] A

holder of a special event's permit may apply for a building permit pursuant to RMC Chapter 14 to erect a temporary off-premises advertising display promoting the special event provided [Upon application, the administrator may permit temporary off-premises advertising displays promoting a special event if] the temporary off-premises advertising display:

1. Complies with sections 18.06.910 through 18.06.985 as applicable; [will not conflict with the general purpose of Section 18.06.910(A) such as aesthetics and traffic safety because of its size or location;
2. The applicant has obtained a permit to hold a special event;
3. The proposal complies with City policies if the applicant seeks to use City owned improvements such as poles designed for temporary signs or buildings;
4. Such off-premises advertising displays, when permitted shall not be installed prior to thirty (30) days before and shall be removed with ten (10) after the special event advertised; [and]
5. The [sign may] temporary off-premises advertising display shall not exceed 100 square feet[.];
6. The temporary off-premises advertising display shall be designed to be stable under all weather conditions, including high winds; and
7. The temporary off-premises advertising display shall not obstruct the sight distance triangle as defined in section 18.06.501(I) nor a traffic control device or impair access to a sidewalk, street, highway, driveway, bus stop or fire hydrant.

[B. *Building permit required.*

It shall be unlawful for any person to erect, construct, install, enlarge (excluding cut-outs of 50 square feet or less), or to place an off-premises advertising display without first having obtained a building permit issued by the City.]

Sec. 18.06.970. Abandoned off-premises advertising displays.

[I. *Abandoned signs.*]

[1.] (a) Abandonment is the cessation of the right to continue the [use] existence of a permanent off-premise advertising display:

1. under existing law;
2. when a state of disrepair exists because of substantial tearing, chipping, or missing material thirty (30) days after receipt of notice sent pursuant to Chapter 1.05;
3. when there is no current business license in existence for the owner(s) of the off-premises advertising display; or
4. when there has been no display for a period of one (1) year with respect to a permanent off-premises advertising display.

(b) Any off-premises advertising display determined to be abandoned shall reduce the number of off-premises advertising displays allowed under section 18.06.920(b).

[The right of a person to continue to use an abandoned, nonconforming, off-premises advertising display shall terminate following receipt of notification that the zoning administrator has deemed the sign abandoned.]

Sec. 18.06.975. Time limitations on review of applications for off-premises advertising displays.

[M. Time limitations on review of applications for permanent off-premises advertising displays.]

[Unless continued with the consent of the applicant,] The following are time limitations on the pertinent decision-maker to [the] review [of] applications for off-premises advertising displays as applicable:

1. The zoning administrator or his duly authorized designee shall review and make a decision regarding an application for an off-premises display within five (5) working days of the date the application is filed-stamped by the Community Development Department, on the appropriate form and with payment of the appropriate fee, if any.

2. The zoning administrator or his duly authorized designee shall review and make a decision regarding an application for a temporary or special events off-premises advertising display within two (2) working days of the date the application is filed-stamped by the Community Development Department, on the appropriate form and with the appropriate fee, if any.
- [2] 3. If the Board of Adjustment or the Planning Commission [will] review the application, the Board of Adjustment or the Planning Commission shall hold a public hearing within sixty-five (65) days of the date the application is [complete and in conformance with this Chapter] filed-stamped with the Community Development Department.
- [3] 4. The Board of Adjustment or Planning Commission shall make its decision within thirty (30) days from the date of the opening of the public hearing.
5. The City Council shall make its decision within thirty (30) days of the date the appeal [was] is filed-stamped with the City Clerk on the appropriate form and payment of the appropriate fee.
6. If the applicant requests a continuance or a specified time or date for the matter to be heard, the time lines provided herein are deemed waived.

Sec. 18.06.980. Off-premises advertising displays; judicial review.

[N. Off-premises advertising displays; judicial review.]

(a) Judicial review may be sought may be sought in accordance with Chapter 34 of the NRS.

(b) If the City denies a "First Amendment" application, the City will institute legal proceedings within ten (10) working days of its final action to determine in an adversarial proceeding the constitutionality of the denial on prior restraint grounds, unless other waived by the applicant. For purposes of this subsection, a "First Amendment" application is one in which the applicant has inserted the words "First Amendment" in the caption of the application.

Sec. 18.06.985. Interpretation and severability.

[0 Interpretation and severability.1] A. This ordinance amending Chapter 18.06. relates to and is to be integrated with the Reno Municipal Code then in effect at the time of adoption and will be read consistently with any future adopted ordinances.

[2.] B. Should any section, subsection, clause or provision of Chapter 18.06 [this Ordinance] be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity shall not affect validity of the [Ordinance] Chapter 18.06 as a whole or any part thereof other than the part declared to unconstitutional or invalid.

[ P. *Moratorium established.* From and after the effective date of this ordinance, the city shall not file not accept nay applications nor issue use or building permits for off-premises advertising displays made pursuant to Reno Municipal code section 18.06.910 for applications for off-premises advertising displays in the commercial zoning districts of Arterial Commercial (AC), Community Commercial (CC), and Central Business (CB).

1. *Exemption to moratorium.* Applications which are legally vested as of the effective date of Ordinance 5208 shall continue to be processed by the city according to the regulations in effect on the date of vesting.

2. *Effective period of moratorium.* The moratorium set forth by section 18.06.910 shall becomes effective upon adoption of Ordinance 5208 and remain in effect for three (3) months thereafter.

3. *Severability of moratorium ordinance.* If any section, sentence, clause or phase of the Ordinance 5208 should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phase.

18.06.911 *Moratorium established.*

From and after the effective date of this ordinance, the city shall not file nor accept any application s nor issue use or building permits for off-premises advertising displays made pursuant to Reno Municipal code section 18.06.500(d), now 18.06.910D, for applications for off-premises advertising displays in the commercial zoning districts of arterial commercial (AC), community commercial (CC), and central business

(CB) .

18.06.912. Exemption to moratorium.

Applications which are legally vested as of the effective date of Ordinance 5229 shall continue to be processed by the city according to the regulations in effect on the date of vesting.

18.06.913. Effective period of moratorium. The moratorium set forth by section 18.06.911 shall become effective upon the adoption of Ordinance 5229 and remain in effect for three months thereafter.

18.06.914. Severability of moratorium ordinance.

If any section, sentence, clause or phase of the Ordinance 5229 should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phase.]

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2002, by the following vote of the Council:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
MAYOR OF THE CITY OF RENO

ATTEST:

\_\_\_\_\_  
CITY CLERK AND CLERK OF THE  
COUNCIL OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE:

(23)

REGULAR COUNCIL MEETING  
Date: AUGUST 15, 2000

Item: 14. A. CITY CLERK

Notes: 1:55 p.m.

Staff Report: Acceptance of Certificate of Sufficiency- Billboard Initiative Petition.

Moved	Sec'd.	Councilmember	Yes	No
		Hascheff		
✓		Herndon		
	✓	Rigdon		
		Newberg		
		Doyle		
		Aiazzi		
		Griffin	ABSENT	
		COUNT		

Motion: acknowledge receipt

CARRIED? YES NO



Agenda Item #

Ward #

This report has been reviewed for:

Financial Implications:

Legal Implications:

Personnel Implications:

August 15, 2000

To: MAYOR AND CITY COUNCIL  
Through: Charles McNeely, City Manager  
From: Donald J. Cook, City Clerk *James J. Cook*  
Date: August 4, 2000  
Re: Certificate of Sufficiency - Billboard Initiative Petition

**SUMMARY:**

It is requested that Council acknowledge receipt of this certificate for the Billboard Initiative Petition.

**BACKGROUND:**

On March 30, 2000, this office received a Notice of Intent to circulate an Initiative Petition from the Citizens for a Scenic Reno relating to a prohibition on new billboard construction. Pursuant to NRS 295.205, the completed petition required at least 6,790 signatures of Reno voters. The deadline for submission was July 28, 2000.

The completed Petition was submitted to this office on July 25, 2000. A "raw count" was performed by the Registrar of Voters with a resultant total being 9,561 signatures. They then performed the random sampling of 500 signatures as required by Statute. Of the 500 sampled, they were able to validate 386. Using that 77.2% validity ratio, the completed petition would be expected to have 7,381 valid signatures; or 591 more than the 6,790 required. The Registrar of Voters certification letter is attached.

**DISCUSSION:**

Based on my review of the petition and the letter from the Washoe County Registrar of Voters, I have found the petition to be sufficient. Under NRS 295.210, this certificate "is a final determination as to the sufficiency of the petition".

**LEGAL CONSIDERATIONS:**

NRS 295.215 requires that "When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner provided by law for the consideration of ordinances generally..."

**RECOMMENDATION:**

It is recommended that Council acknowledge receipt of this certificate of sufficiency and correspondence from the Washoe County Registrar of Voters.

**PROPOSED MOTION:**

I move to acknowledge receipt of this Certificate of Sufficiency.



OFFICE OF  
REGISTRAR OF VOTERS

# WASHOE COUNTY

"To Protect and To Serve"



1001 EAST NINTH STREET  
POST OFFICE BOX 11130  
RENO, NEVADA 89520-0027  
PHONE (702) 328-3670  
FAX (702) 328-3747  
www.co.washoe.nv.us/Voters

August 3, 2000

The Honorable, Don Cook  
City Clerk, City of Reno  
Reno, NV

Re: The verification of signatures for the City of Reno Initiative Petition entitled:  
*The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction.*

Mr. Cook,

Washoe County has now completed the random validation of 500 signatures for the Initiative Petition submitted to prohibit the construction of new off-premises advertising displays/billboards in Reno, Nevada and to restrict the City of Reno from issuing permits for the construction of such advertising display and billboards.

The Washoe County Registrar of Voters Office raw count of petition signatures received from your Office was 9,561.

The number of signatures validated through random selection was 500.  
Of the 500 signatures validated, 114 were determined to be invalid for the following reasons:


- 1 a duplicate voter (i.e. signed more than once)
- 75 from the wrong district (i.e. outside of Reno)
- 36 not registered voters
- 1 date on petition was invalid (i.e. registration date after date petition was signed)
- 1 unable to determine signer (i.e. information not legible enough to make determination)

TOTAL: 114 invalid signatures

Total valid signatures out of 500 validated--386.

All Initiative Petition materials are now returned along with this letter of determination.

Sincerely,

  
Dan Burk  
Registrar of Voters

JA 580

WASHOE COUNTY DOES NOT DISCRIMINATE ON THE BASIS OF SEX, RACE, COLOR, AGE, RELIGION, DISABILITY OR NATIONAL ORIGIN  
IN THE ACTIVITIES AND/OR SERVICES WHICH IT PROVIDES.

COR-00065

The initiative, if enacted, would be contrary to the laws of the State of Nevada. Therefore, the City Council may not enact the proposed initiative, nor may it offer the initiative to the voters for their enactment.

1. The initiative, if enacted, would be contrary to the laws of the State of Nevada.

Under Nevada law, the power of initiative cannot be used to amend an existing zoning ordinance. In Forman v. Eagle Thrifty Drugs & Markets, 89 Nev. 533, 516 P.2d 1234 (1973), the Nevada Supreme Court examined an initiative that sought to amend the Reno zoning law to provide that no industrial or commercial use would be allowed within 300 feet of property used for elementary or junior high school purposes. The court struck down the initiative, holding that "the residents of the City of Reno are barred from adopting an amendment to the zoning law by initiative ballot." Id. at 538, 516 P.2d at 1237 (emphasis added).

The initiative in Forman sought to amend the Reno zoning law to limit a use that was already allowed. The initiative before us would not merely prohibit the use in certain locations, but would prohibit new billboards throughout the City. This initiative is therefore far broader, and even more objectionable, than the initiative struck down in Forman. It clearly goes beyond the scope of what an initiative is permitted to do under Nevada law.

The Nevada Supreme Court has listed a number of reasons why zoning laws cannot be amended by initiative ballot. First, initiative and referendum powers only apply to legislation and do not extend to administrative acts. Once a city has enacted a comprehensive zoning ordinance, any amendments or changes are considered to be administrative acts, and are not the proper subject of initiative or referendum.

Second, the Nevada Supreme Court has noted:

The enactment and enforcement of zoning laws and ordinances are valid exercises of the police power which is inherent in the state and which can be delegated to municipal corporations. The power to zone must be found in the police power

insofar as in its exercise it imposes use restrictions on property without payment of compensation.

The law requires that zoning ordinances observe state and federal constitutional provisions and requirements including that of due process. The governing body of a city has the power to change land use classifications, but no such regulation may become effective until after notice and public hearing at which interested parties and citizens shall have an opportunity to be heard.

Forman, 89 Nev. at 538-39, 516 P.2d at 1237 (citations omitted).

Finally, "a zoning ordinance must be pursuant to, and in substantial conformity with, the zoning or enabling act authorizing it." Id. at 539, 516 P.2d at 1237. The enabling act for zoning matters is found in Chapter 278 of the Nevada Revised Statutes, and imposes several requirements on the manner in which zoning regulations and restrictions are established. The Nevada Supreme Court has stated that unless this enabling act is affected by repeal or amendment, "the statute guides the zoning processes of the cities and directs the means by which it is to be accomplished." Forman, 89 Nev. at 539, 516 P.2d at 1238.

The initiative process is ill-suited to meet the above requirements for zoning, and is not a proper means of amending an existing zoning ordinance. Therefore, the initiative before us is clearly contrary to Nevada law.

2. The City Council may not enact, nor offer to the people for their enactment, an ordinance that would be contrary to the laws of the State of Nevada.

In Forman, the Nevada Supreme Court stated that an initiative petition that amended the Reno zoning law was not a proper subject to be presented to the voters pursuant to the initiative powers of the Nevada Constitution. The initiative petition before us, which also seeks to amend the zoning law, is likewise not a proper subject to be presented to the voters. This is not the type of petition that should be presented to the voters before making a final determination as to its validity. Cf. Barrows

v. District Court, 112 Nev. 339, 913 P.2d 1296 (1996).

The Nevada Attorney General has stated that a city council may not enact, nor offer to the people for their enactment, a municipal ordinance which, if enacted, would be contrary to the constitution and laws of the State of Nevada or the city charter. Nev. Att'y Gen. Op. 79-3 (Feb. 13, 1979). The initiative before us, like that in Forman, is clearly contrary to the constitution and laws of the State of Nevada. The initiative power granted by the Nevada constitution is limited to legislative acts. Any amendment to the existing zoning law would be administrative in nature, and therefore lies beyond the power of initiative granted by the Nevada constitution. The initiative before us is also contrary to well-established precedent of the Nevada Supreme Court, and would likely be struck down if challenged.

In short, this initiative is clearly contrary to the constitution and laws of the State of Nevada. The City Council should neither enact it nor submit it to the voters for their enactment.

# RENO CITY COUNCIL ATTENDANCE CARD

ALL FORMS MUST BE FILLED OUT COMPLETELY

8/15  
Against my  
admission on  
blueprints

DATE: 8-15-00

AGENDA ITEM NO. 14A

NAME: ROBERT PRICE

ADDRESS: 520 GENTRY WAY SP#42  
RENO, NV. 89502

I REPRESENT: \_\_\_\_\_

I AM IN ATTENDANCE CONCERNING: BILLBOARD'S

I WANT TO MAKE A STATEMENT

DO YOU WISH TO MAKE A STATEMENT: YES: ☒ NO: ☒

SHOULD BE MORE BILLBOARD'S NOT LESS

IN FAVOR \_\_\_\_\_ IN OPPOSITION ☒

NOTE: GENERAL POLICIES FOR ADDRESSING COUNCIL:

- \*LIMIT COMMENTS TO 3 MINUTES OR LESS
- \*15 MINUTES PER SIDE ON ITEMS WITH OPPOSITION
- \*AVOID REPETITIVE REMARKS

THE MAYOR AND CITY COUNCIL REQUEST THAT ALL CONCERNS BE EXPRESSED IN A COURTEOUS MANNER, AND THANK YOU FOR YOUR COOPERATION AND PARTICIPATION.

(Over)

# TESTIMONY DECLARATION

## Definition of "lobbyist":

"Lobbyist" is any person who appears before the Reno City Council for pay or for any other consideration, including reimbursement for expenses incurred, for the purpose of influencing action by the City Council. The term includes a person who is regularly employed by a person, business, committee, association or any other organization and, as part of that employment, appears before the City Council for the purpose of influencing action by the City Council.

Please mark each box that is appropriate and print the requested information.

- ☐ I am the applicant/applicant's representative
- ☒ I am speaking as an individual
- ☐ I am a lobbyist representing: \_\_\_\_\_
- ☐ I am speaking on behalf of (name of group) \_\_\_\_\_

Item number on which you are testifying: \_\_\_\_\_

Your name: \_\_\_\_\_

Your company/organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

I hereby declare that the information contained in this declaration is true and correct.

Your signature: \_\_\_\_\_

*Robert Price*





Office of the City Clerk

MEMORANDUM

Date: August 15, 2000  
To: File  
From: Donald J. Cook, City Clerk  
Subject: Item No. 14A - Certificate of Sufficiency - Billboard Initiative Petition

At a regular meeting held August 15, 2000, the City Council acknowledged receipt of the certificate of sufficiency and correspondence from the Washoe County Registrar of Voters.

Donald J. Cook  
City Clerk

DJC:cdg

xc: Dan Burk, Registrar of Voters

Building smaller, piecemeal facilities at different locations or carving up the courts into separate "criminal" and "civil" facilities will mean need-less duplication of services at a much higher cost to the taxpayers.

This is the best solution. By acting now, we have the opportunity to cre-ate an efficient court complex which will serve our citizens for genera-tions to come. Leaving the system we have in place will continue wast-ing tax dollars.

### **REBUTTAL TO ARGUMENT IN SUPPORT OF WC-2**

Those in favor of this ballot question present a false choice to voters. They say the options are (1) spend \$86 million to move two already joined courts one block and re-name them a "regional" court; or, (2) spend \$58 million on rent and repairs. A third option, the right option, is to send the planners back to the drawing board.

The planning process was flawed because the planners were not asked to develop the best option for the taxpayers. They were told what options to study, where the building could be located, and that no change in the jurisdiction of the judges could be considered.

The rushed land purchase and the limitations imposed on the planners show that the taxpayer's interests have not yet been made the primary concern of this process.

Demand better government. Vote "No".

Reno population growth and California gambling mean that taxpayers need to make tough choices among the competing needs of courts, schools, law enforcement, roads and fire protection.

Demand better, cheaper options for the future of the courts. Vote "No".

### **ARGUMENT AGAINST WC-2**

The planning for the proposed regional justice center has been inade-quate.

A properly planned regional justice center would include all the five courts of Reno, Sparks and Washoe County. The proposed court includes only the two that already share space: the Washoe District Court and the Reno Justice Court. The Reno and Sparks City govern-ments are both currently considering options for moving their courts. Nevada's Judicial Assessment Commission recommends co-location and consolidation of the Reno Municipal Court and Justice Court, and the Sparks Municipal Court and Justice Court. Before any money is spent on a regional court building, a plan for locating all of the courts together should be completed.

A properly planned regional justice center should eliminate the security problems caused by the transportation of jail inmates. The current trans-portion of over 10,000 inmate each year involved eleven Deputy Sheriffs, one Sergeant, six vans and one bus. The only option which would eliminate such transportation is the construction of a regional court near the regional jail on Parr Boulevard. This option has not yet been studied by the County planner.

No study has yet been done to determine how many courtrooms should be constructed for the County's needs. The current ratio of one court-room for each judge results in a lot of empty courtrooms. A "No" vote will permit proper planning before building begins.

During 1996 another inadequately planned courthouse was opened at 1 South Sierra Street in Reno. It cost the taxpayers \$26 million. Taxpayers were told the building's design would allow for the expansion of the District Court. Now we are told the building cannot be expanded for the District Court. If this ballot question is approved that new build-ing's ten high tech courtrooms will be destroyed and converted to office space. No one in government had been held responsible for the poor planning of that courthouse.

The Washoe County government paid \$13.2 million during September, 2000 to purchase the land for the proposed courthouse. Now, in November, you are being asked if you want to build it. The taxpayers should have been asked before the purchase of the building site. Vote "No" to discourage such government actions in the future.

This is a time of uncertainty in Northern Nevada because the impact of California casino gambling has not yet hit our economy. It is not a time to spend \$86 million without more complete planning. Vote "No".

### **REBUTTAL TO ARGUMENT IN OPPOSITION TO WC-2**

Planning for the Regional Justice Center has been exhaustive and com-plete.

By law, the Sparks, Incline Village and Verdi justice courts must remain in those communities.

Avoiding transporting prisoners makes sense, but a courthouse at the jail does not. The best place to keep prisoners is in jail. That is why the Center's design enables video proceedings. This is impossible today because wiring in the old courthouse is obsolete.

Forcing citizens who have business with the courts—getting a marriage license, serving on a jury, or adopting a child—to go to the jail to con-duct their business is expensive and senseless. Instead, the Regional Justice Center is accessible to all while still vastly reducing the expens-es of prisoner transportation.

Planners also eliminated unnecessary courtroom space in the new design.

Finally, the property purchased in June 2000 will be used whether the center is built or not. Land prices—like housing prices—go up, not down. The purchase at this time was economically prudent.

By acting now, we can avoid substantial increases in construction and other project costs. For example, if we wait 10 years to build the center, it will cost \$200 million.

Vote "Yes for Justice!"

Arguments For and Against WC-2 and Rebuttals submitted by Washoe County Arguments Committee for WC-2.

## **Question No. R-1**

### **BILLBOARD BALLOT QUESTION**

The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their con-struction.

SHALL the above described ordinance be adopted?

Yes ..... ☐  
No ..... ☐

### **EXPLANATION**

A "Yes" vote means no more new billboards in the City of Reno.

A "No" vote means that new billboards will be regulated by the Reno Municipal Code.

### **ARGUMENTS FOR PASSAGE**

The purpose of this Initiative Petition is to preserve and enhance the nat-ural scenic beauty of the Reno area, which will have the effect of fos-tering tourism, economic development, and a sense of civic pride.

COR-00072

There are 278 off-premises billboards existing in the City. This Initiative, supported by over 7,000 Reno citizens, would prohibit any increase in the present number of billboards. This Initiative does not ban existing billboards, but it does place a cap on their numbers. Voters' approval of this Initiative would therefore have no significant effect on the current level of business of the billboard industry in the City of Reno.

Excessive numbers of billboards adversely impact aesthetics and traffic safety. Citizens and visitors to this area have a right to view our scenic settings unobstructed by large off-premises advertising displays/billboards. As motorists, they also have a legitimate expectation of being protected and safe from distractions such as billboards. The way a community looks does affect how both residents and visitors feel about it. Stopping the growth of new billboards in Reno will help to preserve the distinctive character and natural scenic beauty of the Truckee Meadows.

## ARGUMENTS AGAINST PASSAGE

There will be adverse community impacts on charitable causes, including: Baby Your Baby, Buckle Up, Nevada State Museum, American Heart Association, American Cancer Association, and United Way. This initiative is simply not fair.

Billboards are regulated under the Reno City Code. The current Reno City Code only allows billboards in industrial zoned property and in most cases requires a public hearing and special use permit before a new billboard can be constructed. The existing Reno City Code has not resulted in the proliferation of billboards. In fact, there are fewer billboards in Reno today than there were ten years ago.

Billboards are a part of Reno's heritage. Northern Nevada currently faces its biggest challenge to our number one industry, tourism. Tourism is on advertising. Billboards promote tourism.

Billboards provide an important and inexpensive method of advertising local businesses. The billboard industry is an active and important member of the Reno community. There is no legitimate reason to have a ban on billboards in the City of Reno.

## REBUTTAL BY PROPONENTS

Public service messages make up a very small fraction of billboard usage, using space not sold to paying advertisers.

It is true that the Reno Municipal Code has not resulted in a proliferation of billboards. It is the *changes* to the existing Code being pushed by the billboard companies themselves that could result in the proliferation of billboards.

The claim that restricting billboards in a tourist-oriented community will discourage visitors is not true. In reality, the reverse is true.

## REBUTTAL BY OPPONENTS

The proponents of this Initiative are incorrect when they state that the initiative will merely place a cap on the number of billboards allowed in Reno. The wording on this Initiative specifically prohibits building permits for any new billboards. This will have a significant effect on the billboard industry in Reno and will result in the loss of jobs.

While many communities, including Reno, regulate billboards, very few communities have banned billboards and none have banned billboards where their primary business is gaming and tourism.

Billboards have been an important part of Reno's past and are important to Reno's future. Please vote "NO" on this initiative.

## THIS IS IMPORTANT VOTER INFORMATION

Please read the information in the booklet carefully and take it with you to your polling place on **ELECTION DAY**. This booklet contains all candidates and issues to be voted upon for the General Election

## INSTRUCTIONS TO VOTERS

MARK OR FILL IN THE OVAL AS DIRECTED, OR YOUR VOTE MAY NOT BE COUNTED.

To vote for a candidate whose name appears on the ballot, **COMPLETELY FILL IN THE OVAL** next to the candidate's name.



CORRECT



INCORRECT



INCORRECT



INCORRECT

If you wrongly mark, tear or deface any portion of your ballot sheet, return it to the Election Board Officer and obtain another ballot.

If you choose to vote in some races on your ballot but not in others, your ballot **will** be counted for those races in which you voted.

**AFTER YOU HAVE COMPLETED VOTING**, take your voted ballot to your designated precinct tabulation unit, lay ballot flat on voting device and slide into unit (similar to using a dollar bill changer.)

STATEWIDE QUESTIONS		WASHOE COUNTY QUESTIONS	
<b>QUESTION NO. 1</b>  <b>Amendment to the Nevada Constitution</b>  Shall the Nevada Constitution be amended to allow the investment of State money in a company, association, or corporation to assist economic development and the creation of new high-quality jobs?  YES <input type="radio"/> <input type="radio"/> NO <input type="radio"/> <input type="radio"/>		<b>WASHOE COUNTY QUESTION NO. 2</b>  <b>REGIONAL JUSTICE CENTER BOND QUESTION</b>  Shall Washoe County be authorized to issue up to \$86,000,000 of general obligation bonds for the purposes of acquiring, constructing, improving and equipping buildings for a regional justice center, including a parking structure. The Bonds are expected to require a property tax levy for 30 years. The Bonds are estimated to result in an increase in the property taxes of an average of \$19.07 per year for the owner of a new home with a market value of \$100,000.  YES <input type="radio"/> <input type="radio"/> NO <input type="radio"/> <input type="radio"/>	
<b>QUESTION NO. 2</b>  <b>Amendment to the Nevada Constitution</b>  <b>AN INITIATIVE RELATING TO THE DEFINITION OF MARRIAGE</b>  Shall the Nevada Constitution be amended to provide that: "Only a marriage between a male and female person shall be recognized and given effect in this state?"  YES <input type="radio"/> <input type="radio"/> NO <input type="radio"/> <input type="radio"/>		<b>CITY OF RENO QUESTIONS</b>  <b>CITY OF RENO QUESTION NO. R-1</b>  <b>BILLBOARD BALLOT QUESTION</b>  The construction of new off-premises advertising displays/billboards is prohibited, and the City of Reno may not issue permits for their construction.  Shall the above described ordinance be adopted?  YES <input type="radio"/> <input type="radio"/> NO <input type="radio"/> <input type="radio"/>	
<b>QUESTION NO. 3</b>  <b>Amendment to the Nevada Constitution</b>  <b>AN INITIATIVE RELATING TO THE USE OF A PLANT OF THE GENUS CANNABIS FOR MEDICAL PURPOSES</b>  Shall the Nevada Constitution be amended to allow the possession and use of a plant of the genus Cannabis (marijuana) for the treatment or alleviation of certain illnesses upon advice of a physician, to require parental consent for such use by minors, and to authorize appropriate methods of supply to patients authorized to use it?  YES <input type="radio"/> <input type="radio"/> NO <input type="radio"/> <input type="radio"/>			
<b>WASHOE COUNTY QUESTIONS</b>  <b>WASHOE COUNTY QUESTION NO. 1</b>  <b>PARK, OPEN SPACE AND LIBRARY BOND QUESTION</b>  Shall Washoe County be authorized to issue up to \$38,300,000 of general obligation bonds for the purpose of acquiring, improving and equipping parks, trails, open space and library facilities located on park lands? \$11.8 million of the Bonds will be used for open space projects, \$2.13 million will be used for trail projects, \$14.37 million will be used for park projects and \$10 million will be used for library projects. The Bonds are expected to require a property tax levy for 30 years. The Bonds are estimated to result in an increase in the property taxes of an average of \$8.24 per year for the owner of a new home with a market value of \$100,000.  YES <input type="radio"/> <input type="radio"/> NO <input type="radio"/> <input type="radio"/>			

Don Cook, City Clerk  
(6/00)  
\*\*Full\*\*

**AGENDA  
REGULAR SESSION  
RENO CITY COUNCIL**

**Tuesday  
November 14, 2000  
12:00 P.M.**

**RENO CITY COUNCIL CHAMBERS  
490 SOUTH CENTER STREET  
RENO, NEVADA 89501**  
Mayor Jeff Griffin  
Council Member, Ward 1  
David Rigdon, Council Member, Ward 2  
Council Member, Ward 3  
Sherrie Doyle, Council Member, Ward 4  
Council Member, Ward 5  
Council Member, At-Large

*Begin w/  
Bill #5739  
Ord #5205  
Res #5778*

THIS AGENDA IS POSTED AT CITY HALL, THE WASHOE COUNTY LIBRARY, CITY OF RENO COMMUNITY DEVELOPMENT BUILDING AT 450 SINCLAIR STREET, AND THE CITY OF RENO PUBLIC WORKS DEPARTMENT, 4<sup>TH</sup> FLOOR, PAINE-WEBBER BUILDING AT 350 SOUTH CENTER STREET.

[ ] Indicates time certain only for the next specific agenda item.  
Does not indicate time schedule of any other items.

ALL ITEMS ARE FOR CITY COUNCIL ACTION UNLESS OTHERWISE NOTED WITH AN ASTERISK (\*).

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend meetings. If you should require special arrangements for a any Council meeting, please contact our offices at 334-2002 24 hours prior to the date of the meeting.

An Agenda CAUCUS Meeting will be held in Room 211, Redevelopment Wing of Reno City Hall (490 South Center Street, Reno) on Monday, November 13, 2000 at 11:00 A.M. in order to review agenda items for the regular session of the Reno City Council as described in the agenda below. Said review, if requested by the Council, is limited to brief staff presentation of issues and may include review of background information and questions to be answered at the regular session.

**ITEM. ACTION**

1. \*FLEDGE OF ALLEGIANCE
2. A. \*ROLL CALL  
B. \*PROCLAMATIONS/PRESENTATIONS: Veteran's Day Parade Awards
3. A. APPROVAL OF MINUTES - October 24, 2000  
B. APPROVAL OF AGENDA - November 14, 2000  
C. CASH DISBURSEMENTS - October 8, 2000 through October 28, 2000
4. \*Public Comment - Limited to No More Than three (3) Minutes And Limited to Items That Do Not Appear on The Agenda. Comments to Be Addressed to The Council as a Whole. The public may comment on agenda items by submitting a Request to Speak form to the City Clerk. Comment on agenda items is limited to no more than three minutes.

*Adjourned 4:35 PM*

5. **ORDINANCES, ADOPTION** [Other ORDINANCES, ADOPTION can be found under the PUBLIC HEARING section of this Agenda.]

- A. Staff Report: Bill No.5738 Ordinance to amend Title 18, Chapter 18.06 of the Reno Municipal Code entitled "Zoning" by adding language to Section 18.06.1110 Special Use Permits to Reinstate Exemptions found in former code Section 18.06.400 and clarifying the process for conversion of residences to offices and other matters properly relating thereto.

6. A. Canvass of Votes - November 7, 2000 City of Reno General Elections.

- B. **SWEARING IN OF NEWLY ELECTED OFFICIALS** - Judge Jay Dilworth  
There will be a ½ hour break following this item for a reception honoring retiring council members and welcoming new council members.

7. **IDENTIFICATION OF ITEMS FROM THE CONSENT AGENDA FOR DISCUSSION.**

8. **RESOLUTIONS** [Other RESOLUTIONS can be found under the Mayor & City Council section of this Agenda.] 5778

- A. Staff Report: Resolution No. Resolution Accepting Streets - Northgate Unit 16C (LDC96-196) [Ward 5]

9. **CONSENT AGENDA**

A. Business License

New License - Liquor

1. Kanaka's Hawaii Style Kaukau
2. Sassy's Deli and Catering

Change of Ownership - Liquor

3. Dee Liquor Store
4. Reno KOA at the Reno Hilton

Change of Location - Liquor

5. The Tinder Box

- B. Staff Report: Map of Dedication - Ferrari McLeod Boulevard [Ward 4]

- C. Staff Report: Acceptance of VOCA 2000 Grant for victim support services.

- D. Staff Report: Improvement Agreement, Security and Final Map of Double Diamond Ranch Village 6B Subdivision (LDC 00-00547) [Ward 3]

- E. Staff Report: Settlement of Claim of Eric Tijerina against City of Reno.

- F. Staff Report: Reno City Hall Annex Re-Roof Contract No. 1076. Contract or Agreement

- G. Staff Report: Approval of Professional Service Agreements for Sanitary Sewer Interceptor Data Collection. Contract or Agreement

- H. Staff Report: Compensation for Special Counsel in the case of Fitzgerald's v. City of Reno, et al. [Depressed Trainway Project]

- I. Staff Report: Final Payment to Rapid Construction, Inc. for the Stead Effluent Reuse Pipeline. Contract No. 953; Project No. 12066.

- J. Staff Report: City Attorney's Office requests authority to settle claim and lawsuit of plaintiff Harold A. White in the matter of Harold A. White v. Jerry D. Brown: City of Reno.

- K. Staff Report: Interlocal agreement to establish the Truckee Meadows Water Authority for the purpose of purchasing and operating the water system owned by Sierra Pacific Resources.

10. CITY MANAGER

- A. Report from Washoe County staff regarding the status of regional projects: Flood control, 800 MHz, Public Safety Training Center, EOC/Dispatch, Juvenile Justice Facility.

- B. Staff Report: Update on Tiburon Project

11. CITY CLERK

- A. Boards and Commissions Appointments

1. Senior Citizen Advisory Board

2. Traffic Advisory Board - *made*

3. Northeast Neighborhood Advisory Board - *Delarah J. McLeary*

B. Election of Assistant Mayor. *Shirley Doyle*

- C. League of Cities Committee Appointments

12. MAYOR AND CITY COUNCIL

\*A. Liaison Reports

Access Advisory Committee  
Airport Authority of Washoe County  
Airport Noise Advisory Panel  
Animal Services Advisory Board  
Board of Adjustment  
Board of Directors, Nevada League of Cities  
City of Reno Housing Authority  
Civil Service Commission  
Criminal Justice Advisory Committee  
District Board of Health  
Financial Advisory Board  
Fire Advisory Board  
Historical Resources Commission  
Human Services Consortium  
Neighborhood Advisory Boards  
Recreation and Parks Commission  
Redevelopment Agency Citizen's Advisory Committee  
Regional Transportation Commission  
Regional Planning Governing Board  
Regional Water Planning Commission  
Reno Arts and Culture Commission  
Reno City Planning Commission  
Reno Sparks Convention & Visitors Authority  
Reno Sparks Joint Sewer Coordinating Committee  
Senior Citizen's Advisory Committee  
Sierra Arts Foundation  
Traffic Advisory Committee  
Truckee Meadows Tourism Facility and Revitalization Committee  
Urban Forestry Commission  
Oversight Panel for School Facilities

- \*B. Reports from any Conferences or Professional Meetings

- C. Report on Senior Outreach by Connie McMullen - Senior Advocate

*\* develop work program to address short term & long term needs*

2:30 p.m.

*Follow up on Tiburon concerns*

3:30 p.m.

13. PUBLIC HEARINGS - 2:00 P.M.

- A. Staff Report: Request to abandon a  $\pm 5.5 \times 42.17$  foot section of South Center Street containing  $\pm 232$  square feet to allow for construction of a stairwell and landing to be attached to the northwest corner of the Siena Hotel Casino located along the east side of South Center Street  $\pm 30$  feet south of its intersection with the Truckee River in a TRC-DR (Truckee River Corridor - Downtown Riverfront) zone. LDC01-00086 (Siena Hotel Casino/100 Mill Street) [Ward 1]

The Planning Commission recommends approval of the requested abandonment, subject to conditions by a vote of six in favor; none opposed; one absent.

- B. Staff Report: Request for: (1) an Amendment to the Master Plan from Mixed Residential (3-21 dwelling units/acre) to Industrial on  $\pm 11.89$  acres, from Mixed Residential to Parks/Recreation/Open Space on  $\pm 4.1$  acres, from Single Family Residential ( $\leq 3$  dwelling units/acre) to Industrial on  $\pm 12.14$  acres, from Single Family Residential to Mixed Residential on  $\pm 9.93$  acres, from Industrial to Mixed Residential on  $\pm 2.11$  acres, and from Industrial to Parks/Recreation/Open Space on  $\pm 3.67$  acres; and (2) a zoning map amendment from MF-14/MH (Multi-Family/Mobile Home Overlay) to LLR-2.5 (Large Lot Residential-2.5 acres) on  $\pm .62$  acres, from SFR-15 (Single Family Residential-15,000 square feet) to MF14/MH on  $\pm 12.04$  acres, from SFR-15 to LLR-2.5 on  $\pm 3.67$  acres, from SFR-15 to I (Industrial) on  $\pm 25.85$  acres, and from I to LLR-2.5 on  $\pm 3.48$  acres on a site located on the east side of Military Road,  $\pm 400$  feet south of Lear Boulevard. LDC01-00025 (East Military Road Properties) [Ward 4]

- 5779  
B.1 RESOLUTION Resolution No. Resolution amending Resolution No. 5673 by adopting a change to the Land Use Guide of the Reno Master Plan as approved in Case No. LDC01-00025.

- 5739  
B.2 ORDINANCE, INTRODUCTION Bill No. Ordinance to amend Chapter 18.06 of the Reno Municipal code, entitled "zoning" by adding a new section rezoning  $\pm 45.66$  acres from MF-14/MH (Multi-Family/Mobile Home Overlay) to LLR-2.5 (Large Lot Residential-2.5 acres) on  $\pm .62$  acres, from SFR-15 (Single Family Residential-15,000 square feet) to MF14/MH on  $\pm 12.04$  acres, from SFR-15 to LLR-2.5 on  $\pm 3.67$  acres, from SFR-15 to I (Industrial) on  $\pm 25.85$  acres, and from I to LLR-2.5 on  $\pm 3.48$  acres on a site located on the east side of Military Road,  $\pm 400$  feet south of Lear Boulevard.

The Planning Commission recommends approval of the requested Master Plan amendment by resolution, subject to a finding of conformance by the Regional Planning Commission; and approval of the zoning map amendment by ordinance, by a vote of six in favor; none opposed; one absent.

- C. Staff Report: Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to Chapter 12.28 "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping for a subdivision known as Silverado Ranch Estates Units 6 and 7 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and others matters properly pertaining thereto. (Silverado Ranch Estates 6 & 7) [Ward 5]

- C.1. ORDINANCE, ADOPTION Bill No. 5736 Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code entitled "Public Works and Utilities" by adding additional sections "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly relating thereto. (Silverado Ranch Estates 6 & 7)

[Ward 5]



**13. PUBLIC HEARINGS - 2:00 P.M. (Continued)**

**D. Staff Report:** Ordinance amending Title 12 of the Municipal Code entitled "Public Works and Utilities" by adding additional sections to chapter 12.28 "Maintenance Districts of Landscaping, Public Lighting, and Security Walls" establishing a maintenance district for landscaping for a subdivision known as Silver Shores Unit 31 in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and others matters properly pertaining thereto. (Silver Shores 31) [Ward 4]

**D.1. ORDINANCE, ADOPTION** Bill No. <sup>5207</sup> Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code entitled "Public Works and Utilities" by adding additional sections "Maintenance Districts of Landscaping, Public Light, and Security Walls" establishing a maintenance district for landscaping in accordance with Municipal Code Sections 12.28.010 through 12.28.120, inclusive and other matters properly relating thereto. (Silver Shores 31) [Ward 4]

**E.. Staff Report:** Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

**E.1. ORDINANCE, ADOPTION** Bill No. <sup>5208</sup> Ordinance to enact a Moratorium on the acceptance, processing and permitting of billboard applications in AC (Arterial Commercial), CC (Community Commercial), and CB (Central Business) Zones for a 3-month period.

**14. ADJOURNMENT**

*Bring back to include I, 4B & IC*