

From: Adrian Freund [freundassociates@gmail.com]
Sent: Thursday, November 07, 2013 9:48 AM
To: Hartung, Vaughn; Jung, Kitty; Weber, Bonnie; Humke, David; Berkbigler, Marsha
Cc: Slaughter, John; Berkich, John
Subject: November 12 BCC Agenda Item Regarding Washoe County Sign Code-- 110.502 and 110.504
Attachments: FA Stripe Capture.JPG

Dear Commissioners:

The Planning and Development staff and their Assistant District Attorney are seeking your direction on November 12 regarding revision of the Washoe County Sign Code found at 110.502 and 110.504. The staff have done an excellent job of posing the issues on which they seek direction, and are to be commended for an excellent kick-off meeting with the Sign Code Working Group.

The Washoe County Code is extremely outdated and difficult for business to deal with. It does not address the technology and practices of the sign industry as it exists today, nor the subtleties of the law as it exists relative to free speech and neutral content. While staff recognize the difficulty of administering the current code and have been preparing possible revisions since 2006, our sister jurisdictions of Reno and Sparks have adopted modern codes in an inclusive process.

I believe that the Sign Code Working Group includes all of the interests necessary to advise the staff on a code that reflects modern practice and technology while being sensitive to the values of Washoe County and the desire for context-sensitive signage. Your direction is important to move this process forward. The issue of billboards is certainly controversial, but should also be examined to see whether the current approach meets the needs of Washoe County in 2013. It may well be that the current regulation of billboards is satisfactory.

Thank you for your direction on this important matter and thanks again to the staff for their inclusive approach to moving this issue forward.

All the best,

Adrian P. Freund, FAICP
Freund Associates Planning/Codes
775-746-8450

From: Adrian Freund [freundassociates@gmail.com]
Sent: Tuesday, November 12, 2013 3:51 PM
To: Slaughter, John; Berkich, John; Lloyd, Trevor; Pelham, Roger; Salter, Gregory
Subject: Fwd: Sign regulations

Follow Up Flag: Follow up
Flag Status: Flagged

FYI.

Adrian Freund

----- Forwarded message -----

From: Adrian Freund <freundassociates@gmail.com>

Date: Tue, Nov 12, 2013 at 3:46 PM

Subject: Sign regulations

To: vhartung@washoecounty.us, "Weber, Bonnie" <bweber@washoecounty.us>, dhumke@washoecounty.us, mberkbigler@washoecounty.us, kjung@washoecounty.us

Hi Commissioners:

My main concern is that the incomprehensible on-site sign regulations, that in some cases discriminate against individual retailers or retail centers, be amended to be more simple, contemporary in terms of practice, and compatible with the jurisdictions such as Sparks that have updated their codes. Small electronic message displays, such as those used commonly by Walgreens and others, should not be painted with a broad brush. Off-premise EMD's (Billboards) are very different in nature.

Thanks for listening,

Adrian P. Freund, FAICP

Freund Associates

775-746-8450

From: Brendan Hardin [brendanhardin.hardin@gmail.com]
Sent: Tuesday, November 04, 2014 4:10 PM
To: Lloyd, Trevor
Subject: Re: FW: Billboards in Washoe County

Follow Up Flag: Follow up
Flag Status: Completed

Trevor,

Thank you for the response. I understand that there is a meeting scheduled on November 12 regarding the billboard situation. If there are more billboards allowed what steps are there in order to build them on the land surrounding the i580 freeway extension? Thank you for the invite to the workshop.

On Mon, Oct 27, 2014 at 10:29 AM, Lloyd, Trevor <TLloyd@washoecounty.us> wrote:

Hi Brendan,

Sorry for the late response, I just came across your email. Currently, new billboards are not permitted in Washoe County. However, we are in the process of drafting new code language. We will be hosting an open house/workshop here on Thursday, November 6 at 6:00pm. Hope you're able to attend.

Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning & Development Division
(775) 328-3620
tlloyd@washoecounty.us

From: Planning Counter
Sent: Wednesday, October 22, 2014 8:00 AM
To: Lloyd, Trevor
Subject: FW: Billboards in Washoe County

From: Brendan Hardin [mailto:brendanhardin.hardin@gmail.com]
Sent: Tuesday, October 21, 2014 4:56 PM
To: Washoe County Planning and Development
Subject: Billboards in Washoe County

Hello,

I am entrepreneur living in Reno and I am interested in developing in Nevada. My business is billboards. I am interested in building 4 billboards along the i580 extension. I was curious how zoning laws in Washoe Valley might effect this project? How can I attain this land to build? What do I need to do in order to make it possible? My LLC is currently pending under the name Hardin Advertising. Thank you for your time.

-Brendan Hardin
President

From: Bret Tyler [glassact@moondog.net]
Sent: Sunday, January 25, 2015 10:45 AM
To: Lloyd, Trevor
Subject: led SIGNS

Follow Up Flag: Follow up
Flag Status: Flagged

This is an important matter to address at this time. I believe that requiring a SUP for all large LED signs and billboards. This case by case approach is critical because of different landscapes and proximities of activities that you find in Nevada. Dark skies will work in one area where as large LED Billboards would appropriate in others. LED technology is also changing at a fast rate, so what is good for today may not be good for tomorrow.

Thank you
Bret Tyler
Chairman of Washoe-Storey Conservation District
Chairman of Storey County Planning Commission

From: Carol Foldvary-Anderson [art@varycarol.com]
Sent: Monday, January 26, 2015 10:12 AM
To: Lloyd, Trevor
Subject: NO Signage Please!

Follow Up Flag: Follow up
Flag Status: Flagged

NO Signage is to be Allowed! In any event, for any reason other than safety, on a major Highway!
It is too distracting and not a safe environment to be Advertising anything!

Do not let this sign ordinance pass!
Especially on the Grand Huge way they wish to present the signage.
Something smaller and non disruptive to the environment, is my suggestion.

Plus what is the actual count on how many people who see signs respond to them with patronage.
That number is non accountable. So why put it there in the first place.

My thoughts!
Carol

Carol Foldvary-Anderson / varyCarol
Artist/Designer | Published Illustrator & Author | Arts Educator
"Creating Beauty - Inspiring Joy"
varyCarol.com
OilPastelSmudge.com
Calligraphy-theLetteraryArts.com
MakeArtYourBusiness.com
Art@varyCarol.com
775.721.5338

EXPLANATION OF OAAA RECOMMENDED BRIGHTNESS GUIDELINES

There are at least two ways to evaluate the brightness of a LED digital display. A preferred method uses a footcandle meter to determine the amount of light that reaches various points in front of the digital display. A second method uses a luminance meter (frequently called a nit gun) to determine the amount of light emitted by a light source.

Explanation of Footcandles vs. Nits

A brightness standard measured in nits (candelas/square meter) typically contains a maximum value for daytime and nighttime. The footcandle standard has only one value but is measured from different distances based on display size.

An LED sign generates luminance at the source (measured in nits), but this raw source is not what the human eye sees from a distance. The human eye sees illuminance (measured in foot candles) from a point at a certain distance from the LED sign. Illuminance is greatly affected by ambient light and surrounding conditions. As such, it is usually preferred by regulators.

Q: What is the definition of Luminance¹?

lu·mi·nance/'lumənəns/ [loo-muh-nuhns]—noun

1. The state or quality of being luminous.
2. Also called luminosity, the quality or condition of radiating or reflecting light: the blinding luminance of the sun.
3. Optics - The quantitative measure of brightness of a light source or an illuminated surface, equal to luminous flux per unit solid angle emitted per unit projected area of the source or surface.

Q: What is the definition of Illuminance?

/i' lumənəns/ Compare irradiance E v, Sometimes called: illumination the luminous flux incident on unit area of a surface. It is measured in lux²

Q: What is a foot candle?

n. (Abbr. fc or ft-c)

[foot-kan-dl]

noun Optics.

A unit of illuminance or illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot. Abbreviation: FC³

Also:

A unit of illuminance on a surface that is everywhere one foot from a point source of one candle⁴

¹ Dictionary.com <http://dictionary.reference.com/browse/luminance?s=t>

² Dictionary.com <http://dictionary.reference.com/browse/illuminance?s=ts>

³ Dictionary.com <http://dictionary.reference.com/browse/foot+candle?s=t>

⁴ TheFreeDictionary.com <http://www.thefreedictionary.com/Footcandle>

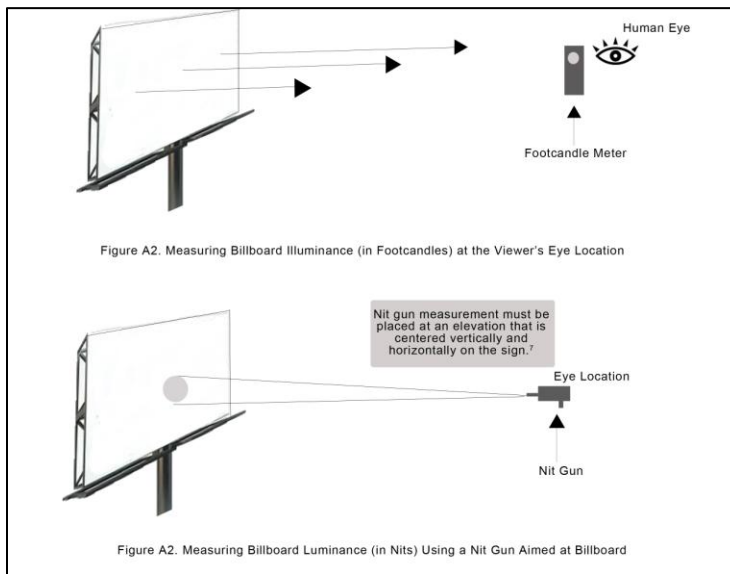
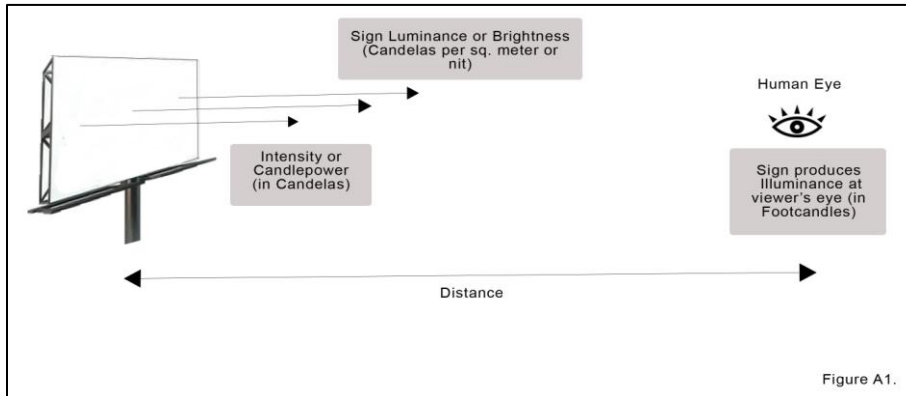
Q: What is a nit?

A:

noun Physics.

a unit of luminous intensity equal to one candela per square meter. Abbreviation: nt^5

-A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.⁶



-Source: Dr. Ian Lewin, Ph.D. Lighting Sciences, Inc. Digital Billboard Recommendations and Comparisons to Conventional Billboards.

⁵ Dictionary.com <http://dictionary.reference.com/browse/nits?s=t>

⁶ TheFreeDictionary.com <http://www.thefreedictionary.com/nit>

⁷ Nit gun readings are most accurate when the readings are taken directly perpendicular from the light source. As a result, the best place to take Nit gun readings is from a elevated height perpendicular to the digital display. If this is not possible, moving back from the digital display 350' to 500' on the center line will minimize the loss of accuracy. However, the distance away from the digital display cannot cause the nit gun measurement circle to fall outside the lighted digital billboard face.

Why use Foot candles over Nits as a unit of measurement?

- Foot candles measure the variance from ambient light. This assures a government that the sign will not be too bright for conditions. At different parts of a day the ambient lighting can be significantly different with clouds or fog. Conversely, the same can be true about nighttime conditions when an adjacent commercial lot turns on or off their parking lot lighting. Regulation using Nits merely sets a maximum and minimum level for day and night time conditions. Using the foot candle standard will not allow the sign to be too bright under a variety of conditions. (See Figure A2)
- Nits measure the brightness of the light at its source, without regard to ambient light. Establishing a lighting standard that ignores the brightness of the area (ambient light) allows the digital billboard to be too bright in dark environments and too dim in highly illuminated areas. In other words, fixed nit standards can allow the digital to operate at significantly higher luminance than is needed over the course of a 24 hour period.
- Nits: To measure nits you need to be directly perpendicular to the sign to measure, and get an accurate measurement. This is factored horizontally and vertically. There is a little bit of leeway on angle. Nits are directional in nature and billboard signs are usually aimed directly at the middle of the roadway. This in many cases puts the person performing the measurement in the travel lanes. In addition, due to the height of the average digital billboard a truck with a man-lift may be required. There is no specified distance you must be away from the sign to measure. (See Figure A2)
- Footcandles: With the footcandle standard you should be as perpendicular to the face as you can, but you do not have to be, to get a valid, accurate measurement. Footcandles can be measured multi directionally. You can take measurements at an angle to the sign face and receive valid measurements. The distance from which to measure is set at 250 ft away from the sign face for 14 x 48 size. This gives a regulator more options on places to stand.
- This makes the footcandle standard superior in ease of implementation. But even if we assumed they are both different, but similar in this regard, other more important factors tip the scales.
 - The footcandle standard is more restrictive in terms of lighting allowed, in a variety of conditions. As such, is usually preferred by regulators once they are educated on the differences.
 - The industry footcandle standard is tied to a required light sensor and dimming software.
 - Footcandles measure what the driver sees through their windshield in terms of light, where his car is.
 - Nits measure the light emanating from the sign face, typically a few hundred feet away. Not necessarily what the driver is seeing.
- It also can benefit a government to use foot-candles instead of Nits as Nit guns are very expensive (estimated cost \$3,000.00). Light meters can cost as little as \$250.00.

There are 3 necessary components to insure a digital billboard will never be too bright for conditions.

1. Maximum brightness limits incorporating a footcandle standard
2. An ambient light sensor installed on the sign structure
3. Dimming software

The ambient light level of a digital billboard will not vary significantly from that of a traditional billboard display and, in many cases it will be less. The light output levels will be set to be appropriate for the surroundings.

OAAA recognized/member companies utilize a photocell on digital billboards so that the display will easily be seen by motorists under changing light conditions. Sophisticated dimming software

constantly changes the brightness of the display in response to changing ambient lighting conditions. This insures a digital billboard will never be too bright for conditions.

The range of brightness varies greatly between daytime and nighttime conditions. In bright daylight, the unit must have higher intensity in order to be seen. During darkness conditions, the brightness can be set low and still be easily seen by motorists.

Why was 0.3 Footcandles chosen as the limit?

The 0.3 footcandle maximum illuminance level was carefully derived from a report completed by a former president of the IESNA.⁸ The recommended technique is based on accepted IESNA practice for “light trespass.”

The Outdoor Advertising Association of America (OAAA) commissioned Dr. Ian Lewin, in 2008 a principal at Lighting Sciences, Inc., Scottsdale, AZ, to recommend criteria for brightness levels on digital billboards⁹. The standards are designed to minimize the risk of glare or unreasonable driver distraction.

Footcandle measurements are commonly used throughout the United States. Footcandle measures are widely used in the lighting industry, photography, film, television, conservation lighting, and construction related engineering and building code regulations¹⁰. In addition, footcandles are frequently cited in OSHA regulations. The OAAA believes that these lighting standards reflect the best practices of the Out of Home Industry.

⁸ IESNA – Illuminating Engineering Society of North America

⁹ Digital Billboard Recommendations and Comparisons to Conventional Billboards, by Dr. Ian Lewin Ph.D., FIES, L.C. Lighting Sciences, Inc., 7826 East Evans Road, Scottsdale, Arizona 85260

¹⁰ wikipedia.org/wiki/Footcandles

Appendix

OAAA Recommended Brightness Guidelines

Criteria #1 - Lighting Standards – Measurements:

The industry recommended criteria follows the lighting standards established by the Illuminating Engineering Society of North America (IESNA). The OAAA and member companies voluntarily adhere to the following guidance.

Recommended regulatory criteria:

Lighting levels should not exceed 0.3 foot candles (over ambient levels) 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. Measurements should be taken as close to perpendicular to the face as practical.

Measurement distance criteria:

Nominal Face Size	Distance to Measure From
12' x 24'	150'
10'6 x 36'	200'
14' x 48'	250'
20' x 60'	350'

Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.

Criteria #2 - Alternate Regulatory Criteria

The brightness of light emitted from a changeable message sign should not exceed 0.3 foot candles over ambient light levels measured at a distance of one hundred fifty feet (150') feet for those sign faces less than or equal to three hundred square feet (300 sq. ft.), measured at a distance of two hundred feet (200 ft.), for those sign faces greater than three hundred square feet (300 sq. ft.) but less than or equal to three hundred eighty-five square feet (385 sq. ft.), measured at a distance of two hundred fifty feet (250 ft.), for those sign faces greater than three hundred eighty-five square feet (385 sq. ft.) and less than or equal to six hundred eighty square feet (680 sq. ft.), measured at a distance of three hundred fifty feet (350 ft.) for those sign faces greater than six hundred eighty square feet (680 sq. ft.)

Or use Alternate Table:

Sign Face Size	Distance of Measurement
681-1200 square feet	350 feet
385-680 square feet	250 feet
300-385 square feet	200 feet
200-300 square feet	150 feet

Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.

Criteria #3 - Optional Regulatory Addendum - (If standardized distances cannot be achieved in compliance with MUTCD roadside work, or if the site conditions will not allow measurements from the previous distances.)

In the event it is found not to be practical to measure a digital billboard at the set distances prescribed above, a measurer may opt to measure the sign at any of the alternative measuring distances described in the applicable table set forth below. In the event the sign measurer chooses to measure the sign using an alternative measuring distance, the prescribed footcandle level above ambient light shall not exceed the prescribed level, to be determined based on the alternative measuring distances set forth in the following tables (A), (B), (C), and (D), as applicable:

(A) For changeable message signs less than or equal to 300 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	0.68
125	0.43
150	0.3
200	0.17
250	0.11
275	0.09
300	0.08
325	0.06
350	0.06
400	0.04

(B) For changeable message signs greater than 300 square feet but less than or equal to 385 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	1.2
125	0.77
150	0.53
200	0.3
250	0.19
275	0.16
300	0.13
325	0.11
350	0.1
400	0.08

(C) For changeable message signs greater than 385 square feet but less than or equal to 680 square feet:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	1.88
125	1.2
150	0.83
200	0.47
250	0.3
275	0.25
300	0.21
325	0.18
350	0.15
400	0.12

(D) For changeable Message Sign greater than 680 square feet: Alternative Measuring Distance:
Prescribed Foot Candle Level:

Alternative Measuring Distance	Prescribed Foot Candle Level
100	3.675
125	2.35
150	1.63
200	0.92
250	0.59
275	0.49
300	0.41
325	0.35
350	0.3
400	0.23
425	0.2
450	0.18
500	0.15

DIGITAL BILLBOARD LIGHTING MEASUREMENT

How to Measure Footcandles in the Field– Without Sign Company Knowledge

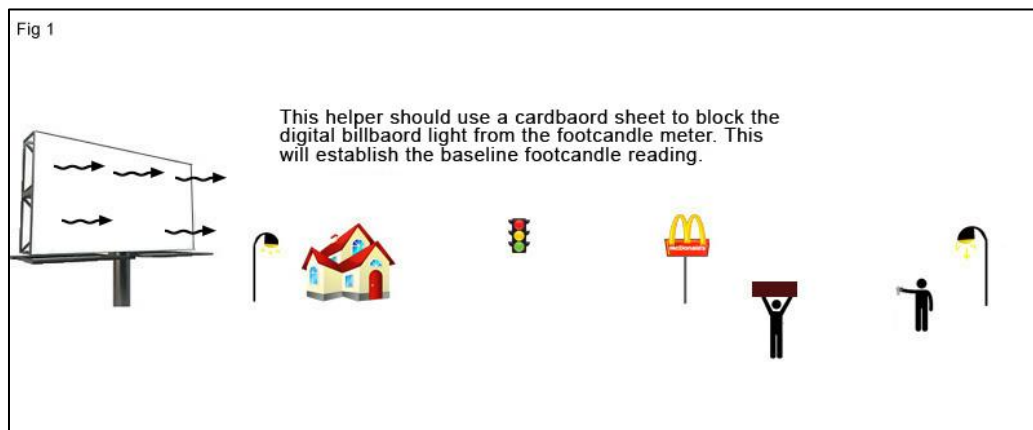
After a digital billboard is installed, there will be instances where it is desired to evaluate the billboard illumination to ensure that it does not exceed the brightness levels recommend by the OAAA. This procedure is extremely simple and requires only a footcandle meter and a piece of cardboard cut to the proper size.

The billboard illumination test is based on ensuring that a certain footcandle (fc) level, created by the digital billboard, is not exceeded at a chosen distance. What is needed to test this illumination level is to block the digital billboard light to establish a baseline reading. Remove the block and measure again while the digital billboard is operating. If the difference between the baseline illuminance level and the subsequent illuminance readings is 0.3 fc, or less, then the billboard luminance is in compliance.

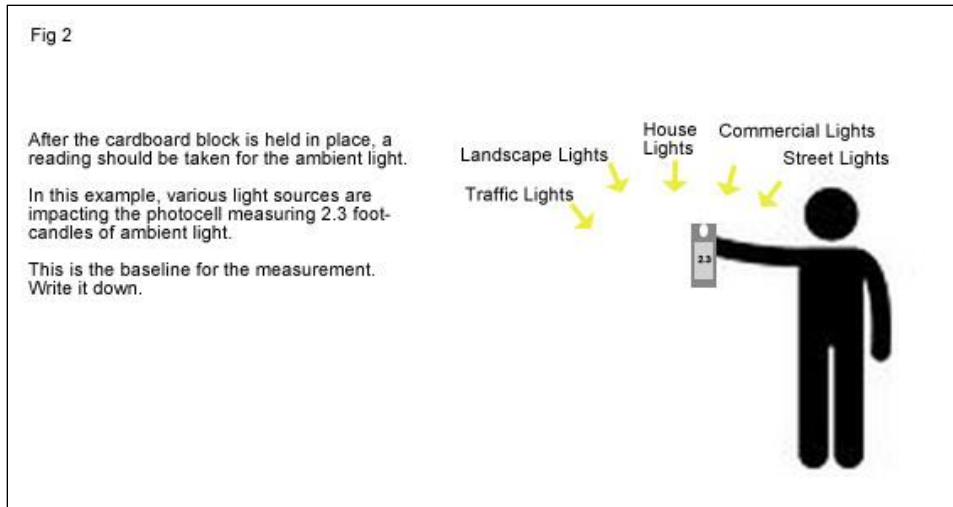
Steps

1. Based on the size of the digital display, the person conducting the test should position themselves as close to directly in front of the digital display as practical, at the following distances:

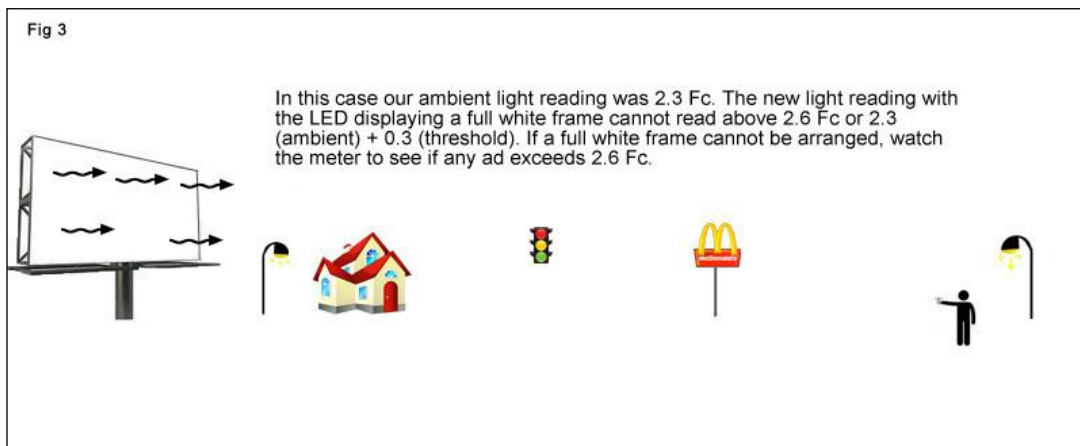
Billboard Nominal Face Dimensions (ft.)	Distance in (ft.)
11 x 22	150
10.5 x 36	200
14 x 48	250
20 x 60	350



2. A helper should position themselves about 7' to 10' in front of the light meter and hold up an opaque, black sheet of material that is roughly 12" high by 40" wide. (Regular cardboard painted black works well for this.) The sheet should be positioned so it blocks all light from the digital billboard but still allows the remaining ambient light to register on the footcandle meter.



3. The footcandle meter should be held at a height of about 5 ft. (which is approximately eye level) and aimed directly at the digital billboard. The footcandle meter will account for surrounding sources of light or the absence thereof.



4. At this point, readings should be taken from the footcandle meter to establish a baseline illumination level. (It is recommended that the footcandle meter is capable of levels to 2 decimal places 0.00).
5. Once the baseline level is established, add 0.3 fc to the baseline level to calculate the max brightness limit. (For example: Baseline reading is 3.15 fc. The Max brightness level is 3.45 fc.)
6. Remove the opaque sheet from blocking the digital billboard.
7. Watch the footcandle meter for 3 to 5 minutes to see if the max brightness level is exceeded by any of the images on the digital billboard.
 - a. If the readings do not exceed the max brightness levels, then the billboard illumination is in compliance.
 - b. If any of readings consistently exceed the max brightness level, the lighting level is not in compliance.

For additional information, visit www.oaaa.org/OAAAGuidelines for the Explanation of OAAA Recommended Brightness Guidelines

Recommended
Brightness Levels
for On-Premise
Electronic
Message Centers
(EMC's)

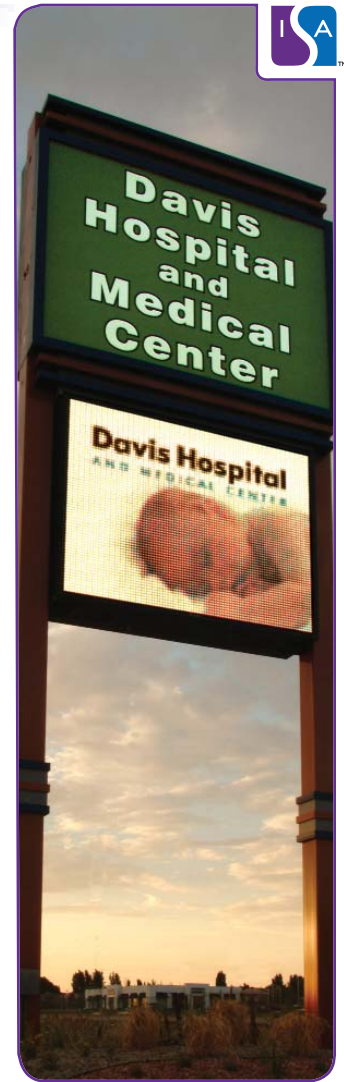


ISA INTERNATIONAL
SIGN ASSOCIATION

Table of Contents



INTRODUCTION2
EXECUTIVE SUMMARY4
RECOMMENDED LANGUAGE6
SIX STEPS: EMC BRIGHTNESS LEVELS7



Introduction



Electronic Message Centers (EMC's)



One of the more interesting types of signage that is becoming increasingly popular is on-premise **electronic message centers**, or EMCs. You may have heard EMCs being referred to as changeable message displays or digital signs.

EMCs are *not* digital billboards, which advertise a good or service that is located away from where the sign is located. Rather, EMCs are digital signs that are located *on the premises* of the business, and that advertise goods and services that are provided at the location.



Digital billboard/off-premise sign advertising an automobile business away from where the sign is located



Electronic Message Center (EMC)/on-premise sign advertising an automobile business that is located at the place of business

There is often confusion regarding on and off-premise digital signs. However, EMCs and digital billboards have very distinct capabilities and purposes, each targets a specific audience and each has traditionally been treated under separate legal and regulatory regimes. For the purposes of this publication, *we are focusing solely and exclusively on EMCs.*

EMCs that are too bright can be offensive and ineffective. EMC brightness is an issue where sign users, the sign industry, and the planning community have a common goal: ensuring that EMCs are appropriately legible. We know the messages that these signs convey can be rendered unattractive and perhaps even unreadable if they are programmed too bright.

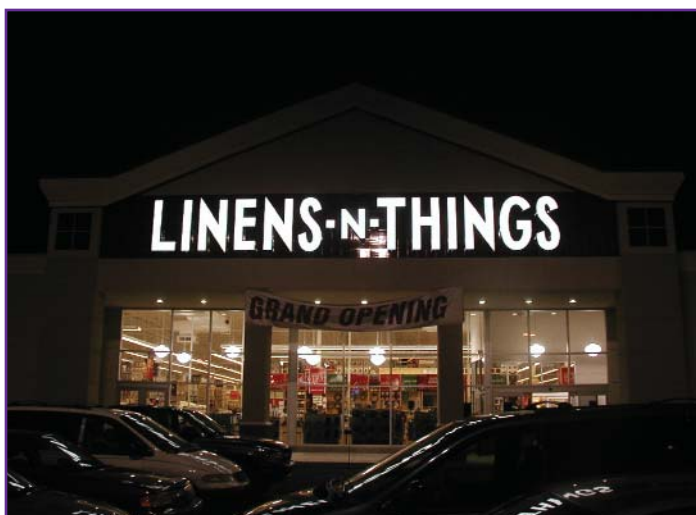


That's why many sign companies recommend to their customers that in order for these signs to be most effective, their brightness be set at such a level to be visible, readable and conspicuous.

In 2008, the International Sign Association (ISA) retained Dr. Ian Lewin of Lighting Sciences to help the industry develop scientifically-researched, understandable recommendations for EMC brightness. Dr. Lewin is a past chair of the Illuminating Engineering Society of North America (IES), and is greatly respected within the lighting field. His work for ISA was conducted with the input of experts within the sign industry. Dr. Lewin's full report can be found at www.signs.org.

As a result of this research, the recommended brightness level for on premise EMCs is 0.3 foot candles above ambient light conditions when measured at an appropriate distance. This is a lighting level that works in theory and in practice.

The research and the recommendations contained in this report pertain only to EMCs, not traditionally internally illuminated signs, such as these channel letter and neon signs below. EMC's use a different lighting technology than most of these types of signs, and as such the scientific approach differs.



You can rest assured that the information contained in this publication is relevant, appropriate and workable for determining EMC brightness levels.

We have provided six short steps to help guide the process and recommended statutory language. If you need further assistance, feel free to contact ISA at (703) 836-4012 to answer any of your EMC brightness questions.

EMCs and digital billboards have very distinct capabilities and purposes, each targets a specific audience and each has traditionally been treated under separate legal and regulatory regimes.

Executive Summary

ISA Electronic Message Display Brightness Recommendations



This summary has been developed to assist stakeholders concerned with development of brightness standards for large-format, electronic displays used for on-premise sign applications. This summary comprises:

- 1) *an overview of the importance of ensuring appropriate brightness,*
- 2) *technology utilized to ensure appropriate brightness,*
- 3) *recommended brightness standards, and*
- 4) *brightness measurement methodology.*

1. Overview of the importance of ensuring appropriate brightness.

Electronic displays that are too bright can be offensive and ineffective. There are significant advantages to ensuring that an electronic display is not overly bright. These advantages include:

- » Conservation of energy
- » Increased life expectancy of the electronic display components
- » Building goodwill with the community
- » Ensuring the legibility of the display

It is in the best interest of all stakeholders to ensure that electronic displays are sufficiently bright to ensure clear legibility, while at the same time avoiding a display that is overly bright.

2. Technology utilized to ensure appropriate brightness.

Most electronic displays are designed to produce sufficient brightness to ensure clear legibility during daylight hours. However, daytime brightness settings are usually inappropriate for nighttime viewing. The following general methods are used to dim an electronic display for appropriate nighttime viewing:

1. *Manual Dimming.* Using this method, the sign operator dims the display in response to changing ambient light conditions.
2. *Scheduled Dimming.* Sunset-sunrise tables allow an electronic display to be programmed to dim at the same time that the sun sets and rises. This method is generally acceptable, but is more effective when used as a backup to automatic dimming controls capability, such as photocell technology.
3. *Photocell Technology.* An electronic display that utilizes photocell technology can automatically dim as light conditions change. A photocell sensor alerts the display to adjust brightness according to ambient light conditions.

Most electronic displays are designed to produce sufficient brightness to ensure clear legibility during daylight hours. However, daytime brightness settings are usually inappropriate for nighttime viewing.



3. Recommended brightness standards.

ISA commissioned Dr. Ian Lewin of Lighting Sciences, Inc. to develop brightness criteria for on-premise electronic displays. Dr. Lewin is a leading lighting expert with over thirty years experience in the lighting industry.

Dr. Lewin recommended the development of brightness criteria based on the Illuminating Engineering Society's (IES) well-established standards pertaining to light trespass, IES Publication TM-11-00. The theory of light trespass is based on the concept of determining the amount of light that can spill over (or "trespass") into an adjacent area without being offensive.

As a result of his research, Dr. Lewin recommended two different brightness settings based on whether the EMC was located in an area of high or low ambient light. After field testing and utilizing Dr. Lewin's recommendations, it was determined that using the more conservative recommendation is appropriate in areas of both low and high ambient light. In order to simplify Dr. Lewin's recommendations, and to take a more reasonable approach to ensure that EMC's are sufficiently visible but not overly bright, it is recommended that EMC's not exceed 0.3 footcandles over ambient lighting conditions when measured at the recommended distance, based on the EMC size.

...it is recommended that EMC's not exceed 0.3 footcandles over ambient lighting conditions when measured at the recommended distance, based on the EMC size.

4. Brightness measurement methodology.

There are two generally accepted measures of brightness in the sign industry; illuminance and luminance. Illuminance, the preferred method, is a measure of the amount of light intercepting an object at a given distance from a light source and is measured in footcandles or its metric equivalent, lux. Illuminance can be measured with a footcandle meter (also know as a luxmeter), which are relatively inexpensive (\$100-1000) and commonly available. The footcandle meter should be accurate to two decimal points for accurate measurements. The second method, luminance, is an absolute measure of the amount of brightness that is being emitted from a light source and is usually measured in candelas per square meter, also known as "nits." Luminance can be measured by use of a "nit gun", which are expensive (~\$3,000) and difficult to procure. The preferred method of measurement is illuminance using a footcandle meter because a measure of luminance fails to account for ambient light conditions.



Recommended Legislative Language



1. **Electronic Message Center (EMC) Criteria:** The illumination of an EMC shall conform with the criteria set forth in this section.
 - A. **EMC Illumination Measurement Criteria:** The illuminance of an EMC shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full color-capable EMC, or a solid message for a single-color EMC. All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in the accompanying Sign Area Versus Measurement Distance table.
 - B. **EMC Illumination Limits:** The difference between the off and solid-message measurements using the EMC Measurement Criteria shall not exceed 0.3 footcandles.
 - C. **Dimming Capabilities:** All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.
 - D. **Definition of EMC:** A sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.



SIGN AREA VERSUS MEASUREMENT DISTANCE

AREA OF SIGN sq. ft.	MEASUREMENT Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

** For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$*

Six STEPS: EMC Brightness Levels

How to Measure the Brightness of an Electronic Message Center (EMC)

STEP 1

OBTAIN AN ILLUMINANCE METER.

Purchase or otherwise procure an illuminance meter. Most city/county traffic departments have an illuminance meter, which are also referred to as lux or footcandle meters (lux is the metric measure of illuminance; footcandles is the English measure of illuminance). The illuminance meter must have the ability to provide a reading up to two decimal places and must be set to read footcandles. It is preferred to have an illuminance meter with a screw-mount that allows the sensor to be mounted on a tripod. A tripod ensures that the highly sensitive sensor is held perfectly still; otherwise it may be difficult to obtain an accurate reading.

If you do not have an illuminance meter, the Konica Minolta T-10 is a high quality illuminance meter that works well. However, other less expensive illuminance meters may also provide adequate results. The International Sign Association has no affiliation with Konica Minolta.

STEP 2

DETERMINE SQUARE FOOTAGE.

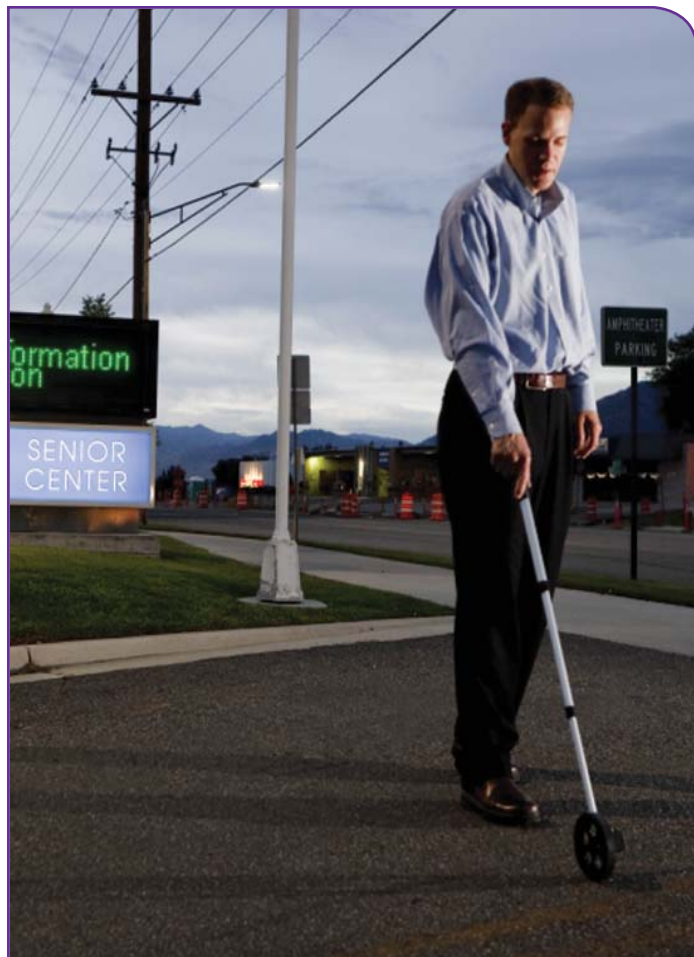
Determine the square footage of the face of the electronic message sign (EMC) by multiplying the height and width of the EMC. This information may be available in a permit application, or can be determined by physically measuring the height and width of the EMC. Do not include the sign face square footage attributable to any additional static signs associated with the EMC (if applicable).



STEP 3

DETERMINE THE MEASUREMENT DISTANCE.

Using the total square footage found in Step 2, look up the measurement distance in the table provided in the Recommended Legislative Language on page 6, to determine the distance to measure the brightness of the EMC. The distance should be measured perpendicular to the EMC sign face. The use of a measuring wheel is the most convenient way to measure the distance.



How to Measure the Brightness of an Electronic Message Center

STEP 4

PREPARE THE DISPLAY FOR TESTING.

Ensure that the EMC is programmed to alternate between a solid white (or in the case of a monochrome display – the solid color of the display) message and a blank message. You may wish to have a requirement that the sign owner cooperate with testing by programming the EMC for testing upon written notice.

STEP 5

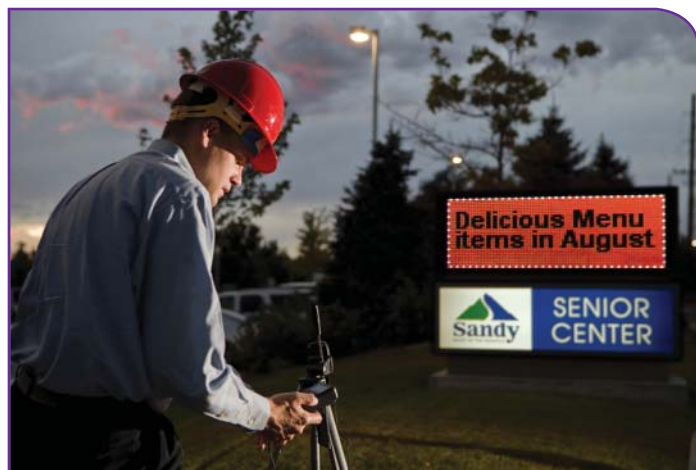
USE AN ILLUMINANCE METER TO MEASURE THE BRIGHTNESS OF THE EMC.

Mount the sensor of your illuminance meter to a tripod and orient the sensor directly towards the face of the EMC at the measurement distance determined in Step 2.



STEP 5 [CONTINUED]

Ensure that the illuminance meter is set to measure footcandles up to two decimal places. As the display alternates between a solid white message and an “off” message, note the range of values on the illuminance meter. If the difference between the readings is less than 0.3 footcandles, then the brightness of the display is in compliance. If not, the display will need to be adjusted to a lower brightness level using the manufacturer’s recommended procedures.



STEP 6

ENSURE THAT THE DISPLAY CAN ADJUST TO DIFFERENT AMBIENT CONDITIONS.

Inspect the sign to ensure that it incorporates a photocell or other technology to ensure that the display can adjust according to ambient lighting conditions.

As the display alternates between a solid white message and an “off” message, note the range of values on the illuminance meter. If the difference between the readings is less than 0.3 footcandles, then the brightness of the display is in compliance.



1001 N. FAIRFAX STREET, SUITE 301
ALEXANDRIA, VA 22314
703.836.6067 PH
703.836.8353 FAX
WWW.SIGNS.ORG



From: janflangan@aol.com
Sent: Saturday, January 24, 2015 9:28 PM
To: Lloyd, Trevor
Subject: digital signs

Follow Up Flag: Follow up
Flag Status: Flagged

The people of Nevada do not want these digital signs cluttering up our beautiful landscape. Look at Scottsdale, AZ. It is a wildly successful commercial area with minimal signage. Please do not approve digital signs. Janice Flanagan, 1460 Bermuda Circle, Reno NV 89509

From: Tone, Sarah
Sent: Wednesday, March 11, 2015 10:13 AM
To: Lloyd, Trevor
Subject: FW: Proposed Washoe County Sign Ordinance

Dear Trevor,
Attached is a constituent email for the STMWV CAB meeting this Thursday.

Sincerely,

Sarah Tone
Constituent Services
Washoe County, Office of the County Manager
(775) 328-2721 (office)
stone@washoecounty.us
1001 E. Ninth St., Bldg. A, Reno, NV 89512

Connect with us: [cMail](#) | [Twitter](#) | [Facebook](#) | [www.washoecounty.us](#)

From: James Galloway [mailto:james-galloway@sbcglobal.net]
Sent: Tuesday, March 10, 2015 9:42 PM
To: Tone, Sarah
Subject: Proposed Washoe County Sign Ordinance

Dear Sarah,

Would you please forward this email to all members of the SW/WV CAB in advance of their meeting this Thursday Mar. 12. Please also forward this to whoever may be attending from planning staff.

Dear CAB members,

This email concerns the Proposed Washoe County sign ordinance that is scheduled for discussion at your Mar 12 meeting. I will be out-of-state on Mar. 12 and therefore cannot attend your meeting. I DO hope, however, that all concerned citizens who CAN attend will be able to find the time to do so.

I have three areas of concern about this draft ordinance, but these are based on limited information. therefore, If planning staff is present I hope that you will ask them questions about these matters. If you share any of my concerns please let the County Commissioners know.

1. Will all distinctions between on-premise and off-premise signs be eliminated? This distinction has historically been used nationwide to limit both size and content of signs that don't have special permits to be "billboards." Have we really considered everything that may happen without this distinction?
 - a. If the County eliminates this distinction will there still be limits on how large a sign a private business or private property owner can have and what are they? Can non-business properties also put up similar signs? Can signs of commercial size be erected on RESIDENTIAL property?

b. If enacted, will the proposed ordinance result in sign proliferation, and can anyone's sign become, in effect, a "billboard."

2. Content neutrality? Does this mean, for example that any sign can display PAID ADVERTISING, such as "Visit Disney World" or "Drink Coca Cola," as opposed to content that is limited to a business name and its service and merchandise OR the personal opinions (not paid for) of the sign owner such as "Support our Troops" or "Vote for John Doe."

3. Signs that distract motorists can cause serious accidents. For example there was \$27 million judgement against the Dallas-Fort Worth Airport and American Airlines for bodily injuries due to a vehicle crash caused by an electronic sign that distracted a driver. Part of that judgement was paid by taxpayers.

In light of this example, please consider the following proposed conditions of approval: 1) such signs the light levels be 1) constantly monitored at owner's cost by Washoe County and held at levels comparable to a conventional billboard, 2) that flashing be entirely prohibited 3) that image changes be gradual and no more frequent than one per minute in daytime and less frequently at night, and 4) that the owners and operators of electronic signs be required by County ordinance to maintain a large personal injury liability insurance policy of \$5 to \$25 million per sign, depending on sign size and location, with Washoe County as a named insured, as a permanent condition of continued sign operation. If at any time in the future the required insurance is NOT in place the electronic billboard must be turned off.

If such a liability policy proves to be unaffordable then that would tell the County that the sign actually does pose substantial risk to public safety and therefore should be shut down. Without such insurance Washoe County and its taxpayers may very well end up paying part or all the cost of someone else's mistakes -- simply because our county permitted the sign to operate.

Best regards,

Jim Galloway,

Disclaimer, Although I am a former Washoe County Commissioner for District 1 I am writing here only to express my opinions as an individual private citizen. I make no representation that any of these views are shared by Washoe County staff, management, or Commissioners.

From: kathy allegretti [sydney8945@yahoo.com]
Sent: Sunday, January 25, 2015 12:22 PM
To: Lloyd, Trevor
Subject: signs

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
I thought there was to be NO new billboards.
Soon our city will look like one, giant, Circus!
Ahhh, what will happen to all the beautiful scenery surrounding Reno???
Now you know my thoughts on the subject!!!

Sincerely,

Kathleen Allegretti

From: Lori Wray [lwray@markwraylaw.com]
Sent: Wednesday, September 03, 2014 9:34 AM
To: Lloyd, Trevor
Cc: Mark Wray
Subject: RE: Aug. 26th meeting - Agenda item 27

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Trevor,

Thanks very much for your email, which I also forwarded to Mark. I'm relieved that staff's intent is to prohibit new or additional billboards as well as prohibit new billboard construction and relocation, including digital billboards. As you may know, Scenic Nevada has been fighting the proliferation of billboards in Reno for the past 14 years and it has been a difficult battle for us. Our ballot initiation was gutted when the city council said the voters wanted a cap and not a ban on new billboard construction, allowing relocations and new locations where no billboard stood before. Then they agreed to allow digital billboards which are obviously new construction. Our lawsuit against the city will eventually be heard by the Nevada Supreme Court. So, we're very sensitive to language that does not spell it very explicitly what is prohibited.

As to billboards, I was concerned mainly about the draft sign code in these sections – 505.40, 45, 50, 55 & 70. Here's my notes and I can explain more fully at the sign code meeting later today.

Permits and Enforcement (505.40):

(2) & (3) Looks like all larger signs will need an SUP? Will this allow smaller-size versions of digital billboards?

Continued Use of Billboards:

Continued Use of Nonconforming (billboard) Signs (505.45):

Add that a removed sign shall not be relocated in Sect. 110.505.45 and that the number of permits for non-conforming billboards within the county will be reduced.

Continued Use of Nonconforming Signs (505.50):

(b) No Changes - add no changes to lighting, and that digital lighting is prohibited

What does sign framework mean?

Termination of nonconforming use/maintenance rights (505.55):

Location should be removed from (e) (1) or it should be limited to "location within the same site"; also add "including a change to digital lighting" at the end.

Billboards (505.70):

The draft doesn't say new billboards and relocations are prohibited. How does the draft code guarantee that it is not possible to construct or relocate billboards; is it possible to "upgrade" billboards to digital lighting or partial digital lighting as the draft code is written? Can a billboard owner ask the commission to allow the removal of a number of billboards in exchange for a digital billboard permit?

Thanks again for your reply to my concerns.

Lori Wray
Scenic Nevada
775 848-8288

From: Lloyd, Trevor [mailto:TLloyd@washoecounty.us]
Sent: Tuesday, September 02, 2014 8:24 AM
To: Lori Wray
Subject: RE: Aug. 26th meeting - Agenda item 27

Hi Lori,
I hope you had a good time in Europe, thanks for your comments to the draft language.

With regards to the County Commission meeting and my staff report, it was clarified in two separate places of my very short staff report that no new or additional billboards shall be allowed. I also reminded the Commission at the meeting that their message was heard loud and clear. The draft of our code as written would prohibit any new billboard construction or relocation, digital or otherwise; please let me know where in the draft you are having concerns.

During the meeting the commission provided some clarification/direction that you might be interested in, they want to make sure that we allow for some flexibility in sign sizes with certain use types such as entertainment/casino. Luckily, we don't have very many of these uses in the county but we will need to discuss this matter tomorrow at our meeting to make sure we address their concerns and still tighten up our standards.

Take care.

Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning & Development Division
(775) 328-3620
tlloyd@washoecounty.us

From: Lori Wray [mailto:lwray@markwraylaw.com]
Sent: Monday, September 01, 2014 9:10 PM
To: Lloyd, Trevor
Cc: Mark Wray
Subject: Aug. 26th meeting - Agenda item 27

Trevor,

I had a chance to read your staff report for the Aug. 26 BCC agenda and I'm a bit concerned about what was presented to the board. The minutes are not available yet and I can't seem to find a way on the county website to review a tape of the meeting. So I thought I'd better ask you about this. As you know, Mark and I were out of the country when the Aug. 26th meeting took place.

It's not clear from your report that the County Commissioners previously agreed that digital billboards would not be allowed in the county and neither would new billboards and new locations for billboards, which effectively bans billboard relocations. Commissioner Berkbigler was especially concerned with allowing billboards on the new section of I580. If you review the tape of the Nov. 12, 2013 BCC meeting, you'll see that commissioners agreed digital billboards are distracting and would be prohibited and that all on-premise digital signs would only be allowed with a special use permit.

I'm not sure at the moment whether your report and the draft code reflects all of the board's

directions concerning billboards, especially relocating billboards and digital billboards. I'd like to discuss this with you at your earliest convenience. If I'm wrong about this I apologize.

I've reviewed the draft sign code presented at the Aug. 6 meeting and attached my notes in preparation for the Sept. 3 meeting. Thanks.

Lori Wray
Scenic Nevada
775 348-8877 office
775 848-8288 cell

From: Lori Wray [lwray@markwraylaw.com]
Sent: Sunday, November 10, 2013 4:25 PM
To: Berkbigler, Marsha; Humke, David; Hartung, Vaughn; Weber, Bonnie; Jung, Kitty
Cc: Lloyd, Trevor; Salter, Gregory
Subject: Agenda #27 - Energy usage of Digital Billboards

Dear Commissioners,

For your information here is a link to a 2010 report on energy issues and digital billboards by Gregory Young, LEED, AP:

<https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnxzY2VuaWNmaWxl3xneDoxY2UxYmU4MTE4YmJiZmVk>. Young provides a chart (page 4) comparing the annual kilowatt usage of different types of billboards and the average use in an American home. His chart shows that a digital billboard in Florida was consuming more than 161,000 kilowatt hours per year, while the average American household consumes about 11,000 kWh annually.

Also here is a link to a short New York Times article about the report.

<http://green.blogs.nytimes.com/2010/12/20/do-digital-billboards-waste-energy/>

Clear Channel Outdoor will say these figures are out of date or inaccurate. Last year in public hearings Clear Channel Outdoor, instead, said that a digital billboard uses between 4,000 and 6,000 kwh per month. The average household in Nevada, according to NV Energy is less than 800 per month. That means that, even with the industry's conservative estimate, the energy usage of four households combined on average is less than the power needed to light one digital billboard.

So whether you accept Young's figures or Clear Channel's, we think digital billboards use far too much energy. Washoe County has established conservation policies and set up a "Green Team" to implement these concepts. Here's an excerpt from a staff report introducing the Green Team program in 2008:

"For more than ten years, Washoe County has contributed to a building sustainable community by implementing energy conservation measures, developing infrastructure for water reuse systems, incorporating smart planning and purchasing policies, preserving open spaces and supporting our non-profit partners by participating in local community clean up events--to name just a few."
http://www.washoecounty.us/large_files/agendas/102808/14.pdf

And from the Environmental Update at <http://www.washoecounty.us/green/about.html> the website says:

"Our engineering and planning staff are dedicated to creating healthy communities by considering the long term effects of proposed projects. Our goal is to build and maintain projects that consider economics, energy efficiency, product lifecycles, and community connectivity. To do this, staff members are in the process of becoming LEED (Leadership in Energy and Environmental Design) Accredited Professionals so that future projects will meet LEED standards and existing buildings retrofitted to LEED principles."

We don't think digital billboards are energy efficient projects and approving them does not seem to comport with the county's concern for energy conservation.

Lori Wray
Scenic Nevada

Member, Board of Directors
775 348-8877 voice

From: Lori Wray [lwray@markwraylaw.com]
Sent: Sunday, November 10, 2013 4:01 PM
To: Berkbigler, Marsha; Humke, David; Hartung, Vaughn; Weber, Bonnie; Jung, Kitty
Cc: Lloyd, Trevor; Salter, Gregory
Subject: Agenda Item 27 - Amber Alerts

Dear Commissioners,

Scenic Nevada has noticed that the billboard industry often touts its digital billboards as a way to serve the community by offering free ads to law enforcement for Amber Alerts or emergency messaging. We've learned that there is a certain amount of science used when trying to provide drivers with critical information. According to one traffic safety expert, the typical digital changeable message signs (CMS) are designed, placed, and operated in accordance with decades of research that demonstrates the best, safest, most efficient way to communicate the message – color, contrast, letter size and font, etc. Apparently, there are even guidebooks to tell the sign operators which abbreviations can be used with the least confusion and misunderstanding.

However, the billboard industry ignores this science in its attempt to provide emergency messaging. Please see the photos below. One is an example of an electronic reader board placed over the roadway by Department of Transportation officials, that uses simple, easy to read text. The bottom photo is an example of a digital billboard, positioned off to the side of the road with too much text, multiple fonts and colors making it impossible to read and understand, especially if the driver is passing at 65 miles per hour. Also, today, there are cell phone applications available for download for both Amber Alerts and the FBI 10 Most Wanted. These applications send messages to cell phones and can be safely accessed when the user is not driving along at high speeds on the freeway. Please see the LA Times editorial published in August <http://www.latimes.com/news/opinion/editorials/la-ed-amber-alert-20130813,0,1709770.story>

We think Amber Alerts on NDOT's reader boards and promoting cell phone applications for emergency messaging are the best approach, rather than using digital billboards, which most often will be flipping brightly lit commercial advertisements every eight seconds, night and day, 365 days a year.

Lori Wray
Secretary/Treasurer
Scenic Nevada Board of Directors
775 348-8877

From: Lori Wray [lwray@markwraylaw.com]
Sent: Friday, May 22, 2015 8:38 PM
To: Lloyd, Trevor; Whitney, Bill
Cc: Mark Wray; John Hara; harafx@sbcglobal.net; naylorhome@charter.net;
briankendallhunt@gmail.com; Peter Neumann
Subject: RE: draft code sign changes

Trevor,

The county's current definition of a billboard does not jeopardize the concept of content neutrality and it never has. You are confusing flawed logic with legal concepts. The definition of a billboard is an outdoor advertising sign that advertises the goods and services not sold on the premises. That is how federal, state and county law defines billboards. Reading the content of a sign to determine if it is on-premise or off-premise, according to the courts, has been found to be within the bounds of a content neutral sign code. Please consult with county counsel.

As to BCC direction, I don't believe what you are saying is accurate. The BCC asked for a definition of a billboard. Staff did not comply with the spirit of the BCC's request. That is what we will be telling our supporters, who are very concerned with the county changing its sign code to allow traditional and digital billboards.

Here's the motion: "Hold this discussion, pending some draft amendments in regards to large scale definition, definition of billboards, some different issues brought forth. And see if we can work those amendments into the ordinance and have that brought back at a later date."

Adding a size limit does not define billboards and sidesteps the BCC's request. Staff used flawed logic by opining that reading sign content to determine if it's a billboard is regulating content. This flawed logic leaves staff with nothing but a flawed definition for billboards – a definition that allows anyone to post ads not sold on the premises, as Norm Dianda wants to do. The impact will be that new billboards will be allowed.

We appreciate very much the table that you produced. Scenic Nevada asked for this type of analysis back in December at the last stakeholders meeting we had with you and county counsel, who also supported our suggestion. You may recall that we asked for a comparison of 502, 504 and 505.

However, the problem with the table along with the current "highlights" posted on the county's website is that they both leave out the most important impacts of the sign code. It's hard for us to understand why staff is not telling the public the whole truth. For instance, both the table and the highlights should show that billboards were prohibited under the current draft and under the new draft digital billboards and traditional billboards will be allowed. Scenic Nevada would be remiss if we knowingly emailed out inaccurate information.

It's also curious that you can make the assumption that there will only be three digital billboards allowed. That assumption doesn't account for future sites and possible law suits for more digital billboards. Also, it doesn't show how many traditional billboards will be allowed. By our estimation every sign in Washoe County has the potential of becoming a billboard. The table also does not point out that at least one of the three big digital signs will be a billboard.

The proposed digital restrictions on the chart show great strides compared to the current code. But, it's also true that digital signs as we know them today were not in existence 20 years ago when the current sign code was approved, so digital restrictions weren't needed. Nevertheless, the digital restrictions are needed now and - with a few exceptions - the ones included are very good. By the way 200 feet from a residence is not nearly far enough. YESCO put up a digital on-premise sign a little over

500 feet from a residence in Minden. The property owner called us recently, saying her house is lit up every night by the flashing, rotating sign.

We are not opposed to on-premise signs and the multitude of advertisements possible, primarily, with digital on-premise signs. As you may recall, our concern was with the number of digital signs, the brightness level and digital signs in neighborhood commercial zones. What's key here is that the definition of an on-premise sign requires all advertised goods to be sold on the premises. Staff eliminated that definition in the draft code as well. We have never objected to content. We are objecting to the flawed definitions staff is using based on flawed logic to allow Norm Dianda to have digital billboard and all other property owners to have a traditional billboard.

You have a great weekend too.

Lori

Lori Wray, Director
Scenic Nevada
150 Ridge Street
Reno, NV 89501
775 348-8877

From: Lloyd, Trevor [mailto:TLloyd@washoecounty.us]
Sent: Friday, May 22, 2015 4:37 PM
To: Lori Wray; Whitney, Bill
Cc: Mark Wray
Subject: RE: draft code sign changes

Hi Lori,

In response to your question below, staff has been given direction to proceed with a content neutral regulatory framework and that direction has not changed to this point. The definition of "billboard" as currently written jeopardizes the concept of content neutrality.

Additionally, the existing definition of an "on-premise sign" allows a typical commercial operation to advertise any "business, activity, product, service or interest of any person located on the premises". Such a definition allows an almost limitless number of messages or advertisements.

I've included an attachment that provides some factual comparisons of the proposed code with the existing code. When you send out the next alert, please include this table as it will be very helpful for your audience to see what is being proposed to be amended by way of these comparisons.

Have a great weekend.

Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning & Development Division
(775) 328-3620
tlloyd@washoecounty.us

From: Lori Wray [mailto:lwrays@markwraylaw.com]
Sent: Friday, May 22, 2015 9:27 AM
To: Lloyd, Trevor; Whitney, Bill

Cc: Mark Wray
Subject: RE: draft code sign changes

Thanks Trevor,

I got a reply email from one of the commissioners Wednesday about the sign code update and then found the new draft on the county's website.

Was there a reason why staff didn't propose the proper definition of a billboard? I'll be sending out an email alert to our supporters and would like to tell people why staff isn't using the standard definition of a billboard which is included in federal, state and the current county laws.

Also, as you know, if this draft is approved, any sign owner can post off-premise ads. That means all signs in the county are potential billboards. If the county ever wanted to change the current regulations that would cause several problems, including a takings claim by sign owners. Of course, any sign required to be removed by government would also mean taxpayers are on the hook to pay for the sign, any lease payments and the advertising dollars lost. Another problem would be keeping track of which signs are billboards. I think you reported that it took many hours of staff time to locate the 33 billboards existing in the county.

We think you should point out these impacts to the commission, if you are recommending adoption of this new definition. An easy solution is to, at least, give Commissioners the option of restoring the current billboard definition to distinguish between on- and off-premise to avoid these problems and to save taxpayer dollars.

Lori

From: Lloyd, Trevor [mailto:TLloyd@washoecounty.us]
Sent: Friday, May 22, 2015 8:17 AM
To: Lori Wray; Whitney, Bill
Subject: RE: draft code sign changes

Wow, that was quick. I was going to send that off to you today. Yes, this goes to the BCC on June 9th and then to the PC in July.
Trevor

From: Lori Wray [mailto:lwrays@markwraylaw.com]
Sent: Thursday, May 21, 2015 6:00 PM
To: Whitney, Bill; Lloyd, Trevor
Subject: draft code sign changes

Bill and Trevor,

I found the changes to the draft code on the county's website. Do these changes (billboard and RRTT definitions) go back to the BCC before the draft goes to the County Planning Commission in July?

Lori

Lori Wray, Director
Scenic Nevada
150 Ridge Street
Reno, NV 89501
775 348-8877

Washoe County Sign Committee

Public Comment for December 3, 2014

Submitted by:

Marilyn Naylor
1005 Dunbar Drive
Washoe Valley, Nevada 89704

As a resident of Washoe Valley, I often travel Old Highway 395. I attended the Sign Code Open House on November 6 and expressed concern about the condition of abandoned billboards along the highway between Pleasant Valley and Mt. Rose Highway. I have since also called Building and Safety Department with the same report and am awaiting a promised response.

Recently, one of the billboards has been “tagged” and is illuminated at night. This is free illumination for “free speech” for whom? Not knowing the tag’s translation leaves me wondering if Clear Channel is unwittingly advertising a gang, drug cartel, or... whom? Sec. 110.502.60 of the current Washoe County Sign Code describes procedure for violation. I think it would be beneficial to include language to cover a maintenance requirement in the event the billboard is disfigured by tagging. I am also wondering why the current sign code is not being enforced in a timely manner.





Also, the notice of the Washoe County Sing Code Open House on November 6 said that the Open House will begin at 5:00 and staff will be available until 7:00 if warranted by attendance. I did arrive at the meeting around 6:00 p.m. being delayed by an accident on the freeway and found the main gates to the Washoe County Administration Complex were closed. In the future, if you could arrange to have the gates open, attendance may improve if citizens who would like to attend would have easy access.

Thank you,

Marilyn Naylor

From: Michael Freeborg [mfreeborg@yesco.com]
Sent: Wednesday, March 18, 2015 2:54 PM
To: Lloyd, Trevor
Cc: James Carpentier; Patti King
Subject: Re: Washoe County Sign Code

Follow Up Flag: Follow up
Flag Status: Flagged

Trevor,

I saw this just as I clicked the 'send' button. There's a mistake in what I sent you. The 0.3 footcandle standard has been approved in over 170 jurisdictions nationwide, not 700. My apologies.

The number is growing rapidly, though, as communities do see that it makes sense.

-Mike

On Wed, Mar 18, 2015 at 2:46 PM, Michael Freeborg <mfreeborg@yesco.com> wrote:
Trevor,

I'll just quickly put down some thoughts for now.

I've also copied James Carpentier from the International Sign Association on this email and Patti King from the Nevada Sign Association. They can be a wealth of information on other cities/jurisdictions that have adopted the 0.3 footcandle standard. Perhaps James can also share with you some of the research that led to the 0.3 footcandle standard by Dr. Ian Lewin.

In a separate email, I'll send a response from James Carpentier from the International Sign Association that was mainly regarding a response to the Wachtel study. In the letter, he mentions some jurisdictions (over 700) and state DOT's that have adopted the guideline.

Jerry Miller with CDOT's email is jerry.miller@state.co.us. I do not have his phone number. I talked with him in Dec 2013, and he indicated after a Finding Common Ground presentation that he thought illuminance measurement / 0.3 footcandles was the way to go. He was instrumental in decision making on Colorado's brightness guidelines.

I will tell you that cities that have adopted the 0.3 guideline simply do not have complaints over sign brightness after they are implemented (and enforced retroactively if they have existing digital brightness issues).

I think Sparks recently adopted the guideline as well, and used it to retroactively dim The Nugget sign to levels that are much more congruent with ambient light levels in the area (which is pretty highly lit).

The beauty of the 0.3 footcandle standard is that it appropriately adjusts for dimly lit and brightly lit areas. You have a lot of dimly lit areas in Washoe County. I think most folks in the county are deathly afraid of a Pinnocchio's or GSR showing up in their backyard. You will NOT have signs like that issues like this associated with the 0.3 footcandle standard.

For reference, the digital billboards (the TRUE digital billboards....not just big on-premise signs like GSR that look like billboards) were all operating withing the 0.3 footcandle standard on Feb

10th when I was in Reno. There were many on-premises signs that were greatly exceeding the footcandle standard. On I-580 alone, there was Pinnocchio's, GSR freeway sign (wall sign was not lit), and there was another one within a mile or two if GSR that is visible from southbound I-580. There was also an RV or trailer rental place pretty far south on Virginia, and a check cashing store near Pinnochios (but off the freeway) that was greatly exceeding the footcandle standard. I'm sure there are likely many others. If those signs were dimmed to meet the 0.3 footcandle standard, you'd have a vastly different experience of them. Alas, Reno has no brightness guidelines for on-premises signs....only off-premises signs, and this is why they have a brightness problem with on-premises signs.

Scenic groups like to espouse how difficult it is to do the footcandle test. To determine if any of the signs measured were too bright, I was able to easily perform the test myself with a footcandle meter and a pad of paper to block the light from the sign. I used a golf laser finder to get me to the right distance from the sign, although I could have walked it off as well. The measurements took about 15 seconds max. It was extremely easy to identify that the offending signs mentioned above were far too bright. They didn't just slightly fail the test, they were far over the 0.3 standard.

The reality is that with both the 0.3 footcandle standard and the Scenic proposed standards, you're looking at digital signs being dimmed to usually less than 5% of their maximum potential brightness at night. In low ambient light areas, that would be the extreme upper end in almost all cases. The main difference between the two standards, is that the ISA standards preserve readability of the display at night, regardless of copy/color, whereas the Scenic/Wachtel standards are proposing the sign to be dimmed to such low levels at night that the sign will be difficult to read, which defeats the purpose.

More later....

-Mike

From: Michael Freeborg [mfreeborg@yesco.com]
Sent: Wednesday, March 18, 2015 2:46 PM
To: Lloyd, Trevor
Cc: James Carpentier; Patti King
Subject: Re: Washoe County Sign Code

Follow Up Flag: Follow up
Flag Status: Flagged

Trevor,

I'll just quickly put down some thoughts for now.

I've also copied James Carpentier from the International Sign Association on this email and Patti King from the Nevada Sign Association. They can be a wealth of information on other cities/jurisdictions that have adopted the 0.3 footcandle standard. Perhaps James can also share with you some of the research that led to the 0.3 footcandle standard by Dr. Ian Lewin.

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More later....

-Mike

NAC 410.350 Sign construction: illumination / luminance; commercial electronic variable message signs. (NRS 410.400)

1. Signs shall not be erected or maintained which shall be so illuminated that they interfere with the effectiveness of or obscures any official traffic sign, device or signal. Signs must not include or be illuminated by flashing, intermittent or moving lights, except any parts necessary to give public service information such as the time, date, temperature, weather or similar information. The terms flashing, intermittent or moving lights is not limited to actual lighting, and includes stationary and or moving reflective disks and rotating slats that reflect light in a flashing or moving manner, and create the effect of moving or flashing light, or emit odors, smoke or sound. Signs must not cause beams or rays of light to be directed at the traveled way if the light is of such intensity or brilliance as to cause glare that impairs the vision of the driver of any motor vehicle or interfere with any driver's operation of a motor vehicle. Illumination or lights for signs must not resemble or simulate any lights used to control or warn traffic or provide danger signals.

2. Commercial electronic variable message signs (CEVMS) include trivision signs and digital billboard signs. A digital billboard shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement during the static display period, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity. CEVMS technology, shall, not, in itself, constitute the use of flashing, intermittent or moving light or lights. A CEVMS sign when operated in accordance with the operating standards in Section 3 below shall not constitute glare or the use of flashing, intermittent or moving light or lights hereunder. A CEVMS sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD).

3. A CEVMS including, without limitation, a trivision sign, may be approved as an off-premise outdoor advertising sign in an urban area if the sign does not contain flashing, intermittent or moving light or lights, does not impair the vision of the driver of any motor vehicle, or interfere with any driver's operation of a motor vehicle within the right-of-way, and the following conditions are met:

(a) An existing sign may be modified or updated if the sign conforms with established criteria relating to zoning, size, lighting and spacing or meets the requirements of NAC 410.703.

(b) A message on a trivision sign shall have a minimum static display time of six (6) seconds and a maximum change interval of three (3) seconds. A message on a digital billboard sign shall have a minimum display time of six (6) seconds and shall transition instantaneously to the human eye.

(c) A trivision sign must contain a mechanism that will stop the sign in one position if a malfunction occurs. A digital billboard sign shall be operated with sufficient safeguard systems and monitoring in place to prevent unauthorized access, use or hacking, including infrastructure, hardware, software and networks by unauthorized users.

(d) In the event of a malfunction the digital billboard owner must either turn the display off, show a "full black" image, or freeze an authorized image on the display in one position until such time as the situation has been corrected.

(e) A digital billboard shall use automatic dimming technology to adjust the brightness of the digital billboard relative to ambient light so that at no time shall a digital billboard exceed a brightness level of three tenth (0.3) foot-candles above ambient light, as measured using a foot-candle meter and in conformance with the following distance table:

Sign Face Size

Distance of Measurement

681-1200 square feet	350 feet
385-680 square feet	250 feet
300-385 square feet	200 feet
200-300 square feet	150 feet

Each digital billboard shall be equipped with a light sensing device that will adjust the brightness as ambient light conditions change. The measurement shall be conducted at least thirty-minutes (30-minutes) after sunset or at least thirty-minutes (30-minutes) before sunrise.

(f) If the foot-candle reading exceeds three tenths (0.3) foot-candles maximum, then the nighttime luminance shall not exceed three-hundred-fifty (350) nits (candelas per square meter (cd/m²)) which may be measured with a nit gun or luminance meter that can read to the accuracy of five (5) nits. To insure the proper measurement of a digital billboard using nits, the user should measure from a location that is as close to perpendicular both horizontally and vertically as possible due to the LED light output pattern decreasing dramatically from the perpendicular position to off angles.

(g) A digital billboard when operated in accordance with the operating standards in this Section 3 shall not constitute glare or the use of flashing, intermittent or moving light or lights.

(h) If a CEVMS display is installed that does not comply with the provisions of this section, the owner of the CEVMS display shall correct the violation or remove the CEVMS display at the owner's expense within sixty (60) days. If sixty (60) days after the receipt of written notice from the Department the owner has not corrected the violation or removed the CEVMS display, the Department may remove the CEVMS display at the owner's expense. Notwithstanding the foregoing, the owner may continue to operate the outdoor advertising structure with conventional non-CEVMS static display faces.

(i) The permit may be amended when seeking to modify or upgrade existing signs to include a CEVMS. For any approved amendments for upgrade or modification, a permit fee of eight-hundred dollars (\$800.00) shall be charged to cover the Department's cost of administration and regulation of the signage. An existing static outdoor advertising sign may be upgraded to a CEVMS, or a CEVMS may be converted to a static display sign, provided that:

1. the sign has been approved by the local government, if applicable, or is a legal non-conforming sign, (under local law only); and
2. is a conforming sign or meets the requirements of NAC 410.703; and
3. all applicable and outstanding fees paid.

[Dep't of Highways, Outdoor Advertising Control Manual p. 11, eff. 1-28-77]—(NAC A by Dep't of Transportation by R058-97, 12-11-98)

Definitions:

A Tri-vision sign means;

A type of CEVMS, is defined as an off-premise sign utilizing changeable message technology, capable of changing the static message or copy on the sign electronically or mechanically, or by remote control, by movement or rotation of panels or slats.

A Digital Billboard sign means;

A type of CEVMS, is defined as an off-premise sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically. A Digital Billboard may be internally or externally illuminated. Digital Billboards shall contain static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity.

Glare means;

A visual condition in which there is excessive contrast or an inappropriate distribution of light sources that limits the ability to distinguish details and objects. A Digital Billboard operating at or below the maximum brightness allowed in this section, shall not be considered to be a source of glare.

Luminance means;

lu·mi·nance /'lumənəns/ [loo-muh-nuhns]—noun

1. the state or quality of being luminous.
2. Also called luminosity. the quality or condition of radiating or reflecting light: the blinding luminance of the sun.
3. Optics. the quantitative measure of brightness of a light source or an illuminated surface, equal to luminous flux per unit solid angle emitted per unit projected area of the source or surface.

Illuminance means;

l·lu·mi·nance /l'lumənəns/ [i-loo-muh-nuhns]

Illumination, Also called illuminance, intensity of illumination. Optics. the intensity of light falling at a given place on a lighted surface; the luminous flux incident per unit area, expressed in lumens per unit of area.

Foot-candle means;

A traditional unit of illuminance or illumination, defined as the illuminance received by a surface at a distance of one foot from a source of intensity.

Also:

A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot

Nit means;

A unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.



INTERNATIONAL SIGN ASSOCIATION

December 5, 2014

Mayor Geno Martini
Sparks City Council

Re: Scenic Nevada recommendations and study in regards to December 12, 2014 Planning and Zoning Public Hearings and Action Items: 11.1 to amend Section 20.56 Signs of the Municipal Code

Honorable Mayor Martini and the Sparks City Council:

This letter is being sent on behalf of the Nevada Sign Association and the International Sign Association. Both associations work with jurisdictions to assist in the education and creation of reasonable, effective and enforceable on premise sign regulations. This letter is being sent to provide our comments on the illumination recommendations provided to the City by Scenic Nevada.

First of all, we wanted to commend the staff for their diligence by working with all stakeholders in a collaborative manner in the creation of the sign ordinance amendments.

We respectfully request that you approve the sign ordinance as recommended by the Planning Commission and Community Services Department.

We have the following major serious concerns with the illumination recommendations made by Scenic Nevada based on the study done by Jerry Wachtel.

- The principal flaw in the report is the fact that it compares brightness measurements from three entirely different types of illuminated signage (i.e. externally-illuminated billboards, digital billboards and internally illuminated signs) and it infers that a level of brightness deemed adequate for one of these lighting technologies ought to be suitable limit for all of the signage types.
- In particular, this report cites a study done by Garvey for USSC which references a 1983 study (Sivak and Olson) that recommends a 75-nit limit for “optimal nighttime sign legend luminance.” Wachtel then goes on to say that another study (Garvey and Mace) found that 30 nits is the level at which “maximum legibility distance” is achieved. This terminology is nebulous to say the least as a basis for developing lighting guidelines for signage.
- This report makes a number of illogical leaps which are seriously flawed and reflect a poor understanding of the various lighting technologies used in illuminated signage. Chiefly, there is absolutely no basis for comparing the brightness which is adequate for a traditional billboard to that of either a digital billboard or a conventional on-premise sign. This is strictly an apples-to-oranges-to-bananas comparison.



INTERNATIONAL SIGN ASSOCIATION

- We have serious concerns with the study since it introduces references that pertain to on-premise signage, which is largely irrelevant to the purpose of this report.
- The 3,000 nits during the daytime is not feasible, since EMC's will not be effective and messages will appear washed out and may actually create a safety hazard due to the ineffectiveness of the sign. 3,000 nits for a daytime setting for EMCs does not any scientific basis.

Therefore, we respectfully request that you approve the sign ordinance as recommended by the Planning Commission and Community Services Department.

We appreciate the consideration of our recommendation.

Best Regards,

A handwritten signature in black ink that reads "James B. Carpentier".

James B. Carpentier AICP
Manager State & Local Government Affairs

To: Pam
Subject: RE: Comments about signage

From: Pam [mailto:pmcneil49@aol.com]
Sent: Friday, November 07, 2014 4:53 PM
To: Lloyd, Trevor
Subject: Comments about signage

I was unable to attend yesterday's open house. Thank you for affording the opportunity to comment by email. I hope the signage can be decreased rather than increased. Also, I DO understand the issues regarding free speech; however, I DO NOT understand why I need to be exposed to large signs, numerous signage, and the tasteless digital signage. Those especially are distracting and not necessary. As far as content, I also feel I have rights and don't appreciate some messages shoved in my face. I support Scenic Nevada in their pursuits and hope you will give their viewpoint and comments the credence they deserve.

Pam McNeil
1990 Evergreen Ridge Ct
Reno Nv 89523
775-787-9855
Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Pam McNeil
1990 Evergreen Ridge Ct
Reno Nv 89523
775-787-9855

From: Rose, Laura
Sent: Friday, November 07, 2014 8:02 AM
To: Lloyd, Trevor
Cc: Whitney, Bill; Solaro, David
Subject: FW: re. sign code

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Trevor!

FYI, I believe Ms. Barnes forwarded this email to me (it was initially sent to Sara and Commissioner Berkgigler). I don't think it requires action on my part, but let me know if there is something I should do.

Laura

From: Patricia Barnes [mailto:barnespatg@gmail.com]
Sent: Thursday, November 06, 2014 6:47 PM
To: Rose, Laura
Subject: Fwd: re. sign code

----- Forwarded message -----

From: Patricia Barnes <barnespatg@gmail.com>
Date: Thu, Nov 6, 2014 at 6:22 PM
Subject: re. sign code
To: sdelozier@washoecounty.us, mberkgigler@washoecounty.us
Dear Commissioner Berkgigler:

I strongly oppose ANY relaxation of Washoe County's signage code especially with respect to billboards.

Billboards are a blight on the environment and should be discontinued entirely - not permitted to expand. They contribute virtually nothing to a community. The tax revenue on billboards is negligible. They employ few workers. They are ugly and detract from a community's quality of life. THE PROFIT GOES TO OUT OF STATE CORPORATIONS THAT MAKE A FORTUNE FROM THIS HIDEOUS FORM OF ADVERTISING.

Billboard companies corrupt local officials and curry favor with politicians in the form of campaign donations.

This is one of the very worst industries in the country.

No citizen wants billboards. This form of advertising often markets alcohol and gambling in a manner that is attractive to young people. It is a morally bankrupt business.

Moreover, video billboards are known to be a traffic safety hazard.

Any time a signage code is "updated" billboard interests infiltrate the process to insure that the outcome is more signage, bigger signage and more blight on the environment.

Why would Reno and Washoe County let this happen when supposedly city officials are working

to improve our community? Our greatest resource is the view. Don't allow this predatory business to further ruin it.

PLEASE STOP BILLBOARDS NOW!

Patricia G. Barnes
1510 Lindsay Dr.
Reno, NV 89523

From: Penny roskoski [pennyroskoski@yahoo.com]
Sent: Thursday, November 06, 2014 9:01 PM
To: Lloyd, Trevor
Cc: Scenic Nevada Admin
Subject: BILLBOARDS

Follow Up Flag: Follow up
Flag Status: Flagged

Doesn't anyone remember the election we had that said NO NEW BILLBOARDS?
Importantly, the law said no permits shall be issued for the construction of
new billboards.

Giving billboards a new name is a sleazy way to get around the law. Shame on
you.

Penny Roskoski

Sent from my iPad



April 5, 2015

Washoe County Planning Commission
1001 E. Ninth Street
Reno, NV 89520

Re: County Sign Code Update

Dear Planning Commission Members,

Staff has agreed to ask for a postponement of the county's draft sign code item, included on the April 7 Planning Commission agenda. This letter is in support of postponing a decision until all the information and impacts can be vetted in a public meeting with the Board of County Commissioners.

The Scenic Nevada Board of Directors believes there are serious problems with the current draft which are not explained in the April 7 staff report. Further, the same important information excluded from the report was withheld during staff presentations at public meetings.

For example, if the draft code is approved as is, a special use permit could be issued for the first digital billboard to be erected in an unincorporated county area and the first new billboard allowed in 13 years. Yet the public was not made aware of this.

While the report has many factual statements, it also says billboards will be prohibited. Also, it does not explain the negative impacts and unintended consequences of the new "content neutral approach." We also disagree with many other statements and staff opinions included in the report.

We shared these concerns recently with Commission Chair Marsha Berkbigler and Commissioner Kitty Jung. We have asked for meetings with the other commissioners as well. Further, the BCC is expected to agendaize this item in the near future.

We are hoping the postponement on April 7 will give all involved a chance to understand the impacts and, hopefully, propose changes to the draft.

BOARD OF DIRECTORS

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Huntington Learning Center

Brian S. Dean, vice president
Northern Nevada
Certified Consulting Arborist

Lori Wray, secretary/treasurer
Southwest Reno
Law Offices of Mark Wray

DIRECTORS

Marilyn Naylor
Washoe Valley
Washoe County School District,
retired

ADVISORS

Mark Wray
Law Offices of Mark Wray

Peter Chase Neumann
Law Offices of
Peter Chase Neumann

W. Chris Wicker
Woodburn and Wedge

150 Ridge Street
Reno, NV 89501
scenicnevada.org
info@scenicnevada.org
f/ScenicNevada

Scenic Nevada was pleased to be invited as a participant on the county's sign code update working group. Our members attended the stakeholder meetings held from November 2013 through December 2014. We were an active participant, and the only one, advocating for strong controls on digital signs and billboards.

Last year we commissioned and paid for a study on digital sign brightness within the Truckee Meadows and presented the study results and recommendations to county staff. Many of our suggestions were incorporated into the draft but many important ones were not, including the brightness restrictions on digital signs.

Scenic Nevada is a non-profit, 501 (c) 3, non-partisan, all volunteer conservation group dedicated to preserving, protecting and enhancing scenic beauty in Nevada. Our organization has some experience with sign regulations. For the past 15 years we've worked toward strong sign control to protect the scenic beauty of the Truckee Meadows. In fact we have participated in the sign code updates in Reno and Sparks and also at the state level in hearings on sign regulations with NDOT and the Nevada State Board of Transportation, chaired by Governor Sandoval. In every instance Scenic Nevada has supplied information meant to benefit the community.

We have deep concerns about the impacts of the draft sign code on scenic beauty and community character in Washoe County. We believe the draft sign code, if adopted as is, would be a disservice to county residents and could add to clutter and blight in the region. Please postpone this item to allow all the information to be discussed in public meetings. We think that will lead to a more responsible sign code or at least a planning commission recommendation based on all the facts.

Below is a brief outline of our main concerns, which we are discussing with the BCC. We would like to meet with each of you to discuss these issues, too. Our hope is that when the draft code is reviewed by the planning commission, substantial changes will have been made and Scenic Nevada will be there in support.

Thanks very much,
The Scenic Nevada Board of Directors

John Hara, President
Brian Dean, Vice president
Lori Wray, Secretary/Treasurer
Marilyn Naylor, Director

Problems with the draft sign code:

- Allows exceptions for digital billboards
- Eliminates the billboard definition; removing the distinction between on- and off-premise signs
- Includes weak brightness controls pushed by the sign industry

Result: New traditional and overly bright digital billboards will be permitted

Draft code impacts:

- Provides legislation benefiting one property owner
- Those looking for a new income stream can erect a sign and collect ad revenue or lease space on their property to a billboard company for off premise advertising; a new billboard
- Could lead to more signs, increasing clutter and blight
- Contrary to Commissioners' direction to prohibit new billboards
- Conflicts with area plans, specifically the Truckee Canyon Area Plan as to off-premise signs

Solutions:

- Remove references providing for digital billboard exceptions (Sect.110.505.40 (c), page 505-14)
- Remove Regional Recreation, Travel and Tourism principal use type (Chart on 505-1, pg. 505-9) and definition of RRTT (Sect. 110.505.20 (f), pg. 505-11)
- Restore the billboard definition from Article 502 (Off-Premise Sign or Outdoor Advertising Structure (Billboard), pg. 502-3)
- Replace industry brightness standards with study recommendations submitted by Scenic Nevada and under consideration by NDOT





April 26, 2015

Board of County Commissioners
1001 E. Ninth Street
Reno, NV 89520

Re: County Sign Code Update

Dear Commissioners,

The Scenic Nevada Board of Directors believes there are fatal problems with the current draft sign code. Because of adopting a flawed legal premise not consistent with First Amendment law, the draft code eliminates the distinction between on- and off-premise signs. The result is the draft would leave county residents with a far-fetched set of regulations allowing all signs the potential of becoming billboards. And it provides special treatment, benefitting one property owner in Washoe County, under the guise of encouraging economic development.

County counsel, we believe, is properly taking a critical look at that flawed analysis. We believe the county commissioners should too. For example, if the draft code is approved as is, a special use permit could be issued for the first digital billboard to be erected in an unincorporated county area and the first new billboard allowed in 13 years.

Below is an outline of our main concerns.

Problems with the draft sign code:

- Dianda exemption - Allows exceptions for digital billboards
- So-called content neutral approach - Eliminates the billboard definition; removing the distinction between on- and off-premise signs
- Sign brightness - Includes weak brightness controls pushed by the sign industry

Result: New traditional and overly bright digital billboards will be permitted

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W. Chris Wicker
Woodburn and Wedge

150 Ridge Street
Reno, NV 89501
scenicnevada.org
info@scenicnevada.org
f/ScenicNevada

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- Restore the billboard definition from Article 502 (Off-Premise Sign or Outdoor Advertising Structure [Billboard], pg. 502-3)
- Replace industry brightness standards with study recommendations submitted by Scenic Nevada and under consideration by NDOT

RRTT (Dianda Exemption) Facts:

- Allowing a digital billboard in East Truckee Canyon is not meant to advertise or light the way for the outdoor entertainment venue, Wild West Motorsports Park
- East Truckee Canyon property owner said that a digital billboard will be used to earn income from selling off-premise advertising along Interstate 80 in East Truckee Canyon
- No evidence presented during 13 months of stakeholders meeting that a digital billboard will support economic development and diversification – the supposed “Strategic Objective” used to justify permitting a digital billboard for one property owner
- Elevates one property owner above all others by granting permission for an income stream that will be denied to others similarly situated
- Benefits one property owner, violating a state law on ethical standards
- Contrary to Commissioners’ direction to prohibit new billboards
- Conflicts with area plans, specifically the Truckee Canyon Area Plan as to off-premise signs and protecting scenic beauty
- Exposes county to risk of lawsuits on due process, equal protection and first amendment claims for a county code that allows one property owner a digital billboard to the exclusion of all others
- County staff are concerned about the Dianda rule and some stakeholders are not in favor
- Staff did not make the public aware of the above facts at public meetings

Content Neutral Facts:

- There are certain elements required for a content neutral code and eliminating the on- and off-premise distinction is NOT one of them
- County counsel acknowledges that the on- and off-premise distinction has no impact on content neutrality
- There is no benefit to eliminating on- and off-premise distinction; only harm
- U.S. Supreme Court and the Ninth Circuit Courts (which include Nevada) have said codes that distinguish between the two do not violate First Amendment rights and are content neutral
- Nevada and federal laws define and regulate on- and off-premise signs the same way as the county code does today
- Nationwide jurisdictions, overwhelmingly, distinguish between on-and off-premise signs just like the county code does today
- Neither the county’s sign code nor Nevada state law has been challenged on content neutrality
- Without this distinction, anyone can erect a sign and collect ad revenue or lease space on their property to a billboard company for off premise advertising; i.e., a new billboard
- Without an on- and off- premise distinction, all signs are potential billboards
- Almost impossible to reverse; imposing the distinction in the future will create a takings argument
- Creates an incentive to erecting signs as billboards, increasing clutter and blight

Thanks very much for adding this item to your April 28 agenda. We appreciate the county commission's advocacy, historically, for strong sign control. Taking a look at the current direction of the draft code is an example of the concern that has protected county residents from billboard proliferation for the past 13 years. We think our solutions to the flaws in this draft will benefit all county residents now and in the future. We look forward to a full and frank discussion of the issues.

Sincerely,

The Scenic Nevada Board of Directors

John Hara, President

Brian Dean, Vice president

Lori Wray, Secretary/Treasurer

Marilyn Naylor/Director





June 8, 2015

Board of County Commissioners
1001 E. Ninth Street
Reno, NV 89520

Re: County Sign Code Update

Dear Commissioners,

Staff has declined to produce a draft code that would rule out the possibility of traditional and digital billboards, despite Scenic Nevada's repeated requests and an outcry from the public against billboards and big digital signs.

The change in direction we were seeking has not been submitted to you for the June 9 meeting on the sign code update.

Instead of presenting a proper definition of billboards, staff has side-stepped the issue and re-defined billboards as all signs over 450 square feet. Staff then limits the RRTT category to 450 square feet. The result is anyone can put up a billboard as long as the size is within this new arbitrary limit. And Norm Dianda can erect a 450 square foot digital sign, flashing billboard ads every 20 seconds, 24/7 in East Truckee Canyon, where billboards are not compatible according to the master plan.

The Scenic Nevada Board of Directions believes the fatal problems with the current draft sign code will not be corrected until a proper definition for billboards is restored to the draft and the RRTT category is eliminated.

Because of adopting a flawed legal premise not consistent with First Amendment law, the draft code eliminates the distinction between on- and off-premise signs. The result is the draft would leave county residents with a far-fetched set of regulations allowing all signs the potential of becoming billboards. And it provides special treatment, benefitting one property owner in Washoe County, under the guise of encouraging economic development.

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scenicnevada.org
info@scenicnevada.org
f/ScenicNevada

Again, below is an outline of our main concerns.

Problems with the draft sign code:

- Dianda exemption - Allows exceptions for digital billboards
- So-called content neutral approach - Eliminates the billboard definition; removing the distinction between on- and off-premise signs
- Sign brightness - Includes weak brightness controls pushed by the sign industry

Result: New traditional and overly bright digital billboards will be permitted

Solutions:

- Remove references providing for digital billboard exceptions (Sect.110.505.40 (c), page 505-14)
- Remove Regional Recreation, Travel and Tourism principal use type (Chart on 505-1, pg. 505-9) and definition of RRTT (Sect. 110.505.20 (f), pg. 505-11)
- Restore the billboard definition from Article 502 (Off-Premise Sign or Outdoor Advertising Structure [Billboard], pg. 502-3)
- Replace industry brightness standards with study recommendations submitted by Scenic Nevada and under consideration by NDOT

RRTT (Dianda Exemption) Facts:

- Allowing a digital billboard in East Truckee Canyon is not meant to advertise or light the way for the outdoor entertainment venue, Wild West Motorsports Park
- East Truckee Canyon property owner said that a digital billboard will be used to earn income from selling off-premise advertising along Interstate 80 in East Truckee Canyon
- No evidence presented during 13 months of stakeholders meeting that a digital billboard will support economic development and diversification – the supposed “Strategic Objective” used to justify permitting a digital billboard for one property owner
- Elevates one property owner above all others by granting permission for an income stream that will be denied to others similarly situated
- Benefits one property owner, violating a state law on ethical standards
- Contrary to Commissioners’ direction to prohibit new billboards
- Conflicts with area plans, specifically the Truckee Canyon Area Plan as to off-premise signs and protecting scenic beauty
- Exposes county to risk of lawsuits on due process, equal protection and first amendment claims for a county code that allows one property owner a digital billboard to the exclusion of all others
- County staff are concerned about the Dianda rule and some stakeholders are not in favor
- Staff did not make the public aware of the above facts at public meetings

Content Neutral Facts:

- There are certain elements required for a content neutral code and eliminating the on- and off-premise distinction is NOT one of them
- There is no benefit to eliminating on- and off-premise distinction; only harm
- U.S. Supreme Court and the Ninth Circuit Courts (which include Nevada) have said codes that distinguish between the two do not violate First Amendment rights and are content neutral
- Nevada and federal laws define and regulate on- and off-premise signs the same way as the county code does today

- Nationwide jurisdictions, overwhelmingly, distinguish between on-and off-premise signs just like the county code does today
- Neither the county's sign code nor Nevada state law has been challenged on content neutrality
- Without this distinction, anyone can erect a sign and collect ad revenue or lease space on their property to a billboard company for off premise advertising; i.e., a new billboard
- Without an on- and off- premise distinction, all signs are potential billboards
- Almost impossible to reverse; imposing the distinction in the future will create a takings argument
- Creates an incentive to erecting signs as billboards, increasing clutter and blight

Citing commission direction, staff refuses to make the adjustments that we have been asking for the past several months. If this is the case, please give staff direction to restore the proper definition of billboards to prohibit these signs along with digital billboards. We believe many in the community support our position, based on the comments left in the county's website and recent events in the Truckee Meadows regarding billboards and large digital signs.

We think our solutions to the flaws in this draft will benefit all county residents now and in the future. We hope you discard staff's latest attempt and direct them to do the right thing for all of us.

Sincerely,

The Scenic Nevada Board of Directors
John Hara, President
Brian Dean, Vice president
Lori Wray, Secretary/Treasurer
Marilyn Naylor/Director



From: Scenic Nevada [Scenic_Nevada@mail.vresp.com]
Sent: Sunday, April 26, 2015 9:55 PM
To: Lloyd, Trevor
Subject: County Ponders Digital Billboards



Special Alert: April 26, 2015



Greetings Trevor,

What: County Commission Meeting

Where: Washoe County Complex, 1001 East Ninth St.

When: Tuesday, April 28; starting at 10 a.m.

County Commissioners will review a proposed sign code Tuesday that includes some controversial changes which would allow new billboards for the first time in 13 years in the unincorporated county areas, if approved.

Scenic Nevada is opposing the draft in its current form and we are asking the board to continue to prohibit traditional and digital billboards. Earlier this month the county's planning commission postponed action on the draft until June. Staff recommended the postponement to give the County Commissioners a chance to review the draft and consider possible new directions. It's item 10 on the Tuesday agenda. [Read the staff report here.](#)

The draft is a monumental shift from the current code, which prohibits all new billboards including digital ones. The draft was developed by county staff, with direction from county commissioners and feedback from a stakeholders' group that included Scenic Nevada. Throughout the stakeholder sessions, held last year, we consistently objected to proposed regulations allowing new billboards.

New Approach Permits Billboards

The draft code eliminates the distinction between onsite (business signs) and offsite (billboards) signs. Staff was told that reading the sign to determine if it's a billboard could be viewed by the courts as a possible First Amendment violation.

Under the draft, staff won't be looking at the sign content to determine if it's a billboard or a business sign. Anyone can apply for a permit and if it meets all the code requirements could erect a sign to sell advertising rather than display the onsite business name or products. Also, property owners could acquire a sign permit and then lease space on their property to billboard companies for billboards.

County counsel, we believe, is properly taking a critical look at that approach. We believe the county commissioners should too. Current county code includes an onsite and offsite distinction and so do most jurisdictions nationwide including the state of Nevada.

Digital Billboard Loophole

As is, the draft would leave county residents with a set of sign regulations allowing the unintended consequence of all free-standing signs potentially becoming billboards. This would be allowed even though Commissioners agreed in 2013 that billboards and digital billboards should be prohibited in the new draft.

And it provides special treatment to allow a digital billboard, benefitting one property owner in Washoe County, under the guise of encouraging economic development.

Norm Dianda's Wild West Motorsports Park would be allowed to apply for a digital sign. If granted a special use permit, the billboard would be erected in East Truckee Canyon along Interstate 80, instead of at the venue which isn't close enough to be viewed by highway drivers. The Motorsports Park is the only existing venue in the county that would be using a loophole in the regulations to get a billboard location on the freeway.

The draft would allow the Dianda billboard to be up to 45 feet tall, on a mono-poll and as large or larger than traditional roadside billboards, 672 square feet. By comparison, the draft would limit most other digital signs primarily to shopping centers on at least one acre, fronting a four-lane road. Those signs would be limited to 6 feet high, no larger than 120 square feet and must be monument style rather than a free standing poll.

Next Steps

If requested by the Commissioners, staff would rewrite the draft before submitting it to the Planning Commission in June. Let the board know how you feel, drop by the meeting starting at 10 a.m. or [click here to email commissioners](#) with your views.



Scenic Nevada | 150 Ridge Street | Reno, NV 89501 | info@scenicnevada.org | www.scenicnevada.org

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Reno, Nevada 89501
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From: Scenic Nevada [Scenic_Nevada@mail.vresp.com]
Sent: Wednesday, November 05, 2014 11:06 PM
To: Lloyd, Trevor
Subject: Digital Billboards in Washoe County?

Special Alert: Nov. 5, 2014

Greetings Trevor,
County Shifts Position; Adds Potential for New billboards

What: Open house to review county's new draft sign code
Where: Washoe County Complex, 1001 East Ninth Street, Reno
When: Thursday, November 6; 5 to 7 p.m.
Scenic Nevada is opposing the draft sign code being previewed by the public Thursday.

The draft would allow new billboards and digital billboards within the unincorporated county areas, which Scenic Nevada strongly opposes, including a special digital sign for one local business.

The changes are a monumental shift from the current code, which prohibits all new billboards including digitals. The draft was developed by county staff, with direction from county commissioners and feedback from a stakeholders' group that included Scenic Nevada. Throughout the sessions, begun a year ago, we consistently objected to proposed regulations, allowing new billboards.

The public is invited to the open house and staff will be on hand to answer questions. Comment cards also will be available or email Trevor Lloyd at tlloyd@washoecounty.us

Billboards will have a new name

If approved, the county will call all signs on polls "freestanding" signs, even billboards. Anyone who gets a permit for one can choose to advertise their own business on the sign or sell advertising space, just like a billboard. Business owners could lease space to a billboard company on their property to erect a sign and run changeable ads.

The changes were driven largely by staff's desire to simplify the sign code and create a "content neutral" approach, requested by county counsel to avoid court challenges by those claiming free speech violations. Billboards most often advertise the goods or services not sold on the property, while on-premise signs advertise the business on the property. Staff won't be looking at the sign content to determine if it's a billboard or a business sign.

Under the draft, only one freestanding sign is allowed for each parcel, and this, plus the smaller size could limit their use as billboards.

But, adding digital signs to the mix, which could electronically flash rotating ads every 20 seconds, increases the possibility that business signs could be used as digital billboards.

Also the regulations for freestanding signs are more relaxed than billboard regulations. For instance, freestanding signs can be spaced 75 feet apart under the draft rules. Billboards must be spaced 1,000 feet apart under the current code.

Big Signs for Big Business

At first staff said the signs would range in size from a mere four square feet in residential areas to 200 square feet for larger recreational, industrial and commercial businesses. Digital signs would be allowed but could only be half the size of what is permitted at the business and no bigger than 120 square feet. Digitals also require a public hearing and approval of a special use permit. Digital signs on parcels that have residential and agricultural uses are prohibited. Originally, the larger, conventionally-sized billboards, ranging from 300 to 672 square feet, also were prohibited.

That changed when staff eliminated billboard regulations in July and then in August when County Commissioners Vaughn Hartung and Kitty Jung asked for larger signs for “regional” types of land uses. Staff added new regulations, allowing signs of unlimited size for regional recreation, travel and tourism venues, with a special use permit from the county.

The commission’s new direction for bigger signs would allow local businessman Norm Dianda to erect a conventionally-sized digital billboard. Before the commission’s request, the draft code could have permitted a digital billboard for Mr. Dianda, but it would have been limited in size and had to be located at the venue.

Now, the draft code says applicants who want a sign over 300 square feet and who operate a big recreational or tourist venue can apply to the county commission. Mr. Dianda owns the Wild West Motorsports Park in the county’s East Truckee Canyon area, which qualifies him to apply.

The Wild West venue is blocked by hillsides and can’t be seen by motorists on Interstate 80. Incredibly, staff added a regulation that a larger sign could be permitted either on the “regional” property or one adjacent, if it is next to a highway, and zoned industrial or commercial. Mr. Dianda also owns the industrial property adjacent to the Wild West venue and next to I80. Under the draft code, Mr Dianda could win approvals for the first conventionally-sized digital billboard in the unincorporated County area.

Impacts on McCarran Ranch Project

The Wild West Motorsports Park is located on the north side of I80 across from the restored McCarran Ranch Project. The Nature Conservancy spent \$25 million to restore the natural meanders to the Truckee River, removing noxious weeds and planting native vegetation, “revitalizing a broken river for people and nature.” It includes a nine-mile public bike path and a bird and wildlife sanctuary. Mr. Dianda’s sign could operate, 24/7, flashing bright ads in the dark night sky, depended on by nearby wildlife and migrating birds.

Possible Court Challenges

Scenic Nevada believes the code changes will open the door to court challenges, ironically, something county counsel wanted to avoid. The county risks jeopardizing the sign code, if a new digital billboard is permitted for one applicant who fits the “regional” use type and rejected for another who does not. Anyone refused a permit for a billboard under the draft regulations likely will sue the county alleging first amendment, due process and equal protection violations.

It’s unlikely the litigious billboard industry will stand for being shut out of the most lucrative advertising locations in the county; I80 and the newly constructed I580. The industry was knocking at the door at the beginning of the process almost a year ago, when the county agreed to update the sign code. But, county commissioners said then they didn’t want new billboards, new locations or digital billboards. Commissioners had said the bright flashing signs would dim the dark night sky, were unsightly and a distraction to drivers.

Scenic Nevada’s Requests

Scenic Nevada this week asked the county for the following:

- * To reinstate both sections of the code providing needed regulations for billboards and on-premise business signs, which were tossed in favor of the new draft, Article 505.
- * Add reasonable changes developed over the past year and included in a chart to regulate business digital and non-digital signs.
- * Eliminate all the special interest regulations regarding “regional” uses.
- * Prohibit new billboards, relocations and digital billboards.

Staff said changes likely will be made to the draft as it continues through the public process. The county will hold another stakeholders meeting and a second open house; then get county planning commission recommendations before the draft heads to the county commissioners for final approval.

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Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

All Statements sorted chronologically

As of June 30, 2015, 11:09 AM



As with any public comment process, participation in Open Washoe County is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

As of June 30, 2015, 11:09 AM, this forum had:

Attendees: 187

All Statements: 60

Hours of Public Comment: 3.0

This topic started on May 20, 2015, 12:13 PM.

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

Name not available (unclaimed)

June 25, 2015, 10:39 AM

soundsgood

Name not shown (unverified)

June 24, 2015, 12:07 PM

Test

Name not available (unclaimed)

June 24, 2015, 12:07 PM

Sounds good.

Name not available (unclaimed)

June 24, 2015, 12:05 PM

Why would we draft regulation of signs?

Name not shown in District 2 (on forum)

June 12, 2015, 3:36 PM

There are about a dozen billboards between Mt. Rose highway and Andrew lane on South Virginia. About half of them are delapidated and/or have been abandoned and/or have not had advertisements on them for years. Most are low to the ground so they are regularly tagged with graffiti. Your current code addresses these conditions but there is absolutley NO enforcement of the code so the area looks blight and run down. Not good for the neighborhoods, property values or county image.

2 Supporters

Randy Collins in District 2 (on forum)

June 8, 2015, 10:39 PM

I would like to strongly go on record to opposing the draft regulations for billboard signs in Washoe County. The revision of this ordinance needs to be more in line with what the 2002 election voters voted in to restrict any new billboards and respecting the intent of the ordenice. Please recommend stronger restrictions for any billboards digital or otherwise, Thank you, Randy Collins President College Cyclery 622 So.Virginia St Reno NV

2 Supporters

Name not available (unclaimed)

June 8, 2015, 10:20 PM

I would like to strongly go on record to opposing the draft regulations for billboard signs in Washoe County. The

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

revision of this ordinance needs to be more in line with what the 2002 election voters voted in to restrict any new billboards and respecting the intent of the ordinance. Please recommend stronger restrictions for any billboards digital or otherwise, Thank you, Randy Collins 6680 Legend Vista Reno NV

John Busse in District 2 (on forum)

June 8, 2015, 6:06 PM

Compared to the grandiose scenic panorama of nature surrounding us with (snow capped) mountains desert and other views, the signs are not only a cheap detraction but outright kitsch and costly too since it cannot enhance the tourists' opinion and desire to come back to our area. How many big signs does one encounter in Europe that our traveller speak highly of when they return. Signs may be worth money to a few but detrimental to us all, the citizens of Washoe county. John Busse, Virginia Foothills.

1 Supporter

Name not available (unclaimed)

June 8, 2015, 6:05 PM

The voters already spoke on this issue and to revisit it now with the apparent intention of trying to circumvent the vote by County Staff is reprehensible. NO NEW BILLBOARDS OF ANY KIND!

Lady Jill Mueller in District 2 (on forum)

June 8, 2015, 4:59 PM

Every time these electric sign codes and petitions come up I am in here. Dear city Fathers of Reno, you have so much electric rays blasting into the night already every night from so many lights that one could almost read a book in the "dark".

I highly oppose codes allowing these horrid eyesore signs, rotating and flashing 24/7. No more, especially in south Reno and MOST IMPORTANTLY NONE in Washoe Valley! And while you're at the desk folks, review signs that are already around town that have a lot of white in them. Driving by them at night (Longley lane and south Virginia St.) it totally blinds a driver. Tighten the rules on the existing ones and set boundaries. Thanks for listening.

2 Supporters

Name not shown in District 2 (on forum)

June 8, 2015, 2:29 PM

Please uphold the current voter-supported ban on new billboards in the unincorporated Washoe County. There are already enough. Our scenery is some of the best the nation has to offer and it is being obscured by digital and static clutter from these signs. Please do not let monied special interests trump the law. Thank you

1 Supporter

Nathan Daniel in District 3 (on forum)

June 8, 2015, 11:42 AM

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

On the grounds that they degrade the natural beauty of our community and are not in the best interests of the County, I oppose any change to WC Code allowing new billboards or signs of any kind.

1 Supporter

Name not shown in District 2 (unverified)

June 8, 2015, 10:10 AM

Please do not allow any additional billboards, digital or other, in Washoe County. Please preserve our scenic Nevada.

Paul McClintock in District 2 (on forum)

June 8, 2015, 8:41 AM

Please don't allow any more billboards (digital or otherwise) to destroy our beautiful scenic Washoe County.

1 Supporter

Name not available (unclaimed)

June 8, 2015, 6:54 AM

Protect NV Landscape and beauty--NO BILLBOARDS!!!

Marilyn Naylor in District 2 (unverified)

June 7, 2015, 8:32 PM

It is my understanding that, due to lack of funding, sign code enforcement is initiated by citizen report rather than monitored regularly by Washoe County officials. The U.S Dept. of Transportation Federal Highway Administration: "Outdoor Advertising Control" includes the following requirement and objectives. Please include it in the Washoe County Code with an assigned inspection routine.

"1. Surveillance - routine route inspection and an adequate reporting system are critical for effective control. A surveillance routine utilizing an accurate inventory will result in:

- a. The discovery of new illegal signs.
- b. The detection of unlawful expansion of nonconforming signs, such as addition of lighting, addition of panels, tack-ons, etc.
- c. Starting the "clock" on the "blank sign" rule.
- d. Assurance that permits are current and that new signs are erected in the proper location, etc."

Thank you,
Marilyn Naylor

Name not shown in District 3 (on forum)

June 5, 2015, 6:04 PM

Billboards and all permutations are obsolete, ugly and unwelcome in beautiful Nevada. I would like to see them

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

regulated right out of existence.

1 Supporter

Harry Thomas in District 2 (on forum)

June 5, 2015, 5:23 PM

In my opinion, in the June meeting on this topic, Bob Lucey, Vaughn Hartung, and Jeanne Herman did NOT listen to the vast majority of their constituents. It gives me the impression that they are looking after their own interests instead.

1 Supporter

Name not available (unclaimed)

June 5, 2015, 7:54 AM

Signage is a very broad issue. Regarding business advertisements, I personally do not like to see signs promoting sexually related material, services or other related items. With regard to alcohol, tobacco and related products, again, I find it disturbing to see these advertisements or any sort. This advertising is neither healthy or positive for our young people when we as a society are trying to eliminate these issues. Signage related to political campaigns; well, it is what it is and those who are running for office need to get their information out to the public. I would like to see a little more policing of those signs however in order to maintain their appearance while posted in the various locations. They do have a tendency to get ragged after a while. Signs related to real estate, garage sales and things of the nature where those signs will only be up for a day at a time I see no issue with as long as the signs are not nailed to electrical posts, deface property or cause a traffic problem.

Name not available (unclaimed)

June 3, 2015, 7:38 PM

I think this is a bad idea. This will have a negative impact on the area. Need better controls.

Sue Smith in District 5 (on forum)

June 3, 2015, 2:06 PM

I agree with all of these remarks. Our community has changed and billboards are not compatible with what we are trying to become. Also the times have changed and billboards that take your attention off your driving and destroy the scenery should not be allowed. I hope that you will take this vote very seriously and consider what you are doing! The billboard industry is a very strong lobby and try to make you think this type of advertising is good for business. That is just wrong thinking!

1 Supporter

Name not available (unclaimed)

June 3, 2015, 12:46 PM

Having digital billboards in the county would be a mistake. They are distracting and therefore dangerous to

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

motorist, especially at night. Let's keep our county a beautiful place to live.

Eric Scheetz in District 2 (on forum)

June 3, 2015, 12:19 PM

Unfortunately signage, and especially electronic lighted signage, just like a laser being pointed into a pilots eyes or smoke being blown in your face can be a nuisance. With that said, I adamantly believe one should be able to do with their property as they will as long as they don't hurt others. I think there are times and places for signage- ie the olds harolds club signs that paid farmers to paint the sides of a barn. The Harolds Club ads were designed for rural areas and were not raised up on poles to be part of the horizon. They also were not a huge literally flashing tv screen (much as a casino or strip club neon light) that is designed to purposely catch everyone's attention- especially at night. The place for those neon signs was on the casino not in the rural area or even the rest of the city- it was just for casino property. I also agree- maybe the better way is to have a town app that as a town we provide coupons and ads to whoever drives in and wants to see the ads on their phone. Heck maybe the casual tourist is curious to learn more about our beautiful town and also wants a good deal???

Name not shown in District 1 (on forum)

June 2, 2015, 6:54 PM

Once upon a time, planners wanted to rewrite the sign code in a beautiful village at the base of the mountains. The local rulers said, "Ok, but don't allow giant electric signs because it's so beautiful here and we're proud of protecting that for future generations ".

So the planners gathered a bunch of everyday villagers and spent months revising the sign code to keep the area beautiful and business happy. But sadly, months into all their hard work, a more important villager went to a ruler and said, "I want to make a ton of gold with a giant, bright electric sign that advertises 24/7, it'll be good for us, and by that I really mean me (or something like that)." So, this ruler told the planners to make it so "...cause we owe this important villager for all his good deeds and other villagers always complain, but they don't open their purses."

The planners were stumped at first, but they stretched logic, spun wool, and proclaimed truths. Viola! They did it quickly and with a lot of assurances the new code was passed. It allowed the important villager to get his giant, bright sign in the beautiful canyon across from the newly restored river. All the rulers who originally didn't want any electric giant signs, went along with the one ruler, cause, well, it wasn't like he had a good argument as much as he was so darn adamant. And, after all, it was only one electric sign. What's the harm? And we mean well.

Everything was swell in the beautiful village until the exact second the important villager finally turned on his giant, bright, electric advertising sign. In that instant, when the canyon was forever lit with flashy advertisements 24/7, it suddenly dawned on a bunch of other villagers and the sign guy that they too deserved to make a ton of gold off bright electric signs. The sign guy, who watched the code like a hawk, exclaimed, "Hey, get this! They've codified stupid (or something like that). The new sign code says that every last one of you normal villagers can also make money off bright, flashy advertising signs just like the important villager". The normal villagers gasped, "Really, just like him?!" "Nah" the sign guy said laughing "Who are you kidding? Your bright electric signs can't be giant".

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

And with that, everyone laughed as one bright electric sign in the village became 5, which became 100, which became every sign in the village. Which is why, to this day, the grandchildren from the village at the base of the mountains are called daylight change deniers.

The End (or something like that)

1 Supporter

Name not shown in District 2 (on forum)

June 2, 2015, 8:06 AM

Reno is a beautiful place, but we do not present ourselves well. More signage is certainly not going to enhance our image. Electronic signs are an absolute "no, no". Signs in the unincorporated areas are unacceptable as well. Consider carefully as this will impact our county in an unacceptable way for years to come if more signage is approved.

Name not available (unclaimed)

June 2, 2015, 7:53 AM

Please, no signs in the unincorporated areas! I am not certain I understand all the provisions of the proposal, but I am not for more signage anywhere, but less! And certainly no electric signage. That is awful! We have a beautiful area. Let's clean up the existing signage and improve our image. Reno is a beautiful area, but we do not present ourselves well.

Mark Wray in District 3 (on forum)

May 31, 2015, 1:05 PM

The draft regulations the county staff is proposing would remove the current definition of "billboard" and allow every sign in the county to become an outdoor advertising structure. This is a legal mistake and a huge fiscal mistake. The county would become liable to pay the owner for any sign that ever has to be removed. The commission should restore the definition of a billboard that is in the existing county sign code, which is important to preventing every sign in the county from becoming a billboard.

1 Supporter

Name not shown in District 5 (on forum)

May 31, 2015, 7:51 AM

I very much support keeping the reduction of sign clutter and the regulation of digital signs(They are very distracting when you are driving.)

1 Supporter

Name not shown in District 4 (on forum)

May 30, 2015, 5:24 PM

making sure we don't have more of the extremely bright, changing, distracting lighted signs is important

Name not shown in District 2 (on forum)

May 29, 2015, 6:28 PM

All Statements sorted chronologically

As of June 30, 2015, 11:09 AM

<http://www.peakdemocracy.com/2760>

Page 8 of 14

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

Reno Sparks is a casino cesspool. Let's turn this place into a clean high tech town. Remove all the signage.

Name not available (unclaimed)

May 29, 2015, 6:21 PM

I am not up on what the current regulations require but I am certainly against any new regulations which would permit further degradations of our beautiful Truckee Meadows.

Name not available (unclaimed)

May 29, 2015, 6:10 PM

I m not up on what the current regulations require but I am certainly in favor of strong control over any regulations which would permit the degradation of the beautiful Truckee Meadows more than it has already has been.

Name not available (unclaimed)

May 29, 2015, 4:01 PM

I would advocate that there be no more billboards added to the ones currently approved. Let people enjoy our outstanding scenery.

Name not shown in District 2 (on forum)

May 29, 2015, 3:56 PM

Washoe County's Vision Statement from the mid-2000s stated, "Our vision is that by preserving and enhancing our high quality of life, Washoe County will remain a healthy, safe and compelling place in which to live, work, recreate, visit and invest." Where does sign and billboard blight fit in to preserving and enhancing our high quality of life? Visual blight from signs cheapens our community and tells the world that we are a backwards 20th Century town in a 21st Century world. Every person traveling through Washoe County carries a sign, billboard and advertiser's gold mine wherever they go...it's called a smart phone! Our previous Washoe County Mission Statement included, "Preservation of our natural resources, open spaces, and magnificent natural landscape." Just where do more signs and billboards fit in? They don't! Please follow the wishes of the voters in your community, and the wise words from your own Washoe County Organizational Values statement: "We value...PROGRESSIVE THOUGHT: We value innovation and creativity, and support an orientation for change and intelligent decision making." Please heed your own words. It's time for change and intelligent decision making. Say no to these archaic 20th Century advertising methods that destroy our scenic natural landscape. Our community will be a better place.

4 Supporters

Lori Wray in District 3 (on forum)

May 29, 2015, 1:59 PM

It's disappointing that the "highlights" included here don't provide one of the major impacts of this draft code. And that is, it will allow billboards in the unincorporated county areas for the first time in 13 years. This draft will

Sign regulations

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also allow digital billboards with a special use permit, something that county commissioners said they were against allowing. Please make changes to this draft that will define billboards properly; prohibit all new billboards, including the digital variety and change the brightness standards for the other digital signs. Protect the scenic beauty of Washoe County from the negative impacts of digital signs and billboards by changing this draft to prohibit all billboards, no matter what size they are.

4 Supporters

Name not available (unclaimed)

May 29, 2015, 12:36 PM

What do I think of draft signs? I don't think I understand what you are asking.

Ann Owen in District 4 (on forum)

May 29, 2015, 9:07 AM

I'm not in favor of these types of signs especially on the Interstate. They are a real distraction when driving especially at night.

1 Supporter

Name not available (unclaimed)

May 29, 2015, 9:05 AM

Businesses SHOULD be allowed to have a sign.

Name not available (unclaimed)

May 29, 2015, 9:04 AM

Please no electronic signs. Do not make Washoe into Clark county.

Margaret Reinhardt in District 5 (on forum)

May 29, 2015, 9:01 AM

NO MORE BILLBOARDS. Please, there are already to many and they look gaudy and trashy.

Name not shown in District 2 (on forum)

May 29, 2015, 7:59 AM

No more billboards, period!

4 Supporters

Name not available (unclaimed)

May 29, 2015, 7:35 AM

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

Signs can interfere with driving and are ugly. Regulate as much as possible or better yet eliminate entirely.

Name not shown in District 5 (on forum)

May 29, 2015, 7:22 AM

First, public opinion is unreliable when limited to those people who can access and respond to an online survey. Second, even if private land exists, how high does that private right extend, 20 ft. or 100 ft? Billboards cheapen the visual scene and document a lack of interest in either the driver or the scenery. Eliminate signs where possible.

1 Supporter

Name not shown in District 4 (on forum)

May 29, 2015, 7:08 AM

I have to agree with others, we really do not need more billboards signs. The signs just clutter up the scenery and do not really have that much impact on businesses. Electronic signs should be left to baseball fences and not visible to road traffic. They seemed to distract driving with the flashing colors. No billboards, please.

1 Supporter

Name not available (unclaimed)

May 29, 2015, 6:42 AM

Billboards in general, particularly along highways, are a distraction; electronic ones seem to be more of a distraction as the imagery can be eye-catching, but also has a tendency to slow traffic, as people try to catch the visuals; changing signs are more of a hazard in my opinion. I'd love to see fewer to NO signs along our highways!

Patrick Doyle in District 5 (on forum)

May 29, 2015, 6:16 AM

Some large digital signs are severe traffic hazards when there is a significant amount of INSTANT white; i.e. the GSR sign facing I-580. It is literally blinding at those times. The Silver Legacy sign on 4th and Virginia is as bad but not as much traffic and certainly not flowing at 80MPH. Other than that, they are simply modern billboards and any regulation should equally apply.

1 Supporter

Name not shown in District 3 (on forum)

May 29, 2015, 6:03 AM

Billboards bring areas down the same as chain link fences in front yards. Electronic billboards are dangerous near freeways and roads as they can blind the driver from seeing. I have written to the City of Reno and the Indian tribe to take down the electronic billboard on the 395 - to no avail. Electronic billboards look like strip club decor.

Sign regulations

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1 Supporter

Name not shown in District 4 (on forum)

May 26, 2015, 8:37 AM

I urge the county commissioners to leave the regulation alone (do not modify the definition of "billboards" to larger than 450 sq. ft.) AND do NOT grant exceptions, i.e. special use permit to Mr. Dianda. Please keep the voters' decision of NO MORE BILLBOARDS in the forefront of your thinking.

Thank you.

1 Supporter

Janice Flanagan in District 1 (on forum)

May 26, 2015, 7:58 AM

Washoe County needs a restrictive signage code. No more billboards/digital signs, or whatever you choose to call them to get around the ban that our voters approved by a wide margin. I understand that business owners want the public to know their location, but there are other ways to do this. If the owner of the speedway who wants digital signs needs to let people know its location, he can have concerts every weekend for a year, and I guarantee every Nevadan/Northern Californian will know where the speedway is located. He can place informational signs at exits which is what other businesses do. Please do not allow any more billboards/digital signs to be constructed in Washoe County. Thank you.

1 Supporter

Howard Goldbaum in District 3 (on forum)

May 26, 2015, 7:56 AM

Please preserve what is still special about our county and maintain the regulation to prohibit all new billboards, regardless of size. The future will thank you!

George Rapp in District 2 (on forum)

May 25, 2015, 4:33 PM

Please consider not allowing any new billboards, including digital billboards. Allowing a digital billboard based only on property use and not zoning is a very slippery slope to go down. Anyone could plead that they need this billboard to improve or advertise their business. By ignoring the zoning rules all bets are off. Thus any property owner could rightfully claim a need for a digital billboard, or any billboard. The voters were asked many years ago about billboards, and the resounding answer was NO. What part of no can't the Planning Commission and the Board of County Commissioners understand? We love northern Nevada because of its dark skies and beautiful UNOBSTRUCTED views. Lets work really, really hard to keep the skies dark and the scenic highways and biways as scenic sites and not allow commercialism to rule.

3 Supporters

Sherida Rapp in District 2 (on forum)

May 25, 2015, 4:12 PM

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

Please obey the will of the people that have already voted to deny ANY NEW BILLBOARDS Anywhere in Washoe County. This seems to come up every time some business wants to super advertise their property or service, and then commissioners want go down the road of no more scenic views, no more designations of scenic highways and no more being able to advertise to any traveler that Nevada is a beautiful and uncluttered space with natural beauty. Instead we can advertise that we have the most brilliant digital billboards back to back along all our scenic highways, ie: Mt Rose corridor. We can also claim that Reno will be brighter than Las Vegas. All billboards, especially digital are distractions - remember our new saying in Nevada - no more distractions while driving? I never use billboards, instead I use my cell phone, computer and the unimposing blue signs that tell me that there is food, lodging, shopping or gas at this exit. If these business advertise correctly, everyone knows where they are, Washoe county is not that big. Please do the correct thing and vote to stop ALL new billboards, including digital, from ever being built and destroying our views and lives in Nevada.

3 Supporters

Name not available (unclaimed)

May 25, 2015, 3:32 PM

It is aesthetically appalling, for Washoe County to change sign regulations to allow more billboards (plus digital ones!) in unincorporated areas. This is also a FINANCIAL DISASTER in a region desperately trying to ramp up tourism ... visitors won't see Peavine, the Sierra, nor our beautiful Western skies. Instead, they'll think they're on dangerous, ugly freeways in Fresno or Los Angeles.

Alan Power in District 2 (on forum)

May 22, 2015, 2:04 PM

My residence is a single family house located on a one acre lot. I fly a 6'x10' American flag on a 30' flag pole. The proportions are perfect. I fly my flag every day, weather permitting. I am proud of my flag and my country and want to share my flag with my neighbors and passers-by. A 20' flag pole would not make that possible. Also, it would be legal for someone to build a 35' tall house next to me and block my view and my flag. What is far about that. My head wants to explode every time I read about some HOA restricting the display of an American flag. Lets not go down this road.

Name not available (unclaimed)

May 22, 2015, 1:32 PM

My situation is single family residential on a one acre lot. I currently fly a 6'X10' American Flag every day, weather permitting. It is attached to a 30' flag pole located in my backyard. I am proud to fly my flag and want others to enjoy it. The proportions of the flag size and height are perfect. I have trees in my yard that are much taller than 30'. Also, a neighbor could build a house next to me that legally could be 35' tall. I think you would agree that would be much more of an eyesore than my flag.

A 20' limit on residential flag poles is not reasonable.

Name not available (unclaimed)

May 20, 2015, 10:34 PM

Sign regulations

What do you think about the draft regulation of signs? Your comments will be collected and provided to the Planning Commission and Board of County Commissioners before their meetings.

I do not feel digital signs should be put on I-80. They are distracting especially at night.

Name not available (unclaimed)

May 20, 2015, 10:22 PM

I do not think digital sign's should be allowed on I-80.
They are distracting especially at night.

Name not shown in District 5 (on forum)

May 20, 2015, 2:45 PM

Our county should have fewer signs, not more. They are an eyesore and tend to take our eyes off the road when driving. We do not need any more signs and should reduce the number currently allowed. Let's enjoy the beauty of Nevada, not billboards for fast-food restaurants.

5 Supporters

Name not available (unclaimed)

May 20, 2015, 2:41 PM

Our county needs fewer signs rather than more. Why the county wants to allow more junk signs to take our eyes off the road is beyond me. Nevada is beautiful with less signs.

Bob Tregilus in District 1 (on forum)

May 20, 2015, 2:13 PM

The County should contract with, or have a landscape photographer on staff, to evaluate placement of all outdoor signage. It's unbelievable how many potentially great photos can't be shot because there's a stupid sign in the way.

3 Supporters

From: naylorhome@charter.net
Sent: Sunday, February 01, 2015 9:14 PM
To: Lloyd, Trevor
Cc: Whitney, Bill
Subject: Thank you...

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
Just wanted to say thank you for including direction for citizen reporting in the Sign Code draft.
I am also pleased the that tagging on the Clear Channel billboard has been painted over black to match the surface.
I truly appreciate all of your willingness and effort to address public concerns.

Sincerely,
Marilyn Naylor

September 2, 2014

RE: Washoe County Proposed Sign Code

The following are comments from YESCO Electronics regarding the proposed code in Section 110.505.30: Electronic Message Display Signs.

1. Regarding Item (b): Hold times for digital billboards have been proven safe at between 4-10 second hold times. 20 second hold times are excessive, particularly given that allowed sizes are much smaller than digital billboards (a 14' x 48' billboard is 672 square feet). When you have a smaller area to communicate a message in, a user will benefit greatly from shorter hold times without jeopardizing a desired community aesthetic. We recommend showing sample hold time examples (available from YESCO or the International Sign Association) that show messages at 30, 10, 5, and 3 second hold times. If sample hold times have not been demonstrated in front of council or commission previously, we strongly encourage it. If a city is adamant about having hold times, we strongly recommend hold times of five seconds or less.
2. If you do have hold times, we do recommend putting language in there about what kind of transitions are allowed/not allowed (e.g. static only, fade, dissolve, etc)
3. Regarding item (d), we are wondering what the basis for this requirement is. If safety is the issue, EMC's have been proven to have no impact on safety on roadways with fewer than four lanes. This appears to unnecessarily prevent businesses on two lane roads from benefitting from EMCs. If proximity to residential areas is the concern, item (e) appears to have covered that. We recommend striking this provision.
4. Regarding item (h), we recommend 75% (not 50%) and no cap on square footage if the county is adamant about having a restriction on percentage of square footage that can be EMC. By restricting the size and the percentage to 50%, this could very much limit what kind of message is possible if there are any hold times required. This is particularly cumbersome if the hold time proposed (20 seconds) stands. For example, in the picture below, approximately 66% of the display is EMC. However, if hold times are 20 seconds, the driver cannot even get a functional message from the sign, and it neuters the school's ability to convey what's happening at the school. We recommend 75%, no cap on square footage, and much shorter hold times.
5. Regarding item (j), (4), we strongly recommend revising this language to be that which is listed in the International Sign Association (ISA) recommended brightness guidelines regarding measurement distance. The language that was inserted in this proposed code dangerously modifies carefully considered and formulated provisions in the ISA recommended guidelines. In the proposed language, signs are often set back 10-50' off of a DOT or a roadway property line. This is far too short of a distance for larger EMC's. Per the ISA guidelines, the measurement

distance should be listed as the square root of (the area of the sign X 100). This is our recommendation. These guidelines were formulated to allow signs to still be readable, yet trespass very little, if any, light onto adjoining properties.

Please feel free to contact me with any questions.

Mike Freeborg
Director of Government Relations
YESCO Electronics
M: 303-748-6712

September 3, 2014



INTERNATIONAL SIGN ASSOCIATION

Re: Draft Sign Code Dated August 2014

Dear Mr. Lloyd:

I am sending these comments on behalf of the Nevada Sign Association and the International Sign Association. Both associations work actively with jurisdictions to assist in the creation of reasonable and enforceable sign regulations.

We are in full support of the letter dated September 2, 2014 from Mike Freeborg with YESCO. We offer you the following additional comments in regards to Section 110.505.30 for your consideration:

- Section b: In regards to the proposed hold times of 20 seconds, recent studies indicate that on-premise EMCs do not pose a safety hazard. The recent study of on-premise digital signs in 135 locations in 4 states, done by Gene Hawkins with Texas A & M indicates the following: "the results of this study provide scientifically based data that indicate that the installation of digital on-premise signs does not lead to a statistically significant increase in crashes on major roads." I have included a copy of this study for your information.
- Section j.(4): The proposed language measures the .3 footcandle from the property line. This method will create variability in sign brightness since the property line will vary from site to site. In some locations the EMC sign may be too bright and others the sign may not be bright enough to be safely read by the intended viewer. The attached ISA recommended EMC brightness guidelines was developed by a renowned electrical engineer and is scientifically based. Therefore, we strongly recommend that the County utilize the ISA recommended methodology, which is the industry standard in EMC brightness regulations.
- Section j (6): This section requires an analysis by a licensed engineer to ensure the lighting complies with the standards. We believe that this is not reasonable or practical. The additional costs to the applicant will be substantial. We are not sure how an engineer could certify that the sign complies with the standards prior to installation. In lieu of this approach, we suggest that the owner of the sign complete and affidavit (see attached sample) upon application that certifies that they have received a copy of the regulations and if they do not comply with the operation and brightness standards that they may be subject to remedial action as stated in the code.

We appreciate your consideration of our recommendations. Do not hesitate to contact me with any questions or additional information.

Sincerely,

A handwritten signature in black ink that reads "James B. Carpentier".

James B. Carpentier AICP
Manager State & Local Government Affairs

YESCO comments on proposed Washoe County Code:

Section 110.505.30 Electronic Message Display Signs.

We recommend changing

- (b) Each message or frame on the EMD must be displayed for a minimum of 20 seconds.

To:

- (b) Each message or frame on the EMD must be displayed for a minimum of ___ seconds.

(where ___ is a number 5 seconds or less. Many business users of these signs need to communicate a variety of information to the public, that is difficult to communicate on one screen. For instance, a place that holds events might need to communicate what event it is, when it's happening, how to get tickets, directions, sponsor information, etc. That is difficult to communicate in the space allowed. Allowing a motorist to potentially see two frames of information can add a lot of value to a digital sign user without impacting safety or aesthetics, given that you've already earlier in the code declared all changes are to be 'static'.) We don't advocate for hold times in any situation, but 20 seconds is an undue restriction that unnecessarily harms business or users of the signs without benefitting the community.

In section (j), we recommend changing the following items:

- (4) The difference between the off and solid-message measurements shall not exceed 0.3 footcandles at any property line and 0.0 footcandles at any residentially zoned property line.
- (5) All permitted EMDs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be either programmed to automatically dim according to ambient light conditions, or manually adjusted to comply with the 0.3 footcandle and the 0.0 footcandle measurements as provided in subsection (4) above.

With the following language from the ISA recommended brightness guidelines, which were attached to the email.

(4) EMC Illumination Measurement Criteria: The illuminance of an EMC shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full colorcapable EMC, or a solid message for a single-color EMC. All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total squarefootage of the EMC as set forth in the accompanying Sign Area Versus Measurement Distance table. (insert table from the ISA guide OR state "All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total the following formula: ((the square root of the EMC area) x 10) feet' which equates to the same as the distances in the table.

- (5) All permitted EMDs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be either programmed to automatically dim according to ambient light conditions, or manually adjusted to comply with the footcandle measurements as provided in subsection (4) above.

Reason for recommendation: Having a 0.0 standard at property line can create some scenarios where a customer will invest in a EMC and cannot possibly test that EMC and know that it can reasonably pass the test as this standard is now written in the proposed code. Is it 0.0 between the sign and the property line between their property and the ROW? Between their property and another property? This has not been reasonably or effectively tested, as we know it. The ISA standard has been tested and formulated by reknown lighting scientists to minimize light trespass and still allow for a sign that is readable. The ISA guideline has been proven to work as an effective, enforceable guideline for brightness in many communities, while still allowing users of digital signs fair and reasonable certainty that they can buy a sign that they can actually use and that they can dim to a standard they know the sign can adhere to. In contrast, the purchaser of a sign cannot reasonably know that their EMC can meet the standard as it is written and currently proposed. It's like buying a car, but not knowing if you can actually use it on roads in your community.

Thank you for your consideration of these recommended changes.

Preparer of comments:

Mike Freeborg

Director of Government Relations

YESCO Electronics

mfreeborg@yesco.com

M: 303-748-6712