

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: 15 July 2015

SUBJECT: Revision of Sign Regulations

PRESENTER: Charles Russell Burrell

SUMMARY OF REQUEST:

In light of the June 18, 2015, decision of the United States Supreme Court in *Reed v. Town of Gilbert*, Henderson County's sign regulations, primarily found in Article VII of the Land Development Code (Chapter 42 of the Henderson County Code), should be re-examined and harmonized with the Supreme Court's opinion. In particular, sign regulations that regulated signs differently depending on the sign's content are unlikely to pass court muster.

The previous practice for this Board is to refer modifications of the Land Development Code to the Planning Board for initial work (with staff) of drafting proposed text. To the extent any of the sign regulations fall within statutorily "zoning regulations" (a term not defined by statute), they are required to be reviewed by the Planning Board.

County staff will be present and prepared if requested to give further information on this matter.

BOARD ACTION REQUESTED:

Direction to the Planning Board to review Henderson County's sign regulations, including Article VII of the Land Development Code, to propose changes to bring them into compliance with the U.S. Supreme Court's decision in *Reed v. Town of Gilbert*.

If the Board is so inclined, the following motion is suggested:

I move that the Board direct staff and the Planning Board review the County's sign regulations, and propose changes to bring the regulations in compliance with U.S. Supreme Court decisions.