

STAFF REPORT FOR PLANNING COMMISSION MEETING OF MARCH 27, 2013

FILE NO: SUP-13-019

AGENDA ITEM: F-9

STAFF AUTHOR: Kathe Green, Assistant Planner

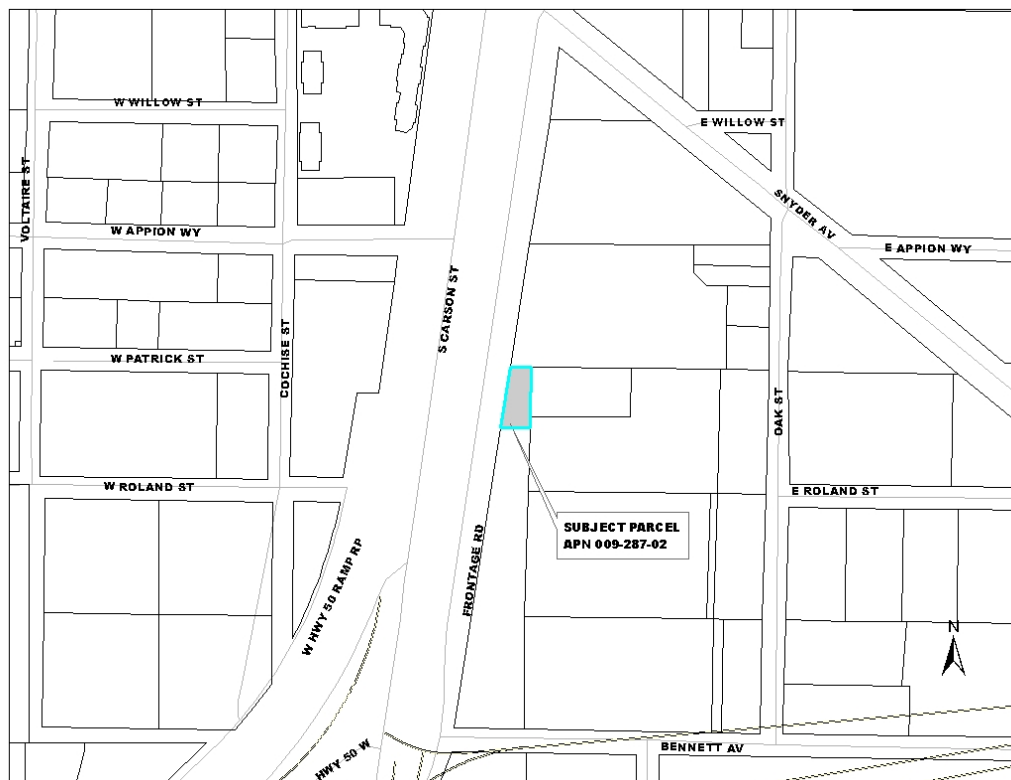
REQUEST: Special Use Permit to allow the continued use of an off-premises double faced advertising (billboard) sign with an overall height of no more than 25 feet and no more than 28 feet above the adjacent roadway, with dimensions of 10 feet by 40 feet or 400 square feet on property zoned General Commercial (GC).

OWNER: Esperanza Dufur, Guardian et al

APPLICANT: Reagan Outdoor Advertising (Guy Larson)

LOCATION/APN: 4769 S Carson Street/009-287-02

RECOMMENDED MOTION: “I move to approve SUP-13-019, a Special Use Permit request to allow the continued use of a double faced off-premises sign, at a maximum 25 feet and no more than 28 feet above adjacent street grade, with a size of 10 feet by 40 feet or 400 square feet, on property zoned General Commercial located at 4769 South Carson Street, Assessor’s Parcel Number 009-287-02 based on the findings and subject to the conditions of approval contained in the staff report.”



RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations.

The following conditions are applicable throughout the life of the billboard:

2. The maximum permitted sign height is 28 feet in height from adjacent street elevation if sign is proposed to be changed.
3. Any modifications or additions of light fixtures, excluding the replacement of light bulbs, require Planning Division approval and may require a Building Permit. Such modifications may only be done in accordance with the lighting standards of the Carson City Municipal Code. Any proposed change of lighting of the billboard shall be shielded so as not to project light and/or glare onto adjacent properties or right-of-way. A detailed lighting plan, including light fixture details ("cut sheets") must be provided with the building permit application if a light fixture change is proposed.
4. The sign support structure must be three pole design, as shown on the plans previously approved with this application, and structure must be painted an earth-tone color as approved by the Planning Division. Any change of color requires submission of proposed color samples for the structure with any building permit application for review and approval by the Planning Division.
5. This approval is for the continued use of the existing off-premise sign only. Replacement of the sign structure may only be done in accordance with the provisions of the Carson City Municipal Code for new off-premise signs, with the approval of a new Special Use Permit.
6. Without further notice, the subject special use permit shall expire the last day of March 2018, unless a new special use permit to continue the use of the off-premise sign is acquired by that date. It is the applicant's responsibility to submit a complete special use permit application in sufficient time to be scheduled for review prior to the expiration date.
7. Carson City business license fees shall be paid for the billboard and kept current at all times.
8. All portions of the billboard structure shall be maintained free of graffiti. Failure to do so may constitute cause for revocation of a business license and Special Use Permit.

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.080 (Special Use Permits); and Development Standards, Section 4.8 (Requirements for Billboards and Off-Premises Signs).

MASTER PLAN DESIGNATION: Community/Regional Commercial (C/RC)

ZONING: General Commercial (GC)

KEY ISSUES: Does the application meet the Development Standards regulations for off-premises (billboard) signs, and does the application continue to meet the required findings for approval of a special use permit? Is the proposed billboard still compatible with surrounding properties? Has the existing billboard caused material damage to surrounding properties in the past five years?

SURROUNDING MASTER PLAN/ZONING AND LAND USE INFORMATION

NORTH: General Commercial (GC)/Apartments
EAST: General Commercial (GC)/vacant
SOUTH: General Commercial (GC)/vacant
WEST: General Commercial (GC)/Carson Street, then vacant

SITE HISTORY

1. The original placement date of this billboard is prior to 1987.
2. Renewals were approved under Special Use Permits U-97/98-60, U-93/94-40 and U-87-39.
3. On February 26, 2003 the Planning Commission approved renewal of an existing off-premises (billboard) advertising sign on this site, with Special Use Permit U-02/03-31
4. On March 26, 2008 the Planning Commission approved renewal of an existing off-premises (billboard) advertising sign on this site, with Special Use Permit SUP-08-023
5. This billboard is in compliance with the current billboard ordinance.

SITE DEVELOPMENT INFORMATION

1. PARCEL AREA: .17 acres
2. EXISTING PRIMARY USE: Billboard
3. HEIGHT: Existing at approximately 25 overall above the existing grade. The distance from the bottom of the panel to the ground is approximately 15 feet. The maximum allowed height for signs is 28 feet from street elevation. This billboard height is in compliance.
4. AREA: Double faced 10 feet by 40 feet, or 400 square feet for each of the two sides. The maximum size allowed for a billboard is 400 square feet.
5. NUMBER OF FACES: Two
6. LIGHTING: There is no lighting on this existing billboard.

DISCUSSION: The subject parcel is located on the east side of South Carson Street. The billboard is the only structure currently on the site. The billboard has been at this location for several years. No known complaints or concerns have been registered regarding the location or existence of the billboard. It is noted there is an error on one of the pictures of the billboard, which states that the size of the billboard is a height of 14 feet and length of 48 feet. The actual size is 10 feet by 40 feet as stated elsewhere in the application.

The following is a review of the billboard with regard to the specific standards of Division 4 8.3:

4.8.3 – Billboard Requirements

- a. Special Use Permit Required — Approval of a special use permit is required for a billboard. — The current special use permit will expire March 2013. The applicant is requesting a renewal for an additional five year period of time from the original review date, extending this time to the last day of March 2018.
- b. Permitted Streets — Billboards are permitted along North and South Carson Street, between Douglas and Washoe Counties, US Highway 50 between Lyon county and North Carson Street, and the south side of US Highway 50 West from the Douglas County line to 660 feet (one-eighth mile) east of that point within Section 31 of Township 15N, Range 20E. This sign is located on South Carson Street.
- c. Height — The maximum permitted sign height is 28 feet from the adjacent “permitted street” elevation —The height at 25 feet is in compliance with the adjacent permitted street elevation.

- d. Number of Sign Faces — One sign face per side (single or double-faced sign) is permitted — The subject billboard is a double face sign.
- e. Zoning of the Site — New billboards are only permitted within the General Commercial (GC) or General Industrial (GI) zoning districts — The subject site is in the General Commercial (GC) zoning district. This site is in compliance for zoning. However, existing billboards that are being renewed are not required to meet this requirement.
- f. Spacing Distance — Billboards may not be located within 1,000 feet of each other. This renewal does not comply with this standard for billboards located in Carson City, as another billboard is directly west across Carson Street, at a point approximately 450 feet from this billboard. However, existing billboards that are being renewed are not required to meet this requirement.
- g. Area of Sign — The maximum permitted sign area for billboards is 400 square feet per side. This billboard measures 10 feet by 40 feet or 400 square feet and is in compliance.
- h. Separation from Certain Uses and Zoning — A billboard sign may not be closer than 300 feet to a property zoned Agriculture (A), Conservation Reserve (CR), or any residential zoning district. This proposal does comply with this standard. However, existing billboards that are being renewed are not required to meet this requirement.
- i. Downtown Redevelopment area — A billboard sign may not be within 1,000 feet of a redevelopment area. The existing billboard location is within Redevelopment Area #2 and the billboard is therefore within 1,000 feet of the nearest redevelopment area boundary. However, existing billboards that are being renewed are not required to meet this requirement.
- j. Prohibited Supporting Structures — A sign may not be attached to a roof or wall or other surface of a building. A sign must be a freestanding sign. This billboard is freestanding and is in compliance with this standard.
- k. Prohibited Characteristics and Materials — Signs cannot display three-dimensional objects, have movable reflective/lighted materials or beams, flash, be internally lit, have or simulate moving parts, nor may external lighting glare onto adjacent properties or rights-of-way. This billboard is in compliance with this standard.

PUBLIC COMMENTS: Public notices were mailed March 11, 2013 to 31 adjacent property owners within 925 feet of the subject site, pursuant to the provisions of NRS and CCMC. As of the writing of this report, no comments or letters in support or opposition to this proposal have been submitted to staff from a property owner in the vicinity. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting on March 27, 2013, depending on their submittal date to the Planning Division.

CITY DEPARTMENT / OUTSIDE AGENCY COMMENTS: The following comments were received from City departments:

BUILDING DIVISION COMMENTS: No concerns

FIRE DEPARTMENT COMMENTS: No concerns

ENGINEERING DIVISION COMMENTS: No concerns

HEALTH DEPARTMENT COMMENTS: No concerns

ENVIRONMENTAL CONTROL AUTHORITY COMMENTS: No concerns

PARKS AND RECREATION COMMENTS: No comments received

FINDINGS: Pursuant to CCMC 18.02.080 (Special Use Permits), this application is reviewed with reference to the required findings written for the record in the applicant's justification letter and reviewed below. The extension of time, if approved, would be for five years from the original approval date, to March 27, 2018.

1. The project will be consistent with the master plan elements. The continued use of the billboard is consistent with Chapter 3: A Balanced Land Use Pattern, providing employment opportunities, a diverse choice of housing, recreational opportunities and retail services.

2.

- Goal 1.1e,f: Does the project utilize sustainable building materials and construction techniques to promote water and energy conservation?

Sustainable materials were used in the construction of the billboard. It was manufactured with galvanized steel and is not lighted, thereby promoting energy conservation.

- Goal 5.2a: Does the project encourage the development of regional retail centers?

The billboard promotes economic vitality by promoting Carson City products and services along the Carson City corridor as tourists and travelers drive into Carson City.

3. The project will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

The continued use of the billboard meets this finding in that it is an existing billboard, is already located within an area zoned for commercial activity, although properties in this area are generally vacant with the exception of the apartment complex to the north of this location, and the billboard will have no negative economic impact to the surrounding commercial properties. The sign generates no significant noise, vibrations, fumes, odors, dust, glare or physical activity which could have an adverse impact on adjacent uses.

4. The billboard will have little or no detrimental effect on vehicular or pedestrian traffic. No additional vehicular and pedestrian traffic will be generated in conjunction with the existing sign that could adversely impact vehicular or pedestrian circulation in the subject area.

5. The project will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements. The existing sign will not require the extension or expansion of any public services, facilities and services.

6. The project meets the definition and specific standards set forth in Title 18 for billboards. The existing sign meets all the specific standards for the continued use of existing billboards set forth in Division 4.8 of the Carson City Development Standards.

7. The project will not be detrimental to the public health, safety, convenience and welfare. The existing sign meets all the requirements of the Carson City Municipal Code and will not be detrimental to the public health, safety, convenience, and welfare, and will cause no adverse impacts to surrounding properties.

8. The project will not result in material damage or prejudice to other property in the vicinity. The existing sign is located in an area that has not been developed yet with other commercial or industrial uses. Therefore, the continued use of the sign will not result in material damage or prejudice to other property in the vicinity.

Respectfully submitted,

DEVELOPMENT SERVICES, PLANNING DIVISION

Kathe Green

Kathe Green, Assistant Planner

Attachments:

- Application SUP-13-019
- Building Division comments
- Engineering Division comments
- Fire Department comments
- Health Department comments
- Environmental Control comments



Carson City Planning Division

108 E. Proctor St.
Carson City, Nevada 89701
(775) 887-2180
Planning@carson.org
www.carson.org

**PLANNING COMMISSION
APRIL 25, 2012**

NOTICE OF DECISION

★ CLERK ★
FILED
Time 11:35 AM
MAY - 8 2012
By K. King
Deputy
Carson City, Nevada

A Special Use Permit application, SUP-12-019, was received from Silver State Charter School (property owner: Silver State Charter School) to exceed the permitted freestanding sign height and overall sign area for an office use, on property zoned General Commercial (GC), located at 788 and 900 Fairview Drive and 900 Mallory Way, APN 009-551-03, -08, -31 pursuant to the requirements of the Carson City Municipal Code.

The Planning Commission conducted a public hearing on April 25, 2012, in conformance with City and State legal requirements, and approved SUP-12-019 based on the findings contained in the staff report and subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. The applicant shall obtain a building permit from the Carson City Building and Safety Department for any proposed construction. Contact the Building Department for approximate fees, design criteria, number of plans to submit and general assistance in the City's Building Permit process.

5. The applicant shall meet all the conditions of approval and commence the use (obtain and maintain a valid building permit) for which this permit is granted within twelve months of the date of final approval. A single, one year extension of time may be granted if requested in writing to the Planning and Community Development Department thirty days prior to the one year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.

The following shall be submitted with a building permit application:

6. The applicant shall submit a copy of the Notice of Decision and conditions of approval, signed by the applicant and owner, with any building permit application.
7. Provide a minimum of five inch high address numerals on the freestanding sign a minimum of one foot above ground level, either on both sides of the sign or on the end facing the roadway.

Conditions required to be incorporated into the proposed development plan:

8. The sign shall not be placed within any utility, access or drainage easement, and the sign shall maintain proper separation from above and below ground utilities.
9. The sign shall not block drainage, and the sign shall not block any clear vision triangles that would interfere with vehicular or pedestrian traffic.
10. ~~Any message change sequence shall be accomplished immediately or by means of fade or dissolve modes with each frame displayed for a minimum period of four seconds, and shall have no continuous, traveling or scrolling displays or movement, nor shall it have the appearance or illusion of movement of any part of the sign structure, design, pictorial segment of the sign, including the movement of any illumination or flashing, scintillating or varying of light intensity.~~
11. If the electronic message display has automatic photocell dimming capabilities based on ambient outside light, it shall be set at 75 percent of full capacity for daytime (full sun) and 40 percent for nighttime, or equivalent for other lighting technologies. The applicant will be notified by the Planning Division if the brightness must be reduced, and the applicant must comply within 10 days with a reduction in the night-time light emission to a level which is deemed acceptable to the Planning Division. If not reduced to an acceptable level, the permit shall be returned to the Planning Commission for additional review and possible reconsideration or revocation of the special use permit.
12. The applicant shall provide written certification from the sign contractor that the sign's light intensity has been factory pre-set not to exceed the limits specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Director.

13. The Special Use Permit shall be reviewed by the Planning Commission one year from approval, in April 2013, to evaluate the sign animation for possible modification of approval as it relates to deleted condition of approval #10.

This decision was made on a vote of 7 ayes, and 0 nays.



Lee Plemel, AICP
Planning Division Director

LP:sgs

Mailed by: 5/8/12

By: AMT

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION WITHIN
TEN DAYS OF RECEIPT**

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Planning Commission.


OWNER/APPLICANT SIGNATURE

5/8/2012
DATE

STEVE Koigler, Supt
PLEASE PRINT YOUR NAME HERE

RETURN TO:

Carson City Planning Division
108 E. Proctor St., Carson City, NV 89701

- Enclosures: 1. Planning Commission Notice of Decision (2 copies)-Please sign and return only one. The second one is for your records.
2. Self-addressed stamped envelope

RECEIVED

MAR 26 2013

CARSON CITY
PLANNING DIVISION

March 26, 2013

Comments from Health Department for Planning Commission meeting 04-24-13

SUP-13-025

Carson City Health and Human Services has no comments based on the application received.

SUP-12-019

Carson City Health and Human Services has no comments based on the application received.

Dustin Boothe, MPH, REHS
Carson City Health and Human Services
900 E. Long St.
Carson City, NV 89706
(775) 887-2190 ext. 7220

dboothe@carson.org