

**City of Carson City  
Agenda Report**

**Date Submitted:** November 8, 2011

**Agenda Date Requested:** November 17, 2011

**Time Requested:** 10 minutes

**To:** Mayor and Board of Supervisors

**From:** Public Works - Planning Division

**Subject Title:** For Possible Action: To introduce, on first reading, Bill No.\_\_\_\_\_, an ordinance amending Carson City Municipal Code Title 18 Appendix – Development Standards, Division 4, Signs, Section 4.8, Requirements for Billboards and Off-Premises Signs, by adding a new Subsection 4.8.7, Off-Premises Signs on City Bus Shelters, to allow advertising on passenger bus shelters subject to specific criteria. (ZCA-11-051) (Lee Plemel)

**Summary:** The proposed amendment will provide for advertising displays that are approximately four feet in width and six feet in height, and attached to existing or future transit shelters that are already positioned in the public right-of-way as an amenity to transit customers. This amendment will allow Carson City RTC the ability to sell advertising on passenger shelters for the purposes of generating income that will partially off-set the operating subsidy being contributed by Carson City to support the Jump Around Carson transit system. Currently signage on any structure within the public right-of-way is prohibited.

**Type of Action Requested:**

Resolution

Formal Action/Motion

Ordinance-First Reading

Other (Specify)

**Does This Action Require A Business Impact Statement:** ( ) Yes (X) No

**Planning Commission Action:** Recommended approval on October 26, 2011, by a vote of 6 ayes, 0nays, and 1 absent.

**Recommended Board Action:** I move to introduce, on first reading, Bill No.\_\_\_\_\_, an ordinance amending Carson City Municipal Code Title 18 Appendix – Development Standards, Division 4, Signs, Section 4.8, Requirements for Billboards and Off-Premises Signs, by adding a new Subsection 4.8.7, Off-Premises Signs on City Bus Shelters, to allow advertising on passenger bus shelters subject to specific criteria.

**Explanation for Recommended Board Action:** The Board of Supervisors, pursuant to Carson City Municipal Code, is required to take final action on all code amendments. See the attached staff report to the Planning Commission for more explanation.

**Applicable Statute, Code, Policy, Rule or Regulation:** 18.02.075 Zoning Code Amendments

**Fiscal Impact:** N/A

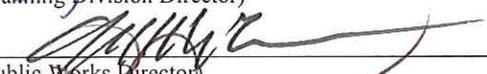
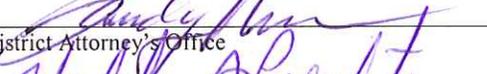
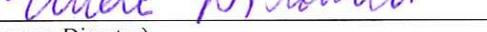
**Explanation of Impact:** N/A

**Funding Source:** N/A

**Alternatives:** 1) Refer back to staff and Planning Commission for further review.  
2) Do not introduce the ordinance (leave the code requirements the same as they are now).

**Supporting Material:** 1) Ordinance  
2) Case Record  
3) Planning Commission Staff Report

**Prepared By:** Janice Brod, Grants Program Coordinator

<b>Reviewed By:</b> 	Date: 11-8-11
(Planning Division Director)	
	Date: 11-8-11
(Public Works Director)	
	Date: 11/8/11
(City Manager)	
	Date: 11/8/11
(District Attorney's Office)	
	Date: 11/8/11
(Finance Director)	

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
2) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

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

ORDINANCE NO. 2011-\_\_\_\_

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 18 APPENDIX – DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, SECTION 4.8 REQUIREMENTS FOR BILLBOARDS AND OFF-PREMISES SIGNS, BY ADDING A NEW SUBSECTION 4.8.7, OFF-PREMISES SIGNS ON CITY BUS SHELTERS, TO ALLOW ADVERTISING ON PASSENGER BUS SHELTERS SUBJECT TO SPECIFIC CRITERIA; AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

SECTION I:

That the Carson City Municipal Code Section 4.8 of Chapter 18 Appendix of the Carson City Municipal Code is hereby amended as follows:

**4.8 Requirements for Billboards and Off-Premises Signs.**

**4.8.1 Name.**

This chapter shall be called the off-premises sign regulations.

**4.8.2 Findings.**

a. Comprehensive Regulation of Off-Premises Advertising. The Board finds and declares that the purpose of developing requirements for billboards and off-premises signs is to establish a comprehensive system for the regulation of the time, manner and place of the commercial use of billboards and off-premises signs and the gradual elimination of nonconforming off-premises signs through attrition and natural deterioration. Illegal billboards and off-premises signs are public nuisances, and unless the status is changed under this chapter to nonconformance, shall be removed and abated in the manner provided by law. It is intended that these regulations:

(1) Impose reasonable standards on the number (density), size, height and location of billboards and off-premises signs and facilitate removing or bringing into conformance existing illegal and nonconforming billboards and off-premises signs in order to:

- (a) Prevent and relieve distraction and clutter resulting from excessive and confusing billboard displays,
- (b) Safeguard and enhance property values,
- (c) Achieve the objectives of the Carson City Master Plan, and
- (d) Promote the public safety and general welfare;

- (2) Provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of Carson City which is instrumental in attracting those who come to live, visit, vacation and trade;
  - (3) Eliminate hazards to pedestrian and motorists brought about by distracting and/or unsafe billboards and off-premises signs;
  - (4) Improve, enhance and preserve the appearance and other aesthetic ~~{qualitites}~~ **qualities** of Carson City.
- b. Findings and Purpose Supplementary to Other Chapters. These findings are supplementary to other statements of findings and purpose contained in this Division.
- c. Commercial Use Defined. Commercial use of billboards and signs, as used in this chapter, means and includes, without limitation, the use of signs having some or all of the characteristics and purposes listed in this section. These characteristics and purposes tend to describe the business practices and other arrangements of the persons who are engaged in the business of off-premises advertising, or of persons who use off-premises advertising in connection with their business and nonbusiness advertising, and therefore tends to describe the types of signs intended to be regulated by this chapter.
- (1) Signs on which advertising space is sold, leased, given to or otherwise made available by the sign owner to other members of the public at large for the purpose of displaying the other person's message. The sign owner may or may not, but typically does, receive revenue or other value or benefits for allowing other persons to use the advertising space. The sign owner may or may not, but ~~{typical}~~ **typically** does not, own the land occupied by the sign;
  - (2) Signs which do not advertise the interests of the person who owns or occupies the land on which the sign is located, but which do advertise the interests of persons elsewhere. The sign message is determined by the sign owner or his lessee without regard for, and sometimes adverse to, the interests of the owners of the sign site;
  - (3) Signs owned and controlled by a person other than the person who owns or controls the land on which the sign is located;
  - (4) Signs which advertise interests or uses not present at the location of the sign;
- d. No Preferences Allowed to Particular Types of Messages.
- (1) Commercial use under this chapter is not determined by making reference to the content of the sign message to determine whether the sign advertises a commercial message or a noncommercial message. Noncommercial messages are those usually considered to be, for example, ideological, religious or political in nature. A noncommercial message does not cause a billboard or off-premises sign to no longer be a "commercial use" under this chapter. Commercial use is determined by making reference to the overall practices and arrangements of the sign owners and sign site owners in making the sign available to others.

- (2) Nothing in this chapter may be construed to allow a commercial message any preference or greater protection over a noncommercial message, or to allow one noncommercial message any preference or greater protection over another noncommercial message. Any reference to the message content of a billboard or off-premises sign, to the limited extent such reference is necessary, is made for the sole purpose of classifying and segregating the two basic types of signs regulated in this Division:
  - (a) Signs subject to the requirements of Division 4.8 and which are known variously as off-premises, off-site, nonappurtenant, nonaccessory, "outdoor advertising" or "billboards";
  - (b) Signs subject to the other sections of Division 4 and which are known variously as on-premises, on-site, appurtenant, accessory and "business" signs.

**4.8.3 New Billboards and Off-Premises Signs-Allowed Subject to Requirements.**

- a. Special Use Permit-Compliance with Other Restrictions.
  - (1) A billboard or off-premises sign not in existence as of the effective date of the ordinance codified in this chapter may only be erected subject to the Special Use Permit process set forth in CCMC Title 18, the requirements set forth in this Division, CCMC Chapter 4.04 (Business Licenses), and all other applicable requirements of local, state and federal laws.
  - (2) A Special Use Permit issued for a sign expires automatically five years from the date of issuance.
- b. Permitted Streets.
  - (1) A sign may only be erected adjacent to the following existing streets:
    - (a) North and South Carson Street, between Douglas and Washoe Counties;
    - (b) US Highway 50, between Lyon County and ~~the intersection of US Highway 50 and 395 (mile marker US 50 CC 7.00)~~ **North Carson Street.**
    - (c) 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.
  - (2) New streets or portions of streets not yet constructed but which will have the same designations and descriptions as described in subdivisions (1) (a), (b) and (c) of this subsection are not permitted streets adjacent to which such signs may be erected.
- c. Height.

- (1) Sign height may not exceed 28 feet from street elevation for new signs and from existing grade for existing signs. The street elevation to be used for measuring height is the permitted streets described in subsection 'b' of this section.
  - (2) Existing signs having a height less than 28 feet may be increased to that height only if the sign conforms to all requirements of this chapter including, without limitation, the issuance of a Special Use Permit for the added height.
  - (3) Appendages, cut-outs or other such components shall be allowed only where such appendage, cut-out or other such component:
    - (a) Does not extend more than two feet above the maximum height limitations set forth in this section; and
    - (b) The added sign area is not greater than 10 percent of the area of the maximum display surface set forth in Section 4.8.3(g).
- d. Number of Sign Faces on Each Structure--Position of Multiple Sign Faces.
- (1) The supporting structure of a sign may not contain more than one sign on each side of the structure, and each face must be parallel to the other face.
  - (2) Existing single-faced signs may have a second face added to the opposite side of the sign only if the sign conforms to all requirements of this chapter, including without limitation, the issuance of a Special Use Permit for the added sign face and the additional business license pursuant to Chapter 4.04 of the Carson City Municipal Code.
- e. Zoning of the Sign Site. The location of a sign must be zoned:
- (1) General Commercial; or
  - (2) General Industrial.
- f. Spacing Distance from Other Off-Premises Signs. A sign may not be closer than 1,000 feet in any direction to another billboard or off-premises sign. The spacing distance shall be measured by circumscribing the area around the sign by a full circle having the sign at the center of the circle and having a radius equal to the spacing distance.
- g. Area of Sign.
- (1) The area of a sign may not exceed 400 square feet.
  - (2) Existing signs having an area less than 400 square feet may be increased to that area only if the sign conforms to all requirements of this chapter including without limitation, the issuance of a Special Use Permit for the added sign area.
  - (3) Where an advertising display consists of individual letters, symbols, appendages, cut outs or other such components, or where such components are without an integrated background definition or are

not within a single circumscribed frame area, it shall be deemed circumscribed by a line frame and shall not exceed the square foot limitation imposed by this chapter or by a Special Use Permit issued pursuant to this chapter.

- h. Setback from Certain Uses and Zoning. A sign may not be closer than 300 feet to property zoned Agricultural, Conservation Reserve, or Residential (single-family or multifamily).
- i. Setback from Redevelopment Area. A sign may not be located within 1,000 feet of the Carson City redevelopment project area as presently defined in this code.
- 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.
- k. Prohibited Characteristics and Materials.
  - (1) No three-dimensional objects and no movable reflective materials may be used on a sign.
  - (2) A sign may be illuminated if:
    - (a) No direct rays of light project into residences or streets;
    - (b) The source of light is external from and not attached to or part of the display surface.
  - (3) Flashing, animated or intermittent illumination is not allowed on a sign.
  - (4) Moving or rotating parts or beams of light are not allowed on a sign.
  - (5) Lights which simulate or create the effect of motion or which change numbers-of- or letters are not allowed on a sign.

#### 4.8.4 Existing Signs--Allowed to Continue in Existence Subject to Requirements.

- a. Special Use Permits for the continuance of a nonconforming sign are subject to denial or approval in accordance with the requirements for new signs as set forth in Section 4.8.3.
- b. A Special Use Permit for continuance of a nonconforming sign may not be denied on account of a sign failing to comply with the following requirements:
  - (1) The spacing distance specified in Section 4.8.3.(f)
  - (2) The setback distance from certain zoning areas and uses specified in Sections 4.8.3(h) and (i).
  - (3) The zoning requirement in Section 4.8.3(e).
- c. Any order to remove a sign adjacent to a primary or interstate highway is not effective unless the order has been submitted to the Nevada Department of Transportation (NDOT) for review and the Department has determined that

the removal will not subject the State to highway funding penalty provided for in Title 23, United States Code, Section 131.

**4.8.5**      Maintenance and Repair of Signs.

- a.      Reestablishment or Repair of Nonconforming Sign after Major Damage. A sign which does not conform to the requirements of this chapter for new signs may be continued in existence, repaired and maintained subject to the following limitations:
  - (1)      A sign damaged by storm, fire, wind, lightning, earthquake or other natural causes, or negligence of a person to an extent greater than 50% of its depreciated replacement cost shall not be repaired or reestablished.
    - (a)      The extent of damage is determined by the cost to repair, rebuild and reestablish the damaged physical components of the sign in conformance with the Building Code as currently adopted by Carson City, so as to make the sign able to display the same sign face as existed before the damage.
    - (b)      The depreciated replacement cost is determined by the cost (to the same person who would perform the repair and rebuilding using the same materials, labor and equipment as would be used in the repair and rebuilding of the damaged sign) to build and replace the sign new, less depreciation.
    - (c)      The costs are limited to the costs of the physical components of the sign and the cost of labor and equipment in performing work on those components.
    - (d)      In comparing the costs of damage (subsection (a) (1) (a) of this section) to the depreciated replacement cost (subsection (a) (1) (b) of this section) like materials, like equipment and like labor shall be compared in order to make a valid and consistent comparison. New materials may not be compared to used materials; free or low-cost materials may not be compared to full-price materials, personal labor may not be compared to hired labor; sign owner-supplied labor or equipment may not be compared to contractor-supplied labor or equipment; inconsistent cost comparisons of any kind are not allowed in making the determinations required by this section.
    - (e)      If the building official determines that the professional services of an engineer, appraiser, cost estimator, contractor or other appropriate person are necessary to determine the extent of damage and the depreciated replacement cost, he shall notify the owner of the sign who, as a condition of applying for a building permit to perform work on the damaged sign, shall acknowledge the owner's responsibility to pay reasonable fees incurred as a result thereof. No permit of the repair, rebuilding or reestablishment of the sign may be issued until the fees have been paid by the owner.

- b. Building Permit Exemptions for Nonstructural Work. Building permits are not required for:
  - (1) Painting or changing of copy on the display surface.
  - (2) Maintenance and repair work involving superficial, essentially nonstructural work such as painting, applying liquid preservatives, replacing light bulbs, tightening and adding fasteners, replacing walking deck, skirting, display panels, border trim on poster panels and similar work that does not involve additions, deletions, reinforcement, replacement, substitution or other changes of structural components that support the display surface of a sign, or which involve a change in materials, design or configuration of the original structural design.
  - (3) Appendages or cut-outs if:
    - (a) The added sign area of the addition is not greater than 10% of the area of the maximum display surface set forth in Section 4.8.3(g); and
    - (b) The addition does not extend more than two feet in height above the maximum height limitation set forth in Section 4.8.3(c).
- c. Building Permits Required for Structural Work. Building permits are required for any work involving additions, deletions, reinforcement, replacement, substitution or other changes of structural components that support the display surface of a sign, or any work involving a change in materials, or configuration of the original structural design.

#### 4.8.6

##### Applicability of Other Laws--Severability.

- a. If other chapters of the Development Standards, Title 18, or state or federal laws impose more restrictive requirements on the construction of new signs or on the continuance of existing signs, the more restrictive law shall apply except:
  - (1) Removal of a nonconforming sign is not required if the only nonconformities are the excepted requirements of Section 4.8.3(e); and
  - (2) A more restrictive requirement shall not apply if the requirement violates the prohibitions against giving preferences or greater protection for particular messages, as described in Section 4.8.2, so as to avoid violation of the First Amendment of the Constitution of the United States.
- b. In the event the administrative and other chapters of Title 18 or the Development Standards are invalidated, the procedures and requirements provided for performing work on buildings and structures generally as provided for in other titles, chapters or divisions of this code shall apply to work performed on a sign.
- c. If any provision of this Division is declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way affect the

remainder of this chapter or any section thereof, it being intended that the remainder shall remain in full force and effect.

**4.8.7**

**Off-Premises Signs located on City Bus Shelters**

- a. **Notwithstanding the prohibitions included in Section 4.5, Restricted and/or Prohibited Signs, Subsection 4.5.1, Signs on Trees, Shrubs, Traffic Control Signs, or Utility Poles, this section authorizes the placement of off-premises advertising signs on authorized Carson City bus shelters located within the right-of-way and on private property.**
  
- b. **Off-premise advertising signs on bus shelters shall only be allowed in non-residential zoning districts.**
  
  
  
  
  
  
  
  
  
  
- c. **Off-Premise advertising signs shall be prohibited on transit bus shelters in the following areas:**
  - (1) Historic District;**
  - (2) Residential zoning districts;**
  - (3) Within 100 feet of any residentially zoned property.**
  
- d. **Sign Permits may be required for off-premise advertising signs on transit bus shelters.**
  
- e. **Off-Premise transit bus shelter advertising signs shall be subject to the Carson City Regional Transportation Commission (RTC) Advertising Policy.**
  
- f. **Requirements for Carson City bus shelter signs:**
  - (1) The maximum size for an advertising sign is four feet by six feet (24 square feet).**
  - (2) Internal sign illumination is prohibited; any external lighting shall be shielded and must be downward.**
  - (3) No signs resembling any traffic control device, official traffic control sign, or emergency vehicle marking shall be permitted.**
  - (4) No banners or flying paraphernalia signs shall be permitted.**
  - (5) No signs that produce sound, noise, smoke or vapor shall be permitted.**
  - (6) Electronic reader board signs are prohibited, excluding signs that provide information on bus schedules and fares.**
  - (7) Roof mounted signs are prohibited.**

(8) Sign placement is limited to one side of the bus shelter only.

(9) Graffiti abatement shall be the responsibility of the RTC.

(10) Advertising may be permitted on transit bus shelters authorized to be in the public right-of-way as long as the sign does not create a physical or visual hazard to motorists.

SECTION II:

No other provisions of Title 18 Appendix of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on \_\_\_\_\_, 2011.

PROPOSED BY Supervisor \_\_\_\_\_

PASSED \_\_\_\_\_, 2011.

VOTE:

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
ROBERT L. CROWELL, Mayor

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder

**CARSON CITY PLANNING COMMISSION**

**CASE RECORD**

**MEETING DATE:** October 26, 2011

**AGENDA ITEM NO.:** H-2

**APPLICANT(s) NAME:** N/A  
**PROPERTY OWNER(s):** N/A

**FILE NO.** ZCA-11-051

**ASSESSOR PARCEL NO(s):** N/A  
**ADDRESS:** N/A

**APPLICANT'S REQUEST:** For Possible Action: To make a recommendation to the Board of Supervisors regarding an ordinance amending the Carson City Municipal Code Title 18 Appendix – Development Standards, Division 4, Signs, Section 4.8, Requirements for Billboards and Off-Premises Signs, by adding a new Subsection 4.8.7, Off-Premises Signs on City Bus Shelters, to allow advertising on passenger bus shelters subject to specific criteria.

**COMMISSIONERS PRESENT:**     KIMBROUGH     ESSWEIN     SATTLER  
    DHAMI                     SHIRK                     VANCE                     WENDELL

**STAFF REPORT PRESENTED BY:** Jennifer Pruitt  
**STAFF RECOMMENDATION:**             APPROVAL  
**APPLICANT REPRESENTED BY:** Ken Smithson

REPORT ATTACHED

APPLICANT/AGENT SPOKE  
AND WAS PRESENT

**APPLICANT/AGENT INDICATED THAT HE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.**

No persons spoke in favor or in opposition of the proposal.

**DISCUSSION, NOTES, COMMENTS FOR THE RECORD:**

**MOTION WAS MADE TO RECOMMEND APPROVAL**

**MOVED:** Dhami    **SECOND:** Esswein    **PASSED:**    6/AYE    0/NO    /ABSTAIN    1/ABSENT

**SCHEDULED FOR THE BOARD OF SUPERVISORS**

**DATE:** November 17, 2011

## STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF OCTOBER 26, 2011

FILE NO: ZCA-11-051

AGENDA ITEM: H- 2

STAFF AUTHOR: Jennifer Pruitt, Principal Planner

APPLICANT: Carson City Planning Division

**SUBJECT:** Action to recommend to the Board of Supervisors the approval of ZCA-11-051, a Zoning Code Amendment amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, by adding a new subsection, Subsection 4.8.7, Off-Premise Signs located on City Bus Shelters and other matters properly related thereto.

**RECOMMENDED MOTION:** “I move to recommend to the Board of Supervisors the approval of ZCA-11-051 a Zoning Code Amendment amending the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, by adding a new section, Section 4.8.7, Off-Premise Signs located on City Bus Shelters, based on the findings contained in the staff report.”

### DISCUSSION:

A Zoning Code Amendment is required for the following reason:

- Pursuant to the Carson City Municipal Code 4.5.1, no signs shall be affixed to trees, shrubs, traffic control signs or support structures, utility poles, or any structure within the public right-of-way except as expressly permitted by other provisions of this Division. This essentially prohibits signage on passenger shelters, since they are in many instances within the Carson City right-of-way.

This Zoning Code Amendment item was initially before the Planning Commission on August 31, 2011, as a discussion only item. The following are the major items addressed at the previous meeting:

1. The number of bus shelters in Carson City.

*There are 170 bus stops in Carson City and 15 of those bus stops have bus shelters. As noted by Ken Smithson, Carson City Transit Coordinator, it is anticipated that five new bus shelters every year will be installed, if funding is available. See map of the existing and proposed bus shelters attached.*

*Of the 15 existing bus shelters and the proposed six bus shelters for next year, there are two locations that would be eliminated for potential signage due to the criteria proposed in the ordinance. Specifically, the locations are the Russell Way location and the Seven Star Mobile Home location. Approximately 90% of the existing and proposed bus shelters would meet the proposed criteria.*

2. Are the bus shelters graffiti targets?

*Per the information provided by staff, Public Works has an aggressive anti-graffiti program. Ken Smithson noted that the Regional Transportation Commission is committed to keeping the signage clean and graffiti free.*

3. The number of signs per bus shelter?

*Staff acknowledged that the signage would be limited to one sign panel (six feet by four feet) per appropriate shelter only. This will minimize the possibility of the signage blocking views from the bus shelters. The intention of the signage is to be visible from the street and also for the signage to be pedestrian friendly.*

4. Reader Boards.

*The topic of reader boards was discussed briefly at the August meeting. As noted in the presentation from the Planning Division staff, reader boards in this instance are not appropriate and should be prohibited on Bus Shelters for the following reasons:*

- *A majority of the bus shelters are within the right-of-way and reader boards on the bus shelters are not necessary.*
- *Carson City prohibits flashing, animated or intermittent illumination related to all off-premise signage.*
- *The intent of the proposed signage is for advertising purposes that does not result in vehicular distraction, non effective signage or visual clutter.*

5. Content regulation.

*As noted by staff, the Carson City Regional Transportation Commission has an existing advertising policy and the proposed signage will be subject to the restrictions identified in the approved policy. The policy is the same policy that is currently used to regulate the advertising allowed on the Jump Around Carson buses.*

*The Carson City District Attorney's office has reviewed the proposed ordinance and provided no comments or suggested amendments to the proposal.*

The primary purpose of this modification is to amend the Sign ordinance to allow the Carson City Regional Transportation Commission the opportunity to sell advertising for the placement of the advertising on the bus passenger shelters. The purpose of the advertising would generate income that will partially off-set the operating subsidy being contributed by Carson City to support the Jump Around Carson transit program.

Jump Around Carson (JAC) is Carson City, Nevada's public transit system serving the community with a fleet of bright green and purple buses that feature a sleek, hopping jackrabbit (a Northern Nevada icon). JAC began operating in October 2005 and is governed by the Carson City Regional Transportation Commission. The JAC system features the JAC fixed route system as well as JAC Assist, a curb-to-curb program that provides transportation for eligible persons with disabilities.

The proposed amendment will be subject to the Carson City Regional Transportation Commission Advertising Policy which was approved May 12, 2010. (see attached).

**PUBLIC NOTIFICATION REQUIREMENTS:** Public notices were published in the newspaper for the Zoning Code Amendment in accordance with the provisions of NRS and CCMC 18.02.045. As of October 14, 2011, no written comments have been received either in support or opposition of this application. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

**OTHER CITY DEPARTMENT COMMENTS:** The following comments were received from various city departments.

Fire Department:

- No comments.

Health Department:

- No comments

Parks and Recreation Department:

- No comments

**LEGAL REQUIREMENTS:** CCMC 18.02.050 (Review); 18.02.075 (Zoning Map Amendments and Zoning Code Amendments).

**FINDINGS:** Staff recommends the following findings for approval pursuant to the Carson City Municipal Code Section 18.02.075(5), Zoning Map Amendments and Zoning Code Amendments.

The Commission, in forwarding a recommendation to the Board for approval of a Zoning Code Amendment shall make the following findings of fact:

1. ***The proposed amendment is in substantial compliance with the goals, policies and action programs of the Master Plan.***

Rationale: At least two of the basic principles of the City's Vision and Master Plan emphasize the need for pedestrian- and transit-oriented development, namely, Theme 4, "Livable Neighborhoods & Activity Centers" and Theme 5, "A Connected City." Passenger shelters are integral in establishing a 'presence' for public transit and are highly recognized in the community by both drivers and users of the sidewalk system. As the City promotes transit-supportive development by a mix of uses, pedestrian orientation and higher density along major travel corridors, it will be crucial to install and maintain passenger amenities to enhance the pedestrian environment served by transit. The proposed amendment will allow the Carson City RTC to maximize the potential of its capital investment by placing eye-catching advertising displays on passenger shelters that are already located in the public right-of-way for transit purposes.

2. ***The proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.***

Rationale: The proposed amendment will provide for advertising displays that are approximately four foot in width and six foot in height, and attached to existing or future transit shelters that are already positioned in the public right-of-way and on private property as an amenity to transit customers. Although such displays will be visible from the street, they are primarily pedestrian-oriented and very 'low profile' in comparison to traditional billboard advertising. They will be panel advertisements on corrugated plastic or aluminum in an attractive frame, with no electronic messaging or back lighting to cause distraction or disturb the night sky or other character-defining features of the area.

It is anticipated that the proposed amendment will not have a detrimental impact to other properties in the vicinity.

3. ***The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.***

Rationale: The proposed amendment will provide a revenue-generating capability that will help to partially off-set the subsidy required from Carson City to support the transit system, which clearly benefits the City and its citizens. Ensuring a much needed revenue stream, while presenting the public with attractive advertising displays – which include strict guidelines for content and maintenance – will improve both the riding and boarding experience of transit customers, as well as raise the awareness and visibility of public transit in Carson City. The shelter advertising program will be managed by the Nevada Appeal in conformance with the Advertising Policy adopted by the Carson City RTC in May 2010, in the same manner as the current bus advertising program.

The proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

Respectfully Submitted,  
PUBLIC WORKS, PLANNING DIVISION

*Jennifer Pruitt*

Jennifer Pruitt, AICP, LEED AP  
Principal Planner

Attachment:

- 1) Draft ordinance  
Application ZCA-11-051  
Planning Commission minutes August 31, 2011  
Bus Shelter location maps

**Carson City Regional Transportation Commission (CCRTC)  
 Equipment Inventory List  
 (Updated 11/01/2010)**

DESCRIPTION	LOCATION
20' Passenger Shelter	N. Plaza St. Transfer Point (northbound)
9' Passenger Shelter	Hot Springs Rd. Northgate (northbound)
9' Passenger Shelter	Carson Tahoe Regional Medical (main entrance)
9' Passenger Shelter	Western Nevada College (Cedar Bldg.)
9' Passenger Shelter	College Parkway Burger King (eastbound)
9' Passenger Shelter	Hot Springs Rd. Walmart (northbound)
9' Passenger Shelter	Beverly Dr. Senior Center (eastbound)
9' Passenger Shelter	Little Ln. NDOT (westbound)
9' Passenger Shelter	Curry St. Fandango (southbound)
9' Passenger Shelter	Curry St. Fandango (northbound)
20' Passenger Shelter	Old Clear Creek Rd. Costco (eastbound)
9' Passenger Shelter	N. Plaza St. Transfer Point (northbound)

9' Passenger Shelter	Roop St. Library (southbound)
9' Passenger Shelter	Roop St. Community Center (northbound)
9' Passenger Shelter	Long St. Carson Plaza (westbound)

**From:** Jennifer Pruitt  
**To:** Kathe Green  
**Date:** 9/7/2011 11:35 AM  
**Subject:** Fwd: shelter locations  
**Attachments:** JAC Shelters - Aug 2011.xlsx

Jennifer Pruitt, AICP, LEED AP BD+C  
Principal Planner  
Planning Division  
108 E. Proctor Street  
Carson City, NV 89701  
(775) 283-7076  
fx (775)887-2278  
jpruitt@carson.org

**\*\*Please note my new email address, new phone number and our new mailing address\*\***

>>> Ken Smithson 8/23/2011 8:58 AM >>>

Lee/Jennifer,

Attached are the current shelter locations. Other potential locations in the next year or so:

1. Airport Road, south of U.S. 50 (in front of Save Mart, both sides of the street)
2. Winnie Lane, east of Carson (at Frontier Plaza)
3. Carson Street, south of Hot Springs (in front of Safeway)
4. Russell Way, south of Northridge (at the new Christina Court and Recreation Center developments)
5. Koontz Lane, east of U.S. 395 (at Seven Star Mobile Home Park)
6. California Street, north of Colorado (at Southgate Apartments)

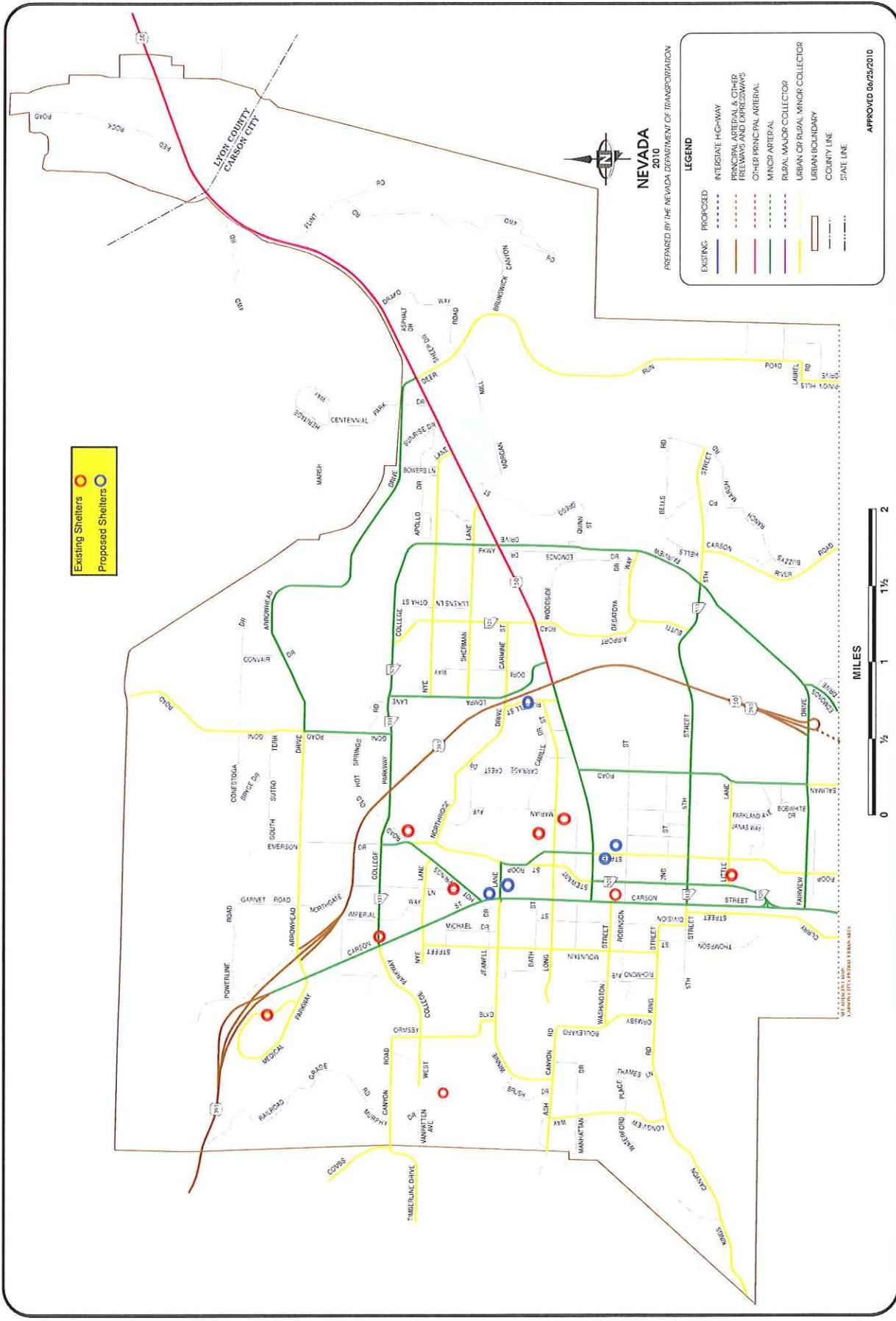
Let me know if you have any questions.

Thanks,  
Ken

Ken Smithson  
Transit Coordinator  
Carson City, Nevada  
(775) 283-7583  
[ksmithson@carson.org](mailto:ksmithson@carson.org)

# NORTHERN URBAN AREA CARSON CITY, NEVADA

## ROADWAY FUNCTIONAL CLASSIFICATION



Existing Shelters (Red Circle)  
Proposed Shelters (Blue Circle)

NEVADA 2010  
PREPARED BY THE NEVADA DEPARTMENT OF TRANSPORTATION

**LEGEND**

EXISTING	PROPOSED
INTERSTATE HIGH-WAY	INTERSTATE HIGH-WAY
PRINCIPAL ARTERIAL & OTHER FREeways AND EXPRESSWAYS	PRINCIPAL ARTERIAL & OTHER FREeways AND EXPRESSWAYS
OTHER PRINCIPAL ARTERIAL	OTHER PRINCIPAL ARTERIAL
MINOR ARTERIAL	MINOR ARTERIAL
RURAL MAJOR COLLECTOR	RURAL MAJOR COLLECTOR
URBAN OR RURAL MINOR COLLECTOR	URBAN OR RURAL MINOR COLLECTOR
URBAN BOUNDARY	URBAN BOUNDARY
COUNTY LINE	COUNTY LINE
STATE LINE	STATE LINE

APPROVED 04/25/2010

MILES  
0 1/2 1 1 1/2 2





# CARSON CITY FIRE DEPARTMENT

*"Service with Pride, Commitment, Compassion"*

## MEMORANDUM

RECEIVED

SEP 22 2011

CARSON CITY  
PLANNING DIVISION

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: September 21, 2011

SUBJECT: AGENDA ITEMS FOR OCTOBER 26, 2011 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the October 26, 2011 Planning Commission Meeting and have the following comments:

- SUP-06-164 Herman Bauer, 4440 Hwy 50 East We have no concern with this request.
- ZCA-11-051 Planning Division We have no comment in regards to this request.

DL/11b



# CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE COUNTY

**RECEIVED**

AUG 31 2011

CARSON CITY  
PLANNING DIVISION

## MEMORANDUM

To: Lee Plemel, Planning Director  
Jennifer Pruitt, Senior Planner

From: Roger Moellendorf, Parks and Recreation Director  
Vern L. Krahn, Park Planner

Subject: Parks and Recreation Department's comments for the Wednesday, August 31, 2011,  
Planning Commission meeting

Date: August 25, 2011

H-1 ✓ ZCA-11-051 ✓	No Comments
H-2 ✓ ZCA-11-049 ✓	No Comments
H-3 ✓ ZCA-11-050 ✓	No Comments

RECEIVED

JUL 28 2011

Carson City Planning Division  
108 E. Proctor Street • Carson City NV 89701  
Phone: (775) 887-2180 • E-mail: [planning@carson.org](mailto:planning@carson.org)

For Office Use Only:

**ZONING CODE AMENDMENT**

FILE # ZCA - 11 - 051

FEE: \$3,250.00 + noticing fee

- Application Form, Written Project Description and Supporting Documentation
- 6 Completed Application Packets (1 Original + 5 Copies)

Carson City Public Works (Transit)

APPLICANT

3505 Butti Way, Carson City, NV 89701

MAILING ADDRESS, CITY, STATE, ZIP

(775) 887-2355

(775) 887-2112

PHONE #

FAX #

[ksmithson@carson.org](mailto:ksmithson@carson.org)

E-MAIL ADDRESS

Application Reviewed and Received By:

*J. Smith*

Submittal deadline: see attached PC application submittal schedule.

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional Information may be required.

Requested Amendment to Development Standards: \_\_\_\_\_ or Title 18 Division 4 - SIGNS

To amend Division 4.5.1 - Restricted and/or Prohibited Signs, to except passenger shelters owned and maintained by Carson City in the public right-of-way for the provision of public transit services.

Also request a waiver to the application and noticing fee.

Required Findings: Title 18 of the Carson City Municipal Code (CCMC) requires that the applicant must present evidence justifying the revision to the Code, that the proposed addition/deletion will be consistent with the objectives of the Master Plan and will not be detrimental to the surrounding properties. A statement relative to findings from Page 2 **MUST** be included herewith, or on an attached sheet.

Please remember that the requested code revision will affect all of Carson City and not only your parcel of land. Present your statement with that in mind. In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal.

Consistent with the current bus advertising program, Carson City RTC wishes to have the option to sell advertising on passenger shelters for the purpose of generating income that will partially off-set the operating subsidy being contributed by Carson City to support the JAC transit system.

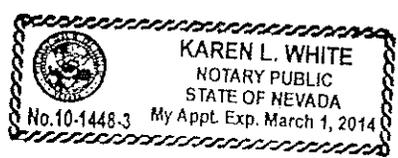
Division 4.5.1 could be amended to read similarly to Division 4.5.6, namely, "The provisions of this section shall not be applicable to signs affixed to stationary structures of public carriers operating within the city."

ACKNOWLEDGMENT OF APPLICANT:

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

*Robert Rutter*  
Applicant's Signature

8/8/11  
Date



*Karen L. White*  
3-1-2014

## APPLICATION FOR A CHANGE IN THE ZONING CODE

### WHAT ARE THE "FINDINGS" THAT MUST BE SUPPORTED?

The Carson City Municipal Code (CCMC 18.02.075) sets out the required findings.

1. That the proposed amendment is in substantial compliance with and supports the goals and policies of the Master Plan.

At least two of the basic principles of the City's Vision and Master Plan emphasize the need for pedestrian- and transit-oriented development, namely, Theme 4, "Livable Neighborhoods & Activity Centers" and Theme 5, "A Connected City." Passenger shelters are integral in establishing a 'presence' for public transit and are highly recognized in the community by both drivers and users of the sidewalk system. As the City promotes transit-supportive development by a mix of uses, pedestrian orientation and higher density along major travel corridors, it will be crucial to install and maintain passenger amenities to enhance the pedestrian environment served by transit. The proposed amendment will allow the Carson City RTC to maximize the potential of its capital investment by placing eye-catching advertising displays on passenger shelters that are already located in the public right-of-way for transit purposes.

2. That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.

The proposed amendment will provide for advertising displays that are approximately 4' in width and 6' in height, and attached to existing or future transit shelters that are already positioned in the public right-of-way as an amenity to transit customers. Although such displays will be visible from the street, they are primarily pedestrian-oriented and very 'low profile' in comparison to traditional billboard advertising. They will be panel advertisements on corrugated plastic or aluminum in an attractive frame, with no electronic messaging or back lighting to cause distraction or disturb the night sky or other character-defining features of the area.

3. That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

The proposed amendment will provide a revenue-generating capability that will help to partially off-set the subsidy required from Carson City to support the transit system, which clearly benefits the City and its citizens. Ensuring a much needed revenue stream, while presenting the public with attractive advertising displays – which include strict guidelines for content and maintenance – will improve both the riding and boarding experience of transit customers, as well as raise the awareness and visibility of public transit in Carson City. The shelter advertising program will be managed by the Nevada Appeal in conformance with the Advertising Policy adopted by the Carson City RTC in May 2010, in the same manner as the current bus advertising program.

Current JAC Shelter Locations:

N. Plaza St. @ Federal Bldg. (2)  
Roop St. @ Library  
Beverly Dr. @ Senior Center  
Hot Springs Rd. @ Northgate  
Hot Springs Rd. @ Walmart  
Carson-Tahoe Regional Medical Center (main entrance)  
College Parkway @ Burger King  
Roop St. @ Community Center  
Long St. @ Carson Plaza  
Western Nevada College @ Cedar Bldg.  
Little Ln. @ NDOT  
Curry St. @ Galaxy Fandango  
Old Clear Creek Rd. @ Fuji Park  
Curry St. @ Casino Fandango

it's nacho bus!

Rosa's Cafe &  
Tortilla Factory



CARSON CITY REGIONAL TRANSPORTATION COMMISSION  
ADVERTISING POLICY

RECEIVED

AUG 09 2011

CARSON CITY  
PLANNING DIVISION

PURPOSE

The Carson City Regional Transportation Commission (CCRTC) finds that the sale of advertising space on designated CCRTC venues is a practical and desirable means of generating revenue, which assists CCRTC in providing more economical transportation to the citizens in its service area. CCRTC sells advertising space solely for the purpose of raising additional revenue for its operations. CCRTC's advertising spaces are **not** dedicated as a public forum to the promotion or debate of political, social, religious or other unsettled public issues. CCRTC enacts this policy to establish the standards for advertisements acceptable for internal or external display on CCRTC vehicles, property and other designated locations.

POLICY

- A. Content CCRTC's advertising spaces may be used only for advertisements:
1. Proposing a commercial transaction involving lawful goods or services in the Carson Area Metropolitan Planning Organization (CAMPO) area; and
  2. Promoting, in a secular and non-sectarian manner, the programs of CCRTC and/or other community agencies.

Said advertising shall be subject to the following restrictions:

- a. **CCRTC does not accept any advertising for political, social or religious messages or campaigns; or advertising designed to debate or advocate positions on unsettled issues of public concern.** CCRTC is a governmental entity, providing services to the general public and supported in part by public funds, and should remain neutral in all political contests and all debates involving social, religious and public issues. In addition, history has shown that advertising of controversial issues can generate disputes among passengers, who are often a captive audience, which can impede the efficient operation of transportation services. Controversial advertising can also provoke vandalism of advertising materials and associated CCRTC property. Such advertising, if accepted, can discourage use of CCRTC advertising space by other commercial advertisers who do not desire to be associated with controversial advertisements, with resultant loss of revenue to CCRTC. Therefore, to promote CCRTC's interests, CCRTC will not accept such advertising. For example and illustration only, CCRTC does not accept advertising from any advertiser relating to population control, family planning, reproductive rights,

*Advertising Policy*

*Approved by CCRTC: May 12, 2010*

contraception, abortion or euthanasia. It does not accept advertising criticizing, praising or debating governmental programs, proposals or activities; or relating to drug legalization, gun control, immigration, environmental controversies or similar contentious and unsettled topics of public debate. This list of examples is not intended to be all-inclusive. Advertising containing hidden, obscured or disguised messages, which a reasonable adult person would perceive to relate to an impermissible topic, is not acceptable.

- b. **CCRTC does not accept advertising promoting the use or sale of tobacco or alcohol products.** The corporate name or logo of a tobacco or alcoholic liquor company or product may be used to advertise a separate product, service or event, otherwise acceptable for advertising under this policy, provided such use does not promote the use or sale of tobacco or liquor. CCRTC regularly transports children and teenagers who should not be subjected to advertising of unhealthy or potentially harmful products.
- c. **CCRTC does not accept advertising that fails to conform to community and family standards of decency, dignity, accuracy and good taste.** CCRTC desires to maintain its ridership by not exposing passengers to indecent, distasteful or inaccurate advertising which is difficult to ignore or avoid in the public transportation setting. For example, without excluding other categories, CCRTC does not accept advertising with photographs or depictions of nudity or partial nudity, or advertising incorporating profane, defamatory, sexually suggestive or otherwise offensive language or innuendo that would not be commonly found in a family newspaper.

B. Evaluation of Advertisements Prior to the commencement date of an advertising contract, all advertisers shall submit a final copy of a proposed advertisement with full text and all illustrations to the Transit Coordinator, through the advertising contractor employed by CCRTC. All tendered advertisements shall be evaluated under this policy and shall be subject to the final approval of the Transit Coordinator. If the Transit Coordinator determines that an advertisement does not conform to this policy, the advertiser will be promptly notified and afforded an opportunity, at the advertiser's expense, to revise the advertisement and eliminate the unacceptable aspects. Submission of proposed advertisements should be made sufficiently in advance of the commencement date of an advertising contract to allow time for this evaluation and revision process.

If an advertiser disagrees with the Transit Coordinator's rejection of a proposed advertisement, the advertiser may seek a review of the decision as provided in Section D, Review/Appeals.

C. Rate Guidelines CCRTC will establish rates consistent with local advertising rates and those of comparable transit agencies in other markets. These rates will be published and offered equitably to all clients and potential clients, with discounts as set forth below. Basic rates will be established on an annual basis in conjunction with the CCRTC fiscal year budget, effective

annually on July 1 and published therein. Rates may increase, decrease or remain constant, based upon space availability and market demand.

1. Advertisers paying full contract amount in advance are eligible for a 5 percent discount for advertising placed with CCRTC, in addition to any frequency discounts to which they may be entitled.
2. Non-profit organizations may purchase advertising space at 25 percent off the standard rate schedule. Additional frequency and pre-payment rates will also apply. CCRTC, at its discretion and on a space-available basis, may make interior space available at no cost to qualified non-profit or governmental agencies.
3. Recognized advertising agencies and in-house Carson City advertising departments are eligible for a commissionable net rate of 15 percent less than the published gross rate.

Recognized advertising agencies are defined as those agencies which:

- Possess a bona fide business license which identifies the agency
  - Possess a street location business address
  - Disclose their advertising client list to the CCRTC
  - Provide evidence of financial stability, including bank references, credit report or other evidence required by CCRTC
4. CCRTC will consider trade agreements for advertising space when it serves the best interest of CCRTC. This should not exceed 15 percent of available space and should benefit CCRTC in some measurable way (e.g., media trades which extend our media coverage).
  5. CCRTC reserves the right to make advertising decisions which maximize the ad revenues to the organization. This may include special promotional offers. In any case, rates will be offered equitably to all current and recent past advertisers and agencies.

#### D. Review/Appeals

1. If an advertiser disagrees with the decision of the Transit Coordinator to reject a proposed advertisement, the advertiser may seek a review of the decision by the Transportation Manager. A demand for review must be made in writing to the Transit Coordinator by the close of business of the fifth (5<sup>th</sup>) working day following receipt of written notice from the Transit Coordinator of the rejection of the advertisement. The advertiser's demand for review must state with particularity the reasons why the advertisement does not violate the advertisement policy and should be allowed.

*Advertising Policy*

*Approved by CCRTC: May 12, 2010*

Upon receipt of a demand for review from the advertiser, the Transit Coordinator shall prepare within five (5) working days a report to the Transportation Manager reflecting with particularity the reasons why the subject advertisement violates the advertisement policy. Both the demand for review and the report of the Transit Coordinator shall be hand delivered to the office of the Transportation Manager by the close of business of the sixth (6<sup>th</sup>) business day following the submission of a demand for review.

The Transportation Manager shall conduct a prompt review and shall respectfully consider the respective positions of the advertiser and the Transit Coordinator. A written decision of the Transportation Manager shall be issued and mailed to both the advertiser and Transit Coordinator within ten (10) working days of receipt of the documents. Except as provided in paragraph 2, the determination of the Transportation Manager shall be final.

2. Any advertiser who is not satisfied with the decision of the Transportation Manager may within thirty (30) calendar days of the receipt of the Transportation Manager's written decision, appeal that decision to CCRTC. An appeal must be made in writing to the Transportation Manager by the close of business of the fifth (5<sup>th</sup>) working day following receipt of written notice from the Transportation Manager of the final determination. The advertiser's appeal must state with particularity the reasons why the advertisement should be allowed.

The appeal, and all associated written communications, will be placed on the next regularly scheduled meeting agenda for determination by CCRTC.

**CARSON CITY PLANNING COMMISSION**

**Minutes of the August 31, 2011 Meeting**

**Page 1**

**DRAFT**

A regular meeting of the Carson City Planning Commission was scheduled for 5:00 p.m. on Wednesday, August 31, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Mark Kimbrough  
Vice Chairperson Craig Mullet  
Commissioner Mark Sattler  
Commissioner James Shirk  
Commissioner William Vance  
Commissioner George Wendell

**STAFF:** Lee Plemel, Planning Division Director  
Jennifer Pruitt, Principal Planner  
Jeff Sharp, City Engineer  
Moreen Scully, Senior Deputy District Attorney  
Kathleen King, Deputy Clerk / Recording Secretary

**NOTE:** A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

**A. CALL TO ORDER, DETERMINATION OF QUORUM, AND PLEDGE OF ALLEGIANCE (4:59:12)** - Chairperson Kimbrough called the meeting to order at 4:59 p.m. Roll was called; a quorum was present. Commissioner Dhami was absent. Commissioner Wendell led the pledge of allegiance.

**B. PUBLIC COMMENTS (5:00:00)** - Chairperson Kimbrough entertained public comment; however, none was forthcoming.

**C. POSSIBLE ACTION ON APPROVAL OF MINUTES - July 27, 2011 (5:00:55)** - Commissioner Sattler moved to approve the minutes. Vice Chairperson Mullet seconded the motion. Motion carried 6-0.

**D. MODIFICATION OF AGENDA** - None.

**E. STAFF PUBLIC SERVICE ANNOUNCEMENTS (5:01:23)** - Mr. Plemel introduced Ms. Scully, and advised that she had been recently assigned to the Planning Commission.

**F. DISCLOSURES (5:01:59)** - None.

**G. CONSENT AGENDA (5:02:03)** - None.

**H. PUBLIC HEARING MATTERS:**

**H-1. ZCA-11-051 DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF REGARDING AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, TO ALLOW ADVERTISING ON BUS STOP SHELTERS (5:03:11)** - Chairperson Kimbrough introduced this item, and Mr. Plemel provided an overview of the same. He introduced Transit Coordinator Ken Smithson and Transportation Manager Patrick Pittenger, both of whom were present in the meeting room.

## CARSON CITY PLANNING COMMISSION

### Minutes of the August 31, 2011 Meeting

Page 2

DRAFT

Mr. Plemel provided background information on this item, and reviewed the agenda materials in conjunction with displayed slides.

Commissioner Sattler expressed concerns with regard to the signs being attractive to graffiti artists and distracting to drivers. Mr. Smithson discussed the Public Works Department's aggressive anti-graffiti program. He acknowledged the signs would likely be tempting to graffiti artists, and committed to keeping them clean and free of graffiti. He advised that the advertising signs are "rather small in comparison to other signs, only 4 x 6. So very limited as to what you can do with them in the first place and if you've traveled in other metropolitan areas where they have shelter advertising, oftentimes the theaters will sign on for those ... so they change them regularly." Mr. Smithson acknowledged that the signs will be seen from the street, "but primarily it's pedestrian oriented too. People walking down the street will easily see them." Mr. Plemel advised that signage will generally not be installed in areas where they are not visible. "So if they're kind of on Carson Street where cars are driving by, it's less likely that somebody's going to stand there and tag it than ones that are in areas where you generally don't want to have ... advertising anyway."

In response to a question, Mr. Smithson advised there are currently 15 bus shelters in Carson City. "We'd like to get about five more every year and put them in strategic places where there are large numbers of people that ... wait for the bus." Mr. Smithson discussed available funding sources and advised of a "demand that shows there's a need for a comfortable place for people to wait for the bus." In response to a further question, he advised that the bus advertising program started in March. "All the spaces are filled. There are more vendors lining up to try to advertise on the buses so we're starting to make income now and ... for the five buses that we're currently using, it's about \$1,100 a month." Mr. Smithson responded to additional questions regarding anticipated revenue from bus shelter advertising. He advised that the Nevada Appeal is managing the advertising program, and responded to corresponding questions of clarification.

In response to a further question, he advised there are currently 170 bus stops in Carson City. "There's not a need for a bus shelter at every bus stop. We have them located in convenient places but oftentimes they're not used as much as other areas. We tend to identify areas where large numbers of people on high traffic streets tend to wait for the bus. And we do that by surveying our riders and seeing where they're getting on and off." In response to a comment, Mr. Smithson explained, "We like to keep these on highly visible streets where buses are normally recognized. A shelter actually becomes a very recognizable presence for transit in a community." Mr. Smithson responded to additional concerns relative to graffiti and rider safety. He advised there have been no crimes committed in or around bus shelters in Carson City, and that none are anticipated. "These, again, are in very visible locations. They are see-through even though they are enclosed. It's perforated metal so you can look right through them. And our intention, at least initially, is to limit it to one panel. That one that is demonstrated in the diagram is about 4-foot by 6-foot ..." Mr. Smithson responded to additional questions regarding graffiti mitigation, the non-profit organization rate reduction, and advertising policies. Discussion followed regarding concerns relative to the First Amendment. Chairperson Kimbrough encouraged staff to explore every possibility, relative to developing the ordinance, to generate as much revenue as possible. Additional discussion took place regarding the possibility of revising the bus shelter design to accommodate the advertising panels and, at the same time, ensure rider safety and security. Mr. Smithson acknowledged having introduced the idea and the commissioners commended him. Mr. Smithson advised that the Regional Transportation Commission has been very supportive of advertising and utilizing transit resources to accomplish the same.

**CARSON CITY PLANNING COMMISSION**

**Minutes of the August 31, 2011 Meeting**

**Page 3**

**DRAFT**

Chairperson Kimbrough entertained additional commissioner questions or comments and, when none were forthcoming, public comments. None were forthcoming. Mr. Plemel advised that staff will consider all the comments on the record in developing a draft ordinance. Consensus of the commission was that no formal action was necessary.

**H-2. ZCA-11-049 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 17, DIVISION OF LAND, SUBDIVISION OF LAND, CHAPTER 17.06, FINAL MAPS, SECTION 17.06.015, TIME LIMIT FOR RECORDING, AND CHAPTER 17.09, PLANNED UNIT DEVELOPMENT, SECTION 17.09.055, TIME LIMITS FOR FILING APPLICATION FOR FINAL APPROVAL, TO MODIFY THE TIME LIMITS FOR RECORDING A FINAL MAP IN ACCORDANCE WITH NRS (5:31:44)** - Chairperson Kimbrough introduced this item. Ms. Pruitt provided background information and reviewed the agenda materials. Ms. Pruitt and Mr. Plemel responded to questions of clarification relative to the Code update corresponding with the State statute, and discussion followed.

Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. Commissioner Wendell moved to recommend to the Board of Supervisors approval of ZCA-11-049, a zoning code amendment, amending the Carson City Municipal Code, Title 17, Division of Land, Subdivision of Land, Chapter 17.06, Final Maps, Section 17.06.015, Time Limit for Recording, and Chapter 17.09, Planned Unit Development, Section 17.09.055, Time Limits for Filing Application for Final Approval, to eliminate the sunset clause adopted in 2009, based on the findings contained in the staff report. Commissioner Vance seconded the motion. Motion carried 6-0.

**H-3. ZCA-11-050 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 7, HILLSIDE DEVELOPMENT, SECTION 7.6.7, FIRE PROTECTION, TO DELETE REFERENCES TO THE PAMPHLET ENTITLED, "WILDFIRE PROTECTION FOR HOMEOWNERS AND DEVELOPERS" AND REPLACE IT WITH GUIDELINES IN COMPLIANCE WITH THE FIRE DEPARTMENT (5:42:05)** - Chairperson Kimbrough introduced this item, and Mr. Plemel reviewed the agenda materials. Commissioner Vance noted a clerical correction to the draft ordinance included in the agenda materials, and a brief discussion took place with regard to the same.

Chairperson Kimbrough entertained public comment and, when none was forthcoming, a motion. Commissioner Sattler moved to recommend to the Board of Supervisors approval of ZCA-11-050, an ordinance amending the Carson City Municipal Code, Title 18, Zoning, Chapter 18.16, Development Standards, Section 7, Hillside Development, Section 7.6, Fire Protection, to direct prospective developers of properties in the hillside areas to the Carson City Fire Department to secure the most current information regarding prevention of wildfires in hillside areas, based on the findings contained in the staff report. Commissioner Wendell seconded the motion. Motion carried 6-0.

**CARSON CITY PLANNING COMMISSION**

**Minutes of the August 31, 2011 Meeting**

**Page 4**

**DRAFT**

**I. STAFF REPORTS**

**I-1. DIRECTOR'S REPORT TO THE PLANNING COMMISSION AND FUTURE AGENDA ITEMS (5:48:40)** - Mr. Plemel reviewed the tentative agenda for the September commission meeting. Chairperson Kimbrough advised of an Open Meeting Law class being offered by the Attorney General's Office, on Thursday, November 3<sup>rd</sup>. Ms. Scully offered to forward Deputy Attorney General George Taylor's report to Planning Division staff.

Mr. Plemel reported that the two four-plex development project proposed for the corner of Minnesota and Ann Streets was appealed to the Board of Supervisors by Alexander Kirsch. The appeal will be agendized for the September 15<sup>th</sup> Board of Supervisors meeting. Mr. Plemel further reported that the Schulz Ranch development agreement will be agendized for second reading by the Board of Supervisors at their September 15<sup>th</sup> meeting.

**I-2. COMMISSIONER REPORTS / COMMENTS (5:56:55)** - In response to a question, Mr. Plemel advised that the wind turbine development proposed for the Virginia Foothills is still in the environmental assessment process.

**J. PUBLIC COMMENTS (5:57:28)** - Chairperson Kimbrough entertained public comment; however, none was forthcoming.

**K. ACTION TO ADJOURN (5:57:58)** - Commissioner Vance moved to adjourn the meeting at 5:57 p.m. Commissioner Sattler seconded the motion. Motion carried 6-0.

The Minutes of the August 31, 2011 Carson City Planning Commission meeting are so approved this \_\_\_\_\_ day of September, 2011.

---

MARK KIMBROUGH, Chair