



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: January 19, 2017

Staff Contact: Lee Plemel, Community Development Director

Agenda Title: For Possible Action: To adopt Bill No. 101, on second reading, Ordinance No. 2017-__, an ordinance amending Title 18, Appendix, Carson City Development Standards, by amending Division 4, Signs, Chapter 4.4, Administration, Section 4.4.7, Exemptions, by adding thereto a new subsection, 4.4.7.w, which exempts from the division certain off-premise electronic message display signs; amending Title 18, Appendix, Carson City Development Standards, by amending Division 4, Signs, Chapter 4.6, General Regulations And Standards, by adding a new section 4.6.6 that sets forth standards for electronic message display signs; and addressing other matters properly relating thereto. (Lee Plemel, lplemel@carson.org)

Staff Summary: The purpose of the proposed ordinance is to 1) allow an off-premise sign for a "community college, state college or university within the Nevada System of Higher Education located in Carson City (i.e. Western Nevada College) under certain conditions, and 2) adopt regulations related to brightness, message hold times, message transition times, and other operational regulations for electronic message display signs.

Agenda Action: Ordinance - Second Reading

Time Requested: 5 minutes

Proposed Motion

I move to adopt Bill No. 101, on second reading, Ordinance No. 2017-__, an ordinance amending Title 18, Appendix, Carson City Development Standards, by amending Division 4, Signs, Chapter 4.4, Administration, Section 4.4.7, Exemptions, by adding thereto a new subsection, 4.4.7.w, which exempts from the division certain off-premise electronic message display signs; amending Title 18, Appendix, Carson City Development Standards, by amending Division 4, Signs, Chapter 4.6, General Regulations And Standards, by adding a new section 4.6.6 that sets forth standards for electronic message display signs, based on the findings contained in the staff report.

Board's Strategic Goal

Quality of Life

Previous Action

The Board of Supervisors introduced the ordinance on January 5, 2017, by a vote of 5-0.

Background/Issues & Analysis

This Zoning Code Amendment has been initiated by City staff based on Western Nevada College requesting signage on North Carson Street to identify the location of the college, to provide information regarding the college, and to provide public service messages. The proposed verbiage in the ordinance would allow an electronic message display sign, similar to the sign at the Community Center on East William Street, on Carson Street in the vicinity of College Parkway.

The recommended code amendment would create an exemption from the other provisions of the Sign Ordinance with the sign limitations as noted in the ordinance excerpt below, as modified by the Board of Supervisors during first reading of the ordinance (refer to draft ordinance page 8):

4.4.7 Exemptions

w. *One off-premise electronic message display sign, if such sign:*

- (1) *Is owned by a community college, state college or university within the Nevada System of Higher Education, which by the exemption is deemed to be an important community asset;*
- (2) *Is located within one (1) mile of the community college, state college or university that owns the sign;*
- (3) *Is located on an arterial street, as designated on the Carson City Roadway Functional Classification map;*
- (4) *Does not exceed 20 feet in height;*
- (5) *Does not exceed 90 square feet in area for the electronic message display portion of the sign and 120 square feet in total sign area; and*
- (6) *Complies with the provisions of Section 4.6.6 of this Appendix.*

The proposed ordinance would also implement standards specific to “electronic message display” signs. An electronic message display sign is defined in the Carson City Municipal Code as “any sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.” Modern electronic message display signs are capable of playing video, effectively functioning as a computer screen.

Electronic message display signs are currently permitted anywhere that signs are otherwise permitted (excluding billboards). Where Special Use Permits have been required for these signs due to requests to exceed permitted sign area, the Planning Commission has required conditions of approval with requirements that are consistent with recommendations from the International Sign Association for sign brightness and other operational parameters. A sign that is too bright can not only create excessive light in an area, it can actually make the sign less legible. The proposed sign brightness and other recommended standards have been tested and implemented on the Community Center sign.

The new standards for electronic message display signs would only apply to new signs or existing signs that are changed out with a new electronic message display sign. Following are the proposed standards for electronic message display signs with staff comments for each standard (refer to the draft ordinance page 11).

4.6.6 *Electronic Message Display Signs. A sign that displays electronic messages must comply with each of the following requirements:*

- a. *The portion of the sign that displays an electronic message must be equipped with technology that automatically dims the display according to ambient light conditions. The brightness of the sign at full white screen must be limited to 0.3 foot-candles over ambient light, measured at a distance of 10 times the square root of the area of the sign.*

[Staff comment: While there are existing electronic message display signs in Carson City that do not have dimming capabilities, modern signs typically come with that capability. The proposed standard compares the brightness of the sign to ambient surrounding light. Therefore, a sign in a brightly lit commercial area can be brighter than a sign where there is less surrounding light. The Community Development Department has a light meter capable of measuring the brightness of a sign in accordance with this standard.]

- b. *The sign must have a message hold time that is three seconds or longer. As used in this subsection, "message hold time" means the time a message is displayed on the sign before the sign transitions to display another message.*

[Staff comment: Requiring a minimum message hold time prevents sign messages that scroll or otherwise have movement and action that can be a distraction to drivers. Holding the message allows the reader of the sign time to see the desired message.]

- c. *The transition time between different messages being displayed on the sign must not exceed one second.*

[Staff comment: Similar to the message hold time standard, a maximum transition time prevents excessive motion in the message display.]

- d. *Except as otherwise provided in this subsection, a sign that displays electronic messages may also display video graphics. However, any such graphics must comply with any other operational parameters for the sign that are applicable.*

[Staff comment: The use of video with a sign can be a good tool to convey a commercial message. It is not the intent of this proposed ordinance to completely limit the video capabilities and acknowledges that there may be motion on the sign through the use of video.]

- e. *The sign must not emit any sound.*

[Staff comment: This requirement prevents the use of sound with the sign.]

Additionally, the ordinance makes clerical corrections related to the appropriate reference for "roadway functional classifications," such as designated arterial streets, and deletes expired code provisions related to temporary signs and banners.

In approving a Zoning Code Amendment, the Board of Supervisors must make the findings of fact found in CCMC 18.02.075(5). The following findings are recommended by staff:

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

The proposed Zoning Code Amendment supports the themes and guiding principles of the Master Plan by promoting economic vitality in the advertising of businesses, public service messages, and the promotion of higher education.

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 ordinance would allow a new sign along an arterial commercial street, consistent with other freestanding signs in the area and other similar commercial areas in the City. The proposed standards for electronic message display signs would help ensure more compatibility of those types of signs with other uses in the vicinity.

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 ordinance could positively impact public services and facilities by providing for a sign that would allow public service announcements and emergency warnings. The ordinance would not otherwise have an adverse impact on public health, safety and welfare.

Attachments:

- 1) Ordinance

Applicable Statute, Code, Policy, Rule or Regulation

CCMC Title 18 Appendix, Development Standards, Division 4 (Signs); CCMC 18.02.075 (Zoning Code Amendments)

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: N/A

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: A business impact statement is not required for zoning matters pursuant to NRS Chapter 278.

Alternatives

Amend the proposed ordinance or do not introduce the ordinance.

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

BILL NO. 101

ORDINANCE NO. 2017-__

AN ORDINANCE AMENDING TITLE 18, APPENDIX, CARSON CITY DEVELOPMENT STANDARDS, BY AMENDING DIVISION 4, SIGNS, CHAPTER 4.4, ADMINISTRATION, SECTION 4.4.7, EXEMPTIONS, BY ADDING THERETO A NEW SUBSECTION, 4.4.7.w, WHICH EXEMPTS FROM THE DIVISION CERTAIN OFF-PREMISE ELECTRONIC MESSAGE DISPLAY SIGNS; AMENDING TITLE 18, APPENDIX, CARSON CITY DEVELOPMENT STANDARDS, BY AMENDING DIVISION 4, SIGNS, CHAPTER 4.6, GENERAL REGULATIONS AND STANDARDS, BY ADDING A NEW SECTION 4.6.6 THAT SETS FORTH STANDARDS FOR ELECTRONIC MESSAGE DISPLAY SIGNS; AND ADDRESSING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 18, Appendix (Carson City Development Standards), Division 4 (Signs), Chapter 4.4 (Administration), Section 4.4.7 (Exemptions), is hereby amended by adding thereto a new subsection, 4.4.7.w, and addressing other matters properly related thereto, as follows (**bold, underlined** text is added, [~~stricken~~] text is deleted):

4.4.7 - Exemptions.

4.4.7 Exemptions. The following signs are exempted from all other provisions of this Division except as noted.

- a. Professional occupation signs denoting only the name, firm name and profession of an occupant in a commercial building, public institutional building or dwelling house when the area of such signs does not exceed two (2) square feet for each professional occupant therein;
- b. Memorial signs or tablets, historical reference signs, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible material and permanently fastened to the building or structure;
- c. Identification nameplates or signs on apartment houses, rooming houses and trailer parks, public telephones and similar uses not exceeding four (4) square feet in area;

- d. Bulletin boards not over fifteen (15) square feet in area for public charitable and religious institutions when such bulletin boards are located on the premises of said institutions;
- e. Community directory sign or community directional sign;
 - (1) Prior to the installation of any such structures, the location, size, height, width and general design shall have been approved by the Commission as being in conformance with the general purpose of this Division through Commission review procedure.
- f. Any sign denoting the name of any political campaign, charitable organization or religious institution, provided that:
 - (1) The area of such sign shall not exceed thirty-two (32) square feet;
 - (2) The height of a freestanding sign shall not exceed eight (8) feet;
 - (3) Political signs shall be removed by the candidate within fourteen (14) days after the election has been held;
- g. Off-site temporary signs and banners of a civic, charitable, educational, municipal or religious nature not to exceed a period of thirty (30) consecutive days within any ninety-day period; Planning and Community Development shall be notified by the applicant prior to installation of any such sign;
- h. Temporary promotional window signs on the interior of windows or temporarily painted on the outside of windows that provide information about a specific product, price, event, or activity;
- i. The changing of advertising copy of message on a reader board, theater marquee and/or similar sign, specifically designed for the use of replaceable copy;
- j. On-premise "open," "closed," "vacancy," or "no vacancy" signs not exceeding four (4) square feet in area;
- k. Directional signs which do not exceed three (3) feet in overall height and two (2) square feet in sign area;

1. Garage sales. Temporary signs for a noncommercial garage sale, provided that they are removed within twenty-four (24) hours of the end of the sale date by the individuals conducting the sale. Such signs shall not be placed on traffic control signs or utility poles;
- m. On-premise real property signs (including future tenants, "for sale," "for rent," "open house," etc.) are permitted subject to the following conditions:
 - (1) Parcels of five (5) acres or more in any land use district may have signs which do not exceed thirty-two (32) square feet of total surface area.
 - (2) Parcels of less than five (5) acres may have signs which do not exceed six (6) square feet in residential districts, or twenty (20) square feet in nonresidential districts.
 - (3) Signs shall not exceed eight (8) feet in height above average ground level.
 - (4) Not more than one (1) sign shall be allowed on each parcel of land. If the property is located on two (2) street frontages, one (1) sign is permitted on each street frontage. One (1) additional on-site "open house" sign per street frontage is permitted during open house events described in subparagraph (5), below. On-site signs may include flags, streamers, balloons or similar devices during such events.
 - (5) In addition to the on-premise signs permitted above, off-premise "open house" signs may be placed subject to the following conditions:
 - (a) The signs must be for a designated open house that is listed for sale or lease.
 - (b) The overall height of a sign must not exceed thirty-six (36) inches from the ground to the top of the sign, and the sign area must not have a horizontal dimension of more than twenty-four (24) inches and a vertical dimension of more than eighteen (18) inches.
 - (c) Signs shall have no riders with the exception of the listing agent's name and/or firm's name; no additions, tags, streamers, balloons or other appurtenances may be added to the sign. Directional arrows may be incorporated into the permitted sign face area but may not be added appurtenant to the sign.

(d) No more than three (3) off-premise open house signs shall be allowed per open house. Additional off-premise signs are allowed upon prior approval of the Planning Director or his designee if the open house is more than one (1) mile (closest travel distance) from an arterial street, as designated ~~in~~ **on** the ~~{City's Transportation Master Plan.}~~ **Carson City Roadway Functional Classification map.**

(e) Signs may be displayed on the day of the open house from 8:00 a.m. to 6:00 p.m. while the home is open to the public and shall be removed by 6:00 p.m. or when the open house is closed, whichever comes first.

(f) No sign shall be placed on public property including State right-of-way. A sign may be placed within City right-of-way behind the curb and sidewalk but may not be placed on a sidewalk, in a street, on or within a median strip, traffic island or center roadway divider, or within a traffic safety site area. Signs shall not be attached to trees, utility poles or traffic control devices.

(g) No more than two (2) different open house signs may be placed at a single street intersection, with preference given to the first two (2) legal signs placed at the intersection.

n.

Construction signs are permitted subject to the following conditions:

(1)

In nonresidential zones: one (1) sign advertising the various construction trades on any construction site. Such signs shall not exceed one hundred (100) square feet in area, shall not be installed prior to the start of construction, and shall be removed before occupancy of the site.

(2)

In agricultural and residential zones: one (1) sign advertising the various construction trades on any construction site. Such signs shall not exceed thirty-two (32) square feet in area, shall not be installed prior to the start of construction, and shall be removed before occupancy.

o.

Replacement of sign panels which do not involve the electrical or structural modification of an existing sign structure.

p.

Pennants Located on Private Property. The following specific standards shall apply to all pennants:

- (1) The maximum collective length of such advertising devices across the subject parcel shall not exceed three (3) times the width of the parcel facing a public right-of-way.
- (2) Each individual pennant shall not exceed eighteen (18) inches in length.
- (3) Strings of pennants shall not exceed the height of any buildings on the subject site, if no buildings are present, the maximum height shall be twenty (20) feet. Pennants shall be maintained in good condition.

q.

Inflatable devices located on private property providing such devices are not used for a period in excess of three (3) consecutive days within any calendar month and provided that the maximum height of such devices shall not exceed the height of any buildings on the subject site or twenty (20) feet, whichever is less. Inflatable devices shall be anchored securely and shall not interfere with pedestrian access, vehicular traffic movements, or traffic control devices.

r.

Balloons located on private property provided that the maximum height of such devices shall not exceed the height of any buildings on the subject site or twenty (20) feet, whichever is less. Balloons shall be anchored securely and shall not interfere with pedestrian access, vehicular traffic movements, or traffic control devices, and shall be maintained in good condition.

s.

Banners located on private property providing such devices are not used for a period in excess of thirty (30) consecutive days within any ninety-day period. The following specific standards shall apply to all banners:

- (1) One (1) banner per building elevation per unit of operation or business is allowed, with a maximum of two (2) banners per business.
- (2) Banners for businesses with less than ten thousand (10,000) square feet of gross floor area shall not exceed fifty (50) square feet. An additional twenty-five (25) square feet of banner area is permitted per twenty thousand (20,000) square feet of gross floor area over ten thousand (10,000) square feet up to a maximum banner area of two hundred (200) square feet.
- (3) Banners shall be securely attached to the primary structure or permitted freestanding sign. No freestanding banners are permitted.

- (4) Any banner used for a period exceeding thirty (30) days in any ninety-day period may be allowed subject to the provisions of Section 4.5.8, Changeable Promotional Signs.
- (5) Notwithstanding the time limitations above, a new business may utilize banners according to the standards of this section for up to ninety (90) consecutive days upon the opening of the business. For such banners, a unit of operation or business is entitled to one hundred (100) square feet of banner area, unless additional banner area is permitted per the above provisions.
- ~~[(6)~~ **Notwithstanding the limitations on banners above, from January 1, 2011, through January 1, 2015, the following regulations shall apply:**
- ~~(a)~~ **There shall be no time limits on the use of banners;**
- ~~(b)~~ **Banners may be securely affixed to temporary structures on-site provided that no banner shall be affixed to trees, shrubs, traffic control signs or support structures or utility poles, and provided that any temporary structure used to support the banner is securely affixed to the ground or other permanent structure.**
- ~~(c)~~ **No banner shall be located where it obstructs the line of sight for passing motorists or vehicles at driveway exits;**
- ~~(d)~~ **The use and placement of banners shall otherwise comply with this subsection.**
- ~~(e)~~ **Only one (1) freestanding temporary sign device, including but not limited to banners, changeable promotional flags and A-frame signs, may be used at any given time per business on a single street frontage. Within multiple-tenant shopping centers, no such temporary sign device may be located within fifty (50) feet of another freestanding temporary sign device along the street frontage on the same parcel.]**

t.

Changeable promotional flags located on private property provided such flags are not used for a period in excess of thirty (30) consecutive days within any ninety-day period. Any flag maintained in excess of thirty (30) days may be allowed subject to the following standards:

- (1) One (1) flag per building elevation, a maximum of two (2) flags per site.

- (2) Flags shall not exceed a total size of ten (10) square feet.
- (3) Flags shall be securely attached to the primary structure. No freestanding flags are permitted.
- (4) Any flag displayed above a pedestrian area shall be maintained so that its lowest point is no less than eight (8) feet above the pedestrian ground surface.

~~(5)~~ Notwithstanding the limitations on changeable promotion flags above, from January 1, 2011, through January 1, 2015, the following regulations shall apply:

- ~~(a) There shall be no time limits on the use of changeable promotion flags;~~**
- ~~(b) The use and placement of changeable promotion flags shall otherwise comply with this subsection;~~**
- ~~(c) Only one (1) freestanding temporary sign device, including but not limited to banners, changeable promotional flags and A-frame signs, may be used at any given time per business on a single street frontage. Within multiple-tenant shopping centers, no such temporary sign device may be located within fifty (50) feet of another freestanding temporary sign device along the street frontage on the same parcel.]~~**

u. Signs within NDOT right-of-way in compliance with state sign regulations.

v. Official flags flown in accordance with protocol established by the United States Congress; and corporate flags that may contain a business logo when flown on a flagpole with an official flag, provided that the corporate flag does not exceed forty-eight (48) square feet or the size of the official flag, whichever is less.

~~[w. Notwithstanding other provisions of this Division, from January 1, 2011, through January 1, 2015, "A-frame" signs are permitted subject to the following regulations:~~

- ~~(1) One (1) A-frame sign is permitted per business per street frontage;~~**

- (2) ~~A-frame signs may only be placed on-site and may not be placed within the right-of-way or on the public sidewalk;~~
- (3) ~~A-frame signs shall not exceed thirty-two (32) inches in width and thirty-six (36) inches in height;~~
- (4) ~~A-frame signs must be constructed of durable, weatherproof materials, maintained in good repair and neatly painted. No attachments to the A-frame sign are permitted;~~
- (5) ~~A-frame signs shall not be displayed during non-business hours;~~
- (6) ~~No A-frame sign shall be located where it obstructs the line of sight for passing motorists or vehicles at driveway exits;~~
- (7) ~~A-frame signs shall be secured to prevent the sign from blowing into traffic lanes, driveways, sidewalks, etc.;~~
- (8) ~~Only one (1) freestanding temporary sign device, including but not limited to banners, changeable promotional flags and A-frame signs, may be used at any given time per business on a single street frontage. Within multiple-tenant shopping centers, no such temporary sign device may be located within fifty (50) feet of another freestanding temporary sign device along the street frontage on the same parcel.]~~

w.

One off-premise electronic message display sign, if such sign:

- (1) **Is owned by a community college, state college or university within the Nevada System of Higher Education, which by this exemption is deemed to be an important community asset;**
- (2) **Is located within one (1) mile of the community college, state college or university that owns the sign;**
- (3) **Is located on an arterial street, as designated on the Carson City Roadway Functional Classification map;**
- (4) **Does not exceed 20 feet in height;**
- (5) **Does not exceed 90 square feet in area for the electronic message display portion of the sign and 120 square feet in total sign area;
and**
- (6) **Complies with the provisions of Section 4.6.6 of this Appendix.**

SECTION II:

That Title 18, Appendix (Carson City Development Standards), Division 4 (Signs), Chapter 4.6 (General regulations and standards), is hereby amended by adding thereto a new section, 4.6.6 Electronic message display signs, as follows (**bold, underlined** text is added, [~~stricken~~] text is deleted):

4.6 - General regulations and standards.

4.6.1

Application. The provisions set forth in this section shall be applicable to all signs permitted by this ordinance except where specific regulations contrary to this section are established.

4.6.2

Computation of Sign Area.

a.

In computing maximum permissible sign area or display surface, all signs designed to be seen from off the premises upon which the sign is proposed to be located shall be included; 1 face of a double-faced sign shall be used for calculation, in the event that a sign contains more than 2 faces, each additional face shall be calculated separately. Sign area computation includes any portion of the sign display surface area on which the sign copy appears.

b.

Signs may be permitted on each street frontage of the maximum size allowed for the street frontage being used for calculating the sign size. The regulations and standards by use (Section 4.7) shall govern as to size of signs.

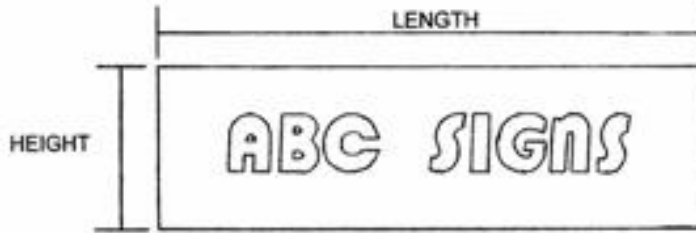
c.

Sign area shall be calculated in the manner illustrated in diagram A, made a part hereof.

d.

The maximum sign area for a use shall be calculated based on the lineal frontage of a single building side facing any adjacent public street or common parking area. For uses located on properties with multiple street frontages each building frontage facing a street frontage may be used for purposes of calculating the maximum allowable sign area.

Diagram A



All signs are calculated Height X Length



Signs with individual letters are measured by enclosing the area around them as if in a frame

4.6.3

Number of Freestanding Signs.

a.

A maximum of 1 freestanding sign is allowed for a shopping center or commercial use. A shopping center or commercial use located on an arterial street ~~{(, as {defined by} designated on the Carson City {streets and highway master plan})}~~ **designated on the Carson City Roadway Functional Classification map**, which has 2 or more street frontages is allowed 1 additional freestanding monument type sign which does not exceed a maximum of 6 feet in height and a maximum of 36 square feet in sign area on the secondary frontage.

b.

For all other uses, except for new automobile dealerships, which are permitted to have a freestanding sign under the provisions of Section 4.7 of this ordinance, a maximum of 1 freestanding sign is allowed.

c.

Pursuant to Section 4.7.8, the number of freestanding signs allowed in this category is 1 freestanding sign per manufacturer line of vehicle and 1 secondary freestanding sign if the new automobile dealership is adjacent to a side or rear street.

4.6.4

Minimum Height Clearance. The minimum height clearance for any sign shall not be less than 8 feet above the ground where pedestrian traffic may occur underneath the sign nor less than 14 feet above any driveway, alleyway or other way designed for vehicular traffic.

4.6.5

Variation from [~~the Following~~] **Certain** [~~Regulation~~] **Regulations** and Standards. Variations to the regulations and standards of division 4.7 (Regulations and Standards by Use) may only be permitted by special use permit, approval of which shall be pursuant to Title 18, Section 18.02 (Special Use Permits).

4.6.6

Electronic Message Display Signs. A sign that displays electronic messages must comply with each of the following requirements:

a.

The portion of the sign that displays an electronic message must be equipped with technology that automatically dims the display according to ambient light conditions. The brightness of the sign at full white screen must be limited to 0.3 foot-candles over ambient light, measured at a distance of 10 times the square root of the area of the sign.

b.

The sign must have a message hold time that is three seconds or longer. As used in this subsection, “message hold time” means the time a message is displayed on the sign before the sign transitions to display another message.

c.

The transition time between different messages being displayed on the sign must not exceed one second.

d.

Except as otherwise provided in this subsection, a sign that displays electronic messages may also display video graphics. However, any such graphics must comply with any other operational parameters for the sign that are applicable.

e.

The sign must not emit any sound.

SECTION III:

That no other provisions of Title 18, Appendix (Carson City Development Standards), Carson City Municipal Code, are affected by this ordinance.

PROPOSED on _____, 2017.

PROPOSED by _____.

PASSED _____, 2017.

VOTE: AYES: SUPERVISORS: _____

NAYS: SUPERVISORS:

ABSENT:

SUPERVISORS:

Robert Crowell, Mayor

ATTEST:

Susan Merriwether
Clerk/Recorder

This ordinance shall be in force and effect from and after the _____ day of _____, 2017.