



# Carson City Planning Division

108 E. Proctor Street  
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## MEMORANDUM

Planning Commission Meeting of August 31, 2011

**TO:** Planning Commission **ITEM:** H-1

**FROM:** Planning Division

**DATE:** August 31, 2011

**SUBJECT: ZCA-11-051 Proposed Sign Ordinance Amendments for Bus Shelters**

The purpose of this item is to discuss and receive direction from the Planning Commission regarding proposed amendments to Sign ordinance relating to advertising signs on bus shelters. This discussion is intended to be at a general level. Based on this discussion and direction from the Planning Commission, staff will prepare an ordinance for consideration at a future meeting.

The primary rationale of this modification is to amend the Sign ordinance which would allow the Carson City Regional Transportation Commission (RTC) the opportunity to sell advertising and allow the placement of the advertising on the Jump Around Carson (JAC) passenger shelters with specific regulations. The purpose of the advertising would generate income that will partially off-set the operating subsidy being contributed by Carson City to support the JAC transit program. Patrick Pittenger, Transportation Manager and Ken Smithson Transit Coordinator will be available at the Planning Commission meeting to address specific questions related to the proposed request.

Currently, this type of advertisement is prohibited in Carson City. Pursuant to the Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, Section 4.5 Restricted and or/Prohibited Signs, Subsection 4.5.1 Signs on Trees, Shrubs, Traffic Control Signs, or Utility Poles:

- 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.

If you have any questions or would like additional information, please contact Jennifer Pruitt at 283-7076 or [jpruitt@carson.org](mailto:jpruitt@carson.org).

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

**FILE # ZCA - 11 - 051**

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

**E-MAIL ADDRESS**

For Office Use Only:

**CARSON CITY  
ZONING CODE AMENDMENT**

**FEE: \$3,250.00 + noticing fee**

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

**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."**

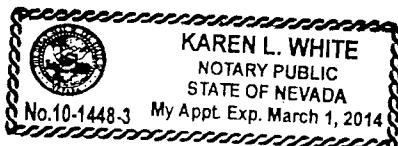
**ACKNOWLEDGMENT OF APPLICANT:**

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

*Robert Bitter*  
Applicant's Signature

Date

*8/8/11*



*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

*Advertising Policy*

*Approved by CCRTC: May 12, 2010*

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.

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.