

# STAFF REPORT FOR PLANNING COMMISSION MEETING OF MARCH 27, 2013

FILE NO: SUP-13-017

AGENDA ITEM: F-7

STAFF AUTHOR: Kathe Green, Assistant Planner

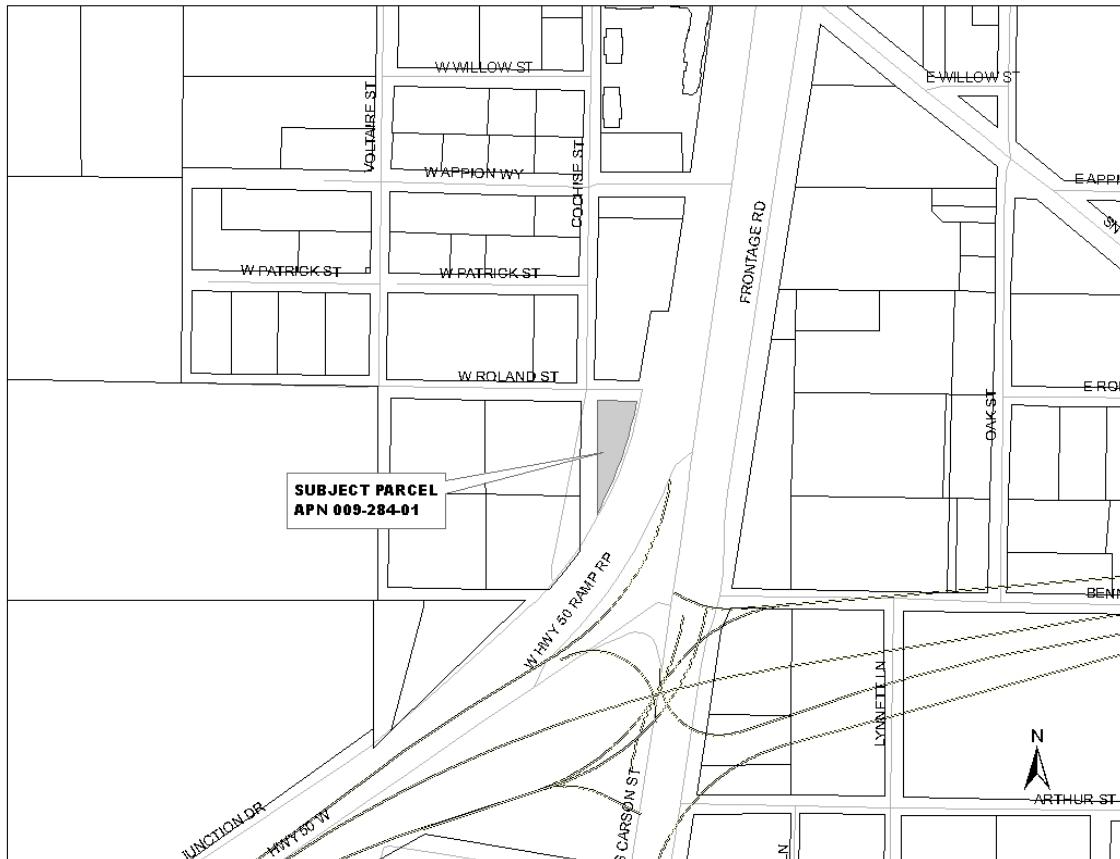
REQUEST: Special Use Permit to allow the continued use of an off-premises single faced advertising (billboard) sign with an overall height of no more than 22.33 feet and maximum 28 feet above the adjacent roadway, with dimensions of 10 feet by 40 feet or 400 square feet on property zoned General Commercial (GC).

OWNER: Harrah's Club

APPLICANT: Harvey's Lake Tahoe Mgmt Inc

LOCATION/APN: 4900 South Carson Street/009-284-01

**RECOMMENDED MOTION: I move to approve SUP-13-017, a Special Use Permit request to allow the continued use of a single faced off-premises sign, at a height of no more than 22.33 feet and a maximum 28 feet above adjacent street grade, with a size of 10 feet by 40 feet or 400 square feet, on property zoned General Commercial located at 4900 South Carson Street, Assessor's Parcel Number 009-284-01 based on the findings and subject to the conditions of approval contained in the staff report.”**



## **RECOMMENDED CONDITIONS OF APPROVAL:**

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

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

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

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

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

**ZONING:** General Commercial (GC)

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

## **SURROUNDING MASTER PLAN/ZONING AND LAND USE INFORMATION**

NORTH: General Commercial (GC)/residence and billboard  
EAST: General Commercial (GC)/Highway 50 and 395, then vacant  
SOUTH: General Commercial (GC)/Highway 50West, then recreational vehicle park  
WEST: General Commercial (GC)/vacant

## **SITE HISTORY**

1. The original placement date of this billboard is at least 1974.
2. On March 26, 2008 the Planning Commission approved renewal of an existing off-premises (billboard) advertising sign on this site with Special Use Permit SUP-08-021
3. On February 26, 2003 the Planning Commission approved renewal an existing off-premises (billboard) advertising sign on this site with Special use Permit U-02/03-33
4. Prior to 2003, renewals had been approved by the following Special Use Permits: U-97/98-64, U-93/94-21 and U-87-27
5. This billboard is in compliance with the current billboard ordinance.

## **SITE DEVELOPMENT INFORMATION**

1. PARCEL AREA: .58 acre
2. EXISTING PRIMARY USE: Existing billboard.
3. HEIGHT: Existing at approximately 22.33 feet above the existing grade. The distance from the bottom of the panel to the ground is approximately 12.33 feet. The maximum allowed height for signs is 28 feet from street elevation. This billboard height is in compliance.
4. AREA: Single faced 10 feet by 40 feet, or 400 square feet. The maximum size allowed for a billboard is 400 square feet.
5. NUMBER OF FACES: One
6. LIGHTING: There are four Holophane light fixtures on this existing billboard.

**DISCUSSION:** The subject parcel is located on the north side of Highway 50 West. The billboard has been at this location since at least 1974. No known complaints or concerns have been registered regarding the location or existence of the billboard.

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

### **4.8.3 – Billboard Requirements**

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

subject billboard is a single face sign.

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

**PUBLIC COMMENTS:** Public notices were mailed March 8, 2013 to 30 adjacent property owners within 1,013 feet of the subject site, pursuant to the provisions of NRS and CCMC. As of the writing of this report, no comments or letters in support or opposition to this proposal have been submitted to staff from a property owner in the vicinity. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting on March 27, 2013, depending on their submittal date to the Planning Division.

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

**BUILDING DIVISION COMMENTS:** No concerns

**FIRE DEPARTMENT COMMENTS:** No concerns

**ENGINEERING DIVISION COMMENTS:** No concerns

**HEALTH DEPARTMENT COMMENTS:** No concerns

**ENVIRONMENTAL CONTROL AUTHORITY COMMENTS:** No concerns

**PARKS AND RECREATION COMMENTS:** No comments received

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

1. The project will be consistent with the master plan elements. The continued use of the billboard is consistent with Chapter 3: A Balanced Land Use Pattern, providing employment opportunities, a diverse choice of housing, recreational opportunities and retail services.
2.
  - Goal 1.1e,f: Does the project utilize sustainable building materials and construction techniques to promote water and energy conservation?

Sustainable materials were used in the construction of the billboard. It was manufactured with galvanized steel.

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

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

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

The continued use of the billboard meets this finding in that it is an existing billboard, is already located within an area zoned for commercial activity with traffic passing directly south on the ramp for Highway 50 West. This is an area that has not been developed with other commercial enterprises at this time. The billboard will have no negative economic impact to the surrounding commercial properties. The sign generates no significant noise, vibrations, fumes, odors, dust, glare or physical activity which could have an adverse impact on adjacent uses.

4. The billboard will have little or no detrimental effect on vehicular or pedestrian traffic. No additional vehicular and pedestrian traffic will be generated in conjunction with the existing sign that could adversely impact vehicular or pedestrian circulation in the subject area.
5. The project will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements. The existing sign will not require the extension or expansion of any public services, facilities and services.
6. The project meets the definition and specific standards set forth in Title 18 for billboards. The existing sign meets all the specific standards for the continued use of existing billboards set forth in Division 4.8 of the Carson City Development Standards.
7. The project will not be detrimental to the public health, safety, convenience and welfare. The existing sign meets all the requirements of the Carson City Municipal Code and will not be detrimental to the public health, safety, convenience, and welfare, and will cause no adverse impacts to surrounding properties.
8. The project will not result in material damage or prejudice to other property in the vicinity. The existing sign is located in an area that has not been developed yet with other commercial or

industrial uses. Therefore, the continued use of the sign will not result in material damage or prejudice to other property in the vicinity.

Respectfully submitted,

DEVELOPMENT SERVICES, PLANNING DIVISION

Kathe Green

Kathe Green, Assistant Planner

Attachments:

- Application SUP-13-017
- Building Division comments
- Engineering Division comments
- Fire Department comments
- Health Department comments
- Environmental Control comments

H:\PlngDept\PC\PC\2013\Staff Reports\SUP-13-017 Harrah's Club Harveys Lake Tahoe Billboard.doc

**Engineering Division  
Planning Commission Report  
File Number SUP 13-017**

**TO:** Planning Commission

**FROM:** Rory Hogen, E.I.

**DATE:** March 7, 2013      **MEETING DATE:** March 27, 2013

**SUBJECT TITLE:**

Action to consider the renewal of a special use permit for an existing billboard at 4900 S. Carson St., apn 09-284-01.

**RECOMMENDATION:**

The Engineering Division has no preference or objection to the special use request.

**DISCUSSION:**

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses.

**CCMC 18.02.080 (2a) - Adequate Plans**

The plans are adequate for this review.

**CCMC 18.02.080 (5a) - Master Plan**

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

**CCMC 18.02.080 (5c) - Traffic/Pedestrians**

The request is not in conflict with pedestrian or traffic movements.

**CCMC 18.02.080 (5d) - Public Services**

No new City water, sewer or access services will be needed for this project.

RECEIVED

Fire Department Comments for Planning Commission Meeting 03-27-13

FEB 15 2013

We have no comments on the following items:

CARSON CITY  
PLANNING DIVISION

VAR-13-010

SUP-13-011

SUP-13-012

SUP-13-013

SUP-13-014

SUP-13-015

SUP-13-016

SUP-13-017

SUP-13-018

SUP-13-019

***Dave Ruben***

Captain - Fire Prevention  
Carson City Fire Department  
777 S. Stewart Street  
Carson City, NV 89701

Office 775-283-7153  
FAX 775-887-2209

Dustin Boothe, MPH, REHS  
Carson City Health and Human Services  
900 E. Long St.  
Carson City, NV 89706  
(775) 887-2190 ext. 7220  
[dbooth@carson.org](mailto:dbooth@carson.org)

**VAR-13-010**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-011**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-012**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-013**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-014**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-015**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-016**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-017**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-018**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-019**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

**SUP-13-022**

Carson City Health and Human Services has no comments based on the application that was submitted to our office for review.

Comments from Environmental Control for  
Planning Commission meeting 03-27-13

ECA has no comments for the following:

VAR 13-010  
SUP-13-011  
SUP 13-012  
SUP 13-013  
SUP 13-014  
SUP 13-015  
SUP 13-016  
SUP 13-017  
SUP 13-018  
SUP 13-019  
SUP 13-022

If you have any questions or comments concerning this e-mail please contact me at any one of the following.

Mark Irwin  
Environmental Control Officer 3  
Carson City Public Works Dept.  
3505 Butti Way  
Carson City, Nevada 89701  
Fax# (775) 887-2164  
Phone # (775) 283-7380  
Email - [mirwin@carson.org](mailto:mirwin@carson.org)  
-Please Note-  
New Office Hours Are:  
Mon-Thurs 7:00 A.M. - 5:30 P.M.

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

FOR OFFICE USE ONLY:

CCMC 18.02

## SPECIAL USE PERMIT

**FEE:** \$2,450.00 MAJOR  
\$2,200.00 MINOR (Residential zoning  
districts)

+ noticing fee and CD containing application digital data (all to be submitted once the application is deemed complete by staff)

### SUBMITTAL PACKET

- 8 Completed Application Packets  
(1 Original + 7 Copies) including:
- Application Form
- Written Project Description
- Site Plan
- Building Elevation Drawings and Floor Plans
- Proposal Questionnaire With Both Questions and Answers Given
- Applicant's Acknowledgment Statement
- Documentation of Taxes Paid-to-Date (1 copy)
- Project Impact Reports (Engineering) (4 copies)

### Application Reviewed and Received By:

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.

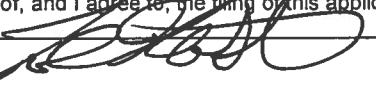
Project's Assessor Parcel Number(s): 9-284-01 Street Address 4900 Carson St. ZIP Code

Project's Master Plan Designation CRC Project's Current Zoning GC Nearest Major Cross Street(s) Roland St.

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). 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. In accordance with Carson City Municipal Code (CCMC) Section: 22.08.030, or Development Standards, Division \_\_\_\_\_, Section \_\_\_\_\_, a request to allow as a conditional use is as follows:

### PROPERTY OWNER'S AFFIDAVIT

I, John Koster, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature 

P.O. Box 128 Stateline NV  
Address 89444 Date 8/21/13

Use additional page(s) if necessary for other names.

STATE OF NEVADA  
COUNTY Douglas )

On 21/21/2013, 2, John Koster, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Linda Hunt  
Notary Public

NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, and/or the Redevelopment Authority Citizens Committee prior to being scheduled for review by the Planning Commission. Planning personnel can help you make the above determination.

LINDA HUNT  
NOTARY PUBLIC  
STATE OF NEVADA  
My Commission Expires: 1-7-2014  
Certificate No: 02-72826-5

### ACKNOWLEDGMENT OF APPLICANT

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all City code requirements.



Applicant



Date

## SPECIAL USE PERMIT APPLICATION QUESTIONNAIRE

### GENERAL REVIEW OF PERMITS:

Question # 1. How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?

Goal 2: Promote better community design, appearance and recognition of Carson City as identified in the various design guideline ordinances, Visual Preference Survey, Capital City Focus and Downtown Master Plan.

Policy 2.4: Protect and enhance the character of residential neighborhoods, open views and vistas, and property values.

The sign serves as a directional indicator for traffic on Highway 395 whose ultimate destination is the Lake Tahoe area. Graphics and content of the sign meets community standards and are designed to be eye pleasing and not garish. The sign has been in its current location for many years and has become an important information source about Lake Tahoe entertainment activities for visitors and locals alike.

There are other outdoor boards in this area, which confines this type of advertising to a small geographic location.

Question 2: Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?

Explanation A.B.

The existing property is currently vacant land. The property to the north and south is also vacant. The sign exists in a C (commercial) zone district, which under the current sign ordinance allows off premise advertising signs. The ground rental enhances the property the property value of the existing property and is not detrimental to any adjacent property. It does not cause problems such as noise, dust, or odors with adjacent property owners. There are other signs of this type on both sides of Highway 395 as well as on the south side of Highway 50 in the general area. It is safe to assume that these have obtained similar special use permits for the same size and height requirements.

Explanation C.

The billboard sign will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity. The sign in fact has quietly been in its current location for a number of years.

Explanation D. E.

The sign itself will not have any impact on pedestrian traffic and will not require sidewalks of any kind. Because the sign sits on private property and out of any "Right of Way" it will not impact vehicle traffic to the extent that roads or signal lights need to be provided. By providing directional information to the traveling public the sign may in fact have a positive impact on vehicle traffic.

Question 3. Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

Explanation A. B. C. D.

The existing sign will not affect existing public services and facilities, including schools, police, and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements. The signage will not result in the covering of land area with pavement or any compacted surfaces or affect drainage. This sign will not add any burden to existing services.

Explanation E.

There will not be any additional road improvements or proposals needed for use of this sign. There has not been a need for use of a Development Engineer or Regional Transportation administrator as this is a renewal of an existing Special Use Permit for an existing billboard sign that has been in use for many years.

Explanation G.

This sign will have outdoor direction lighting, which will be pointed back towards the sign face. There will not be direct lighting towards any adjacent properties or the highway.

Explanation H.

There will be no additional landscaping on or around the sign structure.

Explanation I.

We are not requesting any on or off site parking in relation to the sign.

Additionally this particular sign was reconstructed in 1994 to meet ordinances. We intend to keep the existing sign in the size and height conformance required by Carson City. The sign is in a commercial zone, which is consistent with the Master Plan for Carson City. It has not caused any negative impacts on adjoining properties nor will it in the future. The sign location is also legally permitted by the Nevada Department of Transportation.

**Harveys Existing Single Face Billboard**  
**4900 S. Carson Street**

**Master Plan Policy Checklist Addendum**

**Chapter 3: A Balanced Land Use Pattern**

The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities and retail services.

The continued operation of the existing billboard creates employment opportunities for artists, copywriters and others responsible for creating the advertisement and general maintenance of the sign. The continued use of the existing sign will not disturb existing stands of mature trees or other vegetation, distinctive topographical features or other character defining features of the property. (1.4c).

The total height of the sign (28') and square footage is (400'). The height and size of the sign meets the standards set forth in Division 4 (2.1d) and will not detract from overall views. The existing billboard is located outside the 100 year flood plain and away from geologic hazard areas or follows the required setbacks or other mitigation measures (3.3d,e). The existing billboard is the only structure located on the parcel.

**Chapter 5: Economic Vitality**

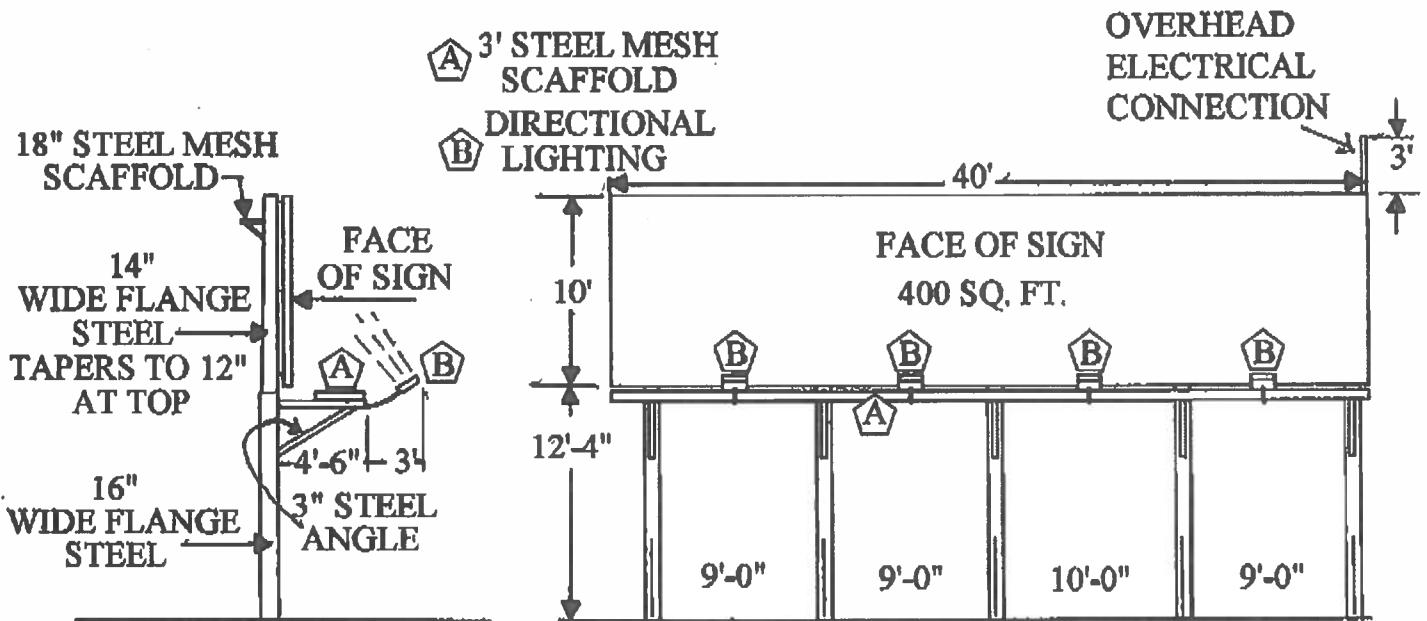
The Carson City master Plan seeks to maintain its strong diversified economic base by promoting principals which focus on retaining and enhancing the strong employment base, including a broad range of retail services in targeted areas and include the roles of technology, tourism, recreational amenities and other economic strengths vital to a successful community.

As discussed above, the continued use of the billboard creates employment opportunities. The existing billboard is primarily used to promote tourism, entertainment and recreational activities at Harveys Casino Resort Lake Tahoe. As such the existing billboard encourages the use and further development of a regional retail center. (5.2a).

**Chapter 6: Livable Neighborhoods & Activity Centers**

The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers and a vibrant, pedestrian-friendly downtown.

The existing billboard is constructed of durable long lasting building materials (6.1.a). The continued operation of the existing billboard contributes to the mix of uses in the neighborhood.

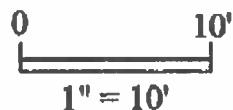


SIGN: PROFILE

3" UNI-STRUT  
TO FLANGE  
BOLTED ATTACHMENT  
TYPICAL  
NYLON WEB TIE-DOWNS  
SECURED TO MOUNTING  
FRAMEWORK

SIGN: ELEVATION

SIGN DIMENSIONS:

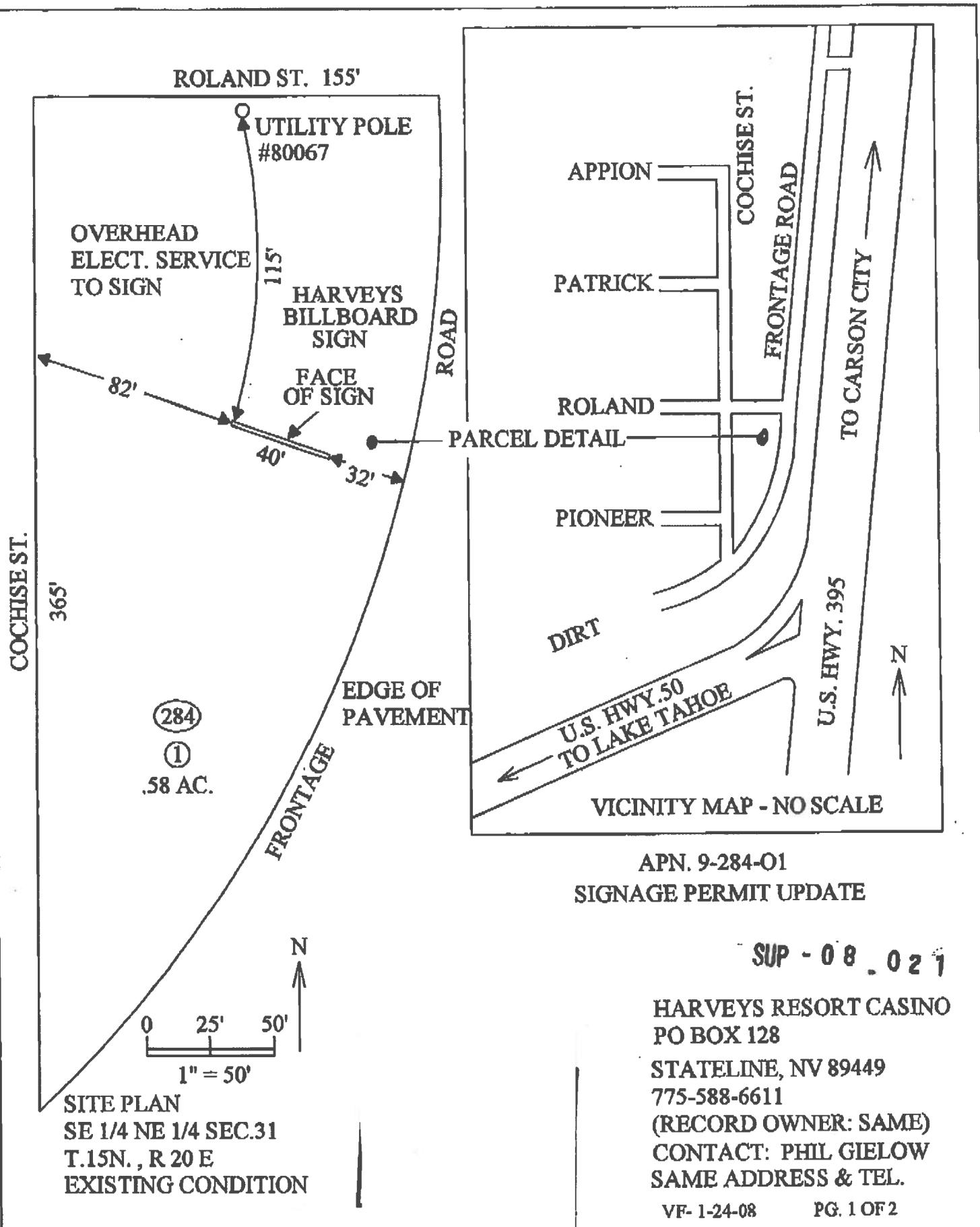


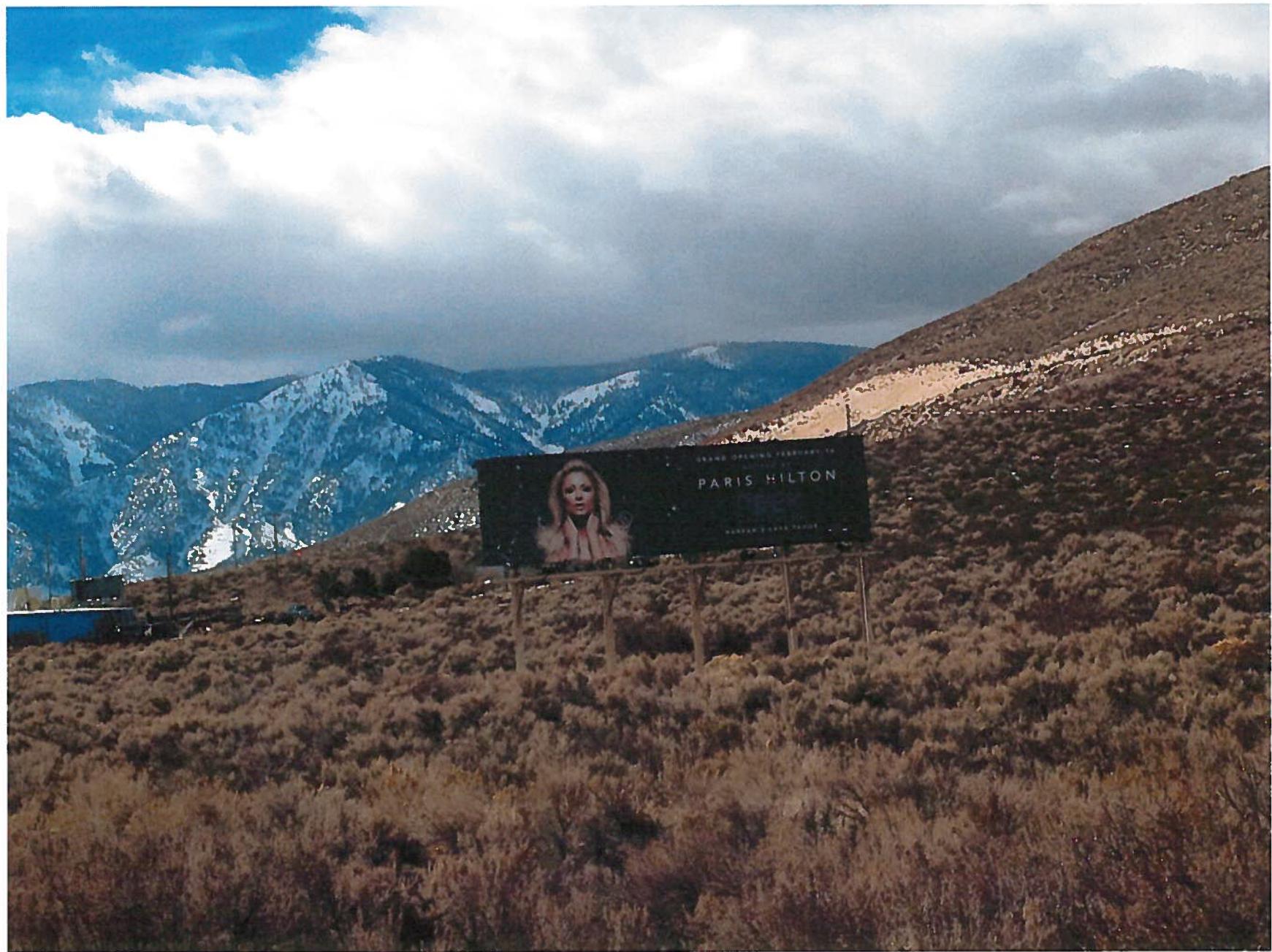
ELECT. METER  
WITHIN FLANGE  
6' ABV. GRADE

APN. 9-284-01  
SIGNAGE PERMIT UPDATE

SUP - 08 021

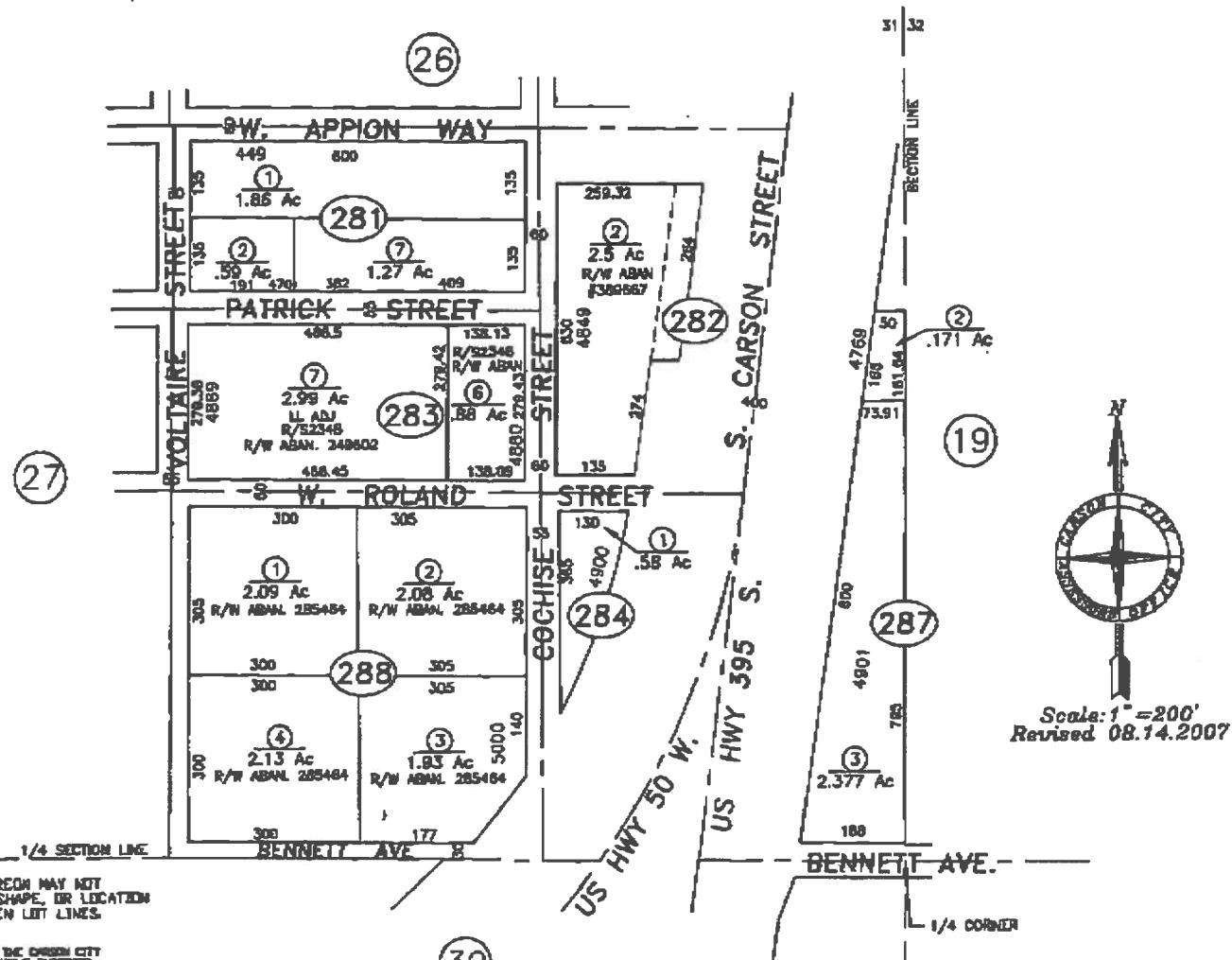
HARVEYS RESORT CASINO  
PO BOX 128  
STATELINE, NV 89449  
775-588-6611  
(RECORD OWNER: SAME)  
CONTACT: PHIL GIELOW  
SAME ADDRESS & TEL.





SE1/4 NE1/4 SECTION 31, T.15 N., R.20 E., M.D.B. & M.

9-28



REVISED  
12/2007