



Community Development Department

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Date: April 26, 2016

Item 5-4

To: Redevelopment Authority Citizens Committee
Meeting of May 2, 2016

From: Lee Plemel, Director

Subject: Discussion regarding sign enforcement

This item has been placed on the agenda for discussion at the Chair's request. Attached is the sign code from the Development Standards Division 4. Staff will be available at the meeting to answer questions, and the RACC may provide direction to staff regarding a more detailed future agenda item regarding signs, if necessary.

If you have any questions regarding this item, please contact Lee Plemel at 283-7075 or plemel@carson.org.

Attachments:

1. Division 4, Signs (in part, excluding billboard regulations)

4.1 Findings.

The Board finds that the establishment of regulations and minimum standards for the erection and maintenance of outdoor signs and billboards within the city is necessary for the purpose of promoting the public health, safety and general welfare, and the establishment of such regulations and minimum standards is in accordance with the provisions of and purposes of Chapter 278, Nevada Revised Statutes (NRS).

4.2 Purpose.

The purpose of this Division is to provide minimum standards to safeguard life, health, property and public welfare in keeping with the unique character of Carson City by establishing equal enforcement, regulation and control where applicable by the size, number, height, design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures not located within a building, except temporary signs attached to or affixed upon windows, and to accomplish the following results:

- a. To protect and enhance the character of residential and commercial neighborhoods, open views and vistas, and property values by prohibiting signs that are obtrusive and incompatible with the immediate surroundings;
- b. To protect the economic health of commercial centers and property values by encouraging signs that effectively communicate the availability of goods and services to consumers;
- c. To provide a reasonable and comprehensive system of sign management addressing size, location, design, and illumination for integration into the zoning ordinance;
- d. To encourage signs that are varied in design, well constructed, and pleasing in appearance;
- e. To attract and direct persons to various activities and enterprises in order to provide for public convenience; and
- f. To prohibit the indiscriminate use of other outdoor advertising.

4.2.1 Constitutionality and Legality. 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 Division or any section thereof, it being intended that the remainder shall remain in full force and effect.

4.2.2 **Conflict With State Law.** If this Division or any of the provisions herein are or become in conflict with existing state law, the same shall be null and void as to that particular provision or section until otherwise amended or such conflict is reconciled.

4.3 Definitions.

Definitions of terms not listed below may be found in the Sign Code as currently adopted by Carson City and/or Section 18.03 (Definitions) of Title 18 of the Carson City Municipal Code (CCMC) as adopted. Where differences exist between definition of terms in this Division and those of the Sign Code as currently adopted by Carson City and/or Section 18.03 (Definitions) of Title 18 of the CCMC, the more restrictive definition will be applied. Unless a different meaning is clearly indicated, the terms listed in this Division will have the following meanings when used in this Division.

Administrative Code is the latest edition as currently adopted by and in effect in Carson City.

Area Identification Sign means a permanent sign used to identify a neighborhood, subdivision, shopping district or industrial district.

Area of Sign is any portion of a sign display surface area on which the sign copy appears.

Balloon is an inflatable device that is less than 18 inches in height and width.

Banner means a temporary flexible sign or similar device.

Billboards mean outdoor advertising signs containing a message, commercial or otherwise, which is unrelated to the merchandise for sale or services performed by the person or business on whose property the sign is located, posted for a fee by the owner of the sign framework.

Building Code is the latest edition as currently adopted by and in effect in Carson City.

Building Facade means face of a building to the lower edge of the roof.

Building Inspector is the Carson City Building Official or their duly authorized designee.

Changeable Promotional Sign is a sign consisting of a permanent exterior framework structure surrounding a temporary changeable copy sign intended for the advertisement of special events, promotions and sales.

Compliance Officer is the Carson City Planning and Community Development Director (Director) or designee.

Community Directional Sign is any permanent sign erected and maintained by the city, county, state or federal government within the public right-of-way for traffic direction to any school, hospital, historical site, or church, or to any public service, property or facility.

Community Directory Sign is a permanent sign located within the public right-of-way along the major arterial entrances to the City that give information about local religious institutions and civic organizations.

Directional Sign is an on-premise sign giving directions, instructions or facility information, including but not limited to parking, exit and entrance signs. A directional sign may contain a logo, but no advertising copy, provided that the logo may not comprise more than 20% of the total sign area.

Display Surface is the surface of the sign upon, against or through which the message is displayed or illustrated on the sign.

Dissolve is a mode of message transition on an Electronic Message Display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the subsequent message.

Double-Faced Sign is any sign designed to be viewed from two directions and on which two faces of the sign are either parallel or the angle between them is 30 degrees or less.

Downtown Business Directional Sign is any sign erected in the right-of-way within the Downtown Area that may contain advertisement for businesses located within the Downtown Area and is intended to assist pedestrians in locating downtown businesses.

Electronic Message Display is any sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Erect means to build, construct, attach, hang, place, suspend or affix and also includes the painting of wall signs.

Fade is a mode of message transition on an Electronic Message Display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Flag, Changeable Promotional is a flag that may or may not contain a commercial message, excluding official flags.

Flag, Corporate is a flag that contains the corporate logo of the business located on the parcel on which the flag is flown.

Flag, Official includes the flags of the United States of America, the State of Nevada, the consolidated municipality of Carson City, flags of the U.S. military including P.O.W./M.I.A. flags, and any flag approved by the Board of any foreign nation having diplomatic relations with the United States which are flown in accordance with protocol established by the Congress of the United States.

Flashing Sign is an illuminated sign in which the artificial light is not maintained in a stationary or constant intensity.

Frame is a complete, static display screen on an Electronic Message Display.

Freestanding Sign is a sign which is permanently supported by any structure which is not an integral part of any building located upon the premises. This definition does not include portable signs.

Freeway intersection is a point at the intersection of the centerlines of the freeway and a street at which there is a freeway off-ramp.

Freeway-oriented sign is any freestanding on-premise sign that exceeds the maximum permitted sign height or sign area for a commercial use or shopping center and is designed to be visible from at least one direction of the Carson City Freeway.

Frontage of Building is the lineal length of any portion of a building facing any adjacent public street or shopping center's common parking area.

Hanging Sign is a sign attached to and located below any eave, roof, canopy or awning.

Height, Sign is the height of a sign as determined by measurement from adjacent finished grade to the highest point of the sign's structure.

Indirectly Lighted or Shadow-Lighted Sign means any illuminated sign constructed so that the immediate source of the illumination is not visible when the sign is lighted.

Inflatable Device is an inflated object filled, whether mechanically or otherwise, with air or other gas for the purpose of attracting attention, excluding "balloons" as defined in this Division.

Listed and Listing refer to equipment or materials included in a list published by an approved testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

Logo is a graphic representation or symbol of a company name, trademark, abbreviation, etc., used for ready recognition.

Marquee is a sign other than a wall sign which is attached to and projects either perpendicular to or at any angle from a building.

Monument Sign means a detached sign with a solid base equal to or greater than the length of the sign copy and connected solidly to or arising from the ground.

Non-Conforming Sign is a sign which may have been validly installed under laws or ordinances in effect prior to the effective date of this Division, but which is now in conflict with the provisions of this Division.

Official Flag. See "Flag, Official."

Off-Premise Sign is a sign which advertises or informs about goods, products, services or uses not directly concerning the use on the property upon which the sign is located.

Parapet is that portion of a wall of a building which extends higher than the roof of the same building.

Parapet Sign is a sign which is affixed to the parapet of a building and parallel thereto.

Parcel is any real property shown on the latest adopted tax roll as a unit.

Pennant is any lightweight plastic, fabric or other material, not exceeding 18 inches in length, whether or not containing a message of any kind, suspended from a rope, pole, wire or string, usually in a series or as a single flag, designed to move in the wind.

Permanent Sign is any sign which from nature and effect of its proposed composition, construction, message to be carried, or its proposed placement would make it reasonable to determine that it was intended for continuous display.

Person is any person, firm, partnership, associations, co-partnership, company or organization of any kind.

Political Sign is a sign designed for the purpose of advertising support of or opposition to a candidate or proposition.

Portable Sign is a sign that is designed to be movable and is not structurally attached to the ground, a building, a structure or any other sign, and includes signs carried by a person/pedestrian.

Projecting Sign is a sign other than a wall sign which is attached to and projects either perpendicular to or at any angle from a building.

Reader Board Sign is a sign or a part of a sign on which the messages are readily changeable.

Real-Property Sign is a sign placed upon real property to advertise that the property upon which the sign is placed, or any piece or parcel thereof, or any interests therein, is or will be for sale, exchange, lease or rent.

Roof Sign is a sign erected upon a roof, the ridge of a roof or a parapet of a building or structure.

Roof-Mounted Sign is a sign erected upon a roof of a building which extends higher than the highest portion of the roof or parapet where the sign is located.

Shopping Center is a group of five or more commercial establishments planned and developed as a unit on a single parcel or commonly managed parcels of land that utilize an undivided or unsegregated parking area.

Sign is anything displayed with the intent to attract attention, advertise, promote and or direct any person when the sign is placed so that it is visible from any public right-of-way, common parking area, or surrounding properties.

Sign Area is any portion of a sign display surface area on which the sign copy appears.

Sign Code is the latest edition as currently adopted by and in effect in Carson City.

Street includes any public street, alley, way, place or thoroughfare. The sidelines of the right-of-way constitute the sidelines of a street.

Structure is a structure which is built or constructed, any edifice or building of any kind or any piece of work artificially built up or parts joined together in some definite manner.

Temporary Sign refers to any sign meeting the definition of a "Sign" which is not permanently installed.

Transition is a visual effect used on an Electronic Message Display to change one message to another.

Value is the total estimated cost of the sign including labor materials.

Wall Sign means any sign attached, painted or erected against a wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall.

Window Sign is a sign maintained in or painted upon a window, including all signs located inside and affixed to, whether temporary or permanent, lighted or unlighted, intended to be viewed from the exterior of the building. The term does not include advertising located within the building.

4.4 Administration.

4.4.1 Permit Required. It is unlawful for any person to erect, construct, enlarge, alter, or relocate within Carson City any sign or other advertising structure as defined in this Division or to install or alter any electrical wiring or fixture therein without first having obtained a permit from the Building Department of the Development Services Department.

Billboards or off-premise signs shall obtain a Special Use Permit approval and a business license for each sign.

4.4.2 Application for Permit. Application for sign permits shall be made at the Building Department on forms provided by Planning and Community Development and shall contain or have attached thereto the required information and material including:

- a. Name, address and telephone numbers of the owner of the property;
- b. Name, address and telephone numbers of the applicant (owner of sign);

- c. Name, address and telephone numbers of sign contractor if required;
- d. Location of building, structure and lot to which or upon which the sign or other advertising structure is to be attached or erected, and the lineal frontage of the building or suite which faces the street or shopping center's common parking area;
- e. Three copies of plans showing:
 - (1) Position of sign or other advertising structure in relation to adjacent buildings or structures.
 - (2) The design and size, type of materials to be used, structural details and the calculations, colors proposed, and proposed location on the premises of such sign or sign structure.
 - (3) An exhibit showing or describing the size and dimensions of all existing and proposed signs on the premises at the time of making such application;
- f. An assessment of the valuation of the proposed sign(s) material and labor (installation).

4.4.3 Issuance of Permits. The Building Department and Planning and Community Development shall check the application, plans and specifications for sign permits. No permit shall be issued unless the plans and specifications have been reviewed and approved by all pertinent City departments as being in conformance with pertinent laws and ordinances under their jurisdiction. If the plans and specifications conform to the requirements of this Division and other pertinent laws and ordinances, and the specified fee has been paid, then the permit shall be issued. If it is determined from the application or from the inspection of the premises that signs or other advertising structures exist in excess of allowances, no permit shall be issued for any new sign or advertising structure which would increase the gross size or dimensional area of all signs or advertising structures beyond the allowable limits of this Division.

4.4.4 Inspection. Every sign erected in Carson City shall be subject to inspection by the Building Department for compliance with the latest adopted edition of the Building Code as currently adopted by Carson City. Signs incorporating electrical wiring shall use products and materials that are listed as defined in Section 2.03.260. All electric

signs require inspection and approval of wiring and electrical fixtures before they may be connected to the electrical power source.

4.4.5 Schedule of Permit Fees. Fees for sign permits shall be based upon the fee schedule established by the Administrative Code as currently adopted by Carson City with annual adjustments on July 1, based upon the cost of living index per NRS 354.59.891.

4.4.6 Fee For Electrical Inspection. Fees for electrical inspection shall be based upon the fee schedule established by the Administrative Code as currently adopted by Carson City with annual adjustments on July 1, based upon the cost of living index per NRS 354.59.891.

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 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 square feet in area;

d. Bulletin boards not over 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 32 square feet;
- (2) The height of a freestanding sign shall not exceed eight feet;
- (3) Political signs shall be removed by the candidate within 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 30 consecutive days within any 90 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 square feet in area;
- k. Directional signs which do not exceed three feet in overall height and two square feet in sign area;
- l. Garage sales. Temporary signs for a noncommercial garage sale, provided that they are removed within 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 acres or more in any land use district may have signs which do not exceed 32 square feet of total surface area.
 - (2) Parcels of less than five acres may have signs which do not exceed six square feet in residential districts, or 20 square feet in nonresidential districts.

- (3) Signs shall not exceed eight feet in height above average ground level.
- (4) Not more than one sign shall be allowed on each parcel of land. If the property is located on two street frontages, one sign is permitted on each street frontage. One 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 36 inches from the ground to the top of the sign, and the sign area must not have a horizontal dimension of more than 24 inches and a vertical dimension of more than 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 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 mile (closest travel distance) from an arterial street as designated in the City's Transportation Master Plan.
 - (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 different open house signs may be placed at a single street intersection, with preference given to the first two legal signs placed at the intersection.

n. Construction signs are permitted subject to the following conditions:

- (1) In nonresidential zones: one sign advertising the various construction trades on any construction site. Such signs shall not exceed 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 sign advertising the various construction trades on any construction site. Such signs shall not exceed 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 times the width of the parcel facing a public right-of-way.
- (2) Each individual pennant shall not exceed 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 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 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 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 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 30 consecutive days within any 90 day period. The following specific standards shall apply to all banners:

(1) One banner per building elevation per unit of operation or business is allowed, with a maximum of two banners per business.

(2) Banners for businesses with less than 10,000 square feet of gross floor area shall not exceed 50 square feet. An additional 25 square feet of banner area is permitted per 20,000 square feet of gross floor area over 10,000 square feet up to a maximum banner area of 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 30 days in any 90-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 90 consecutive days upon the opening of the business. For such banners, a unit of operation or business is entitled to 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 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 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 30 consecutive days within any 90 day period. Any flag maintained in excess of 30 days may be allowed subject to the following standards:

- (1) One flag per building elevation, a maximum of two flags per site.
- (2) Flags shall not exceed a total size of 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 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 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 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 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 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 32 inches in width and 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 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 50 feet of another freestanding temporary sign device along the street frontage on the same parcel.

4.4.8 Duty to Enforce. It is the duty of the Building Department and Planning and Community Development to enforce all of the provisions of this Division.

4.4.9 Interference With Enforcement. It is unlawful to interfere with the building inspector or compliance officer in the performance of their duties and enforcement of this Division.

4.4.10 Compliance With Ordinance—Nuisance—Abatement. The Board hereby determines that the public peace, safety, morals, health and welfare require that all signs and advertising structures heretofore constructed

or erected are hereby made subject to the provisions of this Division, and shall conform to this Division. Any new sign not in compliance shall be deemed a public nuisance and must be removed and abated in the manner provided by the law.

4.4.11 Illegal Signs. Any sign erected in violation of laws in effect at time of erection is an illegal sign and shall be removed immediately by the responsible persons upon notification.

4.4.12 Exception—Official Signs, Safety Signs, “OSHA” Requirements. Nothing contained in this Division shall prevent the erection, construction and maintenance of official traffic safety, fire and police signs, signals, devices and markings of the Nevada Department of Transportation (NDOT), the Board or other competent public authorities, nor the posting of notices required by law. Similarly, on-premise regulation signs and signs necessary for the safety of those members of the public using said premises, whether said signs are officially or privately erected, are not subject to the provisions of this Division.

4.4.13 Non-Conforming Signs. All non-conforming signs will be removed from the premises or brought into conformance with the requirements of this Division upon the expansion of an existing building which exceeds 20% of the gross floor area of the existing building or 1,000 square feet, whichever is greater, or upon replacement, damage or destruction of the sign structure that exceed 50% of the total sign valuation (replacement cost), or upon a change in the design of the sign display area, including a change in size, shape or proportions, unless the non-conforming sign is approved by special use permit.

4.4.14 Appeal to Commission.

a. Appeals. Any person aggrieved by the denial of:

- (1) Issuance of a building permit, or
- (2) Any other decision of an administrative officer under the authority of this Division, or any officer or agency of Carson City, may appeal from such denial, issuance or decision to the Commission.

b. Filing. An appeal may be made within 10 calendar days after the denial or issuance of the permit or the rendering of the decision by filing a written statement of the reasons why the denial, issuance or decision is erroneous.

- c. Hearing. The Commission shall hear the appeal and render a decision within 60 calendar days after the filing of the statement of reasons. The Commission shall give 10 calendar days written notice of the date, time and place of the hearing to the applicant and parties involved in the application. The Commission may uphold or modify the administrative officer's decision.
- d. Appeals of the Commission's decision shall be made to the Board within 10 calendar days after the decision.
- e. Anyone desiring to appeal to a court of law after the final decision of the Board shall do so in the manner provided by and in accordance with state law.

4.4.15 Penalty For Violations.

- a. Any person, firm or corporation, whether as principal, agent, employee, or other-wise, violating any provision of this Division or violating or failing to comply with any order or regulation made hereunder is guilty of a misdemeanor, and upon conviction thereof shall be punished by the penalty prescribed in Section 1.08.010 of the Carson City Municipal Code.
- b. Such person, firm or corporation may be deemed guilty of a separate offense for each and every day during which such violation of this Division or failure to comply with any order or regulation is committed, continued or otherwise maintained.

4.4.16 Maintenance. All signs shall be maintained by the responsible party in good order and repair at all times and shall be kept free of peeling paint, faded materials, major cracks, tear and/or dangling materials. All canister type signs missing a sign panel insert shall be placed with a blank insert within 30 days of notification.**4.4.17** Construction and Safety.

- a. All signs requiring a permit in Carson City shall be regulated by the Sign Code as currently adopted by Carson City and any other applicable building, electrical and fire prevention codes as adopted by the Board and administered by the Building Department.
- b. If a permit is not required, signs shall be safely erected and maintained as specified by the Sign Code as currently adopted

by Carson City and any other applicable building, electrical and fire prevention codes as adopted by the Board and administered by the Building Department.

4.5 Restricted and/or Prohibited Signs.

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.

4.5.2 **Rotating and Revolving Signs.** Rotating and revolving signs may be permitted for commercial/shopping center uses with the following restrictions:

- a. **Maximum Speed.** Maximum speed of revolution or motion of a sign or any part of a sign may not exceed five revolutions or cycles per minute.
- b. **Non-flashing.** No rotating, revolving or moving sign or part of a sign shall be illuminated in whole or in part by any flashing or intermittent light or light source.
- c. **Location Restrictions.** If the majority of adjacent property on the same side of the street contains a residence, apartment, hospital, or home for the aged or convalescent located within 100 feet line-of-sight distance on the opposite side of the street or intersection, or there is such land use within 200 feet line-of-sight distance of the opposite side of the street or intersection, no rotating or revolving or moving sign shall be permitted to be illuminated after 10:00 p.m. or before 7:00 a.m., unless the rotation or other movement is stopped, and all light from such a sign is steady and continuous.

4.5.3 **Flashing Signs.** Flashing signs are permitted only with the following restrictions:

- a. **Non-Rotating or Moving.** Where a flashing sign or intermittent source of sign illumination is allowed, such sign may not revolve, rotate or move in any other manner.
- b. **Light Source Restrictions.** No strobe lights or zip lights shall be permitted. Exposed incandescent bulbs may be used on the exterior surface of a sign if each such bulb does not exceed 25 watts (incandescent light equivalent).

- c. Locations Restrictions. If adjacent property on the same side of the street contains a residence, apartment or hospital, or home for the aged or convalescent located within 200 feet line-of-sight distance of the sign, or there is such land use within 200 feet line-of-sight distance of the opposite side of the street or intersection, no sign shall be permitted to flash or appear to flash. This does not preclude time and temperature signs or scoreboards.

4.5.4 Spot-Lights or Rotary Beacons. Spot-lights or rotary beacons may be located at any shopping center or individual commercial location providing such devices are used for a period not to exceed seven consecutive days in any 60 day period.

4.5.5 Abandoned Signs. No persons shall maintain or permit to be maintained on any premises owned or controlled by them any sign which has been abandoned. Any such sign shall promptly be removed by the owner. Any sign which is located on property which becomes vacant and unoccupied for a period of six months or more, or any sign which was erected for an occupant or business unrelated to the present occupant or their business, or any sign which pertains to a time, event or purpose which no longer applies shall be presumed to have been abandoned, except that permanent signs applicable to a business temporarily suspended by reason of change of ownership or management of such business shall not be considered abandoned unless the property remains vacant for a period of 12 months. If the sign is not removed within the above time limits, the City will remove the sign at the expense of the property owner.

4.5.6 Advertising By Vehicle. No sign shall be erected upon or attached to any vehicle unless painted directly upon the vehicle's surfaced or magnetically attached thereto. The primary use of such vehicles shall be in the operation of the business and not for the purpose of directing (graphically) patrons to the location of the business premises. The provisions of this section shall not be applicable to signs affixed to vehicles of public carriers operating within the City.

4.5.7 Illumination Delivery Vehicle Signs. Delivery vehicle identification signs may be internally illuminated, but shall not exceed three square feet in area. The provisions of this section shall not be applicable to signs affixed to vehicles of public carriers operating within the City.

4.5.8 Changeable Promotional Signs. Changeable promotional signs are permitted accessory to a permanent sign(s) for all commercial/shopping center uses subject to the following standards:

- a. The sign must have a permanent framework structure. The framework structure shall be compatible with the materials and colors of the primary structure. A PVC-type material framework is not permitted.
- b. The square footage of all changeable promotional signs shall be counted toward the maximum square footage of signs allowed for a use and shall not exceed 25 percent of the total allowable sign area.
- c. No more than two permanent changeable copy signs shall be permitted per site.
- d. The changeable portion of the sign structure must be an all-weather material, such as vinyl, canvas or other material as approved by Planning and Community Development.

4.5.9 Cards, Posters, Handbills. It is unlawful for any person to paste, post, paint, print, nail, tack or otherwise fasten any card, banner, handbill, sign, poster, advertisement or notice of any kind upon any property or vehicle without the consent of the owner, holder, lessee, agent or trustee thereof.

4.5.10 Roof-Mounted Signs. Roof-mounted signs are prohibited.

4.5.11 Billboards and Off-Premise Signs. Billboards and off-premise signs are permitted if:

- a. A Special Use Permit has been issued for the sign in accordance with the general special use permit standards set forth in CCMC Title 18; and
- b. The sign complies with the billboard and off-premise signs provisions of this Division.

4.5.12 Window Signs. Window signs shall be prohibited except where included in maximum allowable area of advertising sign or as provided in section 4.4.7(h).

4.5.13 Parapet Signs. Parapet signs extending above the building parapet are prohibited.

4.5.14 Imitation Signs. No sign shall be erected or located in a manner which would:

- a. Imitate a traffic or directional sign;
- b. Cause a hazard to movement of vehicles or pedestrians upon public rights of way;
- c. Obstruct or interfere with the view of a traffic sign, signal or other safety device located upon a public right-of-way.

4.5.15 Obscene Signs. All signs shall comply with all State of Nevada laws regulating obscenity.

4.5.16 Areas Where Signs Are Not Permitted.

- a. Along both sides of the right-of-way of U.S. Highway 50 West from the Carson City line easterly to the range line between R.19 E. and R.20 E. and along both sides of the right-of-way of State Route 28 (Lake Tahoe) within Carson City;
- b. Within any stream or drainage channel;
- c. Within 100 feet from any highway intersection if such location would obstruct vision to vehicular traffic;
- d. Which may prevent a traveler on a highway from obtaining a clear view of approaching traffic for a distance of not less than 500 feet.

4.5.17 Portable Signs. Portable signs are prohibited unless carried by a person on private property to advertise a business located on the same property for no more than three days within a calendar month.

4.6 General Regulations and Standards.

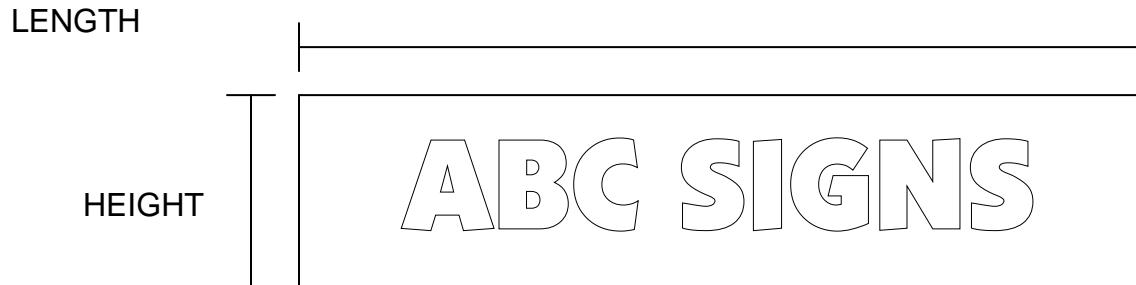
4.6.1 Application. The provisions set forth in this Section shall be applicable to all signs permitted by this ordinance except where specific regulations contrary to this Section are established.

4.6.2 Computation of Sign Area.

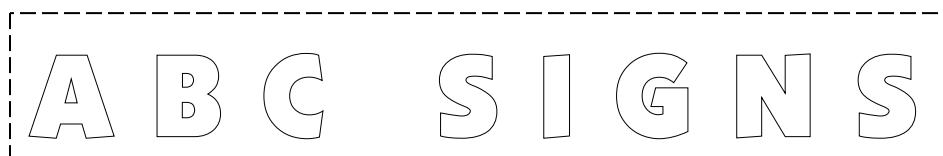
- a. In computing maximum permissible sign area or display surface, all signs designed to be seen from off the premises upon which the sign is proposed to be located shall be included; one face of

a double-faced sign shall be used for calculation; in the event that a sign contains more than two 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



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 one 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 the Carson City Streets and Highway Master Plan) which has two or more street frontages is allowed one additional freestanding monument type sign which does not exceed a maximum of six 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 one freestanding sign is allowed.
- c. Pursuant to Section 4.7.8, the number of freestanding signs allowed in this category is one freestanding sign per manufacturer line of vehicle and one secondary 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 eight 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 Regulation 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).

4.7 Regulations and Standards by Use.

4.7.1 Agricultural and Single-Family Residential Uses. In Agricultural and Single-family Residential areas as defined in Title 18 and the Development Standards, one identification sign not exceeding two square feet in area denoting the name and address of the occupant shall be permitted subject to the following regulations:

- a. Maximum sign height shall be the height of the building facade or roof eave.
- b. Illumination shall be by indirect lighting only.
- c. Sign materials shall be compatible with the building to which it is attached.

4.7.2 Multifamily Residential Uses.

- a. Permitted signs:
 - (1) One sign denoting the name of the multi-family residential use either freestanding or attached, not exceeding 32 square feet in area;

- (2) One address sign not exceeding four square feet in area for the entire site;
- (3) One address sign not exceeding two square feet for each unit within the complex.
- b. The maximum height of a freestanding sign shall be six feet in any residential or office zoning district; 15 feet in any other zoning district;
- c. Illumination of signs shall be by indirect lighting only.
- d. Sign materials shall be compatible with the primary on-site building.

4.7.3 Office Building Uses.

- a. Permitted signs:
 - (1) One freestanding sign not to exceed a maximum of 32 square feet.
 - (2) Wall sign(s) measuring one square foot for each lineal foot of building frontage not to exceed a maximum of 15 feet per street frontage.
 - (3) One wall directory sign, not to exceed a maximum of one square foot of sign area for each occupant of an office building.
 - (4) One address sign not exceeding four square feet in area.
- b. The maximum freestanding sign height shall be six feet in the Residential Office and General Office zoning districts and 20 feet in any other non-residential zoning district.
- c. Illumination from or upon any signs in the Residential Office or General Office zoning districts shall be of such a light intensity or brightness that does not distribute light on adjacent areas.
- d. Materials and design shall be compatible with the primary on-site building.

4.7.4 Shopping Center Uses.

- a. A freestanding sign identifying the shopping center is intended as the primary identification sign. Signs on individual businesses within the shopping center are secondary signs intended to direct shoppers within the complex.
- b. Permitted signs and maximum sign area shall be as follows:
 - (1) Freestanding sign(s) pursuant to Section 4.6.3 denoting the name of the complex, which may also be a combination sign depicting individual businesses with the complex and not exceeding 300 square feet in area. The shopping center name is exempt from the sign area calculation when limited to 30 square feet (10 percent of the total permitted sign area);
 - (2) Permitted sign area for individual signs for each business/tenant in the complex shall be calculated based on a ratio of three square feet for every one foot of the frontage of building/suite for the first 100 feet of frontage. Sign area shall be calculated on a ratio of one square foot for every one foot of the frontage of the building/suite for the portion of the frontage exceeding the first 100 feet up to a maximum sign area of 600 feet.
 - (3) One address sign on each street frontage not to exceed four square feet.
 - (4) Regardless of the amount of the frontage of a building/suite, each building/suite is entitled to a minimum of 50 square feet of wall signs.
- c. Maximum height for a freestanding sign shall be 30 feet.
- d. Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare, or reflections of light. The intent is to make the sign reasonably visible to the average person on an adjacent street.
- e. Sign materials shall be integrated into, and compatible with, the design of the shopping center.

4.7.5 Other Commercial Uses.

- a. Permitted signs and maximum sign area shall be as follows:
 - (1) Permitted sign area for the parcel shall be calculated based on a ratio of three square feet for every one foot of the frontage of building for the first 100 feet of frontage. Sign area shall be calculated on a ratio of one square foot for every one foot of the frontage of the building/suite for the portion of the frontage exceeding the first 100 feet up to a maximum sign area of 600 feet.
 - (2) One address sign not exceeding four square feet in area.
 - (3) A maximum of 50 percent of the total allowable sign area may be located on the freestanding sign pursuant to Section 4.6.3.
- b. Maximum sign height of the freestanding sign shall be 20 feet.
- c. Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of lights.
- d. Sign materials shall be compatible with the design of the primary on-site building.
- e. Regardless of the amount of the frontage of the building or suite, each business is entitled to a minimum of 80 square feet of signs.
- f. One downtown business directory sign, platform, or pole, is permitted per intersection, which shall encompass all corners, within the Downtown Area subject to approval of a Special Use Permit. All sign platforms or poles must be consistent in construction and appearance. Individual signs for businesses are limited to a maximum of one square foot with a maximum letter height of three inches and must be constructed on the single platform or pole. Downtown business directory signs are intended to assist pedestrians to locate downtown businesses. Approval of an encroachment permit from the Nevada Department of Transportation and/or the Carson City Development Services Engineering is required prior to the City's approval of the sign permit.

4.7.6 Signs For Manufacturing/Industrial Uses.

This section applies only to manufacturing and industrial uses as defined in Title 18 and the Development Standards.

- a. Permitted signs and maximum sign area shall be as follows;
 - (1) Signs shall not exceed a ratio of three square feet for every one lineal foot of the frontage of the building not to exceed a maximum of 200 square feet.
 - (2) One address sign not exceeding four square feet.
 - (3) One freestanding sign.
- b. Maximum height of freestanding sign shall be 10 feet.
- c. Materials and sign design shall be compatible with the primary on-site building.

4.7.7 Area Identification Signs. Permanent area identification signs may be erected subject to the following conditions:

- a. Maximum Area. The total surface area shall not exceed 100 square feet.
- b. Maximum Height. The maximum height of a freestanding sign shall not exceed 10 feet.
- c. Materials and sign design shall be compatible with the immediate surroundings.

4.7.8 New Automobile Dealership Uses.

- a. Permitted signs:
 - (1) One freestanding sign is permitted for each manufacturer line of new automobiles and the sign(s) shall not exceed 200 square feet in size and not more than 32 feet in height.

The dealership may exchange one of the manufacturer line of new automobiles signs for a reader-board sign which shall not exceed 200 square feet in size and not more than 32 feet in height.

(2) Should the new automobile dealership be adjacent to a side or rear street, one secondary sign per street is allowed and shall not exceed 80 square feet and shall not exceed 20 feet in height.

b. Permitted sign area for the parcel shall be calculated based on a ratio of three feet for every one foot of the frontage of the building parallel to a street and one square foot of signage for each square foot of new automobile display area; for a total maximum signage area of 850 square feet for a new automobile dealership, including all building and freestanding signage.

c. A maximum of up to 50 percent of the total allowable sign area may be located on freestanding signs pursuant to Section 4.6.3 (c).

d. Maximum sign height of dealership primary signs shall be 32 feet.

e. Illumination from any sign must be shaded, shielded, directed or reduced so as to produce excessive brightness, glare, or reflection of lights.

f. Sign materials must be compatible with the design of the display area portion of the main building.

g. All sign platforms and/or poles must be consistent in construction and appearance.

h. Other Permitted Uses:

(1) Address signs of a maximum of four square feet.

(2) Directional signs which do not exceed three feet in height and four square feet in sign area.

(3) Pennants located on private property. The following specific standards shall apply to all pennants:

(a) The maximum collective length of such advertising devices across the subject parcel shall not exceed three times the width of the parcel facing a public right-of-way.

- (b) Each individual pennant shall not exceed 18 inches in length.
- (c) Strings of pennants shall not exceed the height of any buildings on the subject site and, if no buildings are present, the maximum height shall be 20 feet. Pennants shall be maintained in good condition.

(4) Large inflatable devices located on private property providing such devices are not used for a period in excess of twelve 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 20 feet, whichever is less. Inflatable devices shall be anchored securely and shall not interfere with pedestrian access sidewalks, vehicular traffic movements, or traffic control devices.

(5) 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 20 feet, whichever is less. Balloons shall be anchored securely and shall not interfere with pedestrian access sidewalks, vehicular traffic movements, or traffic control devices, and shall be maintained in good condition.

(6) Banners located on private property providing such devices are not used for a period in excess of 30 consecutive days within any 90 day period. The following specific standards shall apply to all banners:

- (a) One banner per building elevation per unit of operation or business is allowed, with a maximum of two banners per business.
- (b) Banners for businesses with less than 10,000 square feet of gross floor area shall not exceed 50 square feet. An additional 25 square feet of banner area is permitted per 20,000 square feet of gross floor area over 10,000 square feet up to a maximum banner area of 200 square feet.
- (c) Banners shall be securely attached to the primary structure or on bollards within the new automobile

dealership's front yard. The bollards design shall be approved by the Director prior to use.

(d) Any banner used for a period exceeding 30 days in any 90-day period may be allowed subject to the provisions of Section 4.5.8, Changeable Promotional Signs.

(7) Changeable promotional flags located on private property provided such flags are not used for a period in excess of 30 consecutive days within any 90 day period. Any flag maintained in excess of 30 days may be allowed subject to the following standards:

(a) Flags must be spaced at 15 foot intervals across the front property line of the business.

(b) Flags shall not exceed a total size of 10 square feet.

(c) Flags will be securely attached to the primary structure. Freestanding flags are permitted with the approval of the Director.

(d) Any flag displayed above a pedestrian area shall be maintained so that its lowest point is no less than eight feet above the pedestrian ground surface.

(8) Signs within NDOT right-of-way must be in compliance with state sign regulations.

(9) Official flags may be flown in accordance with protocol established by the United States Congress and corporate flags that may contain a business logo may be flown on a flagpole with an official flag, provided that the corporate flag does not exceed 80 square feet or the size of the official flag, whichever is less.

i. Administrative Variances

Allowances for additional height and signage may be allowed if less than 10 percent as an administrative variance by the director, and if more than 10 percent, then by a special use permit pursuant