



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: April 19, 2018

Staff Contact: Lee Plemel, Community Development Director

Agenda Title: For Possible Action: To provide direction to staff regarding possible sign ordinance changes related to temporary banners, flags, A-frame signs, and other temporary sign devices for commercial advertising. (Lee Plemel, lplemel@carson.org)

Staff Summary: Current sign regulations allow certain temporary banners for a period of up to 30 days within any 90-day period. Freestanding flags and A-frame signs are prohibited, except that A-frame signs not exceeding 32 inches in width and 36 inches in height (with other restrictions) are permitted within the Downtown Mixed-Use zoning district. Several businesses have approached City staff, management and Supervisors about amending the temporary sign regulations for consistency throughout the commercial areas.

Agenda Action: Formal Action/Motion

Time Requested: 20 minutes

Proposed Motion

I move to direct staff to prepare an ordinance for a recommendation from the Planning Commission to consider allowing temporary freestanding "feather" flag signs for advertisement on all commercial properties.

Board's Strategic Goal

Quality of Life

Previous Action

During the recession, the Board of Supervisors temporarily amended the sign code to allow freestanding banners, flags, and A-frame signs on all commercial properties. Those provisions expired by ordinance, at the Board's direction, on January 1, 2015.

Background/Issues & Analysis

The Carson City sign ordinance has historically prohibited temporary freestanding or "portable" commercial signs including flags, banners, and A-frames. Flags and banners are permitted, with certain limitations, when attached to a building or permanent freestanding sign structure. Also, since the adoption of the Downtown Mixed-Use (DTMU) zoning district in 2006, A-frame sign have been permitted within that zoning district with the intent of the signs being more pedestrian-oriented than auto-oriented.

During the Recession, as retail sales citywide decreased, the Board of Supervisors adopted an ordinance to allow freestanding banners, flags and A-frame signs, which essentially allowed them to be placed close to the street along the commercial corridors. Those provisions were written into the ordinance to be temporary. The Board of Supervisors extended the provisions for a couple of years beyond the initial expiration date, but ultimately allowed the provisions to expire in January 2015.

Since the adoption of the latest sign ordinance in 2002, "feather" flags have been created and were widely used when freestanding signs were permitted by the sign code. These types of flags did not exist in 2002 (or at least were not in use in Carson City). While they are covered under the current sign ordinance as "flags," the Board of Supervisors may consider providing separate regulations for these types of signs. To the right are examples of feather flags.

Based on recent feedback from some businesses, staff believes there are two key issues that the Board of Supervisors should address in giving staff direction to pursue possible sign code changes:



1. Should freestanding "feather" flag signs be permitted?
2. Should A-frame signs be permitted outside of the Downtown Mixed zoning district, with or without time limits?

In answering these questions, the Board of Supervisors should consider the need and effectiveness of such devices as well as the potential negative aesthetics of sign clutter along the City's commercial corridors.

Staff recommendations:

1. Allow freestanding feather flag signs of a maximum size (to be determined) for a period of 30 days within any 90-day period (same time period as currently allowed for banners).
2. Do not allow portable A-frame signs outside the Downtown Mixed Use zoning district.
3. Do not modify banner standards that require banners to be affixed to an existing structure (i.e. do not allow "freestanding" banners attached to temporary stakes or the like).

Staff rationale:

1. **Feather Flags:** Feather flags did not exist when the current sign code was written. When freestanding flags were temporarily permitted during the recession, these feather flags became widely used throughout the commercial corridors. Since 2015, code enforcement staff have been enforcing the prohibition, though keeping up with the number of flags that are used illegally has been difficult, at times, depending on staff workload.

In considering the types of portable devices that could be used, the feather flags are relatively unobtrusive and can be decorative. Should the Board of Supervisors desire to allow the use of portable signs, staff recommends allowing this type of sign with the same time limitations that are currently placed on banners (30 days within any 90-day period). Staff would also develop size and height limitations for consideration in the ordinance.

2. **A-Frame Signs:** A-frame signs are currently limited to the downtown area, with a pedestrian-oriented (or slow traffic speeds) size limitation. A-frame signs in the downtown area are limited to a maximum of 36 inches in height and 32 inches in width.

Staff believes this size of sign is not intended for use along auto-oriented commercial corridors, where larger signs are generally required in order to be legible. The examples of illegal A-frame signs that staff have seen along the commercial corridors are usually bigger than those permitted downtown. Furthermore, the proliferation of A-frame signs during the period in which they were permitted were one of the specific reasons that the Board of Supervisors allowed the temporary provisions to expire.

Should the Board of Supervisors chose to allow A-frame signs in all commercial areas, staff would recommend time limitations similar to those for temporary banners (30 days within any 90-day period).

3. **Banners:** As noted previously, current code provisions require that banners must be attached to an existing building or freestanding sign structure. The use of banners is limited to 30 days within any 90-day period, and there are size limitations, as well.

Staff does not recommend changing the regulations regarding temporary banners. While it can be difficult to track the permitted time period for banners, new code enforcement staff will develop a program to systematically cover the commercial corridors for temporary sign enforcement. This program would cover any new temporary signs that are permitted under a new proposed ordinance.

For reference, the following excerpts from the Carson City Municipal Code (Title 18 Appendix, Development Standards Division 4, Signs) show the current applicable code sections related to banners and flags:

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

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

- (1) One (1) banner per building elevation per unit of operation or business is allowed, with a maximum of two (2) banners per business.*
- (2) Banners for businesses with less than ten thousand (10,000) square feet of gross floor area shall not exceed fifty (50) square feet. An additional twenty-five (25) square feet of banner area is permitted per twenty thousand (20,000) square feet of gross floor area over ten thousand (10,000) square feet up to a maximum banner area of two hundred (200) square feet.*
- (3) Banners shall be securely attached to the primary structure or permitted freestanding sign. No freestanding banners are permitted.*
- (4) Any banner used for a period exceeding thirty (30) days in any ninety-day period may be allowed subject to the provisions of Section 4.5.8, Changeable Promotional Signs.*
- (5) Notwithstanding the time limitations above, a new business may utilize banners according to the standards of this section for up to ninety (90) consecutive days upon the opening of the business. For such banners, a unit of operation or business is entitled to one hundred (100) square feet of banner area, unless additional banner area is permitted per the above provisions.*

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

- (1) One (1) flag per building elevation, a maximum of two (2) flags per site.*
- (2) Flags shall not exceed a total size of ten (10) square feet.*
- (3) Flags shall be securely attached to the primary structure. No freestanding flags are permitted.*

(4) Any flag displayed above a pedestrian area shall be maintained so that its lowest point is no less than eight (8) feet above the pedestrian ground surface.

"Portable signs," including A-frame signs, are prohibited everywhere except within the Downtown Mixed-Use zoning district. These signs are intended to be pedestrian-oriented in scale, and are subject to the following standards from the Development Standards Division 6.6.3 (Downtown Mixed-Use District, Signs):

7. *A-Frame Signs ("Sandwich-Board" Signs).*
 - a. One A-Frame sign is permitted per business per street frontage.
 - b. Sign must be placed against the building the business operates from or within the landscaped area between the sidewalk and the street.
 - c. A minimum of 6 feet of unobstructed sidewalk clearance must be maintained.
 - d. Signs must be professionally manufactured and shall not exceed 32 inches in width and 36 inches in height. However, chalkboard frames with erasable letters are also appropriate.
 - e. All signs shall be in good repair and neatly painted. No attachments to signs are permitted.
 - f. Signs shall not be displayed during non-business hours.
 - g. No sign shall be located where it obstructs the line of sight for passing motorists.

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

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Municipal Code, Title 18 Appendix, Development Standards Division 4 (Signs)

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

1. Do not direct staff to amend the ordinance and have staff enforce existing temporary sign provisions.
2. Modify the recommended direction to staff.

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)