

Division 4 - SIGNS

This chapter establishes standards for signs and other advertising devices throughout the City.

The Supreme Court decision in 2015 in the case of *Reed v. Town of Gilbert* (AZ) is one of the most recent cases establishing standards for “content neutral” sign regulations under the free speech provisions of the First Amendment to the U.S. Constitution. The result is that a local government’s sign regulations cannot be based on the message that appears on a sign—i.e. “content-based.” For example, a city cannot have a regulation that treats real estate signs (e.g. “for sale”) differently from election signs or garage sales signs. A city may regulate the size and location of signs, rules distinguishing between lighted and unlighted signs, signs with fixed message and signs with messages that change, signs on private versus public property, and signs on residential property versus commercial property. But the regulation may not be dependent on the message that is being conveyed by the sign.

With consideration of this, an update to the sign code is proposed to bring it into compliance with content neutrality requirements while maintaining existing code provisions to the extent reasonably possible. However, many elements of the current sign code must change due to provisions that would be considered content based.

The table below shows the comparison of current sign regulations to proposed sign regulations. Administrative provisions and processes for review and approving sign generally remain the same and are not included in this table.

Current Regulation	Proposed Regulation
4.7 – Regulations and standards by <u>use</u>: Generally, sign area, freestanding sign height and other regulations are based on the type of use regardless of the zoning district in which it is located: e.g. an “office” use has different standards than “other commercial” uses.	Regulations by <u>zoning</u>: Generally, except as otherwise provided, sign area, freestanding sign height and other regulations are based on the zoning district in which the sign is located.
4.7.1 – All single-family residential <u>uses</u>: <ul style="list-style-type: none">- 1 identification sign.- Max. sign area: 6 sq. ft.- Max. height: Roof eave height.- Indirect illumination only.	All single-family residential <u>zoning districts</u>: <ul style="list-style-type: none">- 1 sign per street frontage.- Max. sign area: 6 sq. ft. (parcels < 5 ac.) 32 sq. ft. (parcels 5+ ac.)- Max. freestanding sign height: 6 ft.- Max. freestanding sign area: 100% of sign area.- Illumination: Indirect only.- Animation: Prohibited.
4.7.2 – All multi-family residential <u>uses</u>: <ul style="list-style-type: none">- 1 identification sign.- Max. sign area: 6 sq. ft.- Max. height: Roof eave height.- Indirect illumination only.	All multi-family residential <u>zoning districts</u>: <ul style="list-style-type: none">- 1 sign per street frontage.- Max. sign area: 32 sq. ft. (parcels < 5 ac.) 64 sq. ft. (parcels 5+ ac.)- Max. freestanding sign height: 6 ft.- Max. freestanding sign area: 100% of sign area.- Illumination: Indirect only.- Animation: Prohibited.

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<p>4.7.3 – Office building <u>uses</u>:</p> <ul style="list-style-type: none"> - Max. wall sign area: 15 sq. ft. - Max. freestanding sign area: 32 sq. ft. - Max. freestanding height: 20 ft (6 ft. in RO & GO zoning districts) - Illumination limited in RO & GO only. 	<p>Residential Office (RO) & General Office (GO) <u>zoning districts</u>:</p> <ul style="list-style-type: none"> - Max. wall sign area: 1 sq. ft. for each lineal foot of building frontage, but not more than 15 sq. ft. per street frontage. - Max. freestanding sign area: 32 sq. ft. - Max. freestanding sign height: 6 ft. - Illumination: Indirect only. - Animation: Prohibited.
<p>4.7.4 – Shopping center <u>uses</u>:</p> <p>Generally, the same requirements as “other commercial uses” below, except additional freestanding sign area (300 sq. ft.) and height (30 ft.) are allowed.</p>	<p>Signs for shopping centers:</p> <p>Same regulations.</p>
<p>4.7.5 – Other commercial <u>uses</u>:</p> <ul style="list-style-type: none"> - Max. sign area: 3 sq. ft. for each lineal foot of building frontage for the first 100 feet of frontage, then 1 sq. ft. for each additional foot of frontage above 100 feet, up to a maximum of 600 sq. per parcel. - Max. freestanding sign area: Not more than 50% of the total allowed sign area (up to 300 sq. ft.) - Max. freestanding sign height: 20 ft. - Illumination: Any type. - Animation: Allowed. 	<p>Neighborhood Business (NB), Retail Commercial (RC), General Commercial (GC), Tourist Commercial (TC) & Downtown Mixed-Use <u>zoning districts</u>:</p> <p>Same regulations as “other commercial uses” in 4.7.5 except:</p> <ul style="list-style-type: none"> - In the NB and DTMU zoning districts, total sign area is limited to 300 sq. ft. per parcel and sign animation is prohibited.
<p>4.7.6 – Manufacturing and industrial <u>uses</u>:</p> <ul style="list-style-type: none"> - Max. sign area: 3 sq. ft. for each lineal foot of building frontage, up to a maximum of 200 sq. per parcel. - Max. freestanding sign area: Up to 100% of the total allowed sign area. - Max. freestanding sign height: 10 ft. - Illumination: Any type. - Animation: Allowed. 	<p>General Industrial <u>zoning district</u>:</p> <p>Same regulations as “other commercial uses” in 4.7.5:</p> <ul style="list-style-type: none"> - Max. sign area: 3 sq. ft. for each lineal foot of building frontage for the first 100 feet of frontage, then 1 sq. ft. for each additional foot of frontage above 100 feet, up to a maximum of 600 sq. per parcel. - Max. freestanding sign area: Not more than 50% of the total allowed sign area (up to 300 sq. ft.) - Max. freestanding sign height: 20 ft. - Illumination: Any type. - Animation: Allowed. <p>Limited Industrial (LI), General Industrial Airport (GIA) & Air Industrial Park (AIP) <u>zoning districts</u>:</p> <p>Same as currently allowed for manufacturing and industrial uses in 4.7.6 except that animation is prohibited.</p>

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<p>Public zoning and uses:</p> <p>All standards related to signs approved only through special use permit.</p>	<p>Public zoning districts:</p> <ul style="list-style-type: none"> - Max. sign area: 32 sq. ft. - Max. freestanding sign area: Up to 100% of the total allowed sign area. - Max. freestanding sign height: 10 ft. - Illumination: Any type. - Animation: Allowed.
<p>4.7.7 – Area identification signs:</p> <p>Allowed subject to the following requirements:</p> <ul style="list-style-type: none"> - Maximum Area. 100 square feet; - Maximum Height. 10 feet. 	<p>Area identification signs:</p> <p>Exempt under the definition of “official” sign, limited to 100 sq. ft. in area per “area identification sign” definition.</p>
<p>4.7.8 – New automobile dealership uses:</p> <p>Additional sign area, freestanding signs, freestanding sign height and other advertising devices are permitted.</p>	<p>Signs for businesses licensed to sell new automobiles:</p> <p>Same regulations as currently allowed in 4.7.8.</p>
<p>4.4.7 – Exempt signs:</p> <ul style="list-style-type: none"> a. Professional occupation/name signs in professional building not exceeding 2 sq. ft. b. Certain memorial signs integral to the building structure. c. Identification nameplates not exceeding 4 sq. ft. d. Bulletin boards no exceeding 15 sq. ft. for charitable organization or religious institutions. e. Community directory sign or community directional sign. f. Any sign denoting a political campaign, charitable organization or religious institution. <ul style="list-style-type: none"> - Max sign area: 32 sq. ft. per sign. - Max sign height: 8 feet. - No limit on the number of signs per parcel. - Political signs must be removed not more than 14 days after election. 	<p>“Incidental” sign exemption not exceeding 4 sq. ft. or address sign exemption.</p> <p>Same exemption.</p> <p>Same exemption.</p> <p>Signs as permitted in the zoning district in which the sign is located, and any other exempt signs.</p> <p>“Official sign” exemption.</p> <p>Signs during “election period” (first day of filing to 10 days after election).</p> <ul style="list-style-type: none"> - Max sign area: 32 sq. ft. per sign. - Max sign height: 8 feet. - No limit on the number of signs per parcel. - Signs must be removed not more than 10 days after election. <p>(Note: Additional signs are permitted during “election period” regardless of the sign content; i.e. the sign may contain a non-election or commercial message.)</p> <p>Signs for charitable organizations or religious institutions:</p> <ul style="list-style-type: none"> - Signs as permitted in the zoning district in which the use is located, and any exempt signs.

<p>g. Off-site temporary banners of a civic, charitable, educational or religious nature for up to 30 days in any 90-day period. <i>[Content-based]</i></p> <p>h. Temporary window signs promoting information about a specific product, price, event or activity. <i>[Content-based]</i></p> <p>i. The changing of sign copy on reader board.</p> <p>j. “Open,” “closed,” “vacant” signs of not more than 4 sq. ft.</p> <p>k. Directional signs not exceeding 2 sq. ft. in area and 3 ft. in height.</p> <p>l. Garage sales signs. <i>[Content-based]</i></p> <p>m. “For sale,” “for rent” real property signs: - Max. sign area: 6 sq. ft. on residential < 5 ac. 20 sq. ft. on other properties < 5 ac. 32 sq. ft. on parcels > 5 ac. - Max. sign height: 8 ft. - One sign per street frontage. <i>[Content-based]</i></p> <p>“Open house” signs: <i>[Content-based]</i> - Max. sign area: 3 sq. ft. - Max. sign height: 3 ft. - Not fewer than 3 off-premise signs are allowed, which may be placed in the right-of-way, subject to specific requirements.</p> <p>n. Construction signs with certain size limitations. - Not more than 100 sq. ft. in non-residential. - Not more than 32 sq. ft. in residential & Ag.</p> <p>o. Replacement of sign panels.</p> <p>p. Pennants, subject to limitations.</p> <p>q. Inflatable devices subject to limitations.</p> <p>r. Balloons (less than 18 inches in size).</p> <p>s. Banners, subject to limitations.</p> <p>t. Changeable promotional flags, subject to limitations.</p> <p>u. Sign with NDOT right-of-way in compliance with State regulations.</p>	<p>Signs as permitted in the zoning district in which the sign is located, and any other exempt signs.</p> <p>Signs as permitted in the zoning district in which the sign is located, and any other exempt signs.</p> <p>Exempt per section stating when sign permits are required.</p> <p>“Incidental” sign exemption when not more than 4 sq. ft.</p> <p>“Incidental” sign exemption when not more than 4 sq. ft.</p> <p>Signs as permitted in the zoning district in which the sign is located.</p> <p>Signs during a period in which the property or a building on the property on which the sign is located is for sale, rent, or lease by a licensed real estate agent, subject to the same size and height limitations as current code. (Note: Additional signs are permitted during this period regardless of the sign content.)</p> <p>Signs during the period in which the property is for sale are permitted as noted above in addition to sign area as permitted in the zoning district in which the sign is located; no signs permitted within the right-of-way.</p> <p>Exemption for signs on any parcel during the period of construction subject to the same size limitations as current code.</p> <p>Exempt per section stating when sign permits are required.</p> <p>Same exemption on non-residential parcels only.</p> <p>Same exemption on non-residential parcels only.</p> <p>Same exemption.</p> <p>Same exemption on non-residential parcels only.</p> <p>Same exemption on non-residential parcels only.</p> <p>Exempt “official” signs.</p>
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<p>v. Official flags, no size limit, plus one corporate flag not more than 48 square feet.</p> <p>w. Off-premise community college sign, subject to limitations.</p> <p>x. A-frame signs for businesses, subject to limitations.</p>	<p>Flags which contain a non-commercial message as defined in this chapter, subject to a) not more than 2 flags per parcel; and b) each flag may be not more than 15 sq. ft. in any residential zoning district (standard 5' x 3' flag size) or more than 120 sq. ft. in combined total area in all other zoning districts.</p> <p>Off-premise sign owned by a community college, subject to same limitations as current code.</p> <p>Same exemption.</p> <p>Additional exempt signs (new):</p> <p>“Civic displays,” per new definition (e.g. in connection with a civic event).</p> <p>“Holiday decorations” that contain no commercial message and are placed not more than 45 days before the holiday and removed not more than 30 days after the holiday, per new definition.</p> <p>“Incidental signs” of not more than 4 square feet each, per new definition (e.g. traffic control or directional signs).</p> <p>“Monument signs, special,” a sign not exceeding 32 sq. ft. or 6 ft. in height, non-illuminated, which may be placed at each entrance to a parcel excluding single-family residential zoning districts.</p> <p>Murals that contain a non-commercial message.</p> <p>Nameplates appearing on residences or mailboxes.</p> <p>“Official signs,” per new definition (e.g. sign erected by a government agency in official duties).</p> <p>Signs on outdoor dining umbrellas.</p> <p>Signs on vending machines and fuel pumps.</p> <p>Signs painted on the horizontal, flat surface of a roof and only visible from the air.</p>
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4.8 – Billboards: Allowed by Special Use Permit subject to limitations including certain zoning districts and separation requirements between billboards. Under current regulations, there is the potential for no more than 3 new billboards. The available locations for billboards have almost completely been built-out.	Nonconforming signs: - Regulating billboards differently than other signs presents potential challenges as a content-based requirement. Therefore, it is proposed to delete special standards for billboards and regulate them like any other sign. - Existing billboards would become legal nonconforming signs; no new billboards would be allowed unless approved as part of the signage for a parcel under a Special Use Permit. - Existing billboards may remain and can be maintained and replaced in accordance with the current SUP approval for the sign. No new SUP will be required upon expiration of the current SUP.
4.9 – Freeway-oriented signs: Additional, taller freestanding signs are allowed at certain locations at the intersections of the I-580 freeway and cross-streets with freeway exits, subject to certain requirements and limitations.	Freeway-oriented signs: No change; same requirements.

Notable sign code changes and alternatives discussion:**Political signs**

Current regulations regarding political signs are content-based and need to be amended.

Current regulations:

- Max sign area: 32 sq. ft. per sign.
- Max sign height: 8 feet.
- No limit on the number of signs per parcel.
- Political signs must be removed not more than 14 days after election.

Proposed regulations:

The proposed regulations are intended to allow political signs of the same number and size as currently allowed. The regulation changes to allow “signs during an election period” (first day of filing to 10 days after election). However, in order to allow political signs of the same number and size as currently allowed, the signs cannot be limited by content and the additional signs may contain any message. For example, a business could add signs during an election period and those signs may advertise any business or any other message.

Additionally, verbiage is added to expressly prohibit signs within “prohibited” areas, including within the right-of-way and on public property. This will prohibit political signs from being placed on any public property.

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Alternatives:

1. Limit the number of political signs per parcel, with different standards for residential and non-residential parcels. For example, limit signs during elections periods to:
 - A maximum of 32 sq. ft. in single-family residential zoning districts; and
 - A maximum of 128 sq. ft. (= 4 x 32 sq. ft.) of total additional sign area, with each additional sign not more than 32 sq. ft. in all other zoning districts.
2. Limit political signs to the sign area permitted under the zoning district in which the sign is located.

Code comparisons:

The City of Sparks allows “signs during an election period” with no limitations on the number, size or content of the signs.

The City of Reno is proposing in its new sign code to allow temporary signs containing any message for up to 95 days within a calendar year limited to:

- On residential parcels, one sign per street frontage not exceeding 6 sq. ft. per sign on parcels up to 2 acres in size and up to 32 sq. ft. per sign on parcels more than 2 acres in size.
- On all other parcels, one sign per street frontage up to 32 sq. ft. per sign.

Real property “for sale” or “for rent” signs

Current regulations regarding real property signs are content-based and need to be amended.

Current regulations:

- Max. sign area: 6 sq. ft. on residential less than 5 ac.
20 sq. ft. on other properties less than 5 ac.
32 sq. ft. on parcels 5 ac. or larger
- Max. sign height: 8 ft.
- One sign per street frontage.

Proposed regulations:

The proposed regulations are intended to allow real property signs of the same number and size as currently allowed. The regulation changes to allow signs during a period in which the property or a building on the property on which the sign is located is for sale, rent, or lease, subject to the same size and height limitations as current code. However, in order to allow real property signs of the same number and size as currently allowed, the signs cannot be limited by content and the additional signs may contain any message. For example, a business could use the signs to advertise any business or any other message during a period in which the property or a building on the property is for lease.

Alternatives:

1. Limit signs during “for-sale” or “for rent” periods to the sign area permitted by the zoning district in which the property is located, or prohibit such additional signs in residential zoning districts only (which allows a maximum of 6 sq. ft. of sign area).

Code comparisons:

Neither the City of Sparks nor the City of Reno have provisions to allow additional real property signs beyond what is permitted by right within the applicable zoning district.

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“Open house” signs

Current regulations regarding open house signs are content-based and need to be amended.

Current regulations:

- Max. sign area: 3 sq. ft. per street frontage
- Max. sign height: 3 ft.
- Not fewer than 3 off-premise signs allowed, which may be placed in the right-of-way, subject to specific requirements.

Proposed regulations:

Open house sign area is limited to that permitted under “signs during the period in which the property is for sale” as noted above in addition to sign area as permitted in the zoning district in which the sign is located. No signs are permitted within the right-of-way. Signs may be placed elsewhere (off-site) on private property, with the permission of that property owner, subject to the sign size limitations on the property on which the sign is located (e.g. “incidental signs”).

Alternatives:

1. None identified. If any signs for open houses are permitted within the right-of-way, signs containing other messages, including commercial messages, must be permitted within the right-of-way. Therefore, open house signs should be prohibited within the right-of-way.

Code comparisons:

Neither the City of Sparks nor the City of Reno have provisions for additional open house signs beyond what is permitted by right within the applicable zoning district.

Official flags

“Official flags” include 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 or 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, as currently defined in CCMC.

Current regulations:

- No limit on the number of official flags.
- No size limit on official flags.
- One “corporate” flag of not more than 48 sq. ft. is permitted in addition to official flags (which is a content-based regulation).

Proposed regulations:

Flags which contain a “non-commercial message,” as defined, subject to

- Not more than 2 flags per parcel; and
- The total area of all flags may not exceed 120 square feet (e.g. two 10’ x 6’ flags).

Alternatives:

1. Remove all limitations on flags containing a non-commercial message like the current “official flag” standards.

Code comparisons:

The City of Sparks allows not more than 4 flags with a non-commercial message and not more than 216 sq. ft. in total area per parcel.

The City of Reno is proposing in its new sign code to allow only one flag per parcel, limited to 30 feet in height but with no limit on the size of the flag.

Billboards

Billboards or “off-premise signs,” as defined in the current sign code, have been the subject of many court challenges across the country and to the Supreme Court related to the Constitutionality of sign regulations under First Amendment’s free speech provisions. These challenges are the primary reason that municipalities across the county have re-written their sign codes to adopt content-neutral standards. The basis of regulating a sign containing a message advertising a business or commercial activity that is located on the site on which the sign is located versus a commercial message for something not located on that site is the type of regulation that has been struck down by courts.

Current regulations:

The Carson City sign code currently regulates billboards or “off-premise signs” differently from commercial signs that advertise on-site goods and services. Billboards are permitted with Special Use Permit approval only in certain locations, and including the following requirements:

- Only on Carson Street, William Street, Highway 50 East, and a portion of Highway 50 West;
- Only within the General Commercial or General Industrial zoning districts;
- Not located within 1,000 ft. of any other billboard;
- Not within a Redevelopment District (e.g. all of S. Carson Street) or within 300 ft. of a residential zoning district.
- Limited to 400 sq. ft. in sign area and 28 ft. in height.
- Billboard Special Use Permits expire every 5 years.

There are 23 existing billboards in Carson City, 10 of which are in non-conforming locations but may be maintained in accordance with current code provisions. There are 3 potential locations remaining for new billboards that meet the currently code requirements, all of which are on Highway 50 East.

Proposed regulations:

Existing billboards would become legal nonconforming signs; no new billboards would be allowed unless approved as part of the signage for a parcel under a Special Use Permit. Existing billboards may remain and can be maintained and replaced in accordance with the current Special Use Permit approval for the sign. No new Special Use Permit will be required upon expiration of the current Special Use Permit for an existing billboard.

Alternatives:

1. Retain existing “off-premise sign” regulations to the extent legally feasible to allow the additional billboards that could otherwise be approved under the current code provisions.

Code comparisons:

The City of Sparks only allows new signs in conformance with their sign code, with no new billboards. Existing billboards can remain and be maintained.

The City of Reno is proposing to retain their “off-premise advertising display” regulations with the pending adoption of their revised sign code, which will continue to allow new billboards in certain locations subject to certain requirements.

Special monument signs

This is a new defined category of signs that are proposed to be added as exempt signs. A “special monument sign” is a sign not exceeding 32 sq. ft. or 6 ft. in height, non-illuminated, which may be placed at each entrance to a parcel excluding single-family residential zoning districts. This exemption is taken from the Sparks sign code.

Staff believes this exemption will allow for appropriate signs to direct motorists to the proper entrance while minimizing the sign impacts from any illumination. Illuminated freestanding signs at entrances would be required to comply with the sign area and height limitations based on the other applicable code requirements.