

## STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF MARCH 31, 2021

FILE NO: ZA-2020-0001

AGENDA ITEM: E.3

**STAFF CONTACT:** Lee Plemel, AICP, Community Development Director

**AGENDA TITLE:** For Possible Action: Discussion and possible action regarding possible amendments to the Carson City Municipal Code, Title 18 Appendix (Development Standards), Division 4 (Signs).

**STAFF SUMMARY:** The Planning Commission is conducting public workshops and making recommendations regarding possible updates to Title 18 (Zoning) of the Carson City Municipal Code. The Commission will be reviewing the regulations related to signs and may make recommendations to staff for possible amendments. The Commission will make final recommendations regarding these chapters to the Board of Supervisors at a future meeting.

**PROPOSED MOTION:** [Possible direction to staff regarding proposed amendment to the Development Standards Division 4.]

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### **DISCUSSION:**

This item is part of a series of workshops that will be conducted with the Planning Commission to review Title 18 and the Development Standards in anticipation of a comprehensive update of those sections of the Carson City Municipal Code. The focus of this workshop will be to review the Development Standards Division 4 (Signs). The discussion regarding Division 4 is a continuation of the sign code discussion at the Planning Commission meeting of February 24, 2021. The Planning Commission will consider any public comments regarding these sections and may give comments to staff regarding proposed updates to these sections.

Attached are a summary of the proposed changes to Division 4 as well as the draft amendments for the new sign code section. Note that the purpose of the workshops is to identify substantive changes to the code. As presented, the code sections are not in their final formats.

Due to COVID-19 restrictions, the public has not been able to attend these workshops or meetings in person. Staff has placed the draft documents online at [carson.org/title18](http://carson.org/title18) and have solicited comments from the public, which will be passed on to the Planning Commission and Board of Supervisors, as applicable. Any member of the public may submit comments in writing to the Planning Division. Comments can be emailed at [planning@carson.org](mailto:planning@carson.org), or mailed or delivered to 108 E. Proctor St., Carson City, NV 89701.

Please contact Lee Plemel in the Planning Division at 283-7075 or [lplemel@carson.org](mailto:lplemel@carson.org) if you have any questions regarding this item.

Use the link below to go to the web-based Municipal Code to view the code in its entirety.  
[https://library.municode.com/nv/carbon\\_city/codes/code\\_of\\_ordinances](https://library.municode.com/nv/carbon_city/codes/code_of_ordinances)

Attachments:

- 1) Summary of proposed changes to Division 4 (Signs)
- 2) Draft revised sign ordinance

### 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
<b>4.7 – Regulations and standards by <u>use</u>:</b>  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.	<b>Regulations by <u>zoning</u>:</b>  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.
<b>4.7.1 – All single-family residential <u>uses</u>:</b>  - 1 identification sign. - Max. sign area: 6 sq. ft. - Max. height: Roof eave height. - Indirect illumination only.	<b>All single-family residential <u>zoning districts</u>:</b>  - 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.
<b>4.7.2 – All multi-family residential <u>uses</u>:</b>  - 1 identification sign. - Max. sign area: 6 sq. ft. - Max. height: Roof eave height. - Indirect illumination only.	<b>All multi-family residential <u>zoning districts</u>:</b>  - 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.

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

<b>Public zoning and uses:</b> All standards related to signs approved only through special use permit.	<b>Public zoning districts:</b> - 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.
<b>4.7.7 – Area identification signs:</b> Allowed subject to the following requirements: - Maximum Area. 100 square feet; - Maximum Height. 10 feet.	<b>Area identification signs:</b> Exempt under the definition of “official” sign, limited to 100 sq. ft. in area per “area identification sign” definition.
<b>4.7.8 – New automobile dealership uses:</b>  Additional sign area, freestanding signs, freestanding sign height and other advertising devices are permitted.	<b>Signs for businesses licensed to sell new automobiles:</b> Same regulations as currently allowed in 4.7.8.
<b>4.4.7 – Exempt signs:</b>  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. - 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.	“Incidental” sign exemption not exceeding 4 sq. ft. or address sign exemption.  Same exemption.  Same exemption.  Signs as permitted in the zoning district in which the sign is located, and any other exempt signs.  “Official sign” exemption.  Signs during “election period” (first day of filing to 10 days after election). - 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. (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.)  Signs for charitable organizations or religious institutions: - Signs as permitted in the zoning district in which the use is located, and any exempt signs.

## Title 18 Appendix, Development Standards – Division 4 – Summary of Proposed Changes

<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:</p> <ul style="list-style-type: none"> <li>- Max. sign area: 6 sq. ft. on residential &lt; 5 ac. 20 sq. ft. on other properties &lt; 5 ac. 32 sq. ft. on parcels &gt; 5 ac.</li> <li>- Max. sign height: 8 ft.</li> <li>- One sign per street frontage. <i>[Content-based]</i></li> </ul> <p>“Open house” signs: <i>[Content-based]</i></p> <ul style="list-style-type: none"> <li>- Max. sign area: 3 sq. ft.</li> <li>- Max. sign height: 3 ft.</li> <li>- Not fewer than 3 off-premise signs are allowed, which may be placed in the right-of-way, subject to specific requirements.</li> </ul> <p>n. Construction signs with certain size limitations.</p> <ul style="list-style-type: none"> <li>- Not more than 100 sq. ft. in non-residential.</li> <li>- Not more than 32 sq. ft. in residential &amp; Ag.</li> </ul> <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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## **Title 18 Appendix, Development Standards – Division 4 – Summary of Proposed Changes**

v. Official flags, no size limit, plus one corporate flag not more than 48 square feet.	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.
w. Off-premise community college sign, subject to limitations.	Off-premise sign owned by a community college, subject to same limitations as current code.
x. A-frame signs for businesses, subject to limitations.	Same exemption.
<b>Additional exempt signs (new):</b>	
	“Civic displays,” per new definition (e.g. in connection with a civic event).
	“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.
	“Incidental signs” of not more than 4 square feet each, per new definition (e.g. traffic control or directional signs).
	“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.
	Murals that contain a non-commercial message.
	Nameplates appearing on residences or mailboxes.
	“Official signs,” per new definition (e.g. sign erected by a government agency in official duties).
	Signs on outdoor dining umbrellas.
	Signs on vending machines and fuel pumps.
	Signs painted on the horizontal, flat surface of a roof and only visible from the air.

<b>4.8 – Billboards:</b>  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.	<b>Nonconforming signs:</b>  - 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.
<b>4.9 – Freeway-oriented signs:</b>  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.	<b>Freeway-oriented signs:</b>  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.

## **Title 18 Appendix, Development Standards – Division 4 – Summary of Proposed Changes**

### **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.

## **Title 18 Appendix, Development Standards – Division 4 – Summary of Proposed Changes**

### **“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.

*Note: The following proposed sign code text is completely rewritten and would replace the entire text of the current sign code. Refer to the sign code Summary of Proposed Changes document for a comparison of the current sign code provisions to the proposed revisions. Strike-through and underlined text is used in some instances in this draft review document to highlight some notable changes or additions but does not include all changes to the current sign code verbiage. Only the new proposed language is shown in this document.*

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### **18.XX – Signs**

#### **18.XX.010 – 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 as defined in this chapter, and to accomplish the following results:

1. 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;
2. 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;

3. To provide a reasonable and comprehensive system of sign management addressing size, location, design, and illumination for the fair and consistent enforcement of these sign regulations;
4. To encourage signs that are varied in design, well-constructed, and pleasing in appearance;
5. To attract and direct persons to various activities and enterprises in order to provide for the public convenience; and
6. To prohibit the indiscriminate use of other outdoor advertising.

**18.XX.020 – Applicability.**

1. It shall be unlawful to display, erect, place, establish, paint, or maintain a nonexempt sign in the City except in conformance with the standards, requirements, limitations and procedures of this chapter.
2. Severability. If any provision of this chapter 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.

**18.XX.030 – Definitions.**

The terms below have the meanings as defined in this section for the purposes of administering this chapter. Where a definition in this chapter conflicts with any definition in title 18 or any other chapter of CCMC, the definition in this section only applies to the administration of this chapter.

"A-frame sign" means a portable sign typically made of lightweight and rigid material having the capability to stand on its own.

"Area identification sign" means a permanent sign of not more than 100 square feet in area used to identify a neighborhood, subdivision, shopping district or industrial district.

"Area of sign" or "sign area" is the sign display surface area as computed in accordance with the provisions of this chapter. [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 any sign of fabric, plastic or similar material that is mounted to a pole, structure or a building at one or more edges. [a temporary flexible sign or similar device.]

"Billboard" means an outdoor advertising sign 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 facade" means the vertical face of a building to the lower edge of the roof.

"Changeable promotional flag" is a flag that may or may not contain a commercial message [excluding official flags], including "feather flags" as defined in this chapter.

~~"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.~~

"Civic display" means a temporary display of banners, balloons, flags, lights or similar decorations maintained by the city, county, state or federal government within the public right-of-way or on other public property in connection with a holiday, or civic event.

"Commercial message" means any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity or is otherwise defined as "commercial speech" by the Nevada Supreme Court, the United States District Court for the District of Nevada, the Ninth Circuit Court of Appeals, or the United States Supreme Court for purposes of interpreting the United States Constitution or Nevada constitution regarding freedom of expression or speech.

"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.

"Copy" includes characters, letters, illustrations, writings, and symbols, including logos and trademarks.

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

"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 twenty (20) percent of the total sign area.~~

"Display surface" means the surface of the sign upon, against or through which the message is displayed or illustrated on the sign and includes any illuminated or non-illuminated portion of the display surface.

"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 for the sign display surface to be viewed from 2 directions and on which the 2 display surfaces of the sign are parallel or the angle between them is not more than 30 degrees.

"Downtown business directional sign" is any sign erected in the right-of-way within the Downtown Mixed-Use zoning district 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 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.

"Feather flag" means a vertically oriented banner of flexible material attached to a single pole allowing the fabric to hang loose at 1 or 2 sides of the banner.

"Flag" means a piece of fabric varying in shape, color and design usually attached at one edge to a staff, pole or cord, and which contains a noncommercial message as defined in this chapter.

~~["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 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.]~~

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

"Freestanding sign" means a sign which is permanently supported by any structure that is not an integral part of any building located upon the premises.

"Freeway intersection" is the point at the intersection of the centerlines of the Interstate 580 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 Interstate 580.

"Frontage of building" means the lineal length of any portion of a building facing any adjacent public street or on-site parking area. Where the allowable sign area is a function of building or business frontage, no more than 2 frontages may be counted in calculating the allowable sign area for any building occupant.

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

"Holiday decorations" means any display commonly associated with a holiday as defined in the NRS.

"Incidental sign" means a sign posted on private property by the owner of the property which is generally informational, contains no commercial message, and has a purpose secondary to the use of the site on which it is located, such as traffic control signs, parking or loading control signs, signs indicating the location of telephones or emergency equipment, and other similar signs.

"Indirect lighting" means illumination of a sign designed 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 chapter.

"Message hold time" means the time a message is displayed on an electronic message display sign before the sign transitions to display another message.

"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.

"Monument sign, special" means a monument sign which may be located at each entrance to a parcel from a public street and which is not more than 32 square feet in sign area, is not more than 6 feet in height, and is non-illuminated.

"Noncommercial message" means any sign copy that is not a commercial message as defined in this chapter, and includes any definition of "noncommercial speech" by the Nevada Supreme Court, the United States District Court for the District of Nevada, the Ninth Circuit Court of Appeals, or the United States Supreme Court for purposes of interpreting the United States Constitution or Nevada constitution regarding freedom of expression or speech.

"Nonconforming sign" is a sign which was legally erected under laws or ordinances in effect at the time the sign was erected but which is now in conflict with the provisions of this chapter.

"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.

"Official sign" means any sign owned by, or erected by or at the direction of the city in furtherance of the official duties of the city or another governmental agency, including, but not limited to, traffic control signs, directional signs, street identification signs, warning signs, parking control signs, area identification signs, and signs prohibiting or controlling access to property.

"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.

"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" means 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.

~~"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-mounted sign" means 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" means a group of 5 or more commercial business establishments planned and developed as a unit on a single parcel of not less than 3 acres in area or commonly managed parcels of land that utilize an undivided or unsegregated parking area that totals not less than 3 acres in area.

"Sign" means any marking, device, fixture, placard, or structure that uses any graphics, illumination, symbol, or writing to draw the attention of the public, or advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public, and which is visible from any public right-of-way, common parking area or surrounding properties. This definition includes all parts of such a device, including its structure and supports and also includes balloons, pennants, streamers or other devices which are used to attract the attention of the public, whether or not they contain copy. This definition does not include handheld devices, fixtures or placards.

"Street" includes any public street, alley, way, place or thoroughfare.

"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.

"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.

#### **18.XX.040 – Sign regulations by zoning district.**

Sign regulations for each zoning district are established in the table below.

## Title 18 Appendix, Development Standards – Division 4, Signs

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<b>Sign Regulations by Zoning District</b>					
<b>Zoning district</b>	<b>Total maximum sign area</b>	<b>Maximum height (free-standing)</b>	<b>Maximum freestanding sign area</b>	<b>Illumination</b>	<b>Animation</b>
<b>Residential</b>					
SF5A, SF2A, SF1A, SF21, SF12, SF6, MH6, MH12, MH1A, MFD and MHP	Parcels less than 5 acres: 6 sq. ft. Parcels 5 acres or larger: 32 sq. ft. One sign is permitted per street frontage, provided that the cumulative sign area for all signs does not exceed the total maximum permitted sign area.	6 ft.	100 percent of total permitted sign area	Indirect only	Prohibited
Multi-Family Apartment (MFA)	Parcels less than 5 acres: 32 sq. ft. Parcels 5 acres or larger: 64 sq. ft. One sign is permitted per street frontage, provided that the cumulative sign area for all signs does not exceed the total maximum permitted sign area.	6 ft.	100 percent of total permitted sign area	Indirect only	Prohibited
<b>Office</b>					
Residential Office (RO) and General Office (GO)	Wall signs of 1 sq. ft. for each lineal foot of building frontage, but not more than 15 sq. ft. per street frontage	6 ft.	In addition to permitted wall sign area, 32 sq. ft.	Indirect only if adjacent to a residential district	Prohibited
<b>Commercial</b>					
Neighborhood Business (NB) and Downtown Mixed-Use (DTMU) <sup>3</sup>	3 sq. ft. for each lineal foot of building frontage up to a maximum of 300 sq. ft. per parcel <sup>1</sup>	20 ft.	Not more than 50 percent of the total permitted sign area	All types	Prohibited

## Title 18 Appendix, Development Standards – Division 4, Signs

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Retail Commercial (RC), General Commercial (GC) and Tourist Commercial (TC)	3 sq. ft. for each lineal foot of building frontage for the first 300 ft., then 1 sq. ft. for each lineal foot of building frontage for the portion of the building exceeding the first 100 ft. of lineal frontage, up to a maximum of 600 sq. ft. per parcel <sup>1</sup>	20 ft.	Not more than 50 percent of the total permitted sign area	All types	Allowed <sup>2</sup>
<b>Zoning district</b>	<b>Total maximum sign area</b>	<b>Maximum height (free-standing)</b>	<b>Maximum freestanding sign area</b>	<b>Illumination</b>	<b>Animation</b>
<b>Industrial</b>					
General Industrial (GI)	3 sq. ft. for each lineal foot of building frontage for the first 300 ft., then 1 sq. ft. for each lineal foot of building frontage for the portion of the building exceeding the first 100 ft. of lineal frontage, up to a maximum of 600 sq. ft. <sup>1</sup>	20 ft.	Not more than 50 percent of the total permitted sign area	All types	Allowed <sup>2</sup>
Limited Industrial (LI), General Industrial Airport (GIA) and Air Industrial Park (AIP)	3 sq. ft. for each lineal foot of building frontage up to a maximum of 200 sq. ft.	10 ft.	100 percent of total permitted sign area	All types	Prohibited
<b>Agriculture (A) and Conservation Reserve (CR)</b>					
A and CR	32 sq. ft.	6 ft.	100 percent of total permitted sign area	Indirect only	Prohibited
<b>Public</b>					

Public (P), Public Neighborhood (PN), Public Community (PC) and Public Regional (PR)	32 sq. ft.	10 ft.	100 percent of total permitted sign area	All types	Allowed <sup>2</sup>
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1. Notwithstanding the total maximum permitted sign area for commercial zoning districts and the General Industrial zoning district, each business with building façade frontage is permitted wall sign area of not less than 50 square feet.
2. Animation permitted in accordance with the electronic message display standards of section 18.XX.130.
3. In addition to the sign provisions of this chapter, signs located within the Downtown Mixed-Use zoning district must comply with the specific sign requirements of chapter 18.XX (Downtown Mixed-Use district development standards).

#### **18.XX.050 – Signs for shopping centers.**

Notwithstanding the permitted sign area for the zoning district in which a shopping center is located, a shopping center within the Retail Commercial, General Commercial, Tourist Commercial or General Industrial zoning districts may use the following sign standards:

1. The permitted wall sign area for each business or suite in the shopping center is larger of:
  - (a) Fifty square feet; or
  - (b) Three square feet for each lineal foot of building or suite frontage for the first 100 feet of frontage, then 1 square foot for each lineal foot of building or suite frontage for the portion of the building or suite frontage exceeding the first 100 feet, up to a maximum sign area of 600 feet per business or suite.
2. Freestanding signs for shopping centers must meet the following requirements:
  - (a) A shopping center may have 1 freestanding sign with a maximum sign area of 300 square feet;
  - (b) A shopping center freestanding sign may not exceed 30 feet in height; and
  - (c) Sign materials must be compatible with the architecture and building materials of the shopping center.

#### **18.XX.060 – Signs for businesses with drive-through service.**

Notwithstanding the permitted sign area for the zoning district in which the business is located, a business that provides drive-through service with on-site orders may have an additional 2 monument signs subject to the following requirements:

1. The aggregate area of the 2 signs may not exceed 64 square feet;

2. The signs may not exceed 8 feet in overall height;
3. The signs must be oriented to be visible and usable to be vehicles within the drive-through lane for the business; and
4. If the drive-through business ceases or abandons the drive-through use, the signs are no longer permissible and must be removed.

**18.XX.070 – Signs for businesses licensed to sell new automobiles.**

Notwithstanding the permitted sign area for the zoning district in which the business is located, a business licensed to sell new automobiles may use the following sign standards:

1. The permitted sign area for the parcel is 3 square feet for each lineal foot of building frontage facing a street, and 1 square foot for each square foot of new automobile display area within the building, up to a total maximum sign area of 850 square feet, including all wall signs and freestanding signs.
2. Freestanding signs.
  - (a) One freestanding sign is permitted for each new automobile manufacture line sold by the business, each of which may not be more than 200 square feet in area and not more than 32 feet in height.
  - (b) A business licensed to sell new automobiles that is located on a parcel that has more than one street frontage may have one secondary freestanding sign on the secondary frontage provide the secondary freestanding sign is not more than 80 square feet in area and not more than 20 feet in height.
  - (c) Not more than 50 percent of the total permitted sign area may be used on freestanding signs.
3. Other permitted signs. In addition to banners and other signs expressly exempted from sign regulations under the provisions of this chapter, a business licensed to sell new automobiles may use the following signs:
  - (a) Pennants, subject to the following requirements:
    - (1) Strings of pennants may not exceed the height of any buildings on the parcel or 20 feet in height, whichever is more;
    - (2) The collective length of pennant strings across the subject parcel may not exceed 3 times the width of the parcel frontage facing a public street; and
    - (3) Each individual pennant may not exceed 18 inches in length;
  - (b) Inflatable devices, subject to the following requirements:
    - (1) Inflatable devices may not be used for a period of more than 12 days within any calendar month;
    - (2) An inflatable device may not exceed the height of any building on the parcel or 20 feet in height, whichever is more; and

(3) An inflatable device must be anchored securely and may not interfere with pedestrian access, sidewalks, vehicular traffic movements, or traffic control devices;

(c) Balloons, subject to the following requirements:

(1) A balloon may not exceed the height of any buildings on the parcel or 20 feet in height, whichever is more; and

(2) Balloons must be anchored securely and may not interfere with pedestrian access, sidewalks, vehicular traffic movements, or traffic control devices; and

(d) Changeable promotional flags, subject to the following requirements:

(1) Changeable promotional flags may be placed along the parcel frontage provided that each flag is placed not less than 15 feet from any other changeable promotional flag;

(2) Each changeable promotional flag may not exceed 10 square feet;

(3) Changeable promotional flags must be anchored securely and may not interfere with pedestrian access, sidewalks, vehicular traffic movements, or traffic control devices; and

(4) Any changeable promotional flag displayed above a pedestrian area must maintain a clearance of not less than 8 feet above the pedestrian ground surface.

4. Signs permitted for a business licensed to sell new automobiles must be removed or brought into compliance with the applicable sign regulations for the zoning district in which the sign is located when a business is no longer licensed to sell new automobiles on a parcel, and any new signs must comply with the applicable sign regulations in effect at the time of the placement of the signs.

**18.XX.080 – Number of freestanding signs.**

1. Except as otherwise provided in this chapter, not more than 1 freestanding sign is allowed per parcel or per shopping center.

2. A parcel or shopping center is permitted to have 1 additional freestanding sign provided that:

(a) The property or shopping center:

(1) Is located on an arterial street as designated on the Carson City Roadway Functional Classification map; and

(2) Has 2 or more street frontages; and

(b) The additional freestanding sign:

(1) Is located on the non-arterial street frontage;

(2) Is not more than 6 feet in height;

(3) Contains not more than 36 square feet of sign area; and

(4) Is a monument-type sign.

**18.XX.090 – Freeway-oriented signs.**

1. **Findings.** Carson City finds that the limited use of on-premise signs for certain existing and proposed commercial land uses is an appropriate means to help achieve economic sustainability. The City also recognizes there must be a balance between the needs of the business community and the desire of citizens to preserve view corridors along the freeway. To achieve this balance, these guidelines are a means to allow freeway signage that is well designed, appropriately sited, and to the extent possible, esthetically pleasing. These standards are to be utilized in evaluating requests for freeway-oriented signs.

2. **Purpose.** The purpose of these standards is to:

(a) Encourage development of property in harmony with the desired character of the City while providing due regard for the public and private interests involved;

(b) Promote the effectiveness of freeway-oriented signs by preventing the over concentration, improper placement, deterioration, and excessive size and number;

(c) Enhance the flow of traffic and the convenience, ease and enjoyment of travel along the freeway;

(d) Protect travelers on the freeway from injury or damage as a result of distraction or obstruction of vision attributable to large signs;

(e) Assure that public benefits derived from expenditures of public funds for the improvement and beautification of the freeway and other public structures and spaces shall be protected by exercising reasonable control over the character and design of large sign structures; and

(f) Require that signs be properly maintained for safety and visual appearance.

3. **Applicability.** The standards contained in this section apply to all freeway-oriented signs as defined in this chapter.

4. **Location.** A freeway-oriented sign may only be located:

(a) On a parcel or shopping center site which:

(1) Has frontage on the Interstate 580 freeway right-of-way; and

(2) Is located between the Interstate 580 freeway intersection at North Carson Street and 1,500 feet west of the Interstate 580 freeway intersection at South Carson Street;

(b) On a parcel or shopping center site that is:

(1) Not less than 15 contiguous acres in area;

(2) Not less than 3 contiguous acres within 500 feet of an Interstate 580 freeway intersection; or

(3) Not less than 3 contiguous acres located on the corner with frontage on both the Interstate 580 freeway and the cross-street;

(c) On property zoned General Commercial, Retail Commercial or Limited Industrial;

(d) Not more than 200 feet from the right-of-way line of the adjacent Interstate 580 freeway; and

(e) A distance of not less than 10 times the proposed height of the sign measured from the property line of the nearest residentially zoned property to the nearest point of the sign.

5. Number of freeway-oriented signs. A maximum of 1 freeway-oriented sign may be permitted per parcel or shopping center in addition to other permitted on-premise signs and sign area.

6. Design and construction. A freeway-oriented sign must be designed and built:

(a) No taller than reasonably necessary in order for the sign copy to be visible from a vehicle approaching on the same side of the Interstate 580 freeway as determined by a line-of-site analysis or not more than 30 feet above the highest freeway improvement immediately adjacent to the proposed sign, including freeway barriers and sound-walls but excluding light fixtures and sign structures, whichever is less;

(b) Having a form, texture, color, and finish that incorporates representations complimentary to the primary architectural or natural features of the associated development or feature;

(c) Having low maintenance, architectural-grade surfacing materials such as metal, masonry, ceramic tile, glass or stucco;

(d) Having a sign area determined by the lesser of:

(1) One square foot of sign area for each 2 lineal feet of freeway right-of-way frontage or 1 square foot of sign area for each lineal foot of building frontage facing the freeway right-of-way, whichever is more;

(2) Fifty square feet per acre of parcel; or

(3) Six-hundred square feet;

(e) Limiting nighttime illumination to just the sign copy or sign message. An internally illuminated freeway-oriented sign must have opaque backgrounds so that only the sign copy is illuminated. Where a background is integral to the design of a corporate image or registered trademark, the background must be colored to mute the amount of illumination. Vacant or blank tenant sign panels must be blocked out; and

(f) To be located appropriately on the parcel for visibility from the freeway while minimizing the sign height in accordance with this section.

7. Exterior illumination. A freeway-oriented sign composed of exposed neon, argon or krypton tubing, exposed incandescent lighting, or other exposed artificial lighting to outline such sign or portion thereof, is permitted provided such illumination:

(a) Constitutes a design component of the overall sign architecture;

(b) Is integrated into the primary physical elements of sign and is harmonious with the architectural style of the structure;

(c) Serves only for the purpose of embellishing the nighttime architecture of the sign and does not portray an advertising message or move, blink or change in intensity;

(d) Is compatible with the land use and architecture of adjacent developments; and

(e) Is fully functional. If any component of the lighting becomes nonfunctional, none of the lighting system may be illuminated until the entire lighting system is repaired and is functioning as intended.

8. Electronic message displays. A freeway-oriented sign using an electronic message display is permitted subject to the following requirements:

(a) The electronic message display portion of the sign may comprise no more than 50 percent of the total sign area;

(b) The electronic message display may contain static messages only with no animation, moving video or change in intensity of lighting;

(c) The message change sequence must be accomplished immediately or by means of fade or dissolve modes with each frame displayed for a minimum period of four seconds, and may not include continuous, traveling or scrolling displays or movement or the appearance or illusion of movement of any part of the sign structure, design, pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity; and

(d) The electronic message display must have automatic photocell dimming capabilities based on ambient outside light and be set to dim at night in accordance with the provisions of this chapter for electronic message displays or applicable Nevada Department of Transportation lighting regulations, whichever are more restrictive.

9. Modifications and alternatives. The Commission may approve modifications or alternatives to these freeway-oriented sign standards when:

(a) The proposed sign incorporates special design features or unique architectural elements that represent superior quality;

(b) Such modifications or alternatives are consistent with the intent of these standards and will result in conditions that are commensurate with or superior to these standards; and

(c) One of the following is present:

(1) An individualized assessment reveals the existence of extraordinary conditions involving topography, land ownership, adjacent development, parcel configuration, or other factors related to the development site;

(2) The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing feature that represents a clear variation from conventional development; or

(3) Where a reduction in the required setback from residential property is proposed, evidence that the residents within the setback area will be screened from view of the sign by other means such as freeway sound-walls, buildings, or other features.

10. Special use permit requirement. A freeway-oriented sign exceeding 30 feet in height may only be approved by special use permit.

11. Special use permit application requirements. In addition to site plans, elevations and other standard submittals typically required for special use permit applications, an application for a freeway-oriented sign must include the following support materials:

(a) Photographs documenting observation of the proposed sign height and location. The observation must document not fewer than 4 possible sign heights, including the proposed height plus 2 lower and 1 higher sign heights than proposed.

(1) Each documented height option must differ a minimum of 10 feet from the next option.

(2) Written notice of the test must be made to the Director not less than 10 working days prior to the test date.

(3) The test must be observed or verified by the Director.

(4) Heights shown in the observation must be confirmed by an independent source, which may include the Director or by professional survey.

(5) The device used to confirm the proposed heights must have sufficient size and substance to provide a comparable sense of scale for the proposed sign. Examples of sufficient size and substance include 4-foot wide banners strung between two balloons, or 4-foot by 8-foot sheets of plywood suspended in place by a crane;

(b) Photo simulations in which the proposed sign is depicted on site.

(1) Photo simulations must depict several vantage points.

(2) At minimum, at least 1 of the photo simulations must depict the view of the sign from the same side of the Interstate 580 freeway as the sign placement at a distance of approximately 1,000 feet from the sign.

(3) Photo simulations must include at least one view from the residential subdivision closest to the overall project site related to the sign;

(c) A section drawing depicting the line-of-sight available to the occupants of a vehicle approaching the sign from 1,000 feet away; and

(d) If the proposed sign is located within the Airport Review Area as identified by the planning division, the applicant must submit written comments from the Airport Authority regarding Federal Aviation Administration and Airport Authority requirements for construction of the sign. Freeway-oriented signs must comply with all applicable Federal Aviation Administration requirements.

**18.XX.100 – Signs for businesses licensed to grow, process or sell marijuana or medical marijuana.**

Notwithstanding any other provision of this chapter, a business licensed as a marijuana establishment or medical marijuana establishment must comply with the following requirements:

1. All signage must be discreet, professional and consistent with the traditional style of signage for pharmacies and medical offices;

2. Each business is permitted not more than 30 square feet of wall sign area;

3. A marijuana or medical marijuana business is entitled to not more than 32 square feet of freestanding sign area per parcel;
4. The maximum freestanding sign height shall be determined by the applicable freestanding sign height regulations for the zoning district in which the sign is located; and
5. Where a medical marijuana establishment and marijuana establishment are jointly located on a single property, the maximum permitted sign area applies to the property and not each type of establishment.

**18.XX.110 – Signs located on bus shelters.**

1. Notwithstanding any other provision of this chapter, the placement of a sign on an authorized City bus shelter located within the right-of-way or on private property is allowed in accordance with the requirements of this section.
2. A bus shelter sign is only allowed in non-residential zoning districts.
3. A bus shelter sign is prohibited on a bus shelter in the following areas:
  - (a) The historic district;
  - (b) The Residential Office zoning district; and
  - (c) Within 100 feet of any property located within a residential zoning district.
4. A bus shelter sign is subject to the Carson City Regional Transportation Commission (RTC) Advertising Policy.
5. A bus shelter sign must meet the following requirements:
  - (a) Only 1 sign is allowed per bus shelter, placed on 1 side of the bus shelter. Double-faced signs are prohibited;
  - (b) The maximum allowed sign area is 24 square feet;
  - (c) Internal sign illumination is prohibited, and any external lighting must be shielded and directed downward;
  - (d) No signs resembling any traffic control device, official traffic control sign, or emergency vehicle marking, or signs that create a physical or visual hazard to motorists are allowed;
  - (e) A banner may not be used as a bus shelter sign;
  - (f) A bus shelter sign may not produce sound, noise, smoke or vapor and may not contain any appendages or moving parts;
  - (g) Electronic message display signs are prohibited, excluding signs that provide information on bus schedules and fares;
  - (h) Roof mounted signs are prohibited; and
  - (i) The RTC must provide graffiti abatement when necessary.

**18.XX.120 – Computation of sign area.**

1. All signs which are designed to be visible from any public right-of-way, common parking area or surrounding properties, excluding exempt signs under the provisions of this chapter, are included in the total sign area calculation.
2. Sign area includes all portions of the sign display surface as defined in this chapter but excludes structural support elements surrounding the display surface.
3. For double-faced signs, only 1 side of the sign shall be used for sign area calculation.
4. Where individual letters or other elements are attached to a building wall, and which are not enclosed in a frame or cabinet and the background building material or color is not altered, the area of the sign is calculated by drawing a rectangle or circle around the entire sign copy up to the edges of the sign copy.

**18.XX.130 – Electronic message display signs.**

An electronic message display sign must meet the following requirements:

1. The portion of the sign that displays an electronic message must be equipped with technology that automatically dims the display according to ambient light conditions. The brightness of the sign at full white screen must be limited to 0.3 foot-candles over ambient light, measured at a distance of 10 times the square root of the area of the sign.
2. The sign must have a message hold time of not less than 3 seconds.
3. The transition time between different messages being displayed on the sign may not be more than 1 second.
4. Except as otherwise provided in this chapter, a sign that displays electronic messages may also display video graphics. However, any such graphics must comply with any other applicable requirements for electronic message display signs.

**18.XX.140 – Sign permits.**

1. Permit required. A sign permit is required to erect, enlarge, alter or relocate any sign except:
  - (a) Exempt signs under this chapter unless a building permit is required pursuant to the requirement of title 15 of CCMC;
  - (b) As specifically provided in this chapter provided that the sign complies with the standards, limitations and requirements in the section regulating the sign;
  - (c) Signs permitted on parcels in single family zoning districts; and
  - (d) Changes in copy of signs or plexiglass panel for which a valid permit exists if nothing else is changed in the sign, the sign structure, or electrical components of the sign.
2. All signs requiring a sign permit shall be regulated by the provisions of this chapter and any other applicable building, electrical and fire prevention codes as adopted by the City.

3. All exempt signs that do not require a sign permit must be safely erected and maintained in accordance with this chapter and any other applicable building, electrical and fire prevention codes as adopted by the City.

4. General provisions applicable to all sign permits.

(a) Application and fees. Applicants must use forms and provide information as required by the Department, must submit fees in the amounts provided by resolution or ordinance, and must submit the fees at the times required by the Department. Fees are nonrefundable, even if a sign permit is denied.

(b) Application date. The application date is the date of the workweek on which the Department receives an application on the form provided by the Department. An application which contains blanks where information is required to be filled in, or which does not include all the attachments required, or is not accompanied by any fees which must be submitted with the application may be rejected and not deemed received.

(c) Incomplete applications. Applications which, as determined by the Department, do not contain all the information necessary to determine compliance with this chapter may be deemed incomplete or denied. An applicant may be contacted to submit additional information and the application may be held pending receipt of information, but if the information is not received by the action deadline, the application is deemed denied. If an application is denied for being incomplete, fees will not be refunded.

(d) Processing. A sign permit application will be simultaneously processed by the building official, who shall determine compliance with the requirements of title 15 of CCMC, and the Director, who shall determine compliance with this chapter and any other applicable provision of title 18.

(e) Action deadline; failure to reject by deadline waives permit requirements. For sign permits, the action deadline is close of business on the thirtieth calendar day following the date on which the application was received. If the action deadline falls on a weekend or holiday, it is extended to close of business on the first business day following the weekend or holiday. By the action deadline, both the Building Official and the Director must either approve or deny the application. The application is deemed denied if either the Building Official or the Director denies it even if the other approves it. If the application is not approved or denied by the action deadline, the applicant has the right to construct the sign in accordance with the provisions of this chapter and title 15 except for the requirement of a permit.

(f) Notice of denial. If an application is denied, a written notice must be prepared and sent to the applicant as indicated on the application, or hand delivered to the applicant, not more than 5 working days following the denial. The written notice of denial must include the reason for the denial. If the denial is for an incomplete application, the notice must specify what information needs to be submitted if the application is resubmitted. The deadline for filing for any judicial relief does not commence until this written notice is mailed or hand delivered to the applicant.

(g) Conditional approvals. Conditions related to the application and enforcement of this chapter may be imposed as a part of an approval of a permit. If any condition is not satisfied when due, it may be treated as a violation of the permit.

(h) Effect of denial; judicial relief. A decision of the Department or the Director to deny a permit based on the provisions of this chapter may be appealed to the Planning Commission in accordance with the appeal provisions of title 18. In addition to any rights available to an aggrieved applicant under NRS 278.0233 and 278.0235, if an application is denied, the applicant may file or cause to be filed in the district court a petition for judicial examination of the validity of the denial as provided by NRS 34.185.

(i) Effect of approval of permit. Approval of a permit means that the sign described in the permit may be erected subject to the terms and conditions stated in the permit, provided that the sign is constructed and continuously maintained in accordance with the provisions of this chapter even if the application describes a sign which does not comply with the provisions of this chapter.

5. Suspension and revocation of sign permits. Any sign permit issued in error, or in reliance on an application which contains false, misleading, or incomplete information that was material to the Director's decision may be suspended and revoked by the Director. The applicant must be given the notice required by subsection 4 of this section and has the right to appeal pursuant the provisions of this chapter if the suspension or revocation were a denial of an application.

6. Violation of permit. It is unlawful to build or alter a sign in such a way that it does not strictly conform to the permit or any condition in the permit, the application for the permit, or the standards and requirements of this chapter.

#### **18.XX.150 – Exemptions.**

Unless specifically provided otherwise in this chapter, the following types of signs and displays are not subject to the sign permit provisions of this chapter and are not counted in any aggregate area or number of signs computations:

1. A-frame signs for businesses with a valid business license in any non-residential zoning district, subject to the following requirements:

- (a) Each business is permitted to have 1 A-frame sign;
- (b) The A-frame sign must be placed within 20 feet of the building entry to the business;
- (c) If placed on a pedestrian sidewalk or walkway, a minimum of 6 feet of unobstructed sidewalk clearance must be maintained;
- (d) The A-frame signs must be professionally manufactured and may not exceed 32 inches in width and 36 inches in height;
- (e) Attachments or appendages to A-frame signs are prohibited;
- (f) A-frame signs may not be displayed during non-business hours; and
- (g) A-frame signs may not be located in any area or in any manner such that obstruction of the line of sight for passing motorists or within proximity to a driveway occurs;

2. Balloons, provided that the balloons do not exceed the height of any building on the parcel or 20 feet, whichever is more;

3. Banners for businesses with a valid business license in any non-residential zoning district, subject to the following requirements:

(a) Each business is permitted to have 1 banner;

(b) A banner for a business with not more than 10,000 square feet of gross floor area may not exceed 50 square feet in area. 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, as shown in Table 1 below;

Table 1:

Business gross floor area	Maximum permitted banner area
Up to 10,000 sq. ft.	50 sq. ft.
10,001 to 30,000 sq. ft.	75 sq. ft.
30,001 to 50,000 sq. ft.	100 sq. ft.
50,001 to 70,000 sq. ft.	125 sq. ft.
70,001 to 90,000 sq. ft.	150 sq. ft.
90,001 to 110,000 sq. ft.	175 sq. ft.
110,001 sq. ft. or more	200 sq. ft.

(c) Banners must be securely attached to the primary structure or to a permitted freestanding sign;

(d) Only one banner, promotional flag or feather flag may be used by a business at any given time; a banner and a promotional flag or feather flag may not be used concurrently;

(e) Notwithstanding the size limitations above, a new business may utilize a banner of not more than 100 square feet or the size permitted under subparagraph b, whichever is more, for up to 90 consecutive days commencing upon the initial opening of the business immediately after obtaining a business license for that business; and

(f) Except as otherwise provided in this subsection, a banner may not be used in lieu of a permanent permitted sign at any time later than 60 days after the date on which the business is first open for business. A banner may be used by a business in lieu of a permanent sign for a period of not more than 60 days or a period otherwise approved by the Director, whichever is longer, if it is reasonably necessary to remove the permanent sign for purposes of construction or to make an improvement on the building to which the permanent sign is affixed;

4. Changeable promotional flags for businesses with a valid business license in any non-residential zoning district, subject to the following requirements:

(a) Each business is permitted to have 1 changeable promotional flag;

(b) A changeable promotional flag may not exceed 12 square feet in area;

(c) A changeable promotional flag must be securely attached to the primary structure in which the business is located. No freestanding flags are permitted except when used in

conjunction with a special event where a special event permit has been obtained pursuant to chapter 4.04 (Business Licenses) of CCMC, and the device may only be displayed during the period for which the special event permit is valid;

(d) Any changeable promotional flag displayed above a pedestrian area must be maintained so that its lowest point is no less than 8 feet above the pedestrian ground surface; and

(e) Only 1 changeable promotional flag or banner may be used by a business at any given time; a changeable promotional flag and a banner cannot be used concurrently.

**5. Civic displays; [See new definition]**

6. Signs on any parcel during the period of construction beginning when a valid building permit has been issued by the building division for such construction and ending upon final inspection approval by the building division or expiration of the building permit, whichever comes first, subject to the following requirements:

(a) In all residential, agriculture and conservation reserve zoning districts, 1 sign of not more than 32 square feet in area and not more than 8 feet in height is permitted; and

(b) In all other zoning districts, additional signs totaling not more than 100 square feet in area and not more than 8 feet in height are permitted;

7. Signs during an election period beginning the first day of filing before and ending 10 days after any election conducted under federal, state, county, or city laws or ordinances in which residents of Carson City are entitled to vote, including elections or votes regarding selection or recall of any federal, state, county or city officials, any ballot questions, referendum or advisory vote, subject to the following requirements:

(a) Number of signs. There is no limitation on the number of additional signs during election periods;

(b) Size limitations: Individual election period signs may not exceed 32 square feet in area or 8 feet in height. Signs which comply with this subsection do not count against the maximum allowable sign area; and

(c) An election period sign may not be placed in a prohibited sign area as provided in this chapter; and

(d) An election period sign must meet the general standards and limitations for all signs as established by this chapter, with the following exceptions:

(1) The sign need not be affixed permanently to the ground or building; and

(2) The sign may not be illuminated or any type of electronic message display sign;

**8. Flags which contain a noncommercial message as defined in this chapter, subject to the following requirements:**

(a) Not more than 2 flags are permitted per parcel; and

(b) The area of the flags may not exceed:

(1) On parcels located within a residential zoning district, 15 square feet per flag; or

(2) Within all other zoning districts, a total of 120 square feet;

9. Handicap parking signs;

10. Holiday decorations subject to the following requirements: [See new definition]

(a) Holiday decorations may not contain a commercial message; and

(b) Holiday decorations may be placed not more than 45 days before the holiday and must be removed not more than 30 days after the holiday;

11. Incidental signs of not more than 4 square feet; [See new definition.]

12. Inflatable devices within any non-residential zoning district subject to the following requirements:

(a) Except as otherwise provided in this chapter, an inflatable device may only be used in conjunction with a special event where a special event permit has been obtained pursuant to chapter 4.04 (Business Licenses) of CCMC, and the device may only be displayed during the period for which the special event permit is valid; and

(b) Inflatable devices may not exceed the height of any buildings on the parcel or 20 feet, whichever is more;

13. 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;

14. Monument signs, special. In addition to other allowances, one special monument sign is permitted for each entrance from public street in all zoning districts excluding single-family residential zoning districts subject to the following requirements:

(a) A special monument sign may not exceed 32 square feet in total area or 6 feet in height. The area of the sign shall not be counted against the maximum allowable sign area for the parcel or shopping center, and if the sign is less than 32 square feet in area, the difference may not be added to the maximum allowable sign area for the parcel or shopping center;

(b) A special monument may not be illuminated in any manner, and may not be an electronic message display sign; and

(c) A special monument sign may not be placed within 20 feet of any other special monument sign or any other freestanding sign that is counted towards the permitted sign area for the parcel or shopping center;

15. Murals which contain a noncommercial message as defined in this chapter;

16. Nameplates appearing on residences or mailboxes;

17. Official signs; [See new definition]

18. Pennants located within any non-residential zoning district, subject to the following requirements:

(a) The maximum total length of strings of pennants across a subject parcel may not exceed 3 times the length of the parcel frontage facing a public street;

(b) Each individual pennant may not exceed 18 inches in length; and

(c) Pennants may not exceed the height of any buildings on the parcel or 20 feet, whichever is more;

19. Signs or copy permanently embroidered, screened, dyed, stenciled or painted into the fabric of umbrellas when used for outdoor dining areas in non-residential zoning districts;

20. Signs painted on or integral to vending machines, fuel dispensing pumps or fuel storage tanks;

21. Signs painted on the horizontal, flat surface of the roof and only visible from the air;

22. Street address or identifying number signs as required by NRS 278.0231 or the applicable City building code or fire code;

23. Signs during a period in which the property or a building on which the signs are located is for sale, rent, or lease through a licensed real estate agent, subject to the following requirements:

(a) Parcels of 5 acres or more in any zoning district may have signs of not more than 32 square feet of total surface area;

(b) Parcels of less than 5 acres may have signs of not more than 6 square feet in any residential zoning districts and not more than 20 square feet in any other zoning district;

(c) Each sign may be not more than 8 feet in height; and

(d) Each parcel is allowed 1 sign per parcel street frontage; and

24. An off-premise electronic message display sign owned by a community college, state college or university within the Nevada System of Higher Education, which by this exemption is deemed to be an important community asset, subject to the following requirements:

(a) Each community college, state college or university within the Nevada System of Higher Education is permitted to have 1 off-premise electronic message display sign;

(b) The sign must be located within 1 mile of the community college, state college or university that owns the sign;

(c) The sign must be located on an arterial street, as designated on the Carson City Roadway Functional Classification map;

(d) The sign may not be more than 20 feet in height;

(e) The sign may not exceed 90 square feet in area for the electronic message display portion of the sign and 120 square feet in total sign area; and

(f) The sign must comply with the provisions of this chapter for electronic message display signs.

#### **18.XX.160 – Prohibited and restricted signs.**

1. Signs on trees, shrubs, traffic control signs, or utility poles. Signs may not 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 chapter.

2. Rotating and revolving signs. Rotating and revolving signs are permitted for commercial parcels or shopping centers subject to the following restrictions:
  - (a) The maximum speed of revolution or motion of a sign or any part of a sign may not exceed 5 revolutions or cycles per minute;
  - (b) The rotating, revolving or moving portion of the sign may not be illuminated in whole or in part by any flashing or intermittent light or light source; and
  - (c) Within 200 feet of a residential zoning district, the motion of a rotating or revolving sign is prohibited from 10 p.m. to 7 a.m. daily.

3. Flashing Signs. Flashing signs are permitted with the following restrictions:
  - (a) A flashing sign may not revolve, rotate or move in any manner;
  - (b) Individual exposed luminaires may not exceed 200 lumens of brightness (25-watt incandescent bulb equivalent); and
  - (c) Flashing signs are prohibited within 200 feet of a residential zoning district.

4. Temporary spotlights or rotary beacons may be used on any non-residential parcel for a period of not more than 7 consecutive days in any 60-day period but may not be used from 10 p.m. to 7 a.m. daily.

**5. Abandoned Signs.**

- (a) Criteria for establishing abandonment. A sign or sign structure is considered abandoned when any of the following occurs:
  - (1) Any business advertised thereon is no longer in business and has not been in business for more than 12 months;
  - (2) Any product or service advertised thereon is no longer offered and has not been offered for more than 12 months;
  - (3) The sign structure has been in disrepair and not capable of supporting a sign for more than 90 days;
  - (4) The sign, structure or advertising display is visibly damaged or partially missing; or
  - (5) The sign illumination is partially or wholly burned out or inoperative.

- (b) Removal of abandoned signs. Any sign or sign structure which has been abandoned must be removed or restored to use not more than 30 days after a notice of abandonment is issued to the owner of the site. Notice abandonment must be given by the Director using registered mail. The Director may allow an abandoned sign or sign structure to remain in place provided that the sign or sign structure is maintained in good condition, and that there is a reasonable possibility that the sign can be restored to use within 1 year from the date on which the notice of abandonment is sent.

6. Advertising by vehicle. No sign may be erected upon or attached to any vehicle unless painted directly upon the vehicle's surface or magnetically attached thereto. The primary use of a vehicle to which a sign is legally attached must be in the operation of the business and not for the purpose of parking the vehicle and directing patrons to the location of the business premises.

7. Cards, posters and 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.

8. Roof-mounted signs are prohibited.

9. Window signs. Window signs are permitted provided that the window sign area is included in the total allowable area for a parcel or business as provided in this chapter.

10. Parapet signs extending above the building parapet are prohibited.

11. Imitation signs. No sign may be erected or located in a manner that would:

(a) Imitate a traffic or directional sign;

(b) Cause a hazard to movement of vehicles or pedestrians upon public rights-of-way; or

(c) Obstruct or interfere with the view of a traffic sign, signal or other safety device located in a public right-of-way.

12. Obscene signs. All signs must comply with all state of Nevada laws regulating obscenity.

13. Portable Signs. Portable signs are prohibited unless carried by a person for not more than 3 days within a calendar month for any given parcel or business.

14. Areas where signs are prohibited. Notwithstanding any provision in this chapter, signs are prohibited in the following locations:

(a) Along both sides of the right-of-way of U.S. Highway 50 West from the Carson City line easterly to a point 1,500 feet west of the Interstate 580 intersection with South Carson Street, and along both sides of the right-of-way of State Route 28;

(b) Except for official signs, within any stream or drainage channel;

(c) In any location that conflicts with City regulations or Nevada Department of Transportation regulations, as applicable, for traffic site distances at driveways or street or highway intersections; and

(d) Within any public right-of-way or on a parcel within any public zoning district except for:

(1) Official signs;

(2) 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;

(3) Street address or identifying number signs as required by NRS 278.0231 or the applicable City building code or fire code;

(4) Directional signs owned by the City or with approval of a special use permit;

(5) Community directional signs or community directory signs owned by the City or with approval of a Special Use Permit;

(6) Signs or copy permanently embroidered, screened, dyed, stenciled or painted into the fabric of umbrellas which are set up in the right of way under approval of an encroachment permit for outdoor dining or display;

(7) Signs located on a bus stop that is leased or licensed to the Regional Transportation Commission; and

(8) Permanent signs as otherwise permitted under the provisions of this chapter.

15. No sound or emissions. Signs which produce sound, odor, smoke, flame or other emissions are prohibited.

16. No obstruction or interference. No sign may:

(a) Obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture;

(b) Block the light and ventilation of any residence on any adjoining property which is zoned for residential use; or

(c) Mislead or confuse users of the roadway.

17. Not more than 1 downtown business directory sign, platform, or pole, is permitted per street intersection within the Downtown Mixed-Use zoning district subject to approval of a special use permit. All sign platforms or poles must be consistent in construction and appearance. Individual directional signs are limited to a maximum of 1 square foot with a maximum letter height of 3 inches. Downtown business directory signs are intended to assist pedestrians to locate downtown businesses. Approval of an encroachment permit from the engineering division is required prior to the placement of the sign.

18. Signs not specifically permitted by or which violate any provisions of this chapter are prohibited.

#### **18.XX.170 – General requirements applicable to all signs.**

1. Consent of owner. No sign shall be placed on any parcel without the express permission of the owner of the parcel.

2. A sign and sign support structure must be maintained in good order and repair and must be kept free of peeling paint, faded materials, major cracks, tears or dangling materials. A canister or cabinet type sign missing a sign panel insert must be maintained with a blank insert to cover internal equipment, electronics and luminaires.

3. Minimum height clearance. A sign placed above any pedestrian walkway must maintain a clearance height of not less than 8 feet above the pedestrian walkway, and a sign placed above a driveway, drive aisle, parking lot, alley or other area designated for vehicular traffic must maintain a clearance height of not less than 14 feet.

4. Illumination from or upon a sign must be shaded, shielded, directed or reduced in luminosity to avoid undue brightness, glare or reflection of lights. The intensity and brilliance of light must not be so great as to interfere with the effectiveness of any official sign or impair the vision of or distract any person on any roadway. No sign may use a beacon, strobe light, racing or traveling lights or an exposed individual light source which exceeds 200 lumens.

5. Excluding a sign on parcels within single-family residential zoning districts, sign materials must be compatible with the primary on-site building.

6. Except for signs in single family residential zoning districts, election period signs, window signs, or as otherwise expressly stated in this chapter, all signs must be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

**18.XX.180 – Nonconforming signs.**

1. A nonconforming sign may be maintained and continued in use provided that:

(a) The sign or sign support structure is not increased in size or height; and

(b) No enhancements to the sign or sign support structure are made that increases the visual effects, including conversion to an electronic message display sign.

2. A nonconforming sign must be removed from the premises or brought into compliance with the provisions of this chapter when:

(a) The building upon which the permitted sign area is based is expanded by more than 20 percent of the gross floor area;

(b) Replacement, damage or destruction of the sign structure from any event, whether intentional or by natural disaster, exceeds 50 percent of the total replacement cost of the sign as determined by building code valuation tables;

(c) The sign is in disrepair and presents a safety hazard; or

(d) The sign becomes nonconforming and is expressly required by other provisions of this chapter to be removed or brought into compliance with the provisions of this chapter.

3. Notwithstanding any other provisions of this chapter, an existing billboard or outdoor advertising structure as defined by this chapter or NRS 278 may be maintained or reconstructed in the location on which it was approved, and the special use permit for the sign shall not expire, provided that:

(a) The maximum size, maximum height and other requirements of the valid special use permit approval for the sign continue to be maintained and in effect; and

(b) No portion of the sign is converted to an electronic message display sign.

**18.XX.190 – Appeals of decisions regarding sign permits.**

1. An appeal of a decision of the Director or an administrative officer regarding a decision pursuant to the provisions of this chapter may be made to the Commission in accordance with the appeal provisions of this title.

2. An appeal of the decision of the building official regarding a building permit may be made in accordance with the appeal provisions of title 15 or other applicable laws related to the appeal of decisions regarding building permits.

**18.XX.200 – Variation from sign regulations.**

Variations to the regulations and standards of this chapter may only be permitted by special use permit approval pursuant to the special use permit provisions of this title.

**18.XX.210 – Applicability of other laws and severability.**

1. If other chapters of title 18 or state or federal laws impose more restrictive requirements on the construction of new signs or on the continuance of existing signs, the more restrictive law shall apply.
2. In the event the administrative or other chapters of title 18 are invalidated, the procedures and requirements provided for performing work on buildings and structures generally as provided for in other titles, chapters or sections of this code shall apply to work performed on a sign.
3. If any provision of this chapter is declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way affect the remainder of this chapter or any section thereof, it being intended that the remainder shall remain in full force and effect.

**18.XX.220 – Enforcement and penalties.**

1. The building official is authorized to enforce the building permit provisions of title 15 as they relate to construction of a sign, and the Director is authorized to enforce provisions of this chapter.
2. Any person, firm or corporation, whether as principal, agent, employee, or other-wise, violating any provision of this chapter 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 CCMC 1.08.010. Such person, firm or corporation may be deemed guilty of a separate offense for each day during which such violation of this chapter or failure to comply with any order or regulation is committed, continued or otherwise maintained.
3. Any sign erected in violation of laws in effect at the time the sign is erected is an illegal sign and must be removed immediately by the property owner upon notification. Illegal signs may be removed from the right-of-way or any city property by city officials.
4. Interference with enforcement. It is unlawful to interfere with the building official, Director or any code compliance officer in the performance of their duties and enforcement of this chapter.