

**STAFF REPORT FOR PLANNING COMMISSION MEETING OF AUGUST 31, 2022**

**FILE NO:** LU-2022-0325

**AGENDA ITEM:** 6.A

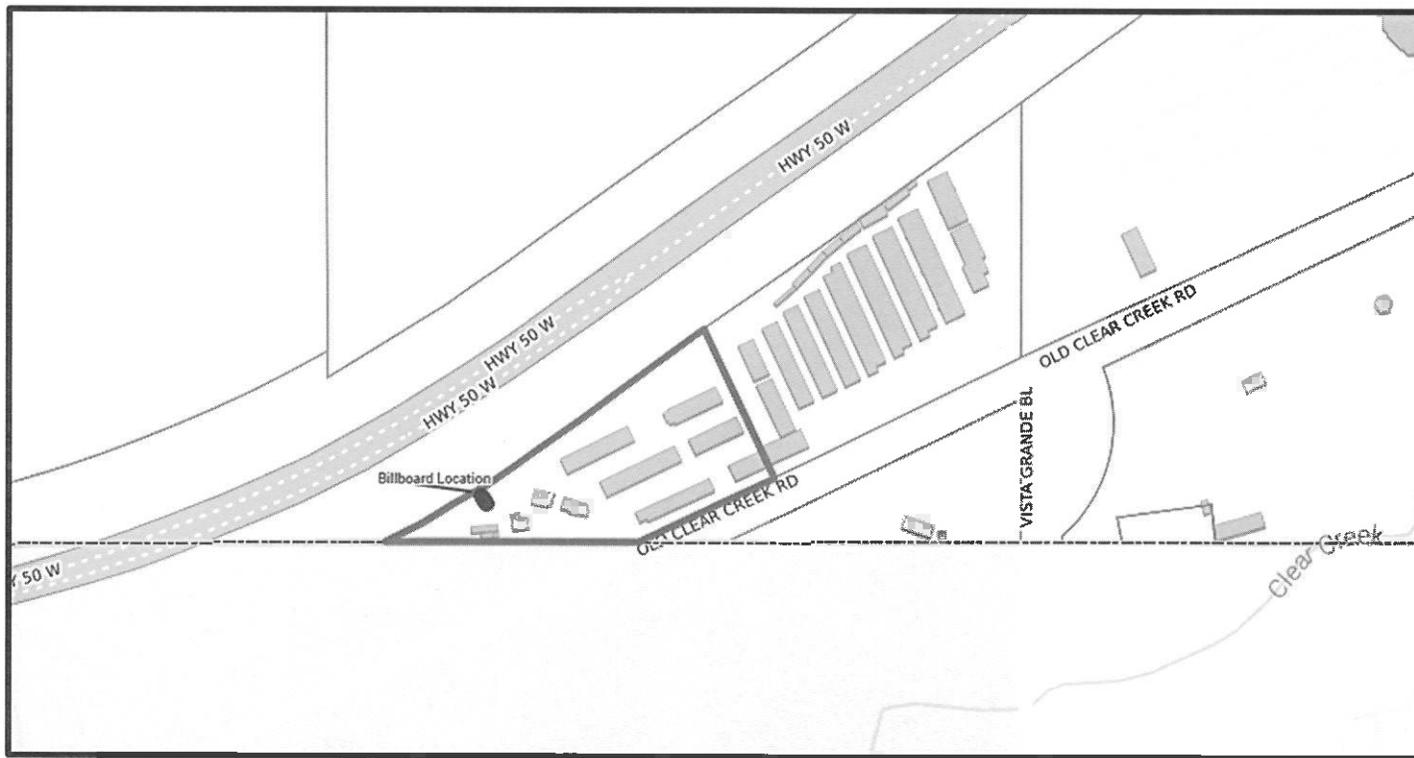
**STAFF CONTACT:** Lena Reseck, Associate Planner

**AGENDA TITLE:** For Possible Action: Discussion and possible action regarding a request from Rogers Media Co. ("Applicant") for a special use permit ("SUP") to retain an existing billboard on property zoned General Commercial ("GC") located at 800 Old Clear Creek Road, Assessor's Parcel Number ("APN") 009-302-09. (Lena Reseck, lreseck@carson.org)

**STAFF SUMMARY:** The Applicant is requesting to retain the existing billboard in its present location. No changes are proposed for the billboard. Per Carson City Development Standards ("CCDS") section 4.8.3(2), an SUP issued for a billboard automatically expires five years from the date of issuance. The previous SUP was approved on August 30, 2017. The Planning Commission is authorized to approve an SUP.

**PROPOSED MOTION:** "I move to approve LU-2022-0325, based on the findings and subject to the conditions of approval contained in the staff report."

**VICINITY MAP:**



**RECOMMENDED CONDITIONS OF APPROVAL:**

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the approved site plan.
3. This approval is for the continued use of the existing off premises sign only. Replacement of the sign structure may only be done in accordance with the provisions of the Carson City Municipal Code for new off premises signs, and with the approval of a new special use permit.
4. Without further notice, the subject special use permit shall expire on August 31, 2027, unless a new special use permit to continue the use of the off-premises sign is acquired by that date. It is the applicant's responsibility to submit a complete special use permit application in sufficient time to be scheduled for review prior to the expiration date.
5. Carson City business license fees shall be paid for the billboard and always kept current.
6. All portions of the billboard structure shall be maintained free of graffiti. Failure to do so may constitute cause for revocation of applicant's business license and special use permit.
7. Within 30 days of approval of this special use permit, the lighting on both the east and west sides of the sign must be shielded.
8. Any modifications or additions of light fixtures, excluding the replacement of light bulbs, require Planning Division approval and may require a Building Permit. Such modifications may only be done in accordance with the lighting standards of the Carson City Municipal Code. Any proposed change of lighting of the billboard shall be shielded so as not to project light and/or glare onto adjacent properties or right-of-way. A detailed lighting plan, including light fixture details (cut sheets) must be provided with the building permit application if a light fixture change is proposed.

**LEGAL REQUIREMENTS:** Carson City Municipal Code ("CCMC") 18.02.050 (Review); 18.02.080 (Special Use Permits) 18.04.135 (General Commercial (GC)), and CCDS, Section 4.8 (Requirements for Billboards and Off-Premises Signs).

**MASTER PLAN DESIGNATION:** Community/Regional Commercial

**ZONING:** General Commercial

**KEY ISSUES:** Does the application meet the CCDS regulations for off-premises (billboard) signs, and does the application continue to meet the required findings for approval of a SUP? Is the billboard still compatible with surrounding properties? Has the billboard caused any material damage to surrounding properties?

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Public Community ("PC") and right-of-way/NDOT sand pit  
EAST: General Commercial ("GC")/personal storage facility  
SOUTH: Douglas County  
WEST: Douglas County

**ENVIRONMENTAL INFORMATION:**

1. FLOOD ZONE: Zone D
2. SLOPE/DRAINAGE: Billboard is with in Hillside Development
3. EARTHQUAKE FAULT: IV Least Severity/V Variable Severity beyond 500 feet

**PREVIOUS REVIEWS:**

08/30/17 SUP-17-093 billboard request for review after five years was approved  
08/29/12 SUP-12-039 billboard request for review after five years was approved  
08/16/07 MISC-07-103 appeal denial of billboard. Approved by the Board of Supervisors  
06/27/07 SUP-07-075 billboard (denied) by the Planning Commission  
01/03/96 U-93/94-1 watchman's quarters

**SITE DEVELOPMENT INFORMATION:**

PARCEL AREA: 3.30 Acres

EXISTING PRIMARY USE: Personal storage/billboard

HEIGHT: Approximately 28 feet overall above the adjacent existing grade. The distance from the bottom of the panel to the ground is shown as 72 feet, with the top of the billboard being approximately 85 feet above the ground. The maximum allowed height for signs is 28 feet from street elevation.

AREA: 10 feet by 40 feet or 400 square feet.

NUMBER OF FACES: Two

LIGHTING: The billboard has existing acceptable lighting

**BACKGROUND:** The subject parcel is located on the south side of Highway 50 West, several hundred feet east of the existing three billboards located on the south side of Highway 50 West, perpendicular to the highway. The other billboards in this vicinity are in Douglas County. The primary business on the site is personal storage. The billboard has been at this location for approximately 15 years.

**PUBLIC COMMENTS:** Public notices were mailed on August 17, 2022 to 34 adjacent property owners, within 3600 feet of the subject site, pursuant to the provisions of the Nevada Revised Statutes and the CCMC. As of the writing of this report, no additional comments have been received. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting on August 31, 2022, depending on their submittal date to the Carson City Planning Division.

**AGENCY COMMENTS:**

**Fire Department:**

1. The property owner is required to maintain the vegetation on the property to ensure all flammable or combustible materials are managed and maintained consistent with the 2018 Fire Code and Northern Nevada Amendments.
2. The 2018 International Wildland Urban Interface Code requirements shall be meet or exceeded.

**FINDINGS:** Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project. The SUP for the sign automatically expires five years from the date of issuance. In the case the date will be October 27, 2026.

**1. The project will be consistent with the master plan elements.**

The project is consistent with the master plan, specifically goals:

Goal 3.2.b. Dark Skies: The billboard uses three 400 watt lights per side located on the top of the billboard shining downward. The existing lighting is in compliance.

Goal 5.2a: Encourage Regional Retail: The billboard promotes economic vitality by promoting regional businesses, products, and services along the Carson City corridor as tourists and travelers drive into or from Carson City.

- 2. The project will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.**

The continued use of this billboard is in an area zoned for commercial activity, with traffic passing directly north of the site while traveling east and west on Highway 50 West. This is an area that has been previously developed with commercial enterprises and staff has not received complaints about the billboard. The continued existence of the billboard will have no negative impact to the surrounding commercial properties. The sign generates no significant noise, vibrations, fumes, odors, dust, glare or physical activity which could have an adverse impact on adjacent uses.

- 3. Will have little or no detrimental effect on vehicular or pedestrian traffic.**

The billboard will have little or no detrimental effect on vehicular or pedestrian traffic. No additional traffic will be generated in conjunction with the existing sign that could adversely impact vehicular or pedestrian circulation in the subject area.

- 4. The project will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.**

The existing sign will not require the extension or expansion of any public services and facilities.

- 5. The project meets the definition and specific standards set forth elsewhere in this Title for such particular use and meet the purpose statement of that district.**

Per CCDS 4.8.3, the following requirements have been met:

**Special Use Permit Required:**

Approval of a SUP is required for a billboard. The current SUP is scheduled to expire on August 31, 2022. The applicant has submitted an application for review with adequate time to be reviewed prior to the expiration date.

**Permitted Streets:**

Billboards are permitted along North and South Carson Street between Douglas and Washoe Counties, US Highway 50 between Lyon County and North Carson Street, and the south side of US Highway 50 West from the Douglas County line to 660 feet (one-eighth mile) east of that point within Section 31 of Township 15N, Range 20E. The location is compliant.

**Height:**

The maximum permitted sign height is 28 feet from the adjacent permitted street elevation. The sign is in compliance with the permitted sign height, as it is 28 feet above base ground and existing grade.

**Number of Sign Faces:**

One sign face per side (single or double-faced sign) is permitted. The subject billboard is a double-faced sign.

**Zoning of the Site:**

New billboards are only permitted within the General Commercial or General Industrial zoning districts. The subject billboard is in General Commercial zoning.

**Spacing Distance:**

New billboards may not be located within 1,000 feet of each other. However, existing billboards that are being renewed are not required to meet this requirement. This billboard is a renewal.

**Area of Sign:**

The maximum permitted sign area for billboards is 400 square feet per side. This billboard measures 10 feet by 40 feet or 400 square feet and is in compliance.

**Setback from Certain Uses and Zoning:**

A billboard sign may not be within 300 feet of a property zoned Agriculture (A), Conservation Reserve (CR), or any residential district. The property is more than 400 feet from the CR zoning district located to the north across the highway and more than half a mile from any residentially zoned district. This property is in compliance.

**Setback from Redevelopment Areas:**

A billboard sign may not be within 1,000 feet of a redevelopment area. This parcel is located within Redevelopment District Area #2. However, existing billboards that are being renewed are not required to meet this requirement.

**Prohibited Supporting Structures:**

A sign may not be attached to a roof or wall or other surface of a building. A sign must be a freestanding sign. This billboard is freestanding and is in compliance with this standard.

**Prohibited Characteristics and Materials:**

Signs cannot display three-dimensional objects, have movable reflective/lighted materials or beams, flash, be internally lit, have or simulate moving parts, nor may external lighting glare onto adjacent properties or rights-of-way. This billboard is in compliance with this standard.

**6. The project will not be detrimental to the public health, safety, convenience and welfare.**

This sign meets all the requirements of the CCMC and will not be detrimental to the public health, safety, convenience, and welfare and will cause no adverse impacts to surrounding properties.

**7. The project will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures.**

The existing sign has been in the present location for approximately 15 years, in an area that is developed with commercial uses. The continued use of this billboard sign is not anticipated to result in material damage or prejudice to other properties in the vicinity.

**Attachments:**

Application LU-2022-0325

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

FOR OFFICE USE ONLY:

CCMC 18.02.080

**SPECIAL USE PERMIT**

**FILE #** LU-2022-0325

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

\*Due after application is deemed complete by staff

**APPLICANT** PHONE #  
 Rogers Media Company Inc. 530-304-5770

**MAILING ADDRESS, CITY, STATE, ZIP**  
 P.O. Box 97 Sausalito, CA 94965

**EMAIL ADDRESS**  
 matt@rogersmediacompany.com

**PROPERTY OWNER** PHONE #  
 Mr. William Kugler 775-450-0337

**MAILING ADDRESS, CITY, STATE, ZIP**  
 507 Eagle Meadows Lane Gardnerville, NV 89460

**EMAIL ADDRESS**  
 kuglerclassic@gmail.com

**APPLICANT AGENT/REPRESENTATIVE** PHONE #  
 Matt Rogers 530-304-5770

**MAILING ADDRESS, CITY STATE, ZIP**  
 P.O. Box 97 Sausalito, CA 94965

**EMAIL ADDRESS**

**matt@rogersmediacompany.com**

**SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies) including:**

- Application Form
- Detailed Written Project Description
- Site Plan
- Building Elevation Drawings and Floor Plans
- Special Use Permit Findings
- Master Plan Policy Checklist
- Applicant's Acknowledgment Statement
- Documentation of Taxes Paid-to-Date
- Project Impact Reports (Engineering) NA

CD or USB DRIVE with complete application in PDF

Application Received and Reviewed By:

Submission Deadline: Planning Commission application submittal [schedule](#).

Note: Submittals must be of sufficient clarity and detail for all departments to adequately review the request. Additional information may be required.

Project's Assessor Parcel Number(s):

009-302-09

Street Address

800 Old Clear Creek Road

Project's Master Plan Designation

Commercial

Project's Current Zoning

General Commercial

Nearest Major Cross Street(s)

US 50 West, Carson Street

Please provide a brief description of your proposed project and/or proposed use below. Provide additional pages to describe your request in more detail. Continued use of a 2 sided illuminated billboard already installed on subject property.

**PROPERTY OWNER'S AFFIDAVIT**

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

Signature

790 Eagle Meadows Ln  
 Address

4/29/22  
 Date

Use additional page(s) if necessary for additional owners.

STATE OF NEVADA

COUNTY of Carson City }

On June 29th, 2022, William Kugler, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Dawn Miles  
 Notary Public



DAWN MILES  
 Notary Public - State of Nevada  
 Appointment Recorded in Carson City  
 No: 19-5564-03 - Expires March 29, 2023

NOTE: If your project is located within the Historic District or airport area, it may need to be scheduled before the Historic Resources Commission or the Airport Authority in addition to being scheduled for review by the Planning Commission. Planning staff can help you make this determination.

If there is any additional information that would provide a clearer picture of your proposal that you would like to add for presentation to the Planning Commission, please be sure to include it in your detailed description.

Please type and sign the statement on the following page at the end of your findings response.

**ACKNOWLEDGMENT OF APPLICANT**

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



Applicant's Signature



Print Name



Date

# Renewal of Special Use Permit for 800 Old Clear Creek Road, Carson City, NV

June 24, 2022

## 1) How will the proposed Development be in substantial compliance with and support the goals and policies of the Master Plan?

This project continues to be in substantial compliance with and support the goals and policies of the Master Plan for improving the health and welfare of the citizens of Carson City. The Master Plan is codified to charter a course so that every project and continuing project furthers that goal. This project continues to meet and exceed all of those requirements and truly furthers the standard of living in the community. For all the reasons outlined below this project continues to meet or exceed those demands,

**Chapter 3:** Seek to Establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

This project continues to provide all service mentioned in Chapter 3. It alerts motorists on US 50 of recreational opportunities in the area such as restaurants, attractions, and services. It provides continued stimulus to local economy based on the service needed for the sign in terms of maintenance, electric, and general service. It continues to provide a way for local merchants in the area to communicate with the traveling public about the goods and services available in the community. It provides a large endowment of over \$7,000 per year to the Carson City Chamber of Commerce which has a direct effect on Carson City business.

This project continues to meet this section based on environmental facts, such as it uses no water, has no effect on vegetation, it is outside of any primary floodplain and it away from any geological hazard areas.

It continues to meet all the proper setbacks from other signs, public roadways, residential dwellings, and redevelopment areas.

**Chapter 4:** This Chapter is not applicable to this project.

**Chapter 5: Economic Vitality.** This project continues to promote Carson City business as it has for the past 5 years and with the partnership with the Chamber be the single largest sponsor donor to the Chamber. This directly affects programs, local business, and promotion of local business. This has been a key driver for the public to recognize all the Carson City has to offer.

**Chapter 6:** Promote safe, attractive and diverse neighborhoods, compact mixed use activity centers, and a vibrant, pedestrian friendly Downtown. The building materials used are built for a ninety nine year index and incorporate the natural colors of the Nevada landscape in chocolate and light browns. It will provide visual interest at a key Gateway to the City.

By allowing the continued use of this project the various merchants in the Carson City market can promote the products and services to motorists using the US 50 corridor. This will enhance the region with greater sales tax generated, enhanced city and merchant image, downtown core vitality, and long and short term overall business benefits to the community. The last 5 years the sign has advertised local Carson City events along with various local merchants. The sign has only ever advertised local merchants in the region, never national advertisers.

**Chapter 7:** Promote a sense of community by linking its many neighborhoods, employment areas, parks, recreational centers, and schools with extensive system of interconnected roadways, multi-use pathways, bike facilities, and sidewalks.

It continues to promote motorists to use services in the Carson City market and the Downtown core. The project is a key for the transportation pattern and flow into the future of the City. By promoting Carson City's key assets to the motorist it furthers the goal for an efficient well planned transportation model.

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

The uses of the neighboring properties are:

West: Open space with outdoor advertising signs located outside city limits, East: Commercial property, mini storage, Costco  
North: Open space owned by BLM, South: Commercial buildings, zoned commercial.

This sign has produced no dust, odor, vibration, fume, glare ( sign lights glare will not exceed subject property ), or physical activity, will and has not created additional hardships for neighbors or more traffic. No new traffic lights or walkways are needed. The sign continues to be consistent with current uses in the general area where located.

Has Sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?

The project has not required and affect on School districts, student population, law enforcement resources, Fire Department, Sewer, water, or Drainage systems. There are no improvements needed to further accommodate sign renewal from a highways and roads perspective. A parking plan is not required as there are no existing vehicles visiting the sign. There are no landscaping requirements needed, no property covered by asphalt. The lighting for this project will have three (3) 400 watt lights per side. The lights will not affect and neighboring property as they are top down lights shining downward. Our architect Palmer Engineering Group, along with Carson City Planning has assisted us with this information.

# **Special Use Permit Application Findings to Support the Renewal of Outdoor Advertising Permit Located at 800 Old Clear Creek Road, Carson City, Nevada**

## **These findings address questions 1-7.**

- 1) Section 4.8.3 Billboards are still allowed subject to the following requirements.

**The site still meets all criteria that it met when it was approved on August 17, 2006.**

- A) It is allowed on this street as it is on Highway 50 East, and as it sits between Lyon County and the intersection of US 50 & 395. It has displayed tasteful advertising, we have had only three customers during that period which have been all local advertisers. It meets the height requirement of 28 feet overall above road grade on US 50.
- B) Zoning of the Site is General Commercial.
- C) It does not exceed two (2) faces, it is painted an earth tone to match surroundings.
- D) The sign meets size requirements of 10' x 40', no more than 400 square feet per side.
- E) We are spaced 1000' feet from any other off premise sign.
- F) We are set back a minimum of 300' feet from any Residential, Agricultural and Conservation Reserve
- G) We are set back more than 1000' feet from any area under a Redevelopment designation.
- H) We are not attached to a roof or wall, but rather the sign is a free standing pole as built as permitted.
- I) We have never displayed any three dimensional objects, movable or reflective materials, nor have we any flashing, or intermittent illumination. It has never had any rotating parts, beams of light, changing numbers, or simulated motion.
- J) Our source of light, which is very minimal having been reduced to 320 total watts, lights up no area outside the sign itself.
- K) The sign has been maintained in good structural order and condition at all times.
- L) The sign is not located in any drainage or utility easement nor does it interfere with either.
- M) Sign coordinates are as follows: 39 06 51 81 N, 119 46 59 84 W
- N) It does not in any way detrimental to the peaceful enjoyment of any other neighbor or surrounding property. ( See Item J for Outdoor lighting reference )
- O) The continued use of this sign will have no impact on vehicular or pedestrian traffic.
- P) The continued use of this sign will not burden public services, facilities, fire departments, police departments or schools in any way.
- Q) The continued use of this sign is not detrimental to public health, safety, convenience or welfare in any manner, shape or form.
- R) The continued use of this sign will result in no material damage or prejudice in the vicinity. We are very careful about the advertisements that are displayed so they do no harm or offend anyone.

**In short, this sign still meets all requirements it did at the time of approval in 2006.**

November 29, 2016

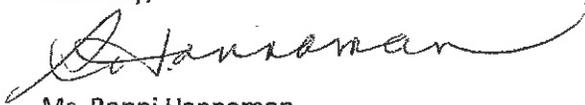
Mr. Lee Plemel  
Carson City Planning Division  
108 East Proctor Street  
Carson City, NV 89701

Dear Lee,

Just a quick note, we fully support the renewal of the Conditional Use Permit for 800 Old Clear Creek Road for a billboard at that location, for Rogers Media Company or their predecessors. They have been wonderful partners.

Please call or email with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronni Hannaman", written in a cursive style.

Ms. Ronni Hannaman

Executive Director

Carson City Chamber of Commerce



## Carson City Business License Division

108 E. Proctor Street  
Carson City, NV 89701  
(775) 887-2105 - Hearing Impaired: 711  
buslic@carson.org

## BUSINESS LICENSE CERTIFICATE

**Business Name:** ROGERS MEDIA COMPANY

**Business Location:** 800 OLD CLEAR CREEK RD  
CARSON CITY, NV 89703

**Mailing Address:** PO BOX 97  
SAUSALITO, CA 94965

**Owner:**

**License Number:** BL-007382-2022

**License Type:** Business License

**Issued Date:** 1/1/2022

**Classification:** Billboard

**Expiration Date:** 12/31/2022

**Fees Paid:** \$3,224.50

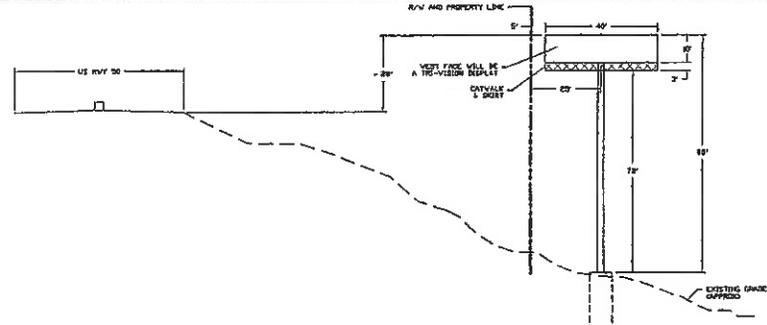
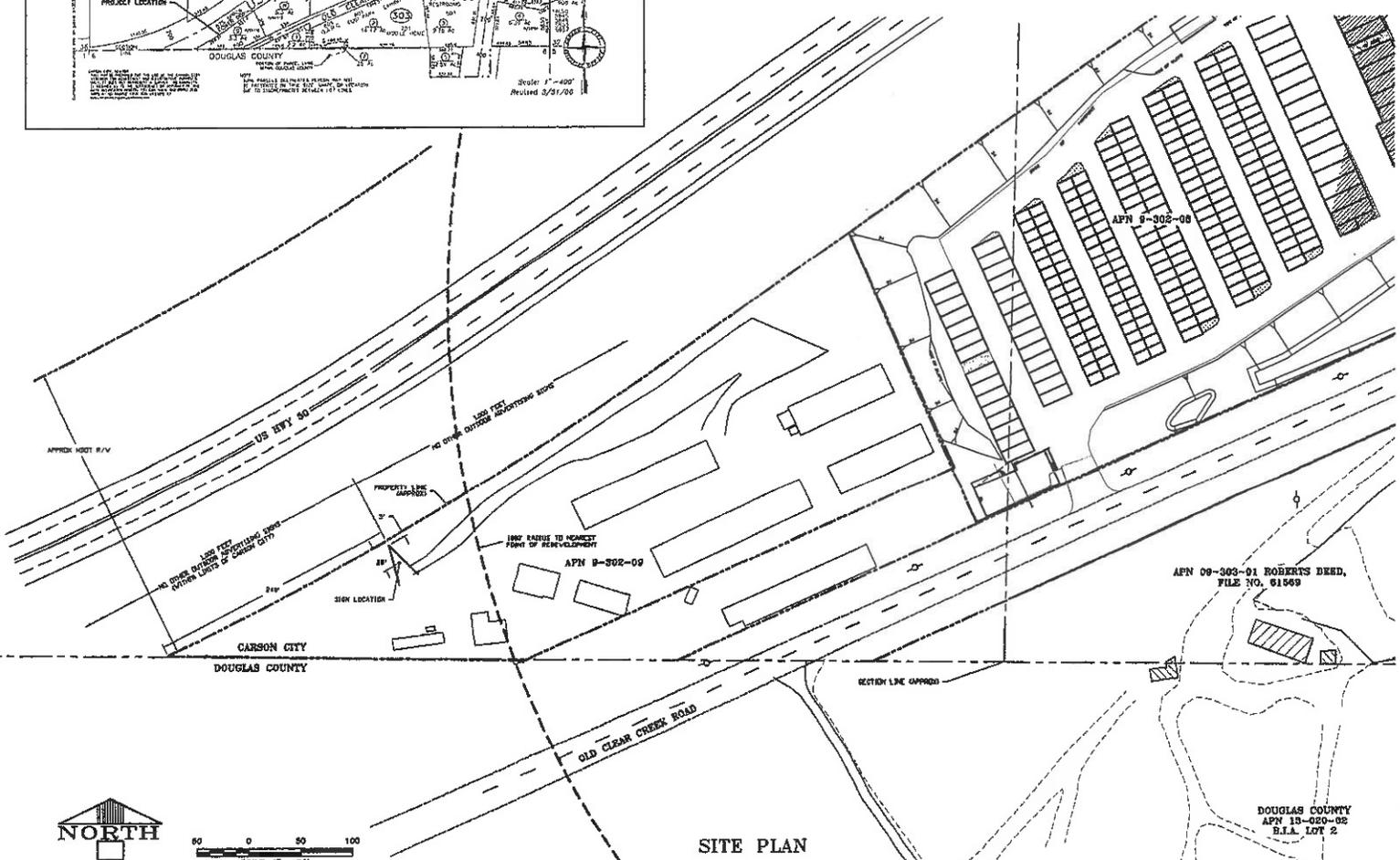
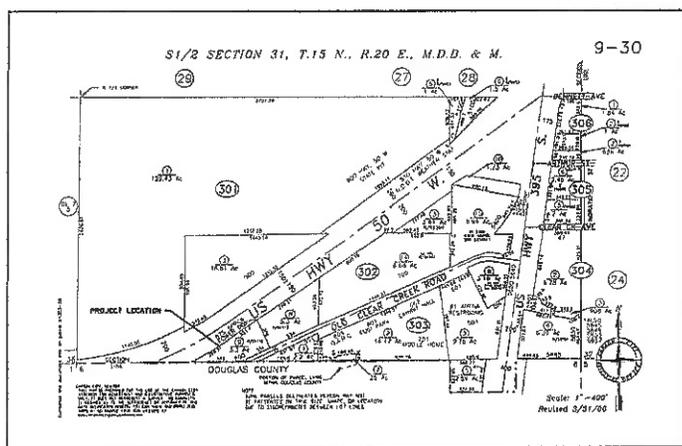
Thank you for choosing to operate your business in Carson City.

Please provide any changes to the business information to the Business License Division. Licenses are not transferable.

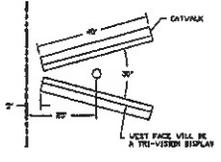
If you have any questions concerning your business license, contact the Business License Division.

TO BE POSTED IN A CONSPICUOUS PLACE

FILE: G:\2007\070101\070101.dwg  
 DATE: May 01, 2007 - 3:50pm  
 This drawing has been checked and approved for use as shown on this drawing. It is the responsibility of the user to ensure that the drawing is used for the intended purpose.



**SIGN ELEVATION**  
HTS



**SIGN PLAN**  
HTS

- LEGEND**
- PROPERTY LINE
  - APPROXIMATE
  - NEVADA DEPARTMENT OF TRANSPORTATION
  - RIGHT OF WAY

**GENERAL NOTES**

1. PROPERTY LINES APPROXIMATE, ONLY

**APPLICANT:**  
 MATT ROGERS  
 ROGERS MEDIA COMPANY  
 470 N. PACIFIC BLVD  
 SUITE 100  
 CARSON CITY, NV 89801  
 PHONE: 775-334-0778  
 FAX: 775-334-0778  
 EMAIL: MATTR@ROGERSMEDIACOMPANY.COM



**VICINITY MAP**  
HTS

<b>Palmer Engineering Group, Ltd.</b> 461 N. Nevada Street Carson City, Nevada 89801 Phone: (775) 884-0079 Fax: (775) 884-0216 <a href="http://www.palmereng.com">www.palmereng.com</a>
<b>ROGERS MEDIA COMPANY</b> <b>CONDITIONAL USE PERMIT</b> <b>GENERAL ADVERTISING SIGN</b> 600 OLD CLEAR CREEK RD CARSON CITY, NEVADA 89801
Sheet 1 JOB # 070401 DESIGN BY: WMS DRAWN BY: NR CHECKED BY: WMS DATE:

NEV  
4631





HOSTED BY



HOWIE NAVE

# THE MARRON

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HOOEYS