

**City of Carson City
Agenda Report**

Date Submitted: May 27, 2008

Agenda Date Requested: June 5, 2008

Time Requested: 5 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action to adopt Bill No. 121, on second reading, Ordinance No. _____, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, by modifying Section 4.3, Definitions, and adding Section 4.9, Freeway-Oriented Sign Standards, to add specific standards and criteria for freestanding, on-premise commercial signs designed to be viewed from the Carson City freeway. (File ZCA-07-208)

Staff Summary: Presently, all signs that exceed the permitted sign height or sign area may be approved with a Special Use Permit and there are no specific standards for signs intended to be viewed from the freeway. The purpose of the ordinance is to establish specific requirements for "freeway-oriented" signs.

Type of Action Requested:

Resolution

Ordinance - Second Reading

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Recommended approval April 23, 2008, by a vote of 7:0.

Recommended Board Action: I move to adopt Bill No. 121, on second reading, Ordinance No. _____, an ordinance amending Carson City Municipal Code Title 18, Zoning, Chapter 18.16, Development Standards, Division 4, Signs, by modifying Section 4.3, Definitions, and adding Section 4.9, Freeway-Oriented Sign Standards, to add specific standards and criteria for freestanding, on-premise commercial signs designed to be viewed from the Carson City freeway, based on the findings contained in the staff report.

Explanation for Recommended Board Action: The Board of Supervisors, pursuant to Carson City Municipal Code, is required to take final action on all code amendments. See the attached memo and Planning Commission staff report for more explanation.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18 Zoning, Chapter 18.06, Development Standards, Division 4, Signs

Fiscal Impact: N/A

Explanation of Impact: N/A

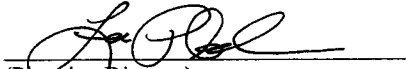
Funding Source: N/A

Alternatives: 1) Refer the matter back to Planning Commission for further review.
2) Deny the amendment

Supporting Material: 1) Ordinance

Prepared By: Rose Mary Johnson, Management Assistant III

Reviewed By:



(Planning Director)

Date: 5/27/08




(Development Services Director)

Date: 5/27/08



(City Manager)

Date: 5/27/08



(District Attorney's Office)

Date: 5/27/08

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

BILL NO. 121

ORDINANCE NO. 2008-__

AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, CHAPTER 18.16, DEVELOPMENT STANDARDS, DIVISION 4, SIGNS, BY MODIFYING SECTION 4.3, DEFINITIONS, AND ADDING SECTION 4.9, FREEWAY ORIENTED SIGN STANDARDS, TO ADD SPECIFIC STANDARDS AND CRITERIA FOR FREESTANDING ON-PREMISE COMMERCIAL SIGNS DESIGNED TO BE VIEWED FROM THE CARSON CITY FREEWAY, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

The Board of Supervisors of Carson City does ordain:

SECTION I:

That Chapter 18.16 (Development Standards), Division 4 (Signs), Section 4.3 (Definitions) of the Carson City Municipal Code is hereby amended, in part, by adding the following definitions related to signs, to be inserted alphabetically (underlined text is added):

4.3 Definitions

"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.

"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.

"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.

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

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

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

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

SECTION II:

That Section 4.9 (Freeway-Oriented Sign Standards) of Chapter 18.16 (Development Standards), Division 4 (Signs), of the Carson City Municipal Code is hereby added as follows (underlined text is added):

4.9 Freeway-Oriented Sign Standards

4.9.1 Purpose. 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. Carson City also recognizes that 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.

The purpose of these guidelines 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 Carson City's 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.
- f. Require that signs be properly maintained for safety and visual appearance.

4.9.2 Applicability. The standards contained in this section (4.9) shall apply to all freeway-oriented signs as defined in this chapter.

4.9.3 General Provisions.

- a. A maximum of one freeway-oriented sign may be permitted per parcel or shopping center in addition to other permitted on-premise signs and sign area.
- b. Signs with more than four tenant spaces shall include the shopping center or project name on the sign, which shall be located on the uppermost portion of the sign and shall occupy a minimum of 20 percent of the permitted sign area.

4.9.4 Location and Siting. A freeway-oriented sign may only be located:

- a. On a parcel or shopping center site which has frontage on the freeway right-of-way, and only between the freeway intersection at North Carson Street and 1,500 feet west of the freeway intersection at South Carson Street; and
- b. On a parcel or shopping center site that is either:
 - (1) At least 15 contiguous acres in area; or
 - (2) At least three contiguous acres within 500 feet of a freeway intersection; or
 - (3) At least three contiguous acres located on the corner with frontage on both the freeway and the cross-street; and
- c. On property zoned General Commercial, Retail Commercial or Limited Industrial; and
- d. No more than 200 feet from the right-of-way line of the adjacent freeway; and
- e. A distance of no less than 10 times the proposed height of the sign in relation to the ground elevation at the property line of the nearest residentially zoned property, except as otherwise provided in Section 4.9.8.

4.9.5 Design and Construction. A freeway-oriented sign shall be designed and built:

- a. No higher than reasonably necessary in order for the sign copy to be visible from a vehicle approaching on the same side of the freeway as determined by a line-of-site analysis and in no case more than 30 feet above the highest freeway improvement immediately adjacent to the proposed sign, including freeway barriers and soundwalls but excluding light fixtures and sign structures; and
- 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; and
- c. Having low maintenance, architectural-grade surfacing materials such as metal, masonry, ceramic tile, glass or stucco; and
- d. Having a sign area determined by the lesser of:
 - (1) One square foot of sign area for each two lineal feet of freeway right-of-way frontage or one square foot of sign area for each lineal foot of building frontage facing the freeway right-of-way, whichever is greater; or
 - (2) 50 square feet per acre of parcel; or
 - (3) 600 square feet; and
- e. Limiting nighttime illumination to just the sign copy or sign message. Internally illuminated signs shall 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 is to be colored to mute the amount of illumination. Vacant or blank tenant sign panels shall be blocked out.

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

4.9.6 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; and
- b. Is integrated into the primary physical elements of sign and is harmonious with the architectural style of the structure; and
- 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; and
- 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.

4.9.7 Electronic Message Display. A freeway-oriented sign using an electronic message display is permitted provided:

- a. The electronic message display portion of the sign is no more than 50 percent of the total sign area.
- b. The display contains static messages only with no animation, moving video or change in intensity of lighting; and
- c. The message change sequence is accomplished immediately or by means of fade or dissolve modes with each frame displayed for a minimum period of four seconds, and shall have no continuous, traveling or scrolling displays or movement, nor shall it have 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 has automatic photocell dimming capabilities based on ambient outside light and is set at 75 percent of full capacity for daytime (full sun) and 40 percent for nighttime, or equivalent for other lighting technologies.
- e. The applicant provides written certification from the sign contractor that the sign's light intensity has been factory pre-set not to exceed the limits specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Director.

- f. Notwithstanding other provisions of Title 18, electronic message displays may be required to comply with any future amendments to the limitations on the brightness of the display or reduce the brightness permitted through the Special Use Permit process based upon review of the actual sign in the field for compatibility with the surrounding properties. The Director shall schedule freeway-oriented signs with electronic message displays for review by the Commission within six months of the completion of the sign.

4.9.8 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; and
- 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; or
 - (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 soundwalls, buildings, or other features.

4.9.9 Permit Requirement. A freeway-oriented sign may only be approved by Special Use Permit.

- a. Exception. A freeway-oriented sign that is no more than 30 feet in overall height and meets all other requirements for freeway-oriented signs may be reviewed and approved administratively through the Sign Permit process.

4.9.10 Required Submittals with Special Use Permit Application. In addition to site plan(s), elevation(s) and other standard submittals typically required for Special Use Permit applications, the applicant shall submit additional support materials, as follows:

- a. Photographs documenting observation (e.g. field test with crane and balloon). The observation shall document at minimum four possible sign heights (the proposed height plus two lower and one higher than proposed).
- (1) Each documented option shall differ a minimum of ten feet from the next option.

- (2) Written notice of the test shall be made to the Planning Director ten working days in advance of the test date.
 - (3) The test shall be observed or verified by the Planning Director or his/her designee.
 - (4) Heights shown in the observation shall be confirmed by an independent source: the Planning Director, his/her designee, or by professional survey.
 - (5) The device used to confirm the proposed heights shall have sufficient size and substance so as to provide a comparable sense of scale for the proposed sign. Examples of sufficient size and substance include four foot wide banners strung between two balloons, or four foot by eight foot sheets of plywood suspended in place by a crane.
 - (6) If balloons are used, methods to limit wind drift should be utilized, such as tethering.
- b. Computer photo simulations or other professionally rendered (to scale) perspectives in which the proposed sign is depicted on site, as if the sign were already in place.
- (1) Simulations or renderings shall depict several vantage points.
 - (2) At minimum, at least one of the photo simulations or renderings shall depict the view or potential view of the sign from the same side of the freeway as the sign placement approximately 1,000 feet from the sign.
 - (3) Photo simulations shall 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.
- d. If the proposed sign is located with the Airport Review Area as identified by the Planning Division, the applicant shall submit written comments from the Airport Authority regarding FAA and/or Airport Authority requirements for construction of the sign. Freeway-oriented signs shall comply with all applicable FAA requirements.

SECTION III:

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

____ PROPOSED on _____, 2008.

PROPOSED BY Supervisor

PASSED _____, 2008.

