

**City of Carson City
Agenda Report**

Date Submitted: January 7, 2014

Agenda Date Requested: January 16, 2014
Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Community Development – Planning Division

Subject Title: For Possible Action: To accept a report on Code Enforcement activities related to the use of banners, flags, A-frame signs, and other temporary sign devices during the last year, and to provide direction to staff regarding how to continue to regulate such sign devices. (Lee Plemel)

Summary: The Board of Supervisors approved a Zoning Code Amendment on January 17, 2013, extending the regulations related to the use of banners and other temporary sign devices through the end of 2014. In doing so, the Board also directed staff to provide a report in one year regarding code enforcement activities related to violations in the use of such temporary sign devices.

Type of Action Requested:

Resolution

Formal Action/Motion

Ordinance-First Reading

Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Recommended Board Action: I move to accept the report on Code Enforcement activities related to the use of banners, flags, A-frame signs, and other temporary sign devices during the last year.

Explanation for Recommended Board Action: The Board of Supervisors directed staff to provide a report on Code Enforcement activities related to temporary signs one year from January 2013. There were a total of 29 cases opened in 2013 that were found to be violations of the temporary sign device ordinance. Of the 29, 11 cases were found during routine enforcement rounds and opened by the Code Enforcement Officer and 18 cases were opened based on complaints received by the Code Enforcement Division. The violations were corrected in all 29 cases and no citations were issued. The Board of Supervisors may also provide direction to staff regarding modifications to the ordinance pertaining to temporary sign devices. See the attached staff memo for additional information regarding current temporary sign regulations.

Applicable Statute, Code, Policy, Rule or Regulation: 18.02.075 (Zoning Code Amendments)

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A


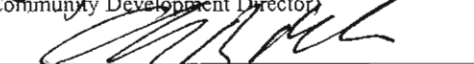
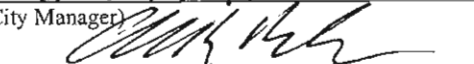
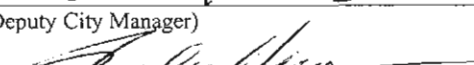
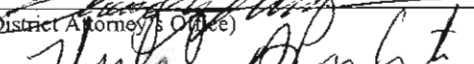
Alternatives:

- 1) Accept the report and provide no further direction to staff. Staff would bring the issue back to the Board for further consideration at the end of 2014 when the current code provisions expire.
- 2) Provide other direction to staff regarding keeping or sunseting the current code provisions. See the attached staff memo for more detailed possible alternatives.

Supporting Material:

- 1) Staff memo.

Prepared By: Lee Plemel, Community Development Director

Reviewed By: 	Date: <u>1-7-14</u>
(Community Development Director)	
	Date: <u>1-7-14</u>
(City Manager)	
	Date: <u>1-7-14</u>
(Deputy City Manager)	
	Date: <u>1/7/14</u>
(District Attorney's Office)	
	Date: <u>1/7/14</u>
(Finance Director)	

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)



Carson City Planning Division

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MEMORANDUM

Board of Supervisors meeting of January 16, 2014

TO: Board of Supervisors

FROM: Lee Plemel, Community Development Director

DATE: January 2, 2013

SUBJECT: Temporary Banners and Sign Devices Compliance Report

BACKGROUND:

The Board of Supervisors approved a Zoning Code Amendment on January 17, 2013, extending the regulations related to the use of banners and other temporary sign devices through the end of 2014. In doing so, the Board also directed staff to provide a report in one year regarding code enforcement activities related to violations in the use of such temporary sign devices.

The Board of Supervisors originally adopted an ordinance in January 2009 to temporarily eliminate time limits for the display of banners advertising on-site businesses, then “renewed” the ordinance in 2010, 2011, and 2013 to extend the provisions through December 2014. The purpose of the ordinance was to grant sign enforcement relief to business owners during difficult economic times, particularly for retail businesses, in order to help increase taxable sales and services in the City. The ordinance was intended to be adopted on a limited trial basis in order to assess the effects of less restrictive temporary sign regulations and determine if these regulations should be continued, modified or rescinded.

TEMPORARY SIGN ENFORCEMENT ACTIVITY 2013:

There were a total of 29 cases opened in 2013 that were found to be violations of the temporary sign device ordinance. Of the 29, 11 cases were found during routine enforcement rounds and opened by the Code Enforcement Officer and 18 cases were opened based on complaints received by the Code Enforcement Division. The violations were corrected in all 29 cases and no citations were issued.

CURRENT SIGN REGULATIONS:

Following are the code provisions related to temporary signs as adopted in January 2013 (underlined portions have been added to the code):

4.4.7(s), Banners:

- s. *Banners located on private property providing such devices are not used for a period in excess of 30 consecutive days within any 90 day period. The following specific standards shall apply to all banners:*

- (1) *One banner per building elevation per unit of operation or business is allowed, with a maximum of two banners per business.*
- (2) *Banners for businesses with less than 10,000 square feet of gross floor area shall not exceed 50 square feet. 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.*
- (3) *Banners shall be securely attached to the primary structure or permitted freestanding sign. No freestanding banners are permitted.*
- (4) *Any banner used for a period exceeding 30 days in any 90-day period may be allowed subject to the provisions of Section 4.5.8, Changeable Promotional Signs.*
- (5) *Notwithstanding the time limitations above, a new business may utilize banners according to the standards of this section for up to 90 consecutive days upon the opening of the business. For such banners, a unit of operation or business is entitled to 100 square feet of banner area, unless additional banner area is permitted per the above provisions.*
- (6) *Notwithstanding the limitations on banners above, from January 1, 2011, through January 1, 2015, the following regulations shall apply:*
 - (a) *There shall be no time limits on the use of banners;*
 - (b) *Banners may be securely affixed to temporary structures on-site provided that no banner shall be affixed to trees, shrubs, traffic control signs or support structures or utility poles, and provided that any temporary structure used to support the banner is securely affixed to the ground or other permanent structure.*
 - (c) *No banner shall be located where it obstructs the line of sight for passing motorists or vehicles at driveway exits;*
 - (d) *The use and placement of banners shall otherwise comply with this subsection.*
 - (e) *Only one freestanding temporary sign device, including but not limited to banners, changeable promotional flags and A-frame signs, may be used at any given time per business on a single street frontage. Within multiple-tenant shopping centers, no such temporary sign device may be located within 50 feet of another freestanding temporary sign device along the street frontage on the same parcel.*

4.4.7(t), Changeable Promotion Flags (including “feathers” and “teardrops”):

- t. *Changeable promotional flags located on private property provided such flags are not used for a period in excess of 30 consecutive days within any 90 day period. Any flag maintained in excess of 30 days may be allowed subject to the following standards:*
- (1) *One flag per building elevation, a maximum of two flags per site.*
 - (2) *Flags shall not exceed a total size of 10 square feet.*
 - (3) *Flags shall be securely attached to the primary structure. No freestanding flags are permitted.*
 - (4) *Any flag displayed above a pedestrian area shall be maintained so that its lowest point is no less than eight feet above the pedestrian ground surface.*
 - (5) *Notwithstanding the limitations on changeable promotion flags above, from January 1, 2011, through January 1, 2015, the following regulations shall apply:*
 - (a) *There shall be no time limits on the use of changeable promotion flags;*
 - (b) *The use and placement of changeable promotion flags shall otherwise comply with this subsection;*
 - (c) *Only one freestanding temporary sign device, including but not limited to banners, changeable promotional flags and A-frame signs, may be used at any given time per business on a single street frontage. Within multiple-tenant shopping centers, no such temporary sign device may be located within 50 feet of another freestanding temporary sign device along the street frontage on the same parcel.*

4.4.7(w), A-frame signs:

- w. *Notwithstanding other provisions of this Division, from January 1, 2011, through January 1, 2015, “A-frame” signs are permitted subject to the following regulations:*
- (1) *One A-frame sign is permitted per business per street frontage;*
 - (2) *A-frame signs may only be placed on-site and may not be placed within the right-of-way or on the public sidewalk;*
 - (3) *A-frame signs shall not exceed 32 inches in width and 36 inches in height;*
 - (4) *A-frame signs must be constructed of durable, weatherproof materials, maintained in good repair and neatly painted. No attachments to the A-frame sign are permitted;*
 - (5) *A-frame signs shall not be displayed during non-business hours;*

- (6) No A-frame sign shall be located where it obstructs the line of sight for passing motorists or vehicles at driveway exits;
- (7) A-frame signs shall be secured to prevent the sign from blowing into traffic lanes, driveways, sidewalks, etc;
- (8) Only one freestanding temporary sign device, including but not limited to banners, changeable promotional flags and A-frame signs, may be used at any given time per business on a single street frontage. Within multiple-tenant shopping centers, no such temporary sign device may be located within 50 feet of another freestanding temporary sign device along the street frontage on the same parcel.

BOARD OF SUPERVISORS ALTERNATIVES:

The Board of Supervisors may consider the following options in providing direction to staff regarding current and future regulations pertaining to

- 1) Continue to eliminate temporary sign time limits and make the current code provisions permanent.
- 2) Continue to eliminate temporary sign time limits through 2014 per the existing ordinance and then reevaluate the regulations. (“No action” by the Board would result in this alternative.)
- 3) Continue to eliminate temporary sign time limits through 2014 per the existing ordinance but sunset the provisions at the end of the year.
- 4) Prepare an ordinance to eliminate the provisions ASAP.
- 5) Modify the regulations some other way.

Any proposed modifications to the ordinance would be taken to the Planning Commission for a recommendation per the Zoning Code Amendment provisions of the Carson City Municipal Code, Title 18, Section 18.02.075.

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