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DESCRIPTION OF LEGAL ADVERTISING

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3349008

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SEPTEMBER

X

X

PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

SS.

Betty J. Aleck

being first duly sworn, deposes and says: That as the legal clerk of
the RENO GAZETTE-JOURNAL, a daily newspaper published in
Reno, Washoe County, State of Nevada, that the notice of
Bill # 841

of which a copy is hereto

attached, was first published in said newspaper in its issue dated the
13th day of Sept., 1985 and, Sept. 20,
the full period of 2 days, the last publication thereof being in
the issue of September 20 19 85.

Signed Betty J. Aleck

Subscribed and sworn to before me this

20th day of September, 19 85

Alice L. Buffalo
Notary Public

NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN that Bill
No. 841, Ordinance No. 667, entitled
"An ordinance amending the Washoe
County Code by adding provisions
regulating signs," was adopted on Sep-
tember 10, 1985, by Commissioners
King, Lillard, McDowell, Ritter and Wil-
liams.
Typewritten copies of the Ordinance
are available for inspection by all
interested persons at the office of the
County Clerk.

Judi Bailey
County Clerk

3349008-Bill #841
Sept 13,20-pb132



ALICE L. BUFFALOE
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES JUNE 5, 1989

SUMMARY: Amends Washoe County Code by amending chapter 105.

BILL NO. 841

ORDINANCE NO. 667

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING PROVISIONS REGULATING SIGNS.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 105 of the Washoe County Code is hereby amended by adding thereto sections 2 through 17 of this ordinance.

SECTION 2.

105.510 Title; Effect; Construction. Sections 105.500 through 105.640 shall be called the On-Premise sign regulations. These sections supplement other sections of this chapter and supersede any conflicting sections. These sections shall be liberally construed to effect the purpose of reducing the number and size of signs, and to effect the purpose of advancing the declaration of section 105.515. These sections may not be construed or applied in such a way that would give a preference or greater degree of protection to a sign conveying a commercial message than is given to a sign similarly situated and constructed conveying a non-commercial message. These sections must be construed to apply to all signs irrespective of the commercial or non-commercial character of the content, except that specific types of commercial signs are to be regulated more strictly. Any ambiguity or question shall be resolved by allowing a non-commercial sign the same benefits, exemptions and other preferences that may be given to a commercial sign similarly constructed and situated, or by imposing on such commercial sign the same restriction imposed on the non-commercial sign similarly constructed and situated. These sections apply to existing signs and to proposed signs. Proposed signs for which construction has not lawfully begun but for which an application has been made or for which a permit has been issued, must conform to these sections.

SECTION 3.

105.515 Purpose.

1. The board of county commissioners finds and declares that the purpose of these sections is to establish a comprehensive control of the erection and relocation of signs. It is intended that these regulations:

- (a) Impose standards on the number, size, height and

location of on-premise signs and facilitate the removal or replacement of nonessential or nonconforming signs in order to:

(1) Prevent and relieve needless distraction and clutter resulting from excessive and confusing sign displays;

(2) Safeguard and enhance property values; and

(3) Promote the public safety and general welfare.

(b) Provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the county which is instrumental in attracting those who come to live, visit, vacation and trade.

(c) Eliminate hazards to pedestrians and motorists brought about by distracting signs.

(d) Improve, enhance and preserve the appearance and other esthetic qualities of the county.

2. The board of county commissioners finds and declares that the types of signs for which a special use permit is required have a potential substantially greater than other types of signs for creating needless distraction and clutter, confusion and hazards, and for impairing and destroying property values and the appearance and aesthetic qualities of the area, and for adversely affecting the environment.

SECTION 4.

105.520 On-premise sign regulation definitions. As used in sections 105.510 through 105.640, unless the context otherwise requires, the words and terms defined in section 105.520 have the meanings ascribed to them in that section.

1. "Abandoned sign" means a sign which does not display a currently valid advertising message or which has not been maintained in good repair. This definition shall also include any sign structure which no longer supports the sign for which it was designed.

2. "Administrator" means the building inspector of Washoe County or his authorized representative.

3. "Advertising display" means the copy, symbols, logotype or graphics on a sign which convey the advertising message.

4. "Advertising message" means any copy, symbol, logotype or graphics which identify, promote or advertise any product, service, business, institution or interest of any person.

5. "Allowable sign area" means the total sign area permitted under this chapter for any site or business.

6. "Amortization" means the elimination of nonconforming signs over a period of time intended to allow the owner to realize the value of his investment in the sign.

7. "Animated sign" means a sign which uses lights or mechanical devices to simulate or create the effect of

motion in the advertising display.

8. "Architectural graphic" means a painted design, mural, relief, mosaic or similar feature which is incorporated into the architectural design of a building and conveys no advertising message.

9. "Area identification sign" means a permanent, decorative sign used to identify a neighborhood, subdivision, commercial or office complex, industrial district or similar distinct area of the community.

10. "Building frontage" means the length of the face or wall of a completely enclosed building which fronts directly on a public street or other public area.

11. "Business frontage" means the length of building frontage occupied by an individual building occupant. An occupant may have more than one business frontage if it occupies building frontage facing on two or more streets or public areas.

12. "Civic display" means a temporary display of banners, balloons, flags, lights or similar decorations erected on a public street or other public property in connection with a holiday, civic event or celebration.

13. "Commercial sign" means, when describing the content of a sign, a sign advertising, identifying, directing attention to, or otherwise relating to commerce and to property, goods or services for sale, lease, exchange or any other transaction where value is given or received by any party to the transaction. Noncommercial sign means, when describing the content of a sign, a sign not conforming to the definition of a commercial sign.

14. "Community director sign" means a sign, or a group of signs designed as a single display, which gives information about local churches or civic organizations.

15. "Directional sign" means a permanent sign which directs the flow of traffic or pedestrians on private property and which contains no advertising message.

16. "Directory sign" means a sign, or a group of signs designed as a single display, which gives information about the location of businesses, buildings or addresses within a residential, office, commercial or industrial complex.

17. "Flashing sign" means a sign which uses blinking, flashing or intermittent illumination or light reflectors, either direct, indirect or internal.

18. "Frontage." See "building frontage," business frontage" and "site frontage."

19. "Freestanding sign" means a sign which is supported by its own structure apart from a building.

20. "Fuel price sign" means a sign which displays prices of various types of gasoline or diesel fuel available at a service station. A fuel price sign may include a brand name if it does not occupy more than one-third of the area of the advertising display.

21. "Gaming" means that the occupant of the premises holds and exercises a valid nonrestricted gaming license

issued by the State of Nevada, that the occupant actually conducts all gaming activities allowed by the license, and that the occupant holds a valid gaming license and business license issued by the county.

22. "Height" means the vertical distance from the top-most part of a sign to the grade of the nearest building or street other than an elevated street.

23. "Holiday decoration" means any display commonly associated with a local, state, national or religious holiday, and which is not left in place for more than 45 days during any single observance.

24. "Indirect illumination" means illumination which is cast on a sign from a source outside the sign with the source of the light shielded from direct view.

25. "Indoor poster" means a temporary sign or poster displayed inside a window for a period not to exceed 30 days to provide information about a specific product, price, event or activity.

26. "Inflatable sign" means any device which is supported by air pressure or inflated with air or gas which is used to attract the attention of the public, whether or not it displays any specific advertising message.

27. "Internal illumination" means illumination produced by a light source contained within a sign and not directly visible from outside.

28. "Kiosk" means a structure not exceeding 6 feet in any horizontal dimension or 12 feet in vertical dimension which is used to provide surfaces for the posting of notices.

29. "Mobile sign" means a sign supported by a sign structure that is mounted on wheels, skids or other device designed to make the structure conveniently movable or portable. Mobile signs include vehicles, trailers, and frameworks not structurally attached to the ground or a building.

30. "Moving sign" means any sign which includes visible moving or rotating parts or beam of light.

31. "Neighborhood bulletin board" means any surface outside a building provided specifically to allow the posting of notices.

32. "Nonconforming sign" means any sign which was lawfully erected prior to the adoption of the ordinance codified in this chapter, or amendments thereto, which would not be permitted under the current provisions of this chapter. This definition shall include signs which were erected without a special use permit and which would require a special use permit under the current provisions of this chapter.

33. "Official sign" means any sign erected by or at the direction of a governmental agency.

34. "Off-premises directional sign" means any sign which directs the public to a building, business, institution or activity not located on the same site as the sign. This definition does not include any sign which

displays an advertising message other than the name, phone number and address of the building, business, institution or activity.

35. "Off-premises sign" means any sign which identifies, advertises or directs attention to a business, activity, product, service or interest of any person not located on the premises where the sign is located.

36. "On-premises sign" means any sign which identifies, advertises or directs attention to a business, activity, product, service or interest of any person located on the premises where the sign is located.

37. "Permanent sign" means any sign which is designed, constructed and affixed at the site in such a manner that it cannot be conveniently moved from place to place.

38. "Person" means a natural person and any organization, association or entity having an existence recognized by law.

39. "Portable sign" means any sign which is designed and constructed in such a manner that it can conveniently be moved from place to place. This definition shall include cardboard, paper, fabric, canvas and plastic banners and flags.

40. "Premises" means a single parcel of land.

41. "Projecting sign" means a sign which is supported by a decorative bracket or hanger and extends at right angles from the face of a building. This definition shall also include any sign which, because of its shape or thickness, extends more than 12 inches from the face of a building when mounted flat against the face of the building, but shall not include a marquee which is designed as an integral part of a building.

42. "Project sale sign" means a sign which is erected for the purpose of promoting the sale or lease of property in a residential, office, commercial or industrial project on the site where the sign is located, and which is under construction or has been substantially complete for less than one year.

43. "Real estate sign" means a sign offering for sale, rent or lease the real property on which it is located.

44. "Roof" means a horizontal or sloping surface of a building which serves as a cover for the building or its entry, portico or other appurtenances. This definition includes any part of a building which resembles a roof in form or function.

45. "Roof sign" means a sign painted on, supported by or attached to the roof or roof structure of a building. This definition does not include a sign attached flat against the wall of a penthouse, or other integral part of a building, which projects above the main roof.

46. "Sign" means a design or device displayed to the public for the purpose of identifying, advertising or promoting the interests of any person, persons, firm, corporation or other entity by conveying an advertising message or attracting the attention of the public. This

definition includes all parts of such a device, including its structure and supports and also includes balloons, banners, pennants, flags, lights, reflectors, reflected lights, streamers or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.

47. "Sign structure" means those parts of a sign designed to support it in place.

48. "Site" means a lot or parcel, or contiguous lots or parcels of land on which a building or complex of buildings is located.

49. "Site frontage" means the linear dimension of a site abutting on a public or private street right-of-way.

50. "Suspended sign" means a sign supported from, located below, and completely covered by a building soffit or permanent canopy.

51. "Temporary sign" means a sign made of paper, cardboard, cloth, plastic or similar material having limited durability if exposed to the elements; a sign, irrespective of its durability, intended for display for less than 100 days or only until the scheduled event it advertises or relates to has happened. Temporary signs do not include signs carried by a natural person, or changing copy on permanent signs lawfully erected and maintained.

52. "Time and temperature sign" means a sign which displays only the current time, temperature, and/or news of current events and carries no advertising message. A time and temperature sign shall not be considered a flashing or animated sign.

53. "Wall sign" means a sign which is painted on, supported by or attached to a wall or other vertical surface of a building.

54. "Wind sign" means any sign, part of a sign or series of signs, designed or erected in such a manner as to move when subjected to wind pressure. Wind sign does not include "suspended signs."

SECTION 5.

105.530 General standards.

1. Allowable sign area. Where the allowable sign area is a function of business frontage, no more than two business frontages may be counted in calculating the allowable area for any building occupant.

2. Sign area computation.

(a) Except for signs covered by sections 105.550 through 105.590, the allowable sign area shall apply to the maximum geometric area of all sign faces visible from any one point at eye level. Where an on-premises sign consists of individual letters, numbers or symbols, painted on or attached directly to a building, which are without an integrated background and are not enclosed in

a frame or cabinet, the area of the display shall be the average height of the display times the average width. If such a display consists of more than one line or component, the area of each line or component may be calculated separately. Where a display is enclosed in a frame or cabinet, or has an integrated background, the entire area within the frame, cabinet or background must be included.

(b) Where both on-premise and off-premise signs are located on the same site the allowable on-premise sign area shall not be reduced by the amount of off-premise sign area.

3. Number of signs. The number of signs located on any business frontage shall not exceed two, exclusive of freestanding signs and suspended signs. Except in the tourist commercial and C-2 districts with gaming, the number of signs visible from any one point at eye level shall not exceed four, exclusive of freestanding signs and suspended signs, for any single business or building occupant. In the tourist commercial and C-2 districts with gaming, the number of signs visible from any one point at eye level shall not exceed six. Any advertising display contained within a single frame, cabinet or integrated background shall count as one sign. If a display is not so contained, a single message or business name shall be counted as one sign. A business name combined with a brief slogan may be counted as one sign if the elements are visually integrated. Multiple signs on a single freestanding structure are allowed if the other requirements of subsection 2 and this subsection are satisfied; provided, that all signs supported by a single structure are visually compatible with one another.

4. Freestanding signs.

(a) A special use permit shall be required for any freestanding sign structure greater than 6 feet in height on a site less than one acre in size, and for any freestanding sign structure in excess of one for each 9 acres of site area or fraction thereof. A special use permit is required for any freestanding sign, irrespective of the size of the premises, if the sign is greater than 20 feet in height.

(b) The number and height of on-premise freestanding signs may be increased by sign credits without a special use permit, even if a special use permit, if applied for, is denied, provided that the height may not exceed 10 percent of the maximum heights for the applicable zone.

5. Maintenance, repair and appearance. All signs shall be maintained in good repair and shall be neat in appearance. Any sign which is determined by the administrator to be unsafe or unsightly because of bent, broken or missing parts or poor maintenance generally may be declared a public nuisance.

6. Location of signs. Signs located on private property shall not extend across property lines into adja-

cent property or public rights-of-way. Signs may be located within, or project into, setbacks, except that no sign may be located in a manner that would create a hazard for traffic or pedestrians. A freestanding sign may not be located less than 50 feet from another freestanding sign, whether on or off the premises, except that a new on-premise sign may be located within 50 feet of an existing off-premise sign if the off-premise sign is subject to removal under the terms of a scenic easement recorded in accordance with section 105.610.

7. Wall signs. Wall signs may not extend above or beyond the wall or surface to which they are attached and may not project more than one foot from the wall.

8. Roof signs may not exceed 4 feet in vertical dimension, may not be mounted on roofs having a pitch of less than 3 in 12, may not extend above the upper edge of the roof, below the lower edge of the roof, or beyond any other terminating edge of the roof. Roof signs must be constructed separately from the roof surface, must be mounted perpendicular to level grade and parallel to the nearest horizontal roof line, and must have all supports enclosed or otherwise made not visible from a public street or other public area.

9. Projecting signs are allowed subject to these conditions:

(a) The sign may not extend above the wall or other surface to which it is attached; and

(b) The sign may not be attached to or located above a roof and must be attached perpendicular to a vertical surface.

10. A freestanding off-premise sign shall be permitted and regulated as an on-premise sign if the premises being advertised abuts and is under the same ownership as the premises where the sign is located and if the premises where the sign is located and all connecting premises are legal parcels on which a structure other than a sign can be built and occupied.

SECTION 6.

105.540 Permits and enforcement.

1. Permit required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, enlarge, alter or relocate any sign without first having obtained a sign permit and paying the permit fees.

2. Application for permit. Application for a sign permit shall be made on forms provided by the county and shall include, or be accomplished by, the following:

(a) Name, address, telephone number and signature of the property owner;

(b) Name, address and telephone number of the applicant (owner of the sign);

(c) Name, address and telephone number of the contractor;

(d) A plot plan showing the boundaries of the parcel

on which the sign(s) is to be located, as well as the location of the sign(s) and all structures on the site. Parking, landscaping and other site features shall also be indicated;

(e) Drawings of the proposed sign(s) showing the design, dimensions, mounting height, materials of construction and structural details;

(f) Drawings of all existing signs on the site showing their sizes and locations and the total area of all existing signs;

(g) Any other information deemed necessary by the administrator or his representative.

3. Issuance of Permits. When all requirements of this chapter and the Washoe County code have been satisfied and all fees paid, a sign permit shall be issued by the administrator or his representative.

4. Fees. Fees for sign permits shall be based upon valuations and penalties contained in chapter 100 of this code.

5. Inspection. Any sign which is subject to this chapter shall be inspected by county inspectors to insure compliance with this chapter and chapter 100.

6. Suspension and revocation. Any permit issued in error, or in reliance on a falsified application, may be revoked by the administrator. Any sign erected or partially erected under a permit issued pursuant to a falsified application may be ordered removed at the owner's expense.

7. Enforcement. Any sign which is erected, altered, enlarged or relocated without a valid sign permit is a violation of this chapter and is subject to the penalties and abatement procedures contained in the Washoe County Code.

SECTION 7.

105.550 1. Regulated signs. All on-premises signs erected or located in the county, which are not exempted by section 105.560, are subject to the provisions of this chapter as to their location, size, height, type and function. Engineering and construction of signs are subject to chapter 100. Types of signs which are not specifically mentioned are permitted subject to the regulations contained in this chapter.

2. Variance. The administrator may, in his sole discretion, permit variations not exceeding 10% of spacing and height requirements if undue hardship is shown in the manner required by section 110.211 of this code.

SECTION 8.

105.560 Exempted signs. Except to the extent they are subject to special standards, the following types of signs and displays are not subject to the provisions of

this chapter and need not be included in any aggregate area computations:

1. Official traffic-control or regulatory signs, signals or devices, street-name signs or other signs required by law;
2. Changes in copy or advertising display on an existing sign which do not alter the structure, size or configuration of the sign. Not exempted is the change of an off-premise sign to an on-premise sign or the change of an on-premise sign to an off-premise sign;
3. Holiday decorations;
4. Safety or caution signs, legal notices, public utility signs;
5. Memorial tablets, plaques or markers of bronze, stone or concrete;
6. "Open," "Closed," "No Trespassing," "Warning" and similar signs not exceeding 2 square feet;
7. Address numbers or plates and residential name-plates;
8. Civic displays;
9. Flags, emblems or insignia of any nation, state or political subdivision, provided that they do not number more than 3, that the individual surface area is not greater than 60 square feet, and that the supporting structures are not greater than the larger of 20 feet high or 10 feet more than the permitted height for a free-standing sign. Such signs not exempted are counted and regulated in accordance with this chapter.
10. Indoor posters;
11. Architectural graphics;
12. Signs which are located within a structure and not visible from a public street, sidewalk or alley or other public area;
13. Directional signs;
14. Time and temperature signs;
15. Stationary lights which illuminate a building or adjacent grounds and do not directly illuminate another sign; lights which outline building features and are not part of the integrated background or outline of a sign.

SECTION 9.

105.570 Prohibited signs. The following types of signs and displays are prohibited:

1. Signs which constitute a hazard to traffic or pedestrians;
2. Signs located within any stream or drainage channel;
3. Mobile signs or portable signs unless carried by a natural person or by a motor vehicle as provided in section 105.590;
4. Three dimensional figures of humans or animals;
5. Signs which produce odor, sound, smoke, flame or other emissions;
6. Signs which imitate or simulate official signs, or

which use yellow or red blinking or intermittent lights resembling danger or warning signals;

7. Strobe lights or individual light bulbs exceeding 75 watts, if rays of light project directly from the source into residences or streets, or any moving beam of light;

8. Signs on public property or rights-of-way; signs attached to utility poles, street-light standards, trees or fences;

9. Wind signs, other than those exempted;

10. Moving signs.

SECTION 10.

105.580 Signs requiring a special use permit. The following types of signs are allowed only when approved by special use permit reviewed by the planning commission:

1. Freestanding signs as provided in section 105.530;
2. Signs which are integrated into the architectural design of a building and which would be prohibited by a strict application of this chapter;
3. Kiosks or neighborhood bulletin boards;
4. Electrically animated and flashing signs and electronic variable message signs.

SECTION 11.

105.590 Special standards by type of sign.

1. Mobile and portable signs are permitted under the following conditions:

(a) The sign must be painted or otherwise directly attached flat against the exterior surface of the body of the vehicle or trailer or, if on a cargo-type body, the sign must be attached flat against the stake racks or other standard vehicle accessories used to confine cargo loads on the bed of the vehicle or trailer;

(b) The vehicle or trailer must be currently licensed and registered by the Nevada department of motor vehicles and public safety and must be legally operable and capable of being operated on the public roads;

(c) The vehicle or trailer is required for and is used to transport people or goods in connection with the business or other activity or interest being advertised; and

(d) The sign may not be illuminated and may not contain letters or symbols which are manually replaceable in order that the copy can be easily changed from time to time.

2. Directory signs shall be permitted at major entrances to residential, commercial, industrial or office complexes to identify occupants, addresses or building numbers for the convenience of visitors and to facilitate emergency services. Directory signs shall not exceed six feet in height. No more than three square feet shall be

devoted to any single occupant. Directory signs shall not be included in allowable sign-area limit computations or when calculating the number of signs on a site. Permit required.

3. Community directory signs shall be permitted at major entrances to an identifiable community in the county.

4. Directional signs not exceeding 12 square feet in area shall not be included in allowable sign area computations or when calculating the number of signs on a site. Permit required.

5. Fuel price signs. Two fuel price signs not exceeding 16 square feet per face shall not be included in allowable sign-area computations or when calculating the number of signs on a site. Permit required.

6. Area identification signs shall be permitted at major entrances to neighborhoods, subdivisions, residential complexes, shopping centers, office or industrial complexes. Area identification signs shall not exceed six feet in height, or 128 square feet in area and shall not be included in allowable sign-area computations or when calculating the number of signs on the site. Permit required.

7. Temporary signs. Unless specifically required in this section, a permit is not required. A person may erect a temporary sign without a permit if:

- (a) The sign area is not more than 128 square feet;
- (b) The height of the sign is not more than 8 feet;
- (c) The aggregate sign area of all temporary signs on the premises are not more than 128 square feet; and
- (d) The sign, if it is a commercial sign, complies with the requirements of subsection 8 through 10.
- (e) The location is at a distance not less than 15 feet from any public road from which the sign is visible by passing motorists, unless a building is so located on the premises as to preclude erecting the sign anywhere on the premises, in which case the sign may be attached to or mounted against the building;

8. Additional restrictions on commercial temporary signs. No person may erect a temporary commercial sign on private property unless, in addition to the location requirements of subsection 7:

- (a) The sign area is not more than four square feet;
- (b) The height of the sign is not more than 5 feet;
- (c) The aggregate sign area of all temporary commercial signs on the premises are not more than 8 square feet;
- (d) The sign is firmly attached to a structure.

9. Temporary project sales signs. Notwithstanding the area and height limitations of subsection 8, project sales signs shall be allowed during the period when a developer or builder is actively engaged in the sale of lots or houses, or the sale or lease of space in a commercial, industrial or office development, provided they

are maintained in good condition. One sign is allowed for each of no more than two major public entrances to the project area. Individual signs may not exceed 128 square feet or 8 feet in height. A permit is required.

10. Additional restrictions on temporary real estate signs.

(a) One sign conforming to the height and area limitations in subsection 8 is allowed on residential property and on any property less than one acre in size. On commercial, industrial or office properties over one acre, one sign not to exceed 32 square feet in size shall be allowed for each street frontage.

(b) Two signs with or without a supporting structure, each no larger than 4 square feet, carrying the words "open house," "open for inspection" or words of similar import are allowed while the building being shown is in fact open to the public.

11. Additional restrictions on temporary residential real estate signs in areas within the jurisdiction of the Tahoe Regional Planning Agency.

(a) One sign is allowed if the sign:

(1) does not exceed 1 square foot in area.

(2) is placed inside a window, or if no window is visible from a public street, is attached to a building. If no building is on the premises the sign must be attached to a freestanding structure at least 3-1/2 inches in cross-section. If freestanding, the sign must be parallel to the street to which it is oriented.

(b) Two signs conforming to section 10(b) are allowed.

SECTION 12.

105.600 Special standards by zone.

1. A-1 through 11; E-1 through E-5; R-1 through R-3:

(a) Maximum height of freestanding signs is the larger of 6 feet or height permitted in section 105.590.

(b) Allowable sign area: section 105.590 applies; other permanent signs: 16 square feet.

(c) Illumination: indirect only.

(d) Moving, animated or flashing signs are not allowed.

(e) Projecting signs are not allowed.

2. R-3 office buildings:

(a) Maximum height of freestanding sign is the larger of 6 feet or height permitted in section 105.590.

(b) Allowable sign area: .75 square feet per 100 square feet of gross floor area.

(c) Illumination: indirect only is allowed.

(d) Moving, animated or flashing signs are not allowed.

(e) Projecting signs not exceeding 4 square feet per sign are allowed.

3. C-1

(a) Maximum height of freestanding sign: 25 feet.

(b) Allowable sign area: Larger of 2 sq.ft. per linear foot of allowable business frontage or 1 sq.ft. per linear foot of site frontage.

(c) Illumination - all types are allowed.

(d) Flashing, animated or moving signs are not allowed.

(e) Projecting signs not exceeding 6 square feet per sign are allowed.

4. C-2 without gaming.

(a) Maximum height of freestanding sign: 30 ft.

(b) Allowable sign area. Larger of 2.5 sq.ft. per linear foot of allowable business frontage or 1 sq.ft. per linear foot of site frontage.

(c) Type of illumination: all types are allowed.

(d) Flashing, animated or moving signs are not allowed.

(e) Projecting signs not exceeding 6 square feet are allowed.

5. C-2 with gaming.

(a) Maximum height of freestanding sign: 40 feet.

(b) Allowable sign area: Larger of 5 sq.ft. per linear foot of allowable business frontage or 1 sq.ft. per linear foot of site frontage.

(c) Type of illumination: all types are allowed.

(d) Mechanically animated signs and moving signs are not allowed. Animated signs which use lights to simulate or create the effect of motion and flashing signs are allowed, subject to the condition that the area of the sign which contains or is illuminated by an electronic variable message shall be multiplied by 2 when computing allowable sign area.

(e) Projecting signs are allowed.

6. T-C, R-H without gaming. The requirements for C-1 zones apply to T-C and R-H zones.

7. T-C, R-H with gaming. The requirements for C-2 zones with gaming apply to T-C and R-H zones with gaming.

8. M-1, M-E, M-W, M-5 and M-3.

(a) Maximum height of freestanding sign: 25 feet.

(b) Allowable sign area: Larger of 1 sq.ft. per 100 sq.ft. of gross floor area or 1 sq.ft. per linear foot of site frontage not to exceed 128 sq.ft. per occupant .

(c) Illumination - indirect or internal is allowed.

(d) Moving, animated or flashing signs: not allowed.

(e) Projecting signs not exceeding 6 square feet are allowed.

SECTION 13.

105.610 On-premise sign credits; types; computation.

1. Signs qualifying for credits:

(a) In addition to the requirements of paragraphs (b) and (c) the sign must be supported by a steel structure having a capability of supporting the sign for at least 50 years.

(b) Structure credit: If an off-premise sign to be removed is more than 200 square feet in sign area and is more than 25 feet in height, 20 structure credits are allowed. Each credit equals 1 lineal foot of height that may be added to height limitations on the signs to which the credits are applied as follows: Up to 20 feet may be added, without a special use permit, to the height otherwise allowed without a special use permit (20 feet). (Sec. 105.530(4)). 20 credits may be used for an additional freestanding sign.

(c) Sign area credit: If an off-premise sign to be removed is more than 25 feet in height and is more than 200 square feet in sign area, sign area credits are allowed equal to the lawfully existing off-premise sign area. No more than half of the sign area credits may be applied to any one freestanding on-premise sign. The remaining credits may be applied to wall signs, projecting signs and roof signs or may be converted as follows:

(1) 200 sign area credits may be converted to a single freestanding sign 20 feet in height and 50 square feet in sign area.

2. Procedure for obtaining and using sign credits; scenic easement.

(a) In C-2 and M-1 zones the owner or occupant of the premises may obtain on-premise sign credits by the removal of lawfully existing off-premise signs and structures if:

(1) A perpetual restrictive covenant, scenic easement, and agreement satisfactory to the county, prohibiting off-premises signs is recorded with the county recorder; and

(2) All off-premise signs and supporting structures are removed in accordance with the terms of the agreement.

(b) With respect to credits attributable to a single off-premise sign, one-half of the sign area credits may be used immediately upon recording of the documents. One-half of the sign area may not be used until the off-premise sign and structure are completely removed, unless the structure credits are waived, in which case all sign area credits may be used immediately (for wall signs, projecting signs and roof signs) upon recording of the documents.

(c) In C-2, T-C and R-H zones with gaming sign area credits are allowed as follows:

(1) 1.5 square feet per lineal foot of allowable business frontage if 50 to 100 hotel or motel rooms are located on the premises;

(2) 3 square feet per lineal foot of allowable business frontage if more than 100 hotel or motel rooms are located on the premises.

(d) In all zones the maximum height of a freestanding sign may be increased by 10%, without a special use permit, if the sign is installed in a planter landscaped

with drought resistant evergreen plants and having an area two times the area of the sign.

3. Exemption from requirements. To the extent a sign is based on credits it shall be allowed without a special use permit in excess of otherwise applicable limits on area, number, and height.

4. Credits are appurtenant to, and may not be transferred from, the premises from which the credits were derived, except that credits may be used on abutting premises under the same ownership.

SECTION 14.

105.620. Nonconforming signs.

1. Right to maintain and continue the use of a nonconforming sign. A nonconforming on-premises sign may be maintained and continued in use, provided that:

(a) It is not altered, enlarged or relocated without a sign permit;

(b) It is maintained in good repair and does not become unsightly or hazardous.

2. Termination of right to nonconforming sign.

(a) Any nonconforming sign which is declared a hazard by the administrator shall be removed or repaired within 10 days of notice to the owner of the sign.

(b) Any nonconforming sign which requires repairs costing in excess of 50 percent of its replacement value shall be removed or made to comply with the provisions of this chapter.

3. Alteration, enlargement or relocation. No permit shall be issued for the alteration, enlargement or relocation of a nonconforming sign unless the changes will bring the sign into conformance with the provisions of this chapter.

4. Reporting. Applicants for new business licenses or for renewals of existing business licenses shall submit with the application information showing the size and location of existing signs and buildings on the premises where the business will be conducted.

SECTION 15.

105.630 Abandoned signs.

1. Removal of abandoned signs. Any sign or sign structure which has been abandoned for a period of 6 months shall be removed or restored to use within 30 days after a notice of abandonment is issued to the owner of the sign. Notice shall be given by the administrator using certified mail. The administrator 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 a one-year period.

2. Criteria for establishing abandonment. A sign or sign structure shall be considered abandoned when any of the following occurs:

- (a) Any copy thereon is out of date;
- (b) Any business advertised thereon is no longer located on the premises;
- (c) Any product or service advertised thereon is no longer offered on the premises;
- (d) The structure no longer supports a sign or the sign no longer contains an advertising display;
- (e) A sign, structure or advertising display is visibly damaged or partially missing.

SECTION 16.

105.640 Signs on public and utility property.

1. Signs prohibited. No person may erect a sign on or over real or personal property, easements or rights of way owned by a public agency or by a privately owned public utility.

2. Exemptions. Signs exempted from the prohibition in paragraph 1 are:

- (a) Signs approved by the public agency or public utility.
- (b) Signs which are erected for the safety of motorists and pedestrians in connection with hazardous activities being conducted on the property, easement or right-of-way or on adjacent private property.
- (c) Official signs and signs required by law.
- (d) Signs for which an encroachment permit has been issued.
- (e) House numbers painted on curbs.
- (f) Signs carried by natural persons.

3. Removal. Any sign found erected contrary to the provisions of this section shall be removed by the sheriff's department or the department of public works. Advance notice of removal need not be given. The removed signs must be stored for 30 days. During that period, the sign must be made available to the owner and must be returned upon payment of the cost incurred in the removal.

SECTION 17. This ordinance shall not become effective until the expiration of ordinance 651.

Proposed on the 20th day of August, 1985.

Proposed by Commissioners McDowell.

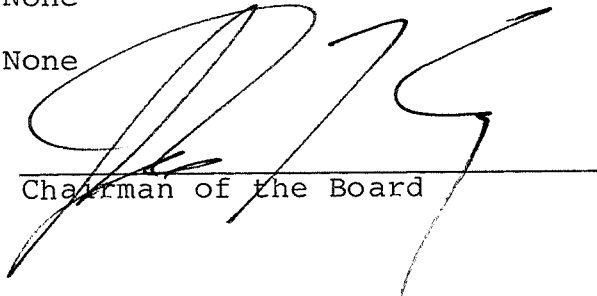
Passed on the 10th day of September, 1985.

Vote:

Ayes: Commissioners: Lillard, McDowell, King, Ritter & Williams

Nays: Commissioners: None

Absent: Commissioners: None


Chairman of the Board

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after the
20th day of September, 1985.