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## Chapter 18.02 Zoning Districts

### Article 6 Overlay Districts

#### 18.02.601 Overlay Districts, Generally

(c) **Gaming (G) Overlay District**

- (1) **Purpose** This district establishes regulations that recognize the unique characteristics of hotel/casino developments to mitigate potential impacts and encourage higher quality destination resorts that will increase tourism within the community.

~~(2) **General Standards**<sup>1</sup>~~

- ~~a. **Signs** Sign regulations for the Gaming Overlay District are set forth in the following table.~~

Table 2-37 Sign Regulations for Gaming Overlay District				
Maximum Height (Freestanding)	Sign Area (Freestanding)	Sign Area (Wall)	Illumination (All)	Flashing or Animated (All)
100 ft. [1]	No limit	No limit	All types	No limit
Note: [1] Conditional use permit required to exceed 100 feet.				

## Chapter 18.05 Signs

### Article 1 On-Premises Signs

#### 18.05.101 Purpose, Scope, and Authority

The purpose of this article is to promote the public health, safety, general welfare, and aesthetics by regulating and controlling the size, number, height, and location of on-premises signs. This article is intended to accomplish the following:

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<sup>1</sup> This verbiage allows for any property within the Gaming Overlay to be allowed very liberal signage standards. This unintentionally included much more area than before. Feedback from stakeholders indicated that the larger allowance should be limited to legally established nonrestricted gaming facilities. This allowance is included in the amended Table 5-1.

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- (a) To promote and maintain healthy commercial centers by providing for effective communication of the nature of goods and services available, and eliminating wasteful and unsightly competition in signs;
  - (b) To encourage sign design that is integrated with and harmonious to the building and sites occupied;
  - (c) To add to the quality of life by minimizing visual pollution;
  - (d) To attract and direct persons to various activities and enterprises, thereby providing for the maximum public convenience;
  - (e) To notify or warn the public about the location or existence of hazardous or dangerous conditions;
  - (f) To protect and enhance the residential neighborhoods by prohibiting obtrusive and incompatible signs; and
  - (g) To allow noncommercial speech on any otherwise permissible sign.

### **18.05.102 On-Premises 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.

### **18.05.103 Location of Permanent On-Premises Signs**

Signs located on private property shall not extend across property lines into adjacent property or into a public right-of-way except as provided in this chapter, unless approved by the City Engineer<sup>2</sup>. Freestanding or projecting signs may be located within, or project into, setbacks except that no sign shall be located in a manner that would create a hazard for pedestrian, bicycle, or automobile traffic.

### **18.05.104 Number of On-Premises Signs**

The number of freestanding signs allowed is specified in Table 5-1, Sign Regulations by Zoning District, below. Wall signs are not specifically restricted by number, provided the maximum area is not exceeded. In all zones, suspended signs located perpendicular to the front of the building and not exceeding six square feet in area will not be included in calculating the number of signs. Multiple signs on a single freestanding structure are allowed; provided, that all signs supported by a single structure are visually compatible with one another.

### **18.05.105 Sign Area Computation for On-Premises Signs**

The allowable sign area shall apply to the maximum geometric area of all sign faces visible from any one point at eye level. Where a 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 or the sum of the surface area of individual letters, whichever is smaller. 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 shall be included.

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<sup>2</sup> This verbiage would better allow for unique situations where a building might be built to the property line and contain a wall sign that slightly projects into the right-of-way. This type of situation would typically require a revocable occupancy permit, that would be approved through Public Works and the City Engineer.

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### 18.05.106 Regulated On-Premises Signs

All on-premises signs erected or located in the city, which are not exempted by federal or state law, or Title 14, Buildings and Construction, are subject to the provisions of this Chapter and Title 14, Buildings and Construction.

### 18.05.107 Permit Required

- (a) Except as otherwise provided, no person may erect, enlarge, alter (except for normal maintenance), or relocate within the city, any sign without first having obtained a sign permit.
- (b) On-premises signs greater than 150 square feet in size, and located within 150 feet of the centerline of the Truckee River, shall require review and approval under Section 18.08.~~602-603~~, Minor/Major<sup>3</sup> Site Plan Review.

### 18.05.108 Exempted On-Premises Permanent Signs

The following types of signs are not subject to the permit or application requirements of this Chapter and need not be included in any aggregate area computations, however, they are otherwise subject to the standards and requirements of this Title:

- (a) Address number or plates and residential nameplates as required by NRS Section 278.0231-.
- (b) Changes in copy or advertising display on an existing sign which do not alter the structure, size, or configuration of the sign.
- (c) On residentially zoned parcels, one or more signs not exceeding a combined total of 16 square feet and the top of the sign(s) is no greater than three feet above the ground located on parcels of one acre or less; one or more signs not exceeding a combined total of 32 square feet and the top of the sign(s) is no greater than six feet above the ground on parcels that are one to five acres; one or more signs not exceeding a combined total of 64 square feet and the top of the sign(s) is no greater than 12 feet above the ground on parcels greater than five acres.
- (d) Flags displayed from permanently located freestanding or wall-mounted flagpoles which are designed to allow raising and lowering of flags. The number of such flagpoles shall be limited in number to one per parcel and the maximum height shall be 30 feet.
- (e) Sign or tablets when cut into any masonry surface or constructed of bronze or other noncombustible surface not to exceed eight square feet in area when located within commercial zones.
- (f) Official traffic-control sign, signals, or devices, and street name signs.
- (g) Signs that notify the public of the location or access of emergency medical services.
- (h) Public safety signs that notify or warn the public about the location or existence of hazardous or dangerous conditions.
- (i) Signs that are located within a building.
- (j) Drive-through facility signs, subject to the following standards:
  - ~~a~~1. For each approved drive-through lane:
    - ~~1~~a. Up to two signs per lane;
    - ~~2~~b. Not to exceed a combined 64 square feet per lane, with a maximum height of seven feet.

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<sup>3</sup> Made entitlements for signs to be consistent as a major site plan review.

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- ~~b2.~~ Exempted drive-through facility sign copy area shall not be oriented to or visible from any public right-of-way. Signs may be changeable provided:
    - ~~1a.~~ Displays do not appear to be in motion, flashing or have video;
    - ~~2b.~~ Display does not create a glare or other condition that impairs the vision of drivers or obstructs or interferes with a driver's view of surrounding traffic situations;
    - ~~3c.~~ The sign does not exceed 150 nits between sunset and sunrise; and
    - ~~4d.~~ The sign automatically adjusts/dims to changes in ambient light.

### 18.05.109 On-Premises Signs Prohibited

The following types of signs are prohibited within the city:

- (a) Signs that constitute a hazard to traffic or pedestrians;
- (b) Signs located within any stream or drainage canal;
- (c) Mobile, A-framed, or portable signs except as provided in Section 18.05.110;
- (d) Inflatable or other temporary or wind signs except as otherwise provided;
- (e) Signs which initiate or simulate official signs, or which use yellow or red blinking intermittent light resembling danger or warning signals;
- (f) Sign on public property or rights-of-way or signs attached to utility poles, street-light standards, fences, sheds, trees, hydrants, or similar structures except as otherwise provided in this Chapter;
- (g) Roof signs;
- (h) Wall signs extending above the top of the wall or ~~beyond~~ the ends of the wall to which the signs are attached unless the signs conform to the requirements for projecting signs, or ~~ground-freestanding<sup>4</sup>~~ signs;
- (i) Signs emitting and/or producing noise, odor, sound, smoke, fire, or other such emissions; and
- (j) Signs within 100 feet of the right-of-way of a freeway that exceed 20 square feet and have faces which are visible from the travel lanes of the freeway.

### 18.05.110 Temporary On-Premises Signs

In addition to the permanent signage allowed, the following signs shall comply with all provisions and regulations of this chapter; however, no fee, permit, or application is required. Temporary signs are prohibited signs except as provided by this section.

- (a) **Generally**
  - (1) **Illumination** No temporary sign shall be internally or externally illuminated.
  - (2) **Location**
    - a. Except as provided by this section, no temporary sign shall extend into or over the public right-of-way.
    - b. No temporary sign shall extend into the vision triangle area as defined and set forth in Section 18.04.601(b), Vision Triangles.

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<sup>4</sup> Ground signs are not defined in code. This section was referring freestanding signs, thus verbiage was amended to clarify.

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- (3) **Maintenance** Temporary signs shall be kept neat, clean, and in good repair. Signs which are faded, torn, damaged, or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
  - (4) **Placement** Temporary signs shall not be attached to trees, shrubbery, utility poles, or traffic control signs or devices. They shall not obstruct or obscure signs on adjacent premises.
  - (5) **Sign Collection and Retrieval**
    - a. The City may collect temporary signs placed in the public right-of-way in violation of Section 18.05.110.
    - b. Each sign collected will be stored for a minimum of 30 days excluding all handbills as defined in Chapter 18.09 Rules of Construction and Definitions.
    - c. Notice will be mailed within five working days of the date of collection to the owner of each sign if the ownership is reasonably discernible.
    - d. The owner of the sign may retrieve a sign collected by the City within 30 days of the collection date. The owners shall present proof of ownership of the sign.
    - e. The owner of the sign may appeal the City's action as an administrative action by filing an appeal and paying the appeal to the City Council with the City of Reno Clerk's Office within ten days of the sign being removed. The City Clerk shall set the hearing before the City Council at the next City Council meeting at least 15 days in the future.
- (b) **Allowed Signage** In the following districts, temporary signage shall be allowed for each parcel as follows. This signage shall not be restricted by content.
- (1) **Residential Districts** One temporary sign per street frontage not exceeding six square feet for up to 95 days total per calendar year. On tracts of land of more than two acres, the sign area may be increased to 32 square feet.
  - (2) **Employment Districts and Urban Districts** One temporary sign per street frontage not exceeding 32 square feet for up to 95 days per calendar year. Square footage may be increased on parcels without established uses or structures by the square footage that would be allowed when calculating for permanent freestanding signs; in this situation street frontage would be used for business frontage.

### **18.05.111 Canopies**

Canopies over the building entrance shall be permitted in all districts and may extend into the public right-of-way with the permission of the owner of the right-of-way. Canopies may be embellished with copy that does not exceed 20 square feet. Canopies shall not count towards the sign area allowed or number of signs allowed. Permit required.

### **18.05.112 Removal of Abandoned ~~of~~ On-Premises Signs**

Any sign or sign structure which has been abandoned for a period of six months shall be removed or restored to use within 30 days after a notice of abandonment is issued by the Administrator to the owner of the sign. 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.

### **18.05.113 Permanent On-Premises Sign Regulations by Zoning District**

Sign regulations for each zoning district are established in Table 5-1, below:

Table 5-1 Sign Regulations by Zoning District [1]					
District	Height, freestanding (max.)	Area, freestanding (max.)	Area, Wall (max.)	Illumination	Flashing/ Animation [2] <sup>5</sup>
<u>Residential Districts</u>					
<u>LLR-2.5, LLR-1, LLR-0.5, SF-3, SF-5, SF-8, SF-11, MF-14, MF-21, MF-30</u> All <sup>6</sup>	6' maximum monument only.	50 sq. ft. per access. up to 150 sq. ft. max w/site plan review One per street frontage. <sup>8</sup>	20 sq. ft. maximum. One per street frontage. [1][2]	Indirect {8}or internal with dark background <sup>9</sup>	Not allowed
<u>Mixed-Use Urban Area Districts</u>					
All districts not listed below [6] [11] MD-ED, MD-UD, MD-ID, MD-RD, MD-NWQ, MD-PD, MU, -MS, MU-MC, MU-RES <sup>10</sup>	8' maximum  OR, if the parcel is ≥ one acre, freestanding sign maximum height is 25' (35' if parcel fronts street posted at 35 mph or	125 sq. ft. maximum [5][7][3] <sup>12</sup> If the parcel is ≥ one acre, freestanding sign area may be doubled. <sup>13</sup>	1 sq. ft. of sign area per lineal foot of business frontage not to exceed 400 sq. ft. per business. <sup>14</sup>  Notwithstanding above, at a minimum, each business shall be allowed 40 sq. ft. of sign area.	All types	<u>Permitted on parcels fronting North Virginia Street, South Virginia Street, West 4th Street, East 4th Street, and Mill Street and shall not exceed 125 sq. ft. Any other street shall require a major site plan review for flashing/animated</u>

<sup>5</sup> NRS Sections 590.160 — 590.330 requires that Advertisement of Motor Vehicle Fuel and Petroleum Products be allowed with certain limitations, found in 18.05.114(b)(5). Moving the footnote will allow this to be applicable to all districts.

<sup>6</sup> Clarification added to the table to identify which specific zoning districts are being referenced in the applicable row.

<sup>7</sup> Clarification added.

<sup>8</sup> Difficult to administer as it was unclear how many signs were allowed and whether a site plan review was required for every sign. Amended to allow one 50 sq. ft. sign per access and removed the site plan review requirement. Overall, more square footage may be allowed compared to current code, however, the sign size per access is limited, which was unclear before.

<sup>9</sup> Simplified language from previous code and attempted to still meet the intent.

<sup>10</sup> Section existed in other parts of code that were more obscure to find. Since it was related to signs, it was included in the table for clarity.

<sup>12</sup> New footnote [4] still limits the number of freestanding signs allowed. Reference to previous footnote [5] to allow for doubling of square footage on arterial roadways with a posted speed limit of 35 mph or higher removed. Previous footnote [7] which specified copy area only was removed.

<sup>13</sup> Per stakeholder feedback, a 125 sq. ft. maximum sign is too small on a taller sign. Previous footnote allowed doubling of square footage in certain cases, carried forward.

<sup>14</sup> Previous code limited this standard to 400 square feet per parcel, however, that was difficult to administer, as the sign square footage for existing businesses or future potential was difficult to accurately review and account for. The square footage is still limited based on length of business frontage.

Table 5-1 Sign Regulations by Zoning District [1]					
District	Height, freestanding (max.)	Area, freestanding (max.)	Area, Wall (max.)	Illumination	Flashing/ Animation [2] <sup>5</sup>
	greater) <sup>11</sup>		<sup>15</sup> Sign length shall not exceed 75% of business frontage  All wall sign area shall not exceed 400 sq. ft. per parcel  5' maximum letter height  Notwithstanding above, each business shall be allowed a minimum 40 sq. ft.		signs. <sup>16</sup> Not allowed [12]
GC [6] <sup>17</sup> [9] <sup>18</sup>	8' maximum 1' per 4' of linear street frontage  Not to exceed 35' for signs adjacent to a major arterial; over 35' adjacent to a major arterial with a conditional use permit OR, if the parcel is ≥ one acre,	60 sq. ft. up to 100 lineal street ft. frontage  125 sq. ft. for parcel between 100-400 lineal ft. frontage  250 sq. ft. for parcels with more than 400 lineal ft.  [5][7] artistic embellishment, no limit 150 sq. ft. if street frontage ≤ 400 ft.	1 sq. ft. of sign area per lineal foot of business frontage not to exceed 400 sq. ft. per business.  Notwithstanding above, at a minimum, each business shall be allowed 40 sq. ft. of sign area.  6' maximum letter height for anchor tenants;	All types	Allowed up to 35' in height if not facing residential zoning districts.

<sup>11</sup> Previous language was difficult to administer as speed limits on roadways can change. Removed ambiguity to allow for 35' height maximum in all cases where the parcel is larger than one acre.

<sup>15</sup> Verbiage clarified and simplified by removing maximum letter height and sign length standards.

<sup>16</sup> Previous footnote was included in the appropriate cell in the Table for clarity.

<sup>17</sup> Reference to the number of freestanding signs allowed was moved to the freestanding sign column.

<sup>18</sup> Removed footnote in an attempt to simplify standards.

Table 5-1 Sign Regulations by Zoning District [1]					
District	Height, freestanding (max.)	Area, freestanding (max.)	Area, Wall (max.)	Illumination	Flashing/ Animation [2] <sup>5</sup>
	<u>freestanding sign maximum height is 35'</u> <sup>19</sup>	<u>250 sq. ft. if street frontage &gt; 400 ft.</u> [3] <sup>20</sup>	<u>4' maximum letter height for line shops and pad sites</u>  <u>Notwithstanding above, each business shall be allowed a minimum 40 sq. ft.</u> <sup>21</sup>		
NC, PO [6] <sup>22</sup>	<u>8' maximum Monument only.</u>  <u>May be increased to 12' if more than 100' of parcel street frontage. 8 ft' if &lt; 100' street frontage (12' if 100'+)</u>	<u>60 sq. ft. maximum monument</u> <sup>23</sup> [3]	<u>1 sq. ft. of sign area per lineal foot of business frontage not to exceed 400 sq. ft. per business.</u>  <u>Notwithstanding above, at a minimum, each business shall be allowed 40 sq. ft. of sign area. 1 sq. ft./100 GFA (all signs combined not to exceed 400 sq. ft. per parcel, 3' maximum letter height)</u> [4]	<u>Indirect or internal with dark background.</u> <sup>24</sup>	<u>Not allowed</u> [13]
PO	<u>8' monument only</u> [3]	<u>1 sq. ft./100 sq. ft. of GFA, max 25% of business frontage on a building</u>	<u>20 sq. ft./parcel</u>	<u>Indirect</u> [8]	<u>Not allowed</u>
<u>Nonresidential Employment Area Districts</u>					

<sup>19</sup> Attempted to simplify standards.

<sup>20</sup> Attempted to simplify standards.

<sup>21</sup> Attempted to simplify standards by removing letter height requirements. Limited area to 400 sq. ft. per business.

<sup>22</sup> Make NC and PO zones consistent and further simplified standards.

<sup>23</sup> Monument only requirement still maintained in the freestanding sign height column, consistent with other districts.

<sup>24</sup> Unclear if the original footnote [8] was mistakenly not included, as it was in all other districts. Made to be consistent with other districts in the table and previous allowance in PO.

Table 5-1 Sign Regulations by Zoning District [1]					
District	Height, freestanding (max.)	Area, freestanding (max.)	Area, Wall (max.)	Illumination	Flashing/ Animation [2] <sup>5</sup>
I, IC, ME, MA <sup>25</sup>	25' maximum	80 sq. ft. per frontage; For properties with 2 or more street frontages, maximum combined area of 160 sq. ft. per sign; 150 sq. ft. maximum	1 sq. ft. of sign area per lineal foot of business frontage not to exceed 400 sq. ft. per business. Notwithstanding above, at a minimum, each business shall be allowed 40 sq. ft. of sign area. 1/business/ street frontage 1 sq. ft./lineal foot of building frontage	All types	Not allowed [13]
IC					
ME	25' or bldg. height 1/ street frontage	3 sq. ft./100 GFA combined [10]	3 sq. ft./100 GFA combined [10]	All types; indirect facing residential zones [8]	Allowed up to 25' if not facing residential zones
Special Purpose Districts					
PF <sup>26</sup>	8' maximum monument only. May be increased to 12' if more than 100' of parcel street frontage. 6' monument established by conditional use permit	15% of allowed wall sign area 60 sq. ft. maximum	1 sq. ft. of sign area per lineal foot of business frontage not to exceed 400 sq. ft. per business. Notwithstanding above, at a minimum, each business shall be allowed 40 sq. ft. of sign area. 10 sq. ft./acre	All types; none facing residential	Not allowed

<sup>25</sup> Combined employment districts and included MA, which was inadvertently left out in current code. Attempted to simplify standards.

<sup>26</sup> Attempted to simplify standards and make them consistent with other standards in the table.

Table 5-1 Sign Regulations by Zoning District [1]					
District	Height, freestanding (max.)	Area, freestanding (max.)	Area, Wall (max.)	Illumination	Flashing/ Animation [2] <sup>5</sup>
<u>PGOS<sup>27</sup></u>	<u>6' maximum monument only.<del>ft</del></u>	<u>60 sq. ft. maximum</u>	<u>1 sq. ft. of sign area per lineal foot of building frontage not to exceed 400 sq. ft.</u>  <u>Notwithstanding above, at a minimum, each building shall be allowed 40 sq. ft. of sign area.</u>	<u>All types; none facing residential zoning district.</u>	<u>Not allowed</u>
<u>UT-5, UT-10, UT-40<sup>28</sup></u>	<u>6' maximum monument only.</u>	<u>50 sq. ft. per access. One per street frontage.</u>	<u>20 sq. ft. maximum. One per street frontage.</u>	<u>Indirect or internal with dark background</u>	<u>Not allowed</u>
<b><u>Overlay Use Specific</u></b>					
<u>Gaming Legally Established Nonrestricted Gaming Facility<sup>29</sup></u>	<u>100'</u> <u>Major site plan review</u> <u>Conditional use permit required to exceed 100'.</u>	<u>No limit</u>	<u>No limit</u>	<u>All types</u>	<u>No limit</u>
<u>School, Public or Private<sup>30</sup></u>	<u>Subject to zoning district.</u>	<u>Subject to zoning district.</u>	<u>Subject to zoning district.</u>	<u>Subject to zoning district.</u>	<u>Permitted subject to requirements in section 18.05.114 and the following:</u>

<sup>27</sup> Was inadvertently left out of current code. Created standards similar to other standards found within the table.

<sup>28</sup> Was inadvertently left out of current code. Created standards similar to residential district standards.

<sup>29</sup> This verbiage allows for any property within the Gaming Overlay to be allowed very liberal signage standards. This unintentionally included much more area than before. Feedback from stakeholders indicated that the larger allowance should be limited to legally established nonrestricted gaming facilities.

<sup>30</sup> The Washoe County School District has requested the ability to utilize animated signage, as it is becoming a more typical sign type to alert the community of school and other community related events. The animated signs would be required to meet section 18.05.114, which contains additional regulations related to animated signs. Additionally, time parameters which mimic the City's typical business hours have been implemented as an additional mechanism to mitigate potential impacts. A major site plan review per section 18.05.114 would not be required, as the items in the table are more restrictive and specific to mitigate the potential impacts of digital signage.

Table 5-1 Sign Regulations by Zoning District [1]					
District	Height, freestanding (max.)	Area, freestanding (max.)	Area, Wall (max.)	Illumination	Flashing/ Animation [2] <sup>3</sup>
					<p><u>Must be turned off by 10 p.m. and turned on no earlier than 6 a.m.</u></p> <p><u>Signs shall not exceed 150 nits between sunset and sunrise.</u></p> <p><u>Animated portion of the sign is limited to 32 sq. ft. maximum.</u></p> <p><u>Content display must remain for no less than 8 seconds with no video display, flashing, or blinking.</u></p>
<p>Notes:</p> <p><del>[1] Established by conditional use permit for nonresidential use in residential zone.</del></p> <p><del>[1] Signs in all zoning districts that are larger than 150 sq. ft. and proposed within 150 feet of the center line of the Truckee River require approval of a major site plan review.<sup>31</sup></del></p> <p><del>[2] In all zoning districts, sign copy regulated by NRS Sections 590.160 — 590.330, Advertisement of Motor Vehicle Fuel and Petroleum Products, permitted subject to standards outlined in Section 18.05.114(b)(5)</del></p> <p><del>[2] Either a wall or monument sign is allowed per street frontage.</del></p> <p><del>[3] On multi-tenant building, may have one 12-foot center identification sign/frontage.</del></p> <p><del>[4] Gross floor area (GFA).</del></p> <p><del>[5] The allowable square footage may be doubled on arterial roadways with a posted speed limited of 35 mph or greater.</del></p> <p><del>[6] Number of freestanding allowed: one per frontage, 2nd or one additional sign allowed if over 10 acres. Gas stations may have one additional 16 sq. ft. sign.</del></p> <p><del>[7] Copy area only.</del></p> <p><del>[8] Signs of light copy and dark backgrounds with internal illumination are permitted, provided the copy makes up less than 50 percent of the sign area.</del></p> <p><del>[9] As an alternative to specific square footage allowances for wall and freestanding signs in the GC zone, two square feet/lineal foot of building frontage may be utilized for all sign types combined.</del></p> <p><del>[10] Three sq/100 GFA is the maximum total sign area and may be provided on wall and/or freestanding signs.</del></p> <p><del>[11] Legally established Nonrestricted Gaming Operation, land uses may use Gaming Overlay district sign requirements.</del></p> <p><del>[12] Permitted on parcels fronting North Virginia Street, South Virginia Street, West 4th Street, East 4th Street, and Mill Street and shall not exceed 125 sq. ft. Any other street shall require a site plan review for flashing/animated signs.</del></p> <p><del>[13] Permitted subject to standards outlined in Section 18.05.114(b)(6).</del></p>					

### 18.05.114 Additional Regulations for Animated Signs

- (a) **Applicability** The following regulations only apply to fixed message electronic signs and computer controlled variable message electronic signs as defined in Chapter 18.09 Rules of Construction and Definitions.

<sup>31</sup> Currently exists in code as a minor site plan review. This is suggested to be subject to a major site plan review, similar to other sign entitlement reviews.

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(b) **Standards**

- (1) No animated sign shall exceed 1,500 nits between sunset and sunrise. No animated sign shall exceed 5,000 nits between sunrise and sunset. Signs shall automatically adjust/dim due to changes in ambient light, such as inclement weather.
- (2) Any animated sign constructed prior to December 2, 2015, shall be brought into conformance with the nit standards listed in Subsection 18.05.114(b)(1), above, by December 2, 2017.
- (3) Animated signs shall only be allowed within 750 feet of residentially zoned property with the approval of a ~~conditional use permit~~ major site plan review. The 750 feet shall be measured from the base of the sign to the property line of the residentially zoned parcel. Schools, Public or Private are exempt from this requirement. <sup>32</sup>
- (4) No animated signs shall be allowed within 300 feet of the outer boundary of the outer travel lane/white line of:
  - a. State Route 431 (Mount Rose Highway);
  - b. Interstate 80 west of Robb Drive, to the western most city limit;
  - c. U.S. 395 north of North McCarran Boulevard; and
  - d. Interstate 580 south of South McCarran Boulevard.

~~e.(5)~~ Any animated signs located within these areas which were in existence prior to December 2, 2015, may only be enlarged or relocated with the approval of a ~~conditional use permit~~ major site plan review.<sup>33</sup>
- (~~6~~5) Notwithstanding Subsection (b)(~~5~~4), above, only that portion of sign copy regulated by NRS Sections 590.160 — 590.330 , Advertisement of Motor Vehicle Fuel and Petroleum Products, may be animated provided that:
  - a. The display brightness does not exceed 150 nits between sunset and sunrise;
  - b. Displays do not appear to be in motion, flashing, or have video;
  - c. Displays change no more than 24 times per day; and
  - d. All other sign regulations in this Title that are not specified in these NRS regulations (including zoning limitations, and limitations on number and size of signs) remain in effect.

### 18.05.115 Nonconforming On-Premises Signs

A "nonconforming on-premise sign" is a sign that was lawfully erected prior to the adoption of the sign regulations codified in this chapter, or subsequent amendments thereto, which would not be permitted under the current provisions of such regulations. "Nonconforming signs" include signs that were erected without a conditional use permit, or other entitlement, and which would require a major site plan review under the current provisions of this chapter or of Section 18.08.60~~3~~2, Major Site Plan Review. <sup>34</sup>

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<sup>32</sup> Redlined verbiage exempts Schools from this requirement as animated signs are further restricted for this use type, as noted in Table 5-1.

<sup>33</sup> Amended to major site plan review to be consistent in review types. Still requires public noticing and hearing through the Planning Commission.

<sup>34</sup> Added clarification. Now requires a major site plan review.

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### **18.05.116 Right to Maintain and Continue the Use of a Nonconforming On-Premises Sign**

A nonconforming on-premises sign may be maintained and continued in use, provided that:

- (a) It is not altered structurally, enlarged, or relocated without proper permits; and
- (b) It is maintained in a good and working condition.

### **18.05.117 Termination of Right to Nonconforming On-Premises Sign**

- (a) Any nonconforming on-premises sign that is declared a hazard by the Administrator shall be removed or repaired within ten days of notice to the owner of the sign.
- (b) Any nonconforming sign that requires repairs costing more than 50 percent of its replacement value shall be removed or made to comply with the provisions of this chapter and Title.

### **18.05.118 Alteration, Enlargement, or Relocation of On-Premises Sign**

- (a) Excluding Section 18.05.114(b)(4),<sup>7</sup> above, no permit shall be issued for the alteration, enlargement, or relocation of a nonconforming sign unless any changes decrease the amount of any nonconforming size by a minimum of 25 percent and any nonconforming height by a minimum of 25 percent. Methods of lighting shall not be changed until all other elements of the sign are brought into full conformance.
- (b) The Administrator may waive this section in the instance where a sign is moved or altered because of the need for right-of-way or expansion into private property for a public or utility agency project. This includes any project proposed for construction by a public agency established by Nevada Revised Statutes whereby capacity and/or safety is being expanded or improved including, but not limited to, roadways, storm drainage, utilities and pedestrian and bicycle facilities. In such instances the Administrator shall allow for the relocation of the legally established nonconforming sign as a reasonable remedy to mitigate the impact of the public project on the property or business owner.<sup>35</sup>

### **18.05.119 Time Limitations on Review of Applications for On-Premises Signs**

- (a) The Administrator shall review and make a decision or recommendation regarding an application for on-premises signs which are not a part of or accompanied by an application for any other development on the parcel within five working days of the date the completed application is accepted by the Community Development Department.
- (b) The Administrator shall review and make a decision regarding an application for a temporary or special events on-premises signs no later than three working days of the date the completed application is accepted by the community development department.
- (c) The Administrator shall review and make a decision or recommendation regarding an application for on-premises signs which are a part or accompanied by an application for any other development no later than the decision regarding the development is rendered.
- (d) If the Planning Commission reviews the application the Planning Commission shall hold a hearing promptly but in no event no later than 65 days from the date the completed application is file-stamped within the Community Development Department.

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<sup>35</sup> Verbiage included to address the need to move signage for public projects that result in a loss of property and result in an on-premise sign needing to be moved. The nonconforming sign may be relocated at the same size.

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- (e) The Planning Commission shall make its decision promptly but in no event later than 30 days of the date of the opening of the hearing.
  - (f) The City Council shall make its decision promptly but in no event later than 30 days of the date of the opening of the hearing.
  - (g) If the applicant requests a continuance or a specified time or date for the matter to be heard, the timelines provided herein are deemed waived.

#### **18.05.120 Appeal of Administrator's Decision**

- (a) Aggrieved persons may appeal the Administrator's decision to the City Council by filing a written appeal in the City's Clerk's office setting forth how they are aggrieved and the reasons for the appeal within five days of the Administrator's written decision.
- (b) The City Clerk shall schedule an appeal before the City Council no less than 14 days or more than 45 days following the last day of the appeal period following the administrative decision.

#### **18.05.121 Judicial Review**

- (a) Judicial review may be sought in accordance with NRS Chapter 34 .
- (b) Except as otherwise provided, if the City denies a "First Amendment" application, the City will institute legal proceedings within ten working days of its final action to determine in an adversarial proceeding the constitutionality of the denial on prior restraint grounds, unless otherwise waived by the applicant. For purposes of this subsection, a "First Amendment" application is one in which the applicant has inserted the words, "First Amendment" in the caption of the application.

#### **18.05.122 Decisions Regarding On-Premises Signs**

- (a) Decisions shall be in writing.
- (b) Decisions shall include an explanation setting forth the reasons for the decisions.

#### **18.05.123 Content Neutrality and Substitution<sup>36</sup>**

- (a) Content Neutrality Despite any other provision of this Chapter, the content of a sign's message does not limit its permissibility under this Chapter. However, location-based standards such as off-premises regulations, do apply.
- (b) Substitution Allowed Any sign allowed a commercial message may contain any non-commercial message. Any sign allowed a non-commercial message may contain any other non-commercial message.

## **Article 2 Off-Premises Advertising Displays**

#### **18.05.201 Purpose and Intent**

Recognizing that the City of Reno is a unique city in which public safety, maintenance, and enhancement of the city's esthetic qualities are important and effective in promoting quality of life for its inhabitants and the City of Reno's 24-hour gaming, entertainment, recreation, and tourism economy; recognizing that the promotion of

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<sup>36</sup> Language added to address content neutrality.

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tourism generates a commercial interest in the environmental attractiveness of the community; and recognizing that the visual landscape is more than a passive backdrop in that it shapes the character of our city, community, and region, the purpose of this article is to establish a comprehensive system for the regulation of the commercial use of off-premises advertising displays. It is intended that these regulations impose reasonable standards on the number, size, height, and location of off-premises advertising displays to prevent and alleviate needless distraction and clutter resulting from excessive and confusing off-premises advertising displays; to safeguard and enhance property values; and to promote the general welfare and public safety of the city's inhabitants and to promote the maintenance and enhancement of the city's esthetic qualities and improve the character of our city. It is further intended that these regulations provide one of the tools essential to the preservation and enhancement of the environment, thereby protecting an important aspect of the economy of the city that is instrumental in attracting those who come to visit, vacation, live, and trade on any otherwise permissible sign.

### **18.05.202 Restrictions on Permanent Off-Premises Advertising Displays**

Except as specifically provided in this chapter, or state or federal law, the City shall not issue any permits authorizing the construction of any new, permanent off-premises advertising displays.

### **18.05.203 Nonconforming Permanent Off-Premises Advertising Displays**

- (a) All legally established, permanent off-premises advertising displays existing within the city on the effective date of this Title or subsequently annexed into the city, thereafter, are deemed nonconforming. Nothing in this Chapter shall be construed to require the removal of any nonconforming permanent off-premises advertising display.
- (b) No later than 30 days after the effective date of this Title and by July 15<sup>th</sup> of each year thereafter:
  - (1) All owners of nonconforming permanent off-premises advertising displays shall submit a report to the Administrator detailing the size, height, location, and City of Reno inventory number of their current inventory of nonconforming permanent off-premises advertising displays.
  - (2) All holders of banked receipts shall submit a report to the Administrator detailing the size, height, location, demolition permit number, and City of Reno inventory number of the permanent off-premises advertising displays associated with holder's unexpired banked receipts.
- (c) All nonconforming permanent off-premises advertising displays may be continued and maintained at their current location until:
  - (1) Required to be removed because of termination of the lease that governs the placement of the nonconforming permanent off-premises advertising display on the real property pursuant to the terms of that lease; or
  - (2) Destroyed or damaged in excess of 50 percent of its material structural value because of a natural disaster, including, without limitation, a fire, flood, earthquake, windstorm, rainstorm, and/or snowstorm.

### **18.05.204 Permanent Off-Premises Advertising Displays: Permitted and Prohibited Locations**

- (a) **Mapped Locations** The "Off-Premise Advertising Map" shall serve as the official map for Off-Premise Advertising locations. The map is adopted by reference and will be updated in accordance with changes to the referenced zoning and roadway designations, except where noted.
- (b) **Permitted Locations**

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- (1) Off-Premise advertising displays shall be permitted only in areas depicted as "Potential Off-Premise Advertising Locations" on the Off-Premise Advertising Map. These areas shall include:
    - a. Areas in the Industrial (I), Industrial Commercial (IC), and General Commercial (GC) districts when within 100 feet of the edge of the right-of-way line of a major or minor arterial road or freeway unless otherwise prohibited within this article.
    - b. Specific areas depicted as "Permitted Location 1b" on the Off-Premise Advertising Map, when located within 100 feet of the edge of the right-of-way line of a major or minor arterial road or freeway unless otherwise prohibited by this section. These areas reflect areas within the prior Industrial Business (IB) District prior to adoption of this Title.
    - c. Specific areas depicted as "Permitted Location 1c" on the Off-Premise Advertising Map, when located within 100 feet of the edge of the right-of-way line of a major or minor arterial road or freeway unless otherwise prohibited by this section. These areas include properties identified by historic zoning districts (AC, CC, IC, IB or I) prior to being rezoned to MU prior to adoption of this Title. This is a fixed boundary.

(c) **Prohibited Locations**

- (1) No permanent off-premises advertising display shall be erected closer to a street than the right-of-way line. No portion of any permanent off-premises advertising display may be placed on or extend over the right-of-way line of any street.
  - (2) No permanent off-premises advertising display, or part thereof, shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
  - (3) No permanent off-premises advertising display shall be located within specific areas depicted as "Prohibited Location 3" on the Off-Premise Advertising Map. This area includes property within 300 feet of the centerline of the Truckee River or within 300 feet of the outer boundary of any areas designated in this Title as the Truckee River Corridor or its successor.
  - (4) No permanent off-premises advertising display shall be erected within 300 lineal feet of a residentially zoned parcel on the same side of the street.
  - (5) The number of permanent off-premises advertising displays located within 300 feet of the centerline or within the boundaries of the following areas shall not exceed the number of legally existing permanent off-premises advertising displays in that location on July 1, 2012:
    - a. Interstate 80 right-of-way from Robb Drive to the most western city limit.
    - b. U.S. 395 right-of-way from Panther Drive to the most northern city limit.
    - c. Specific areas depicted as Restricted Locations 5c.1 through 5c.7, inclusive on the Off-Premise Advertising Map. These areas reflect certain zoning districts that were in place prior to adoption of this Title, including: the Downtown Reno Regional Center Plan (5c.1), the East 4th Street TOD Corridor (5c.2), Mill Street TOD Corridor (5c.2), the Medical Regional Center (5c.2), the Wells Avenue Neighborhood Plan (5c.2), the northern section of the South Virginia Street TOD (5c.2), and the Midtown District (5c.2). These are fixed boundaries.
    - d. If any off-premises advertising displays are removed from the areas identified in Sections 18.05.204(c)(5)a. ? c., above, the maximum number of permanent off-premises advertising displays allowed in the identified area shall be reduced accordingly. The removed signs shall not be replaced or banked.
    - e. This subsection neither prohibits relocation of existing off-premises displays within the above locations nor reconstruction of existing off-premises advertising displays provided that the
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relocated and/or reconstructed permanent off-premises advertising display conforms with this article.

- (6) No permanent off-premises advertising displays shall be located within 200 feet of the right-of-way of McCarran Boulevard except within the following locations:
  - a. Talbot Lane east to Mill Street.
  - b. Northtowne Lane west to Sutro Street.
  - c. This subsection neither prohibits relocation of existing off-premises displays within the above locations nor reconstruction of existing off-premises advertising displays provided that the relocated and/or reconstructed permanent off-premises advertising display conforms with this article.
- (7) The number of permanent off-premises advertising displays within 300 feet of the centerline of U.S. 395 from Patriot Boulevard to Neil Road shall not exceed seven permanent off-premises advertising displays.
- (8) The number of permanent off-premises advertising displays located within annexation areas that are regulated by Washoe County specific plans shall not exceed the number of legally existing off-premises permanent advertising displays as of their respective effective dates of annexation,
  - a. If permanent off-premises advertising displays are not specifically listed as an allowed use in the pertinent specific plan, permanent off-premises advertising displays shall be prohibited.
  - b. Reconstruction of an existing off-premises advertising display is allowed provided that the reconstructed off-premises advertising display conforms with this article.
- (9) No permanent off-premises advertising display, or part thereof, shall be located within a Historic or Conservation District.
- (d) **Prohibited Digital Displays** No permanent off-premises digital advertising display, or part thereof, shall be located within City of Reno or the City of Reno Sphere of Influence.

### **18.05.205 General Standards for Permanent Off-Premises Advertising Displays**

- (a) The area of display surface shall be the total square feet of geometric area of display surfaces which comprise the total off-premises advertising display, except the structure. The computation of display surface of a back-to-back off-premises advertising display shall be limited to one display surface.
  - (b) No off-premises advertising display shall have a primary display surface, not including allowed cut-outs, greater than 672 square feet.
  - (c) A cut-out shall not exceed ten percent of the primary surface area of the off-premises display.
  - (d) No off-premises advertising display shall exceed 35 feet in height as measured from the surface of the road grade to which the sign is oriented to the highest point of the off-premises advertising display. If the off-premises advertising display is oriented to more than one road grade, the lowest road grade shall be the reference point.
  - (e) No off-premises advertising display shall be located closer than 750 feet to the next off-premises advertising display on either side of the same street. No mechanically changeable off-premises advertising display shall be located closer than 1,000 feet to the next mechanically changeable off-premises advertising display on either side of the same street.
  - (f) All off-premises advertising displays shall be maintained in a clean and well-functioning condition. Surface shall be neatly painted. Property immediately surrounding off-premises advertising displays shall be maintained and kept free of litter, rubbish, weeds, and debris. Any off-premises display deemed to be a
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nuisance as defined in Chapter 8.22, Nuisances, shall be enforced as provided for in Chapter 1.05, Code Enforcement.

- (g) The permit/inventory number, as assigned by the Administrator shall be displayed on every permanent off-premises advertising display.
- (h) The reverse side of a cut-out shall be dull and non-reflective.
- (i) The reverse side of a single-face off-premises advertising display shall be dull and non-reflective.
- (j) No tree may be removed for the purpose of erecting an off-premises advertising display. If an existing tree would impact the visibility of a site which otherwise meets the requirements of Sections 18.05.204 and 18.05.205, above, a variance to the spacing requirements may be requested. If the variance to the spacing requirements is denied as a final action, the tree may be removed. If the variance to spacing requirements is approved, the tree may not be removed.
- (k) Off-premises advertising displays shall be of monopole design.
- (l) All lighting shall be directed toward the off-premises advertising display.
- (m) An off-premises advertising display may not contain more than two faces and one face may not be angled from the other face by more than 20 degrees as measured from the back of the structure supporting the face.

#### **18.05.206 Prohibited Types of Off-Premises Advertising Displays**

The following off-premises advertising displays are prohibited:

- (a) Signs which emit noise via artificial devices;
- (b) Roof signs;
- (c) Signs which produce odor, sound, smoke, fire, or other such emissions;
- (d) Stacked signs;
- (e) Temporary signs except as otherwise provided in Sections 18.05.208 and 18.05.209;
- (f) Wall signs;
- (g) Signs with more than two faces;
- (h) Building wraps; and
- (i) Computer controlled variable message electronic signs.

#### **18.05.207 Expiration and Redemption of Banked Receipts; Litigation Stay**

- (a) Nothing in this section shall be construed to require the removal of any existing, permanent off-premises advertising displays, or extinguish or impair the rights of any existing holders of banked receipt(s).
- (b) **Expiration of Banked Receipts**
  - (1) Banked receipts issued by the City prior to July 19, 2012 expire 15 years after the date of issuance.
  - (2) Banked receipts issued by the City after July 18, 2012 expire three years after the date of issuance.
  - (3) Banked receipts issued by the City in connection with any litigation expire in accordance with the terms and conditions of any applicable:
    - a. Court order; or

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- b. Settlement agreement.
- (c) **Application** The holder of an unexpired and valid banked receipt may submit a sign permit application to the City to construct a permanent off-premises advertising display. At a minimum, the sign permit application shall include the following:
- (1) The banked receipt which is being exchanged for the proposed off-premises advertising display. Such receipt shall include the inventory number assigned by the City of Reno and proof that a minimum ratio of one square foot of the display represented by the banked receipt is exchanged for one square foot of new display construction. Should the proposed construction exceed the size of the banked receipt display an additional banked receipt shall be redeemed.
  - (2) A description of the proposed site prepared by a land surveyor, licensed by the State of Nevada, demonstrating compliance with the applicable zoning and spacing criteria contained in this chapter;
  - (3) Dimensions of the proposed new permanent off-premises advertising display;
  - (4) Structural calculations and related engineering specifications;
  - (5) Signature of the holder of the banked receipt;
  - (6) Signature of the applicant; and
  - (7) Any other information requested by the City reasonably required to promote the health, safety, morals, or general welfare of the community, and control the location and soundness of the proposed permanent off-premises advertising display.
- (d) **Redemption of Banked Receipt** Upon review and in accordance with the applicable zoning, spacing, and general standards contained in this chapter, the Administrator shall issue a permit authorizing the holder of a banked receipt to construct a new permanent off-premises advertising display on the proposed site. Upon completion of construction, the legally established, permanent off-premises advertising display shall be deemed nonconforming for the purposes of this chapter.
- (e) **Litigation Stay** Notwithstanding Sections 18.05.207(a)-(d), until the validity of banked receipts issued prior to October 24, 2012 is resolved in *Scenic Nevada v. City of Reno, et al.*, Case No CV17-00361, the City shall not accept any permit applications authorizing the construction of new, permanent off-premises advertising display based on banked receipts issued prior to October 24, 2012, not in connection with any prior litigation. Banked receipts created because of ReTRAC shall be accepted.

### 18.05.208 Temporary Off-Premises Advertising Displays

Off-premises temporary advertising displays are allowed without permit on private property in any zoning district with the permission of the owner(s), holder(s) lessee(s), agent(s), or trustee(s) as applicable, when the temporary off-premises advertising displays:

- (a) Are located in any zoning district within ½ radial mile of the site on which the activity will take place;
- (b) Shall be a maximum of six square feet;
- (c) Shall be designed to be stable under all weather conditions, including high winds;
- (d) Shall not obstruct the vision triangle as defined and set forth in Section 18.04.601(b) or traffic control device or impair access to a sidewalk, street, driveway, bus stop, or fire hydrant; and
- (e) Displayed for less than 12 hours each day, no earlier than 6:00 a.m. or later than 9:00 p.m.

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### **18.05.209 Temporary Off-Premises Advertising Displays for Special Events**

A holder of a special event's permit may apply for a building permit pursuant to Title 14, Buildings and Construction, to erect a temporary off-premises advertising display promoting the special event provided the temporary off-premises advertising display:

- (a) Complies with this article, as applicable;
- (b) The applicant has obtained a permit to hold a special event;
- (c) The proposal complies with City policies if the applicant seeks to use City-owned improvements such as poles designed for temporary signs or buildings;
- (d) Such off-premises advertising displays, when permitted, shall not be installed prior to 30 days before and shall be removed within ten after the special event advertised;
- (e) The temporary off-premises advertising display shall not exceed 100 square feet;
- (f) The temporary off-premises advertising display shall be designed to be stable under all weather conditions, including high winds; and
- (g) The temporary off-premises advertising display shall not obstruct the sight distance triangle as defined in Section 18.04.601(b) nor a traffic control device or impair access to a sidewalk, street, highway, driveway, bus stop or fire hydrant.

### **18.05.210 Abandoned Off-Premises Advertising Displays**

- (a) Abandonment is the cessation of the right to continue the existence of a permanent off-premise advertising display:
  - (1) Under existing law;
  - (2) When a state of disrepair exists because of substantial tearing, chipping, or missing material 30 days after receipt of notice sent pursuant to Chapter 1.05, Code Enforcement;
  - (3) When there is no current business license in existence for the owner(s) of the off-premises advertising display; or
  - (4) When there has been no display for a period of one year with respect to a permanent off-premises advertising display.
- (b) Any off-premises advertising display determined to be abandoned shall reduce the number of off-premises advertising displays allowed under Section 18.05.203(b).

### **18.05.211 Time Limitations on Review of Applications for Off-Premises Advertising Displays**

The following are time limitations on the pertinent decision-maker to review applications for off-premises advertising displays as applicable:

- (a) The Administrator shall review and make a decision regarding an application for an off-premises display within five working days of the date the application is filed-stamped by the Community Development Department, on the appropriate form and with payment of the appropriate fee, if any.
- (b) The Administrator shall review and make a decision regarding an application for a temporary or special events off-premises advertising display within two working days of the date the application is filed-stamped by the Community Development Department, on the appropriate form and with the appropriate fee, if any.

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- (c) If the Hearing Examiner or the Planning Commission review the application, Hearing Examiner or the Planning Commission shall hold a public hearing within 65 days of the date the application is filed-stamped with the Community Development Department.
  - (d) The Hearing Examiner or Planning Commission shall make its decision within 30 days from the date of the opening of the public hearing.
  - (e) The City Council shall make its decision within 30 days of the date of the opening of the public hearing.
  - (f) If the applicant requests a continuance or a specified time or date for the matter to be heard, the timelines provided herein are deemed waived.

#### **18.05.212 Appeal of Administrator's Decision**

- (a) Aggrieved persons may appeal the Administrator's decision to the City Council by filing a written appeal setting forth how they are aggrieved and the reasons for the appeal within five days of the Administrator's written decision.
- (b) The City Clerk shall set the hearing before the City Council at the next available City Council meeting at least 15 days in the future.

#### **18.05.213 Decisions regarding Off-Premises Advertising Display**

- (a) Decisions shall be in writing.
- (b) Decisions shall include an explanation setting forth the reasons for the decisions.

#### **18.05.214 Regulated Off-Premises Advertising Display**

All off-premises signs erected or located in the city, which are not exempted by federal or state law, are subject to the provisions of this article and Title 14, Buildings and Construction.

#### **18.05.215 Permit Required**

Except as otherwise provided, no person may erect, enlarge, alter (except for normal maintenance), or relocate within the city, any sign without first having obtained a sign permit.

## **Chapter 18.08 Administration and Procedures**

#### **18.08.602 Minor Site Plan Review**

- (a) **Purpose** This section describes the process by which proposed development is reviewed for compliance with the development and design standards of this Title. The minor site plan review procedure ensures that potential impacts of development are considered before submittal of an application for construction plan approval or issuance of a building permit.
- (b) **Applicability** Approval of a minor site plan review according to the procedures and criteria in this section is required for the following development applications and activities, unless exempted under Subsection (c), below:
  - (1) **Specified Development Applications** All development activities expressly made subject to a minor site plan review in this Title.

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- (2) **Additional Activities Subject to Minor Site Plan Review** <sup>37</sup>Except where modified by other provisions of this Title, a minor site plan review application is required for the following development applications:
- a. ~~On premise signs that are proposed to be greater than 150 square feet in size and located within 150 feet of the centerline of the Truckee River<sup>38</sup>.~~
  - a. Nonresidential developments adjacent to or within 300 feet of residentially zoned property. This does not include subdivision of land through a parcel map.
    - 1. Nonresidential facilities are exempt if less than 35 feet in height and are separated from residentially zoned property by a freeway.
  - b. Primary or secondary schools adjacent to residentially zoned properties;
  - c. Commercial or industrial developments within 300 feet of a primary or secondary school;
  - d. Communication facilities in an Urban Zoning District or Employment Zoning District that do not meet the use standards set forth in Section 18.03.305(a)(1), Communication Facility, Equipment Only; and
  - e. Development proposals that qualify as a "cluster" development per Subsection 18.04.903(a)(6), Cluster Development.
- (c) **Exemptions** The following are exempt from the minor site plan review procedure, but are subject to the standards of this Title:
- (1) **Accessory Structures** Accessory structures with combined gross floor areas no larger than 1,000 square feet on each parcel.
  - (2) **Additions to Nonresidential Facilities** A structural addition to nonresidential facilities that would require a minor site plan review are exempt if the following conditions are met:
    - a. The addition does not exceed 20 percent of the size of the original development or 20,000 square feet in size, whichever is smaller.
    - b. The construction of the proposed addition will not materially alter the original site plan application in that no new use is involved in the addition that would itself require discretionary review, no potentially deleterious aspect of the development will be increased, the proposed addition will not have significant impacts on neighboring properties, the size of the property has not been increased, and the proposed addition will continue to comply with other conditions of the approval.
    - c. The exemption provided in this subsection may be used only once per property.
  - (3) **Certain Urban Districts** Projects that meet the standards of Subsection 18.04.1002(c)(1), Certain Development Exempt from Discretionary Review, with Exceptions.
  - (4) **Solar Structures** Solar structures, classified as accessory alternative utility systems.
- (d) **Application Submittal and Review Procedure** Figure 8-9, below, identifies the applicable steps from Article 3, Common Review Procedures, that apply to the review of site plans. Additions or modifications to the common review procedures are noted below.

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<sup>38</sup> Section moved to major site plan review, consistent with other sign entitlement reviews.

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**Figure 8-9: Summary of Minor Site Plan Review Procedures**



- (1) **Application Submittal and Handling** Minor site plan review applications shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 18.08.303, Application Submittal and Handling.
- (2) **Applications Subject to Minor Site Plan Review and Minor Conditional Use Permit** The processing of any development subject to a minor site plan review and a minor conditional use permit may be combined into a single application for a minor conditional use permit and processed in accordance with Section 18.08.604, Minor Conditional Use Permit at the applicant’s discretion. Both the findings for a minor site plan review and a minor conditional use permit shall be made and listed in the decision letter.
- (3) **Alternative Process** At the discretion of the applicant, any project subject to a minor site plan review may instead be processed in accordance with Section 18.08.603, Major Site Plan Review.
- (4) **Public Notice** Public notice shall be provided in accordance with Section 18.08.305, Scheduling and Notice of Public Hearings.
- (5) **Staff Review and Decision** The Administrator shall review the application and shall approve, approve with conditions, or deny the application for minor site plan review within 30 days of receiving the completed application in accordance with Section 18.08.303(f), Determination of Application Completeness. The decision shall be based on the general criteria in 18.08.304(e), Approval Criteria Applicable to all Applications.
- (6) **Appeal** The decision of the Administrator may be appealed to the City Council in accordance with Subsection 18.08.307(j), Appeal.
- (7) **Post-Decision Actions and Limitations** All common procedures in Section 18.08.307, Post-Decision Actions and Limitations, shall apply, with the following modifications:
  - a. **No Building Permit without Approval**
    1. The minor site plan review, as approved by the Administrator, shall accompany the plans submitted for building permit approval, and all development of the property shall be in accordance with the approved plan.

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2. No building permit shall be issued until the minor site plan review application and all other associated applications have been approved and any applicable appeal period is exhausted. Any building permitted when an application has been appealed or prior to the end of the appeal period shall be submitted "at risk," with no refunds due if the minor site plan review is not finally approved.

**b. Time Limitations and Extensions**

**1. Time Limitations**

- [a] Minor site plan reviews that accompany tentative maps shall be valid as long as the tentative map is valid.
- [b] The owner or developer shall apply for a building permit for the entire project within 18 months of the date of approval of the minor site plan review application and maintain the validity of that permit, or the minor site plan review approval shall be null and void unless a different time limitation was established at the time of final approval based on the characteristics and complexity of the project.

**2. Extension by the Administrator**

- [a] The Administrator may extend the time limit by up to 12 months if a request is received prior to the expiration of the time limit to apply for a building permit under a minor site plan review, provided that:
  - i. The applicant agrees to comply with all requirements of this Title and all conditions of approval; and
  - ii. The applicant agrees to pay all applicable fees.
  - iii. No more than one administrative time extension shall be approved for any project or project phase.

**3. Extension by the Planning Commission**

- [a] The Planning Commission may extend the time limit by six additional months if an application is received by the Administrator 45 days prior to the expiration of the extension granted by the Administrator, and the Planning Commission approves a schedule indicating that the applicant will apply for a building permit for the entire project or the relevant phase within the six month extension.
- [b] In reviewing any such extension request, the Planning Commission shall consider the continued appropriateness of the project in the approved location and may add conditions to ensure that the project does not adversely impact other properties and to protect the public interest.
- [c] No more than one six-month time extension shall be approved for any project or project phase.

- (e) **Findings** In addition to meeting the criteria in Section 18.08.304(e), Approval Criteria Applicable to all Applications, the following findings shall be made prior to granting a minor site plan review permit:

**(1) General**

- a. The proposed design is compatible with surrounding development;
- b. The proposed design is consistent with applicable development standards;

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- c. Public services and facilities are available to serve the project, or will be provided with development;
  - d. The characteristics of the project as proposed and as may be conditioned are reasonably compatible with the types of development permitted in the surrounding area; and
  - e. The approval will not be materially detrimental to the public health, safety, or welfare. The factors to be considered in evaluating this application shall include:
    - 1. Property damage or nuisance resulting from noise, smoke, odor, dust, vibration, or illumination; and
    - 2. Any hazard to persons and property.
- (2) **Mixed-Use Downtown (MD-) Districts** In addition to the general minor site plan review findings, the following findings shall be made prior to approving a minor site plan review to modify supplemental standards for the Mixed-Use Downtown Riverwalk (MD-RD) District:
- a. Strict application of the building envelope, height restrictions, Riverfront Esplanade setbacks, or provision of the design guidelines would constrain the design of the project;
  - b. The proposed project will not negatively impact the visual integrity of the river or result in a visual barrier to the river corridor;
  - c. The project provides adequate separation from the river course to allow for public circulation along the river corridor and creates pedestrian oriented public spaces adjacent to the river;
  - d. The project does not unduly shade the North Esplanade, or increased shading has been mitigated by providing additional or enhanced pedestrian amenities;
  - e. The project will enhance or preserve environmental resources;
  - f. The project does not impede flood flows; and
  - g. The project will be used by and benefits local residents.

## **Chapter 18.09**

### **Rules of Construction and Definitions**

#### **Article 4 All Other Terms Defined**

##### **Sign**

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, a non-commercial message or attracting the attention of the public. This definition shall include all parts of such a device, including its structure and supports and shall also include balloons, flags, banners, building wrap, pennants, streamers, canopies, or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.

The definition of "sign" above includes the following specific sign types, which are further defined below:

##### **Abandoned Sign**

A sign that has not been maintained in accordance with the provisions of this ordinance for a period in excess of 90 days following legal notice from the Administrator to the owner of property and the owner of

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the advertising display that said sign does not meet minimum maintenance standards or the cessation of the right to continue the use of an off-premises advertising display.

**Advertising Display**

Any arrangement of material or symbols erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the commercial interests of any person, persons, firm, corporation, or other entity, located in view of the general public. This definition shall include signs, billboards, posters, graphic advertising messages, flags, banners, balloons, building wrap, canopies, pennants, streamers, or other devices which used to attract attention, advertising copy, accessory signs and similar displays, but shall not include courtesy bus benches bearing advertising placed in public rights-of-way and covered by the City of Reno/Regional Transportation Commission Franchise Agreement. Advertising structure means any structure or device erected for the purpose of supporting any sign or other advertising display, and the framework of the sign. For the purposes of sign or advertising display removal, the removal shall include advertising structures.

**Animated Sign**

A sign which meets the definition of changeable sign as contained in this chapter or a tri-vision display.

**Architectural graphic**

A painted design, mural, relief, mosaic or similar feature of an artistic nature which is incorporated into the architectural design of a building and conveys no advertising message.

**Area Identification Sign**

A permanent, decorative sign used to identify a neighborhood, subdivision, commercial or office complex, industrial district or similar distinct area of the community.

**Awning**

See, Canopy Sign.

**Back-to-back sign**

A structure with two parallel and directly opposite signs with their faces oriented in opposite directions. A back-to-back sign shall constitute one off-premises sign or billboard.

**Banner**

A temporary sign made of any on-rigid fabric-like material that is mounted to a pole at one or more edges. National flags, state or municipal flags shall not be considered banners.

**Billboard**

See, Off-Premises Advertising Display.

**Building Wrap**

A sign applied to or painted on, all or a portion of a building exterior wall(s). Building wraps include the application of a flexible material to a building containing an off-premises advertising display.

**Canopy Sign**

A sign affixed or applied to the exterior facing surface or surfaces of a building or freestanding canopy. Canopy signs may not project above the roof line. Signs attached to a canopy will be considered a wall sign when flashed back to the canopy.

**Changeable Sign**

A sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

- a. Manually activated. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.

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- b. Electrically activated. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:
    - i. Fixed message electronic signs. Signs whose basic informational content has been preprogrammed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
    - ii. Computer controlled variable message electronic signs. These are signs whose informational content can be changed or altered by means of computer-driven electronic impulses. A common example of this type of sign would be a digital advertising display.
  - c. Mechanically changeable signs. These are signs that contain mechanically driven changeable segments. A common example of this type of manually changeable sign would be a Tri-Vision type display.

**Community Directory Sign**

A sign, or a group of signs designed as a single display, which gives information.

**Directional Sign**

A permanent sign which directs the flow of traffic or pedestrians on private property.

**Directory Sign**

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.

**Drive-Through Sign**

Any permanent sign accessory to allowed drive-through facilities.

**Electronic Readerboard**

See, Changeable Signs, Electrically Activated.

**Facing or Surface**

The surface of a sign upon, against, or through which the message is displaced or illustrated.

**Flashing Sign**

A sign which uses blinking, flashing or intermittent illumination, either direct, or indirect or internal.

**Freestanding Sign**

A sign that is supported by its own structure apart from a building including, but not limited to, monument signs and pole signs, as further defined in this section.<sup>39</sup>

**Inflatable Sign**

Any device that 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.

**Mobile Sign**

A sign attached to or suspended from any type of vehicle, other than normal identification of the business owned and served by the vehicle. Mobile signs shall not include those normally painted on or attached permanently to a franchised mass-transit vehicle or taxicab, nor shall mobile signs include special events signs.

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<sup>39</sup> Clarity was needed in determining which types are signs are considered freestanding.

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### **Monument Sign**<sup>40</sup>

A permanent on-premise freestanding sign with a low profile and having a base and support structure with a solid appearance that is at least as wide as the width of the widest part of the sign's face.

#### **Official Sign**

Any sign erected by or at the direction of a governmental agency.

#### **Off-Premises Advertising Display**

Any arrangement of material, words, symbols or any other display erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the commercial interests of any person, persons, firm, corporation or other entity, located in view of the general public, which is not principally sold, available or otherwise provided on the premises on which the display is located. An off-premises advertising display includes its structure. Off-premises advertising displays are commonly called billboards.

#### **Off-Premises Advertising Display, Permanent**

A permanent off-premises advertising display is a sign displayed for more than 12 hours in a day and for longer than 30 consecutive days, except signs for special events.

#### **Off-Premises Advertising Display, Conforming Permanent**

An off-premises advertising device that is constructed or erected in conformance with all applicable local ordinances and codes in effect on the date a building permit is issued for the off-premises advertising display.

#### **Off-Premises Advertising Display, Temporary**

A temporary off-premises advertising display is a sign displayed only temporarily and is not permanently mounted.

#### **Off-Premises Digital (also known as Digital Off-Premises) Advertising Display**

A type of computer controlled variable electronic message for off-premises signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

#### **On-Premises Sign**

Any arrangement of material, words, symbols or any other display erected, constructed, carved, painted, shaped or otherwise created for the purpose of advertising or promoting the commercial interests of any person, persons, firm, corporation or other entity, located in view of the general public, which is principally sold, available or otherwise provided on the premises on which the display is located.

#### **Pennant**

A temporary sign made of any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, string, or other similar device usually in series, designed to move in the wind.

#### **Permanent Sign**

Any sign that is designed, constructed and affixed at the site in such a manner that it cannot be conveniently moved from place to place.

#### **Pole Sign**

Any freestanding sign that is supported by a pole (sometimes more than one) and otherwise separated from other structures, buildings, and the ground by air.

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<sup>40</sup> This term is used in the sign section of code but never defined. This definition will help staff when applying code.

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**Portable Sign**

Any sign that 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 signs.

**Projecting Sign**

Any sign, other than a wall sign, that projects from and is supported by a wall of a building or structure.

**Roof Sign**

Any sign located on the roof, of a building and either supported by the roof or by an independent structural frame. A sign which is attached flat against the wall of a penthouse or other similar roof structure or architectural blade shall not be considered a roof sign that does not extend above the roof line.

**Stacked Sign**

Two or more off-premises signs affixed to the same standards which are not back-to-back signs and which vary in height from the ground.

**Temporary Sign**

A sign which is which is not permanently mounted and is designed and constructed in such a manner that it can be conveniently moved from place to place and is allowed by Chapter 18.16 to remain in use for a limited time only.

**Wall Sign**

A sign attached to or erected against the wall of a building or structure with the exposed face of the sign in a parallel plane to the plane of the wall.

**Wind Sign**

Any display or series of displays, banners, flags, balloons or other objects designed and fashioned in such a manner as to move when subjected to wind pressure.

**Sign Structure**

Those parts of a sign designed to support it in place.