



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-13987 - APPLICANT: LAMAR OUTDOOR**  
**ADVERTISING - OWNER: STATE OF NEVADA TRANSPORTATION**

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### **\*\* CONDITIONS \*\***

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. The applicant shall obtain building permits and call for final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, and (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a Required Two Year Review of an approved Special Use Permit (U-0107-96) which allowed a 50-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 110 North Jones Boulevard.

**EXECUTIVE SUMMARY**

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The sign has been relocated in accordance with the Nevada Department of Transportation widening of U.S.-95. A site inspection revealed that the sign is in good condition. The sign has never received a final inspection. A condition of approval has been included, which requires a building permit within thirty (30) days of approval. Therefore, staff can support the subject Required Review and recommends approval of the subject application.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 05/19/94      The City Council approved a Variance (V-0044-94) to allow a 386 square foot on-premise sign where 75 feet is the maximum area allowed and to allow a height of 60 feet where 24 feet is the maximum height allowed on property located at 110 North Jones Boulevard. The Board of Zoning Adjustment and staff recommended denial on 04/26/94.
- 01/22/97      The City Council approved a Special Use Permit (U-0107-96) to allow a 50-foot high, 14-foot by 48-foot (672 square feet each side) Off-Premise Advertising (Billboard) Sign on this site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 11/26/96.
- 02/20/02      The City Council approved the Required Five-Year Review [U-0107-96(1)] of an approved Special Use Permit (U-0107-96) for a 14-foot by 48-foot (672 square feet each side) Off-Premise Advertising (Billboard) Sign on this site. The Planning Commission and staff recommended approval on 01/10/02.
- 07/07/04      The City Council approved a Required Two Year Review (RQR-3686) of an approved Special Use Permit (U-0107-96) which allowed an Off-Premise Advertising (Billboard) Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval on 05/27/04.

07/27/06      The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #13/bts).

**B) *Pre-Application Meeting***

A pre-application meeting is not required for this application.

**C) *Neighborhood Meetings***

A neighborhood meeting is not required for this application, nor was one held.

**D) *Building Permit History***

A building permit was issued for the subject billboard on 08/19/04, but a final inspection was never completed. A condition of approval has been added, which requires a final inspection within thirty (30) days of approval.

**E) *Site Inspection Information***

A Site Inspection was completed on 06/26/06. The inspection revealed that the sign is in good condition. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres:            0.33

**B) *Existing Land Use***

Subject Property: Commercial  
North:      Commercial  
South:      Oran K. Gragson Expressway (U.S. 95)  
East:        Commercial  
West:        Commercial

**C) *Planned Land Use***

Subject Property: SC (Service Commercial)  
North:      SC (Service Commercial)  
South:      ROW (Right-of-Way)  
East:        SC (Service Commercial)  
West:        SC (Service Commercial)

**D) Existing Zoning**

Subject Property: C-1 (Limited Commercial)  
 North: C-1 (Limited Commercial)  
 South: ROW (Right of Way)  
 East: C-1 (Limited Commercial)  
 West: C-1 (Limited Commercial)

**E) General Plan Compliance**

This site is designated SC (Service Commercial) in the Southwest General Plan Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) Zoning is in conformance with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Study Area</b>		<b>X</b>
<b>Rural Preservation Neighborhood</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

There are no Special Districts of Zones that affect the subject site.

**ANALYSIS**

**A) Zoning Code Compliance**

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

<b>Standards</b>	<b>Code Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
Location	No off-premise signs in the right-of-way	Sign is not located within the right-of-way	Y
	Permitted only in C-1, C-2, C-M, and M Zoning Districts	Sign is in a C-1 Zoning District	Y

Off-Premise sign area (max.)	672 SF	672 SF	Y
Off-Premise Advertisement (Billboard)	750 feet from another Off-Premise sign visible from US-95	830 Feet	Y
Separation distance from U or R zoning district	300 Feet	265 Feet	N
Off-Premise sign height (max).	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	50 Feet	N
Setbacks (min.)	50 Feet from nearest ROW intersection	200	Y

The sign conforms to all standards for Off-Premise Advertising (Billboard) Signs except for the distance from the sign to residential use and sign height. The subject sign was approved prior to changes to residential adjacency requirements for Off-Premise Advertising (Billboard) Signs. Also, the sign height was approved at 50 feet as a part of a Special Use Permit (U-0107-96).

**B) General Analysis and Discussion**

•Zoning

The existing zoning is C-1 (Limited Commercial), which permits an Off-Premise Advertising (Billboard) Sign with the approval of a Special Use Permit.

The Off-Premise Advertising (Billboard) Sign is located 240 feet from property designated as R (Residential); however, the immediately surrounding area has not significantly changed enough since the last two-year review to warrant the removal of the Off-Premise Advertising (Billboard) Sign. Therefore, the off premise sign remains appropriate for this location.

•Use

Title 19.14.010 allows the removal of an off-premise sign if conditions in the surrounding area have changed such that the Off-Premise Advertising (Billboard) Sign no longer meets the standards for approval. The billboard has been relocated since the previous approval of the use permit. The applicant has worked with (NDOT) in order to place the billboard in an appropriate location regarding the widening of the Oran K. Gragson Expressway (U.S. 95). A condition has been added requiring a review again in two years. A site inspection was completed on 06/26/06. The inspection revealed that the sign was in good condition with no graffiti or bird mess.

•Conditions of approval from Required Review (RQR-3686)

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
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5. All City Code requirements and design standards of all City Departments shall be satisfied.

## FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

Title 19.14.100 allows the removal of an OffPremise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The area immediately surrounding the subject site has changed substantially with the widening efforts of the U.S. 95. It is recommended that the sign be reviewed in two-years due to the changes in the area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

There are no physical constraints to the continuation of the Off-Premise Advertising (Billboard) Sign use on this site the present time; however, the projected widening of U.S. 95 will necessitate the eventual removal or relocation of the existing Off-Premise Advertising (Billboard) Sign.

**3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Off-Premise Advertising (Billboard) Signs do not generate automotive traffic and; therefore, will not affect the existing public rights-of-way adjacent to this site.

**4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The Off-Premise Advertising (Billboard) Sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 34

**SENATE DISTRICT** 3

**NOTICES MAILED** 297 by City Clerk

**APPROVALS** 0

**PROTESTS** 0