



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-14371 - APPLICANT: CHAD HARRIS - OWNER: MARK MILFORD

**** CONDITIONS ****

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

Planning and Development

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.
3. 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.
4. Only one advertising sign is permitted per sign face.
5. 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.
6. 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 (SUP-4169) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1615 North Decatur Boulevard.

EXECUTIVE SUMMARY

This is the first review of the subject Off-Premise Advertising (Billboard) Sign that was originally approved by the City Council on 07/07/04. A site inspection revealed that the sign is in good condition. The building permit for the sign was issued on 12/07/04. The sign was finalized on 10/26/05. The sign has received proper permits and is in good condition. Therefore, staff can support the subject Required Review and recommends approval of the subject application.

BACKGROUND INFORMATION

A) Related Actions

07/07/04 The City Council approved Special Use Permit (SUP-4169) for an Off-Premise Advertising (Billboard) Sign at 1615 North Decatur Boulevard. The Planning Commission recommended denial, but staff recommended approval on 05/13/04.

07/13/06 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #16/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 12/07/04. A final inspection was completed on 10/26/05.

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

Gross Acres: 0.51

B) Existing Land Use

Subject Property: Commercial Building
North: Commercial Building
South: Convenience Store
East: Convenience Store
West: Commercial Building

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: GC (General Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily location area patrons, and that do not include more intense general commercial characteristics. The site is zoned C-1 (Limited Commercial) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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

Airport Overlay

The subject site is located within the Airport Overlay and Redevelopment Plan Area. The subject review is for a 40-foot tall billboard. The height limitation in this area is 105 feet without additional reviews or permits. The subject billboard is within the maximum allowable height.

Redevelopment Plan Area

The subject site is located within the Las Vegas Redevelopment Plan area as adopted in 1986. As outlined by Section 110, the objectives of the Redevelopment Plan are to eliminate environmental deficiencies and blight which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people.

ANALYSIS

A) Zoning Code Compliance

A1) Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y
Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	300 Feet	Y
Separation distance from U or R zoning district	300 Feet	300 Feet	Y

Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	50 feet	Y

The billboard complies with Title 19.04 requirements for Off-Premise Advertising (Billboard) Signs.

B) General Analysis and Discussion

•Zoning

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

•Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. The existing billboard meets all requirements as required per Title 19.14. The area has not substantially changed since the approval of the use permit in 2004. Staff is recommending an additional review in two years.

•Conditions of approval from Special Use Permit (SUP-4169)

Planning and Development

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2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. Only one advertising sign is permitted per sign face.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising 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, or (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.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

6. The proposed Offpremise Advertising (Billboard) Sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

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.**

The subject site is located within a commercially developed area, and the proposed Off-Premise Advertising (Billboard) Sign is harmonious and compatible with the existing and future land uses in the area.

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

The subject is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign. No waivers are requested, and the site allows for compliance with all distance separation requirements.

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.**

This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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 proposed Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 62 by City Clerk

APPROVALS 0

PROTESTS 0