

1 **BILL NO. 2006-60**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO UPDATE SIGN STANDARDS AND RELATED APPROVAL PROCESSES  
4 FOR THE DOWNTOWN CASINO AND DOWNTOWN ENTERTAINMENT OVERLAY  
DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Mayor Oscar B. Goodman

Summary: Updates sign standards and related  
approval processes for the Downtown Casino  
and Downtown Entertainment Overlay Districts.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

8 AS FOLLOWS:

9 SECTION 1: Title 19, Chapter 6, Section 100, Subsection (C), of the Municipal Code  
10 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 (C) Special Sign Standards.

12 (1) Signs on parcels within the Sub-district are exempt from the sign regulations contained  
13 in the Zoning Code (Chapter 19.14) to the extent that those regulations are inconsistent with the  
14 provisions of this Section 19.06.100. Provisions of Chapter 19.14 that are not inconsistent with the  
15 provisions of this Section shall continue to apply to signs within the District. Such provisions of  
16 Chapter 19.14 may be applied by the Director or be made applicable as part of the review and approval  
17 process set forth in this Section.

18 (2) Any sign existing in the District as of January 2, 2002, that conforms to the provisions  
19 of Chapter 19.14 or has been allowed to continue under nonconforming status may continue under the  
20 provisions of this Section as long as a current permit is maintained, the sign is structurally sound and  
21 in good working order, and the sign does not create a public nuisance or otherwise violate any  
22 ordinance, regulation or statute. Except as otherwise provided by ordinance, any such sign shall not  
23 be subject to removal or modification by reason of any amendment to Chapter 19.14.

24 (3) The sign standards contained in this Section shall:

25 (a) Be interpreted and applied with reference to the background provisions set forth  
26 in Subsection (B) above;

27 (b) Apply to all property, development, expansion and renovation within the Sub-  
28 district except property located within the boundaries of the Pedestrian Mall, as described in LVMC

1 Chapter 11.68; and

2 (c) Apply to any building façade within one hundred twenty-five feet of the  
3 centerline of the streets that border the Sub-district (referred to hereafter as the “buffer area”). (See  
4 Illustration A)

5 (4) The development, construction, expansion, or renovation of freestanding signs within  
6 the Sub-district is prohibited, except signs that:

7 (a) Belong to or are within the Neon Museum collection; [or]

8 (b) Have been declared by the Las Vegas Historic Preservation Commission to be  
9 “historic” or [“contributing.”] “contributing”; or

10 (c) Are components of a wayfinding system or identity program for the Sub-district.

11 (5) Each wall-mounted sign within the Sub-district shall be a minimum of ten feet  
12 vertically above the height of the finished sidewalk along public rights-of-way and public pedestrian  
13 pathways. (See Illustration B) On-premise signs that do not exceed sixty-five square feet in size are  
14 exempt from this requirement, provided that there is a separation between such signs of at least fifty  
15 linear feet along the right-of-way or pathway.

16 (6) Of all signage to be placed along Fourth Street, or along any street that is adjacent and  
17 perpendicular to Fourth Street and is within one hundred twenty-five feet of the centerline of Fourth  
18 Street, at least seventy-five percent of the total sign surface areas must consist of neon signs or  
19 animated signs, or a combination thereof. (See Illustration C) Of all signage that is not within the  
20 areas described in the preceding sentence, the minimum percentage of neon or animated signage, or  
21 combination thereof, is fifty percent.

22 (7) Individual sign surface areas shall not exceed a total of one thousand five hundred  
23 square feet.

24 (8) For any one wall, the maximum wall coverage for the composite total of all sign  
25 surface areas shall not exceed fifty percent of the eligible wall signage area, as depicted in Illustration  
26 D. This limitation does not apply to roof signs located above the roofline of the building façade nor  
27 to transparent “building wrap” signage.

28 (9) The minimum separation distance between off-premise signs shall be five feet.

1 (10) The total sign surface area of each wall mounted, roof mounted, or parapet mounted  
2 sign shall not exceed one thousand five hundred square feet, and no such sign shall extend vertically  
3 more than twenty feet above the height of the parapet.

4 (11) Animated signs must be fully operational and continuously animated twenty-four hours  
5 a day. Changes to the image or other animation feature must occur no less frequently than every thirty  
6 seconds, except when required maintenance or change of message dictates otherwise.

7 (12) Each off-premise sign with at least two rotating or changing messages, images or  
8 contents, must change at least once every thirty seconds, and the sign must be framed by a decorative  
9 faceplate or frame that is at least eighteen inches in width and that includes at least one band of  
10 illuminated neon tubing completely surrounding the sign.

11 (13) At least seventy-five percent of off-premise signs are encouraged to be used to  
12 advertise places, products, goods, services, ideas or statements whose subject is available or located  
13 within the District.

14 (14) It is recommended that all signs be fully illuminated from at least one hour before dusk  
15 until one hour after dawn. Signs may be fully illuminated during daylight hours also.

16 (15) Signs may not encroach into any public right-of-way, or any intersection more than  
17 eight feet perpendicular to the building wall to which the sign is attached. (See Illustration E)  
18 Marquee signage along Fourth Street is exempt from this limitation. The City does not encourage  
19 encroachment of signage into public rights-of-way, and the applicant or sign owner must obtain all  
20 necessary encroachment approvals before the installation of any sign.

21 (16) The owner and operator of each sign is responsible for ensuring that appropriate sign  
22 maintenance occurs and that repairs of damaged signs are accomplished promptly.

23 SECTION 2: Title 19, Chapter 6, Section 100, Subsection (D), of the Municipal Code  
24 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 (D) Special Sign Standards--Review and Approval Procedures.

26 (1) Design Review Committee. There is hereby created a Design Review Committee  
27 (DRC) for the review of signs proposed to be located within the Sub-district and buffer area. The  
28 DRC shall be composed of: two members of the Planning Commission, two representatives of the

1 Department designated by the Director, and one representative of the City's Office of Business  
2 Development. The DRC shall have the authority to review and approve applications for all signs,  
3 subject to the provisions of this Section.

4 (2) Application Process. Sign applications shall be submitted to the Department. The  
5 Department shall forward the application to the DRC for review and action. The DRC shall review  
6 the application and shall approve, approve with conditions, or deny the application.

7 (3) Design Review Provisions. The following design review procedures shall apply:

8 (a) The DRC may approve a sign application for single or multiple uses if it  
9 determines that each sign is compatible with the theme and overall character to be achieved in the  
10 area. The DRC shall base its assessment of compatibility on the following criteria:

11 i. The application's compliance with the standards identified in this  
12 Section.

13 ii. The relationship of the scale and placement of the sign to the building  
14 or premises upon which it is to be displayed.

15 iii. The relationship of colors of the sign to the colors of adjacent buildings  
16 and nearby street graphics.

17 iv. The similarity or dissimilarity of a sign's size and shape to the size and  
18 shape of other signs in the area.

19 v. The similarity or dissimilarity of the style of lettering on the sign to the  
20 style of lettering of nearby street graphics.

21 vi. The compatibility of the type of illumination, if any, with the type of  
22 illumination in the area.

23 vii. The compatibility of the materials used in the construction of the sign  
24 with the material used in the construction of other signs in the area.

25 viii. The aesthetic and architectural compatibility of the proposed sign with  
26 the building upon which the sign is suspended, including its signage, and with the surrounding  
27 buildings and their signage.

28 ix. The sign's use of high quality, durable materials such as hardwoods,

1 painted wood, metal, stainless steel, painted steel, brass or glass.

2 (b) Applications for the design review of signs shall be processed as follows:

3 i. An application shall include: a complete set of plans which contain  
4 visual representations of the lettering, illumination, color, area and height of graphics, and may also  
5 indicate the areas and building where they may be placed and located; photographic or drawn  
6 elevations of a minimum of two hundred sixty-six feet of frontage, with proposed signs superimposed,  
7 to show the context and perspective of the proposed signs; a drawing of each sign at one-half-inch to  
8 one-inch scale; and any other items required by the Director or the DRC.

9 ii. Applications shall be forwarded to the DRC by the Department at least  
10 two weeks prior to the regularly scheduled DRC meeting.

11 iii. Approval or denial of an application by the DRC shall be made in  
12 writing with reasons for approval, denial, or approval with conditions, within fifteen days following  
13 each DRC meeting. In the event written notification of the action is not provided within that period,  
14 the application shall be deemed to have been denied. Decisions of the DRC may be appealed to City  
15 Council in accordance with the provisions of [subsection (d)] Paragraph (5) below.

16 (4) Waivers. The DRC is authorized to waive any of the sign standards set forth in  
17 Subsection (C), other than the prohibitions contained in Paragraph (4) thereof, if:

18 (a) The applicant establishes that a waiver is warranted based upon conditions  
19 specific to the parcel; and

20 (b) The DRC determines that the waiver:

21 i. Will not compromise the design objectives of the sign standards; and

22 ii. Will further the City's redevelopment efforts.

23 [(4)] (5) Appeals. The applicant may appeal [the] a decision of the DRC to the City Council.  
24 An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be  
25 filed in the office of the Department. The appeal must be filed within ten days after notification of  
26 the administrative decision has been given (or within ten days after the deadline for notification has  
27 passed), and shall specifically describe the decision at issue and the basis for the appeal. The appeal  
28 shall be considered on the next available agenda of the City Council.

1     [(5)] (6) Rules and Regulations. The DRC shall have the authority to adopt rules and  
2 regulations concerning its administrative procedures.

3             SECTION 3: Title 19, Chapter 6, Section 120, Subsection (E), of the Municipal Code  
4 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 (E) Review and Approval Procedures (General).

6             (1) General Procedures. Except as otherwise provided in this Paragraph (1), [Any] any  
7 application for development within the Downtown Entertainment Overlay District [, including without  
8 limitation an application for a new building, the remodeling of a building, a Site Plan Review or a  
9 Special Use Permit, shall be processed in accordance with the procedures described in this Subsection  
10 (E). The procedures set forth in this Subsection (E) are not intended to take the place of any General  
11 Plan Amendment, Rezoning or Special Use Permit requirement that may apply, but otherwise will  
12 replace] shall be processed in accordance with the normal review and approval processes set forth in  
13 Chapter 19.18. Any application for new signage or façade improvements, and any application for Site  
14 Development Plan Review, shall be processed in accordance with the procedures described in this  
15 Subsection (E).

16             (2) Design Review Committee. There is hereby created a Design Review Committee for  
17 the Downtown Entertainment Overlay District (DEOD-DRC). The DEOD-DRC shall be composed  
18 of:

19                     (a) Two members from the Planning Commission, to be designated by the Planning  
20 Commission;

21                     (b) Two members from the Planning and Development Department;

22                     (c) One member from the Office of Business Development who is assigned to the  
23 City of Las Vegas Redevelopment Agency; and

24                     (d) Two members from an owners' association that is representative of the owners  
25 of property located within the District, to be designated by the governing board thereof.

26             (3) Authority. [Authority is hereby expressly granted to the DEOD-DRC to review and  
27 approve applications for all designs, subject to the specific provisions of this Section 19.06.120 that  
28 are applicable to the Downtown Entertainment Overlay District.] The DEOD-DRC shall have the

1 authority to review and approve all applications for new signage or façade improvements, and to  
2 review and make recommendations concerning applications for Site Development Plan Review. Such  
3 actions shall be subject to all applicable provisions of this Section and Section 19.06.100.

4 (4) Submittals. Applications shall be submitted to the Planning and Development  
5 Department. The Department shall forward the application to the DEOD-DRC for its review and  
6 action. [The DEOD-DRC shall review the application and shall approve, approve with conditions, or  
7 deny the application.]

8 (5) Design Review Standards. The following design review standards shall apply:

9 (a) The DEOD-DRC may approve an application for single or multiple uses. The  
10 DEOD-DRC shall base its assessment of compatibility on the following criteria:

11 (i) The compliance of the application with the site planning and  
12 architectural design standards applicable to the Downtown Overlay District, as identified in LVMC  
13 19.06.060, and with any applicable guidelines that might subsequently be adopted by the City Council.

14 (ii) The compliance of the application with the signage standards and  
15 requirements applicable to the Special Signage Sub-district of the Downtown Casino Overlay District,  
16 as identified in LVMC 19.06.100.

17 (iii) The relationship of the scale and placement of the building to the block  
18 upon which it is to be built or remodeled.

19 (iv) The relationship of colors to the colors of adjacent buildings and nearby  
20 street graphics.

21 (v) The similarity or dissimilarity of the building's size and shape to the size  
22 and shape of others in the area.

23 (vi) The compatibility of the type of illumination with the type of  
24 illumination in the area.

25 (vii) The compatibility of the materials used in the construction of the  
26 building with the material used in the construction of other buildings in the area.

27 (viii) The use of high quality, durable materials and exciting, imaginative  
28 designs.

1 (6) Processing of Applications. Applications for design review shall be processed as  
2 follows:

3 (a) An application shall be forwarded to the DEOD-DRC by the Planning and  
4 Development Department at least [two weeks] five days prior to the regularly scheduled DEOD-DRC  
5 meeting.

6 (b) [Approval or denial of] Action on the application by the DEOD-DRC shall be  
7 made and set forth in writing, with reasons for [approval, denial, or approval with conditions,] the  
8 action taken, within fifteen days following each DEOD-DRC meeting. In the event a written  
9 notification is not made within said fifteen days, the application shall be deemed to have been denied.  
10 Decisions of the DEOD-DRC may be appealed to City Council in accordance with the provisions of  
11 Paragraph [(7)] (8) below.

12 (c) A complete set of plans shall be submitted, which shall contain visual  
13 representations of the building, illumination, color, materials and signs.

14 (d) Photographic or drawn elevations of the building frontage shall be submitted  
15 as well.

16 (e) The application shall also include or address any additional materials or  
17 representations as may be mandated by the Planning and Development Department or the DEOD-  
18 DRC.

19 (7) Waivers. The DEOD-DRC is authorized to waive any of the sign standards and façade  
20 design requirements referred to in Paragraph (5), other than the prohibition of any sign or use, if:

21 (a) The applicant establishes that a waiver is warranted based upon conditions  
22 specific to the parcel; and

23 (b) The DEOD-DRC determines that the waiver:

24 i. Will not compromise the design objectives of the standards and  
25 requirements; and

26 ii. Will further the City's redevelopment efforts.

27 [(7)] (8) Appeals. An applicant may appeal [the] a decision of the DEOD-DRC to the City  
28 Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a

1 copy to be filed in the office of the Planning and Development Department. The appeal must be filed  
2 within ten days after the decision is made and shall specifically describe the decision at issue and the  
3 basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

4 ~~[(8)]~~ (9) Rules and Regulations. The DEOD-DRC shall have the authority to adopt rules and  
5 regulations concerning its administrative procedures.

6 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.06.100  
7 and 19.06.120 are deemed to be subchapters rather than sections.

8 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or  
9 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
10 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
11 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
12 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
13 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
14 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
15 invalid or ineffective.

16 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,  
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2006.

20 APPROVED:

21  
22 By \_\_\_\_\_  
23 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Valsted 10-18-06  
28 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2006, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2006, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk