

BILL NO. 2009-5

ORDINANCE NO. _____

AN ORDINANCE TO REVISE AND CONSOLIDATE THE REVIEW AND APPROVAL PROCEDURES FOR SIGNS WITHIN THE DOWNTOWN CASINO OVERLAY DISTRICT, THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT, AND THE LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Revises and consolidates the review and approval procedures for signs within the Downtown Casino Overlay District, the Downtown Entertainment Overlay District, and the Las Vegas Boulevard Scenic Byway Overlay District.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

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

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

(1) Downtown Design Review Committee. There is hereby created a Downtown Design Review Committee (DDRC) for the review of signs proposed to be located within the District. The DDRC shall be composed of:

- (a) Two members of the Planning Commission, appointed by the Commission;
- (b) One representative of the Department, designated by the Director;
- (c) One representative of the City's Office of Business Development, designated by its Director; and
- (d) Three owners of businesses located within the District, as appointed by the Mayor.

The DDRC shall have the authority to review and approve applications for all signs, subject to the provisions of this Section. Members shall serve three-year terms and may be reappointed.

(2) Application Process. Sign applications shall be submitted to the Department. The Department shall forward the application to the DDRC for review and action. The DDRC shall

1 review the application and shall approve, approve with conditions, or deny the application.

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

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

7 i. The application's compliance with the standards identified in
8 this Section.

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

11 iii. The relationship of colors of the sign to the colors of adjacent
12 buildings and nearby street graphics.

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

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

17 vi. The compatibility of the type of illumination, if any, with the
18 type of illumination in the area.

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

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

24 ix. The sign's use of high quality, durable materials such as
25 hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.

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

28 i. An application shall include: Ten complete sets of plans which

1 contain visual representations of the lettering, illumination, color, area and height of graphics, and
2 which also indicate the areas and building elevations where they are to be placed and located;
3 photographic or drawn elevations of a minimum of two hundred sixty-six feet of frontage, with
4 proposed signs superimposed, to show the context and perspective of the proposed signs; a drawing
5 of each sign at one-half-inch to one-inch scale; and any other items required by the Director or the
6 DDRC.

7 ii. Applications shall be forwarded to the DDRC by the Department
8 at least one week prior to the regularly scheduled DDRC meeting.

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

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

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

18 (b) The DDRC determines that the waiver:

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

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

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

28 (6) Rules and Regulations. The DDRC shall have the authority to adopt rules and

1 regulations concerning its administrative procedures.

2 (Illustrations appear here)

3 SECTION 2: Title 19, Chapter 6, Section 120, Subsections (E), (F) and (G), of the
4 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

5 SECTION 3: Title 19, Chapter 6, Section 120, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto four new subsections,
7 designated respectively as Subsections (E), (F), (G) and (H), reading as follows:

8 (E) Signage Standards. All new signage shall incorporate exposed neon, LED, animation, or any
9 combination thereof, in at least fifty percent of the total surface area of such signage.

10 (F) Review and Approval Procedures (General). Except as otherwise provided in this Subsection
11 (F), any application for development within the Downtown Entertainment Overlay District shall be
12 processed in accordance with the normal review and approval processes set forth in Chapter 19.18.
13 Any application for new signage shall be processed in accordance with the procedures described in
14 Subsection (D) of Section 19.06.100.

15 (G) Special Use Permits for Tavern-Limited Establishment.

16 (1) A Special Use Permit for a tavern-limited establishment shall be processed in
17 accordance with the Special Use Permit provisions of LVMC 19.18.060. A Special Use Permit for
18 this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a
19 tavern-limited establishment, and the criteria set forth in this Subsection (G).

20 (2) The approval of a Special Use Permit for a tavern-limited establishment may include
21 such conditions as may be recommended by City staff and the Planning Commission, and imposed
22 by the City Council.

23 (H) Relationship to Other Provisions. All provisions of this Title shall apply to property
24 within the District except to the extent that they conflict with the provisions of this Section.

25 SECTION 4: Title 19, Chapter 6, Section 140, Subsection (C), of the Municipal Code
26 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 (C) Sign Standards.

28 (1) Relationship to Other Provisions. Except as otherwise modified, required or prohibited

1 by this Section, all signage within the Las Vegas Boulevard Scenic Byway Overlay District shall be
2 governed by and subject to:

3 (a) All applicable standards and procedures in Chapter 19.14;

4 (b) All applicable standards [and procedures] in Chapter 19.06 that govern the
5 Downtown Overlay District, for properties that are located within that district; [and]

6 (c) All applicable standards [and procedures] in Chapter 19.06 that govern the
7 Downtown Entertainment Overlay District, for properties that are located within that district[.]; and

8 (d) The review and approval procedures set forth in Subsection (D) of Section
9 19.06.100, irrespective of where in the Las Vegas Boulevard Scenic Byway Overlay District the
10 signage will be located.

11 (2) Illumination. For any development within the Las Vegas Boulevard Scenic Byway
12 Overlay District, at least seventy-five percent of the total sign surface areas for that development
13 (excluding awning signs) must consist of illuminated signage, in the form of neon signs, animated
14 signs, or a combination thereof.

15 (3) Off-premise Signs. Off-premise signs are not permitted within the Las Vegas
16 Boulevard Scenic Byway Overlay District.

17 (4) Maintenance. The owner and operator of each sign are jointly and severally responsible
18 for ensuring that appropriate sign maintenance occurs and that damaged or nonfunctional signs and
19 lighting are promptly repaired and made functional.

20 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.06.100,
21 19.06.120 and 19.06.140 are deemed to be subchapters rather than sections.

22 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
23 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
24 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
25 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
26 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
27 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
28 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

1 invalid or ineffective.

2 SECTION 13: All ordinances or parts of ordinances or sections, subsections, phrases,
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
4 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

6 APPROVED:

7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BEVERLY K. BRIDGES, CMC
City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 1-22-09
14 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2009, 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 _____, 2009, 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: _____

11

12

APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17

BEVERLY K. BRIDGES, CMC
City Clerk

18

19

20

21

22

23

24

25

26

27

28