

1 **BILL NO. 2010-13**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE RELATED TO ZONING; REVISING PROVISIONS GOVERNING THE
4 EFFECT OF MASTER SIGN PLANS; UPDATING PROVISIONS GOVERNING GENERAL PLAN
AMENDMENTS AND REZONINGS; AND PROVIDING FOR OTHER RELATED MATTERS.

5 Proposed by: M. Margo Wheeler, Director of
6 Planning and Development

Summary: Revises and updates provisions
governing 1) master sign plans, and 2) general
plan amendment and rezoning decisions.

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

9 SECTION 1: Title 19, Chapter 14, Section 130, Subsection (B), of the Municipal
10 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

11 (B) Applicability.

12 (1) A Master Sign Plan shall be submitted and approved before any on-premises signage
13 may be installed for the following:

14 (a) Any non-residential project with a site larger than fifteen net acres; or

15 (b) Any non-restricted gaming establishment.

16 (2) A Master Sign Plan may be submitted for any development or property not otherwise
17 required to submit a Master Sign Plan to accomplish one or more of the following:

18 (a) To establish the requirements and limitations for signs located in the Gaming
19 and Downtown Overlay districts, and [any uses] for signs relating to uses that are not regulated
20 elsewhere in this Chapter [located] and that are located on property in the Planned Community and
21 Planned Development Districts;[or]

22 (b) To establish requirements and limitations for signs in a specific development[.]
23 that are more restrictive than would otherwise be required by this Chapter; or

24 (c) To satisfy a condition or requirement imposed by the Planning Commission or
25 City Council.

26 SECTION 2: Title 19, Chapter 14, Section 130, Subsection (D), of the Municipal
27 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

28 (D) Procedures.

1 (2) Conditions of Approval. In approving a Master Sign Plan, the Planning Commission
2 may impose the following conditions, restrictions or limitations as the Commission may determine
3 to be necessary to meet the general purpose and intent of this Title and to ensure that the public health,
4 safety and welfare are being maintained. All signs in the Master Sign Plan shall:

5 (a) Either conform to all standards for the zoning district in which the sign will be
6 located, under Section 19.14.060, or establish [the] sign requirements and limitations that are more
7 restrictive than those set forth in this Chapter and that are consistent with the standards and criteria
8 set forth in the following Subparagraphs (b) through (g). Master Sign Plans may also be used to
9 establish the requirements and limitations for signs located in the Gaming and Downtown Overlay
10 districts, and the Planned Community and Planned Development Districts;

11 (b) Conform to the Residential Protection Standards set forth in Section 19.14.070;

12 (c) Conform to site plan and development standards regarding circulation and
13 emergency exit patterns, parking and loading requirements and other standards related generally to the
14 location of structures within a development;

15 (d) Be compatible with the architectural characteristics and spatial relationships
16 of the buildings on which the signs are attached, and the placement of freestanding signs on the site,
17 when considered in terms of location, scale, proportion, color, materials, and illumination;

18 (e) Be professionally designed and fabricated from materials that meet the physical
19 demands of an urban setting;

20 (f) Be creative in the use of two- and three-dimensional forms, iconographic
21 representations, illumination and graphic design, including the use of color, pattern, typography, and
22 materials; and

23 (g) Be designed as attractive and complementary features of the development,
24 which it serves.

25 SECTION 3: Title 19, Chapter 14, Section 130, Subsection (F), of the Municipal
26 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

27 (F) Effect. After approval of a Master Sign Plan, or amended Master Sign Plan, no sign shall be
28 erected, placed, or altered, except in conformance with the Master Sign Plan, and the Master Sign Plan

1 shall be enforced in the same way as any provision of this Chapter. [The provisions of this Chapter
2 shall be in force for any provisions not established in a Master Sign Plan. In case of any conflict
3 between the provisions of a Master Sign Plan and any other provision of this Chapter, the Master Sign
4 Plan shall control.]

5 SECTION 4: Title 19, Chapter 18, Section 30, Subsection (B), of the Municipal Code
6 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

7 (B) Authority. Whenever the public health, safety and general welfare requires, the City Council
8 may, upon a resolution of the Planning Commission carried by the affirmative votes of not less than
9 five members, or upon review of a requested General Plan Amendment which has not been approved
10 by resolution of the Planning Commission, change the General Plan land use designation for any
11 parcel or area of land to allow different zoning classifications. Subsequent growth and development
12 factors in the community may be considered, among other factors, when determining whether such
13 amendment to the General Plan promotes the public health, safety and general welfare. For purposes
14 of this Subsection (B), the Planning Commission's resolution may be in the form of a vote reflected
15 in the minutes of the Planning Commission meeting.

16 SECTION 5: Title 19, Chapter 18, Section 30, Subsection (F), Paragraph (3), of the
17 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

18 (3) Planning Commission Decision.

19 (a) A decision to recommend approval of a General Plan Amendment shall be by
20 resolution of the Planning Commission with the affirmative votes of not less than two-thirds of the
21 total membership of the Commission. For purposes of this Paragraph (a), the Planning Commission's
22 resolution may be in the form of a vote reflected in the minutes of the Planning Commission meeting.

23 The Planning Commission may approve[, approve with conditions,] or deny an application for a
24 General Plan Amendment.

25 (b) In making a decision to approve the proposed General Plan Amendment, the Planning
26 Commission shall consider the facts presented at the public hearing and shall make the determinations
27 contained in Subsection (I) of this Section. The Planning Commission may consider recommending
28 [the amendment of only a portion of the land described in the application or amend all or a portion of

1 the application to a more restrictive land use category.];

2 (i) The approval of a more restrictive land use category than that set forth in the
3 application; or

4 (ii) The amendment of fewer than all parcels described in the application to either
5 the land use category requested in the application or a more restrictive land use category, but only if
6 such parcels are distinct legal parcels .

7 (c) Following the hearing, the Planning Commission shall make its decision to either
8 recommend approval or denial of the application.

9 SECTION 6: Title 19, Chapter 18, Section 30, Subsection (H), Paragraph (2), of the
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

11 (2) City Council Action.

12 (a) Decision. The City Council may approve[, approve with conditions,] or deny a
13 proposed General Plan Amendment. In making a decision to approve the proposed General Plan
14 Amendment, the City Council shall consider the recommendation of the Planning Commission and
15 the facts presented at the public hearing. The City Council may consider [the amendment of only a
16 portion of the land described in the application or may amend all or a portion of the application to a
17 more restrictive land use category.] ;

18 (i) The approval of a more restrictive land use category than that set forth in the
19 application; or

20 (ii) The amendment of fewer than all parcels described in the application to either
21 the land use category requested in the application or a more restrictive land use category, but only if
22 such parcels are distinct legal parcels.

23 (b) Change to More Restrictive Category. If at the Council hearing, the applicant proposes
24 amending the application to a more restrictive land use category, the City Council has the option to
25 refer the application back to the Planning Commission for consideration.

26 (c) Significant Changes. If the applicant proposes significant changes to the application
27 during the hearing or if new information is presented that significantly changes the nature and scope
28 of the application, the request should be referred back to the Planning Commission for consideration.

1 SECTION 7: Title 19, Chapter 18, Section 30, Subsection (H), Paragraph (3), of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

3 (3) Notice of City Council Decision. Following the hearing on a proposed General Plan
4 Amendment, the City Council shall reach a decision concerning the proposal. The decision shall
5 include reasons for the decision, [and, if the decision is to approve the Amendment, any modifications,
6 conditions or limitations that the Council may impose.] Written notice of the decision shall be
7 provided to the applicant, agent or both. A copy of the notice shall also be filed with the City Clerk,
8 and the date of the notice shall be deemed to be the date that notice of the decision is filed with the
9 City Clerk.

10 SECTION 8: Title 19, Chapter 18, Section 40, Subsection (H), Paragraph (3), of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

12 (3) Planning Commission Decision. Following the public hearing or hearings, the Planning
13 Commission shall make its recommendations concerning the application for rezoning. The
14 recommendation may be for approval[, approval with conditions,] or denial. In considering whether
15 to recommend approval or denial of an application, the Planning Commission may, when it appears
16 necessary or expedient, consider [the rezoning of only a portion of the land described in the
17 application for rezoning, or it may recommend that all or a portion of the property be rezoned to a
18 more restrictive classification.] recommending:

19 (a) The approval of a more restrictive zoning classification than that set forth in the
20 application; or

21 (b) That fewer than all parcels described in the application be rezoned to either the zoning
22 classification requested in the application or a more restrictive classification, but only if such parcels
23 are distinct legal parcels.

24 SECTION 9: Title 19, Chapter 18, Section 40, Subsection (J), Paragraph (2), of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

26 (2) City Council Decision.

27 (a) Decision. The City Council may approve[, approve with conditions,] or deny an
28 application for a rezoning. In considering whether to approve or deny an application, the City Council

1 may consider [the rezoning of only a portion of the land described in the application for rezoning or
2 amend all or a portion of the application to a more restrictive zoning classification.] :

3 (i) The rezoning of the property to a more restrictive zoning classification than that
4 set forth in the application; or

5 (ii) The rezoning of fewer than all parcels described in the application to either the
6 zoning classification requested in the application or a more restrictive classification, but only if such
7 parcels are distinct legal parcels.

8 (b) Change to More Restrictive Zoning. If, at the public hearing, the applicant proposes
9 amending the rezoning application to a more restrictive zoning classification, the City Council may
10 act on the request or refer the application back to the Planning Commission for consideration.

11 (c) Significant Changes to Application. If the applicant proposes significant changes to
12 the application during the hearing, or if new information is presented that significantly changes the
13 nature and scope of the application, the request should be referred back to the Planning Commission
14 for consideration.

15 SECTION 10: Title 19, Chapter 18, Section 40, Subsection (J), Paragraph (3), of the
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

17 (3) Notice of City Council Decision. Following the hearing on a proposed rezoning, the City
18 Council shall reach a decision concerning the proposal. The decision shall include the reasons for the
19 decision, [and, if the decision is to approve the rezoning, any modifications, conditions or limitations
20 that the Council may impose.] Written notice of the decision shall be provided to the applicant or his
21 agent, or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice
22 shall be deemed to be the date that notice of the decision is filed with the City Clerk.

23 SECTION 11: For purposes of Section 2.100(3) of the City Charter, LVMC 19.14.130,
24 19.18.030 and 19.18.040 are deemed to be subchapters rather than sections.

25 SECTION 12: If any section, subsection, subdivision, paragraph, sentence, clause or
26 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
27 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
28 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 SECTION 13: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this _____ day of _____, 2010.

9 APPROVED:

10 By _____
11 OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 _____
14 BEVERLY K. BRIDGES, MMC
City Clerk

15 APPROVED AS TO FORM:

16 Val Steed 3-4-10
17 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2010, 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 _____, 2010, 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:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC
City Clerk

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