



Las Vegas

Agenda Item No.: 4.

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: MAY 17, 2011**

**DEPARTMENT:** CITY ATTORNEY  
**DIRECTOR:** BRADFORD R. JERBIC

☐ Consent ☒ Discussion

**SUBJECT:**

Bill No. 2011-22 Authorizes building wrap signs within the Downtown Centennial Plan Overlay District, and establishes standards and procedures relating to such signs. Sponsored by: Mayor Oscar B. Goodman

**Fiscal Impact**

☐ No Impact ☐ Augmentation Required  
☐ Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

This bill will authorize building wrap signs within the Downtown Centennial Plan Overlay District, and establish standards and procedures relating to such signs. The bill sets forth dimensional, locational and other standards, as well as the circumstances and procedures under which such signs may be used for both on-premise and off-premise messages.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2011-25
2. Submitted at Meeting Proposed Amended Language to Bill No. 2011-25 by Russell Rowe

Motion made by RICKI Y. BARLOW to Forward to City Council with no recommendation

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: Initial motion by Anthony to Approve as Do Pass failed with Barlow voting No.

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Acting Director of Planning, gave a brief overview of the proposed bill relative to regulations. Building wrap signage is defined as large format signage that is applied directly

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to the face of the building. As proposed, this type of signage would be limited to the Downtown Centennial Plan area; as the boundaries currently exist, the building must be a minimum of 10 stories in height and a minimum of 200,000 square feet of area. Regarding the approval process, the applicant would have to submit a master sign plan application for building wrap signage, which would be heard before the Planning Commission and possibly City Council thereafter. In addition, applications for building wrap signage within special signage districts, such as the Downtown Casino Overlay, Arts Entertainment District or the Scenic Byway Overlay would have to be heard before the Downtown Design Review Committee as well. The proposed ordinance has a provision that allows off-premise messaging of building wrap signage, and if requested, a special use permit, as well as the master sign plan, would need to be granted. MR. FAGG also noted that based on feedback a provision that would have restricted both a billboard and building wrap signage on a parcel has been removed from the proposed ordinance. However, restrictions still apply relative to illumination, orientation and the maximum number of building wrap signage permitted.

BILL ARENT, Director of Economic and Urban Development, expressed support for the proposed ordinance. The proposal is a practical approach and first step in introducing a new element for downtown businesses. He also appreciated a business approach, and should private business owners/property owners desire to self-promote, they can choose to do so through a business improvement district or other means.

RUSSELL ROWE, Griffin Rowe Nave, indicated that Boyd Gaming has three establishments in the downtown area and is supportive of downtown redevelopment. Building wrap signage is beneficial relative to monetary value and helps to change the character of an area. It has been done in other jurisdictions and is typically used in conjunction with events held in a specific area and such signage promotes that particular event. Basically, they support the proposed ordinance, but he expressed some concern regarding the inclusion of off-premise advertising and the ability to control content. Risks may be involved that may not lead the City of Las Vegas (City) in the best direction, so additional steps or amendments may be necessary in proposing such an ordinance. MR. ROWE referred to a similar issue in Hollywood, California, whereby the city has since banned building wrap signage. Also, Clark County (County) is currently reviewing their ordinance dealing with this issue and is looking at perhaps restricting the scope of on-premise building wrap signage. He felt that the City and the County are headed in opposite directions and stressed the need for a more thoughtful and cautious approach with this issue.

MR. ROWE submitted proposed amendments to this proposed ordinance: a) prohibit off-premise advertising on building wrap signage, b) include a specific definition of on-premise signage and c) limit approvals of building wrap signage to one year unless extended for an additional year by the City Council upon review and a public hearing.

TODD KESSLER, 206 North 3rd Street, appeared on behalf of Resort Gaming Group, and expressed support for the proposed ordinance as it is written. Resort Gaming Group has been a partner with the City for a long time, and he commended staff on doing a wonderful job in

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addressing concerns raised. He clarified that the County had an issue with its definition of on-premise signage, which created confusion amongst individuals/companies and the misuse of permitted signage. The City is moving in the right direction, as the ordinance would permit on and off-premise signage, thereby alleviating this from happening in the City. He explained that the issue in California, referred to by MR. ROWE, got out of control, as it dealt with one property that had building wrap signage without the required permits; thereafter, tax issues arose. MR. KESSLER agreed that revenue signage is good for downtown and redevelopment in general. Resort Gaming Group opposed MR. ROWES amendments, as the costs involved for this type of signage is substantial and a three-year approval makes more sense relative to getting a return on ones investment.

PATRICK SMITH appeared on behalf of Clear Channel Outdoors and expressed support of the proposed ordinance as it is written. Concerns have been addressed and staff's efforts in working with the industry are appreciated. Clear Channel Outdoors looks forward to working with the City in the future.

Upon COUNCILMAN ANTHONY'S query, MR. FAGG briefly reiterated the approval process and noted that staff looks at compatibility, context and impact on adjacent properties but cannot address content. He also explained that Zappos is an internet store whereby they have a call center and their products are shipped from another location. If Zappos desires to have building wrap signage other than its name, the definition of on-premise advertising would need to be amended or a provision would have to be added to allow off-premise advertising. Regarding MR. ROWES proposed amendment, MR. FAGG informed the Committee that staff does have some concerns in the way the proposed amendment is written regarding on-premise messages. MR. FAGG read the City's current definition of what on-premise signage is and noted that staff may be able to narrowly expand this definition by adding or offer for sale on the property to the end of this definition. In addition, an amendment to this definition could be done, which would allow internet companies to advertise their products sold through their websites.

COUNCILMAN ANTHONY confirmed through MR. FAGG that language has been added that prohibits building wrap signage on a building that is vacant.

MR. FAGG indicated since one of the requirements for building wrap signage includes going through the master sign plan approval process, he suggested adding the following language: A review period may be imposed as a condition of approval by the Planning Commission to ensure that constructed signage conforms to the required standards that is maintained in accordance with applicable requirements. The Planning Commission could then establish the review period, which could be arbitrary or staff could establish the review period in the master sign plan requirements.

COUNCILMAN ANTHONY supported building wrap signage, as it allows companies to increase their advertisement of their products. He believed there were valid points in the expressed opposition/support. He recognized the fact that some individuals are offended with some of the billboard content around this Valley. The Councilman recommended having an

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ordinance that would allow building wrap signage strictly for on-premise advertising, which would include allowing internet retailers, such as Zappos, to have signage that advertise their products. He agreed that a three-year review period is more appropriate.

CHIEF DEPUTY CITY ATTORNEY VAL STEED informed COUNCILMAN BARLOW that content cannot be controlled other than what is currently defined as obscene or based upon an individual being offended by such messaging. Regarding the Councilmans query relating to the difference between billboard requirements and building wrap signage requirements, MR. FAGG responded that there are current location standards in place for billboards, which include distance separation between billboards themselves and/or residential properties, as well as limitations on the size of the billboard. In addition, there is existing language regarding orientation of the building wrap signage, which protects residential properties. Although this stipulation is confined to the downtown area, it minimizes the impact on residential properties.

MR. KESSLER confirmed for COUNCILMAN BARLOW that conversations have taken place between Clear Channel Outdoors and City representatives, which have resulted in an agreement to disagree.

COUNCILMAN ANTHONY preferred forwarding this proposed ordinance to City Council with a recommendation for approval, with the caveat that the ordinance only allows for on-premise advertising and allows for internet companies to advertise their products, regardless if a product is available on site. He confirmed for CHIEF DEPUTY CITY ATTORNEY STEED that a three-year review period is appropriate.

COUNCILMAN BARLOW preferred to forward this proposed ordinance to City Council with no recommendation, to allow feedback from the City Council.

After the vote, COUNCILMAN BARLOW noted that items on today's agenda, if approved, will be eligible for adoption at the June 1, 2011 City Council Meeting.

COUNCILMAN BARLOW declared the Public Hearing closed.