



*City of Las Vegas*

Agenda Item No.: 109.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: JUNE 12, 2018**

**DEPARTMENT: PLANNING  
DIRECTOR: ROBERT SUMMERFIELD**

☐ Consent ☒ Discussion

**SUBJECT:** EXT-7337 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on Ordinance to amend LVMC 19.10.160 related to the Las Vegas Boulevard Scenic Byway Overlay District, and to provide for other related matters. Staff has NO RECOMMENDATION.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

**RECOMMENDATION:**

Staff has NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Proposed Amendments and Staff Report
2. Submitted after Final Agenda Protest Documentation Not Vetted Letters/Comment Forms (23)
3. Submitted at Meeting Recommendations Submitted by Commissioner Roush and Protest/Support Documentation Not Vetted Protest Letter (1) from Rosalie Lidard Submitted by Heidi Swank and Support Letter (1) Submitted by Mark Carlson

Motion made by CHRISTINA ROUSH to Approve

Passed For: 3; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 3

CHRISTINA ROUSH, DONNA TOUSSAINT, TRINITY HAVEN SCHLOTTMAN; (Against-None); (Abstain-SAM CHERRY); (Did Not Vote-None); (Excused-VICKI QUINN, LOUIS DE SALVIO, BRENDA J. WILLIAMS)

NOTE: CHAIR CHERRY abstained from voting as he has a property on Las Vegas Boulevard that would be affected by this Text Amendment.

Minutes:

ACTING CHAIR SCHLOTTMAN declared the Public Hearing open.

PAUL BENGTON, Senior Management Analyst, stated the proposed Text Amendment would allow greater flexibility for animated signs located on properties within the Las Vegas Boulevard Scenic Byway Overlay District between Sahara Avenue and Washington Avenue.

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While the addition of fully animated signage would enhance the nighttime scenic aspect, preservation of historic neon signage should be a priority. There are no protections in place for such, and this amendment could result in an incentive for removal of existing neon signage. To further protect and preserve the existing neon signage and the character of the Byway, additional provisions could be added, such as: discouraging video screens on freestanding signs and encouraging video screens to be integrated into the architecture of buildings or to have integrated neon elements.

Allowing fully animated LED signage throughout the byway may have unintended negative impacts on adjacent residential subdivisions, and certain segments of the byway may be more or less suitable for such signage depending on adjacent development.

The Historic Preservation Commission (HPC) is also in the process of conducting a Mid Century Motor Court Architectural Survey on Fremont Street and Las Vegas Boulevard that will likely identify additional properties or a district that could be eligible for historic designation. He noted additional letters of protest were received after publication.

MICHELLE LARIM indicated she sits on the HPC but is speaking in her professional role as the Associate Director of the Nevada Preservation Foundation. She indicated a letter was emailed stating their opposition. She specifically noted that the Downtown Master Plan 2045 makes multiple references to the importance of the Scenic Byway, and that Plan was an effort of a massive community outreach. It also talks about heritage tourism as a viable option for helping diversify the economy. She referenced a qualitative survey which revealed history and culture are the number one reasons people visit downtown, and the Scenic Byway contributes heavily to that. They are opposed to the Text Amendment, but believed compromises could be made. In its current form, she did not think it would achieve its goal and would significantly compromise the Scenic Byway.

MARK KAUFMAN, Vice President of the Beverly Green Neighborhood Association, stated he just moved to Las Vegas one year ago and is now vested in this city. He stated a letter of opposition had been submitted, and he wished to touch on a few of those concerns. He spoke of the negative impacts to the John S. Park and Beverly Green Neighborhoods and that the signs were out of character for these communities. He did not believe any of the residents were against positive improvements, but they would like to see some additional outreach with the stakeholders to discuss the possible impacts.

HEIDI SWANK, Executive Director of the Nevada Preservation Foundation, submitted a letter of opposition from someone in the audience that had to leave. They are opposed to the Text Amendment as currently written and agree there may be a needed re-examination of the Scenic Byway ordinance, but their main concern is the expansive change this could do to the Scenic Byway. She named several individuals and organizations they reached out to regarding this issue. They believe more time is needed to revisit the ordinance. Specific suggestions she offered included revising the percentage that could be a video screen, engaging some experts such as the HPC, Arts Commission and the Citizens Advisory Committee to the Redevelopment

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Agency, limiting the brightness of the signs, not allowing off-premise advertising and requiring a strong artistic element in the video. They thought it also important to engage the Centennial Commission to see if a grant fund could be set up to maintain the neon and the signs along the Scenic Byway.

COMMISSIONER TOUSSAINT thought this was an important issue, she wanted to make sure the Commission got it right, and she was not comfortable approving this at this time.

COMMISSIONER ROUSH respectfully disagreed stating she concurred with many of MS. SWANKS statements. She understood what the bill sponsor was trying to do, but she thought it was important not to lose sight of the historic aspects of what they have worked so hard to preserve in the Scenic Byway. She thought the animation in new signs is not necessarily a bad thing, but suggested it was okay to incorporate into signs on buildings, but the freestanding signs should still be neon in nature and that the size is limited to the current code. She wants to make sure the building signs cannot exceed 25 percent of the facade it is attached to. These are her recommendations, and because this is a recommending body she would prefer to vote this up or down instead of abeying it.

COMMISSIONER SCHLOTTMAN agreed that there should not be animated signs on freestanding signs. He noted the problem having them at the street is that then everyone will want one and they will blow everything out. He noted he was blinded the other day by a sign in the County. He explained how his automatically adjusting based on the amount of sun and surrounding light. He would like to see that go into this ordinance.

COMMISSIONER ROUSH also mentioned the brightness and that signs are not permitted to have sound. She reminded residents that they can ask Code Enforcement to review signs for this.

COMMISSIONER SCHLOTTMAN asked if someone wanted to put up an animated sign if they could request a waiver from the Downtown Design Review Committee and a variance from the City Council. ROBERT SUMMERFIELD, Planning Director, stated the provisions that require a static image on a changeable sign cannot be varied so there is no way under the current code to have a motion. He also confirmed for the Commissioner that the City does not allow off-site advertising without a Special Use Permit. MR. BENGTSON clarified that the Scenic Byway Overlay currently prohibits off-premise signs which is non-waivable nor can someone obtain a variance for it.

COMMISSIONER SCHLOTTMAN asked the other Commissioners if they had suggestions how to protect the existing neon. COMMISSIONER ROUSH stated the way the code is currently written, the sign can be replaced with something that is not neon, and she would make the recommendation to the City Council that they close that loophole.

COMMISSIONER ROUSHS motion for approval included her recommendations that were read into the record, which were submitted and are attached as backup.

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COMMISSIONER SCHLOTTMAN stated prior to leaving the meeting, COMMISSIONER WILLIAMS indicated she wished to go on the record that she was opposed to this item. It was not a vote just a note she wished to be on the record.

COMMISSIONER SCHLOTTMAN declared the Public Hearing closed.

