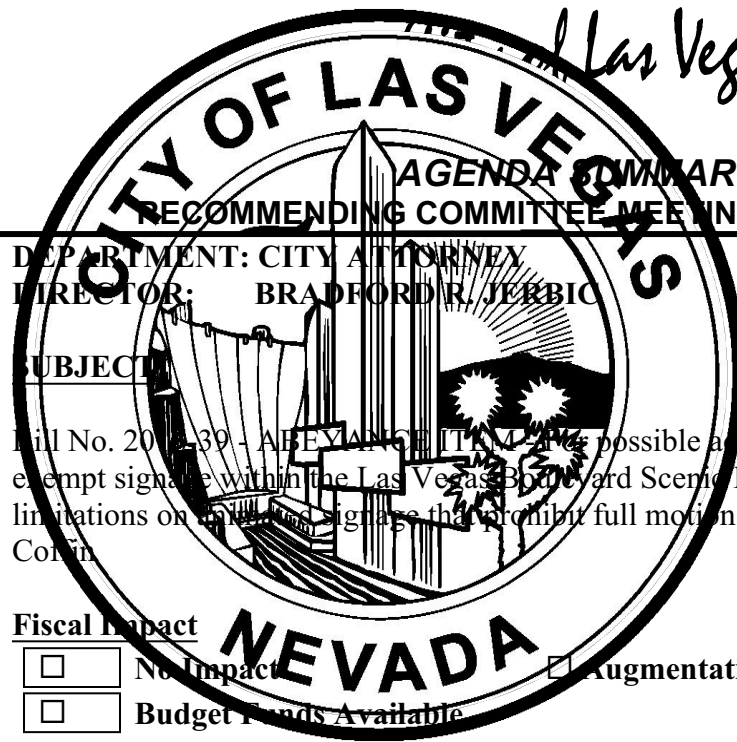




Las Vegas

Agenda Item No.: 5.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 5, 2018

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2018-39 - ABYVANCE ITEM - possible action - Amends LVMC 19.10.160(C) to exempt signage within the Las Vegas Boulevard Scenic Byway Overlay District from the general limitations on animated signage that prohibit full motion video. Sponsored by: Councilman Bob Coffin

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend LVMC 19.10.160(C) to exempt signage within the Las Vegas Boulevard Scenic Byway Overlay District from the general limitations on animated signage that prohibit full motion video. The stated intent is to allow greater flexibility in meeting the signage requirements for the Overlay District.

RECOMMENDATION:

Bill was held in abeyance from the September 4, 2018 Recommending Committee Meeting to the October 1, 2018 Recommending Committee Meeting.

BACKUP DOCUMENTATION:

1. Bill No. 2018-39
2. Backup Submitted from the September 4, 2018 Recommending Committee Meeting
3. Submitted at Meeting - LVMC 19.10.160(C) Language by Staff and Letter by Michelle Larime for the Nevada Preservation Foundation

Motion made by BOB COFFIN to Approve as Do Pass as a First Amendment

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

BOB COFFIN, STAVROS S. ANTHONY, MICHELE FIORE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

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COUNCILMAN COFFIN said a hearing was held where testimony was given that the use of neon should be encouraged and increased for the Las Vegas Boulevard Scenic Byway Overlay District due to its historic value. Consequently, some amendments were crafted to require 50 percent neon, which could be used in any combination. He also thought there was a recommendation to require the signs to be a certain distance from the intersections of Las Vegas Boulevard with Sahara Avenue, Charleston Boulevard and Fremont Street. He asked staff to give input regarding the distance, and he commented that there may be some nonconforming uses at the corner of Fremont Street and Las Vegas Boulevard.

ROBERT SUMMERFIELD, Planning Director, referred to draft language submitted based on the previous Recommending Committee meeting and commented that it does not exclude the signage from the aforementioned areas by the Councilman. Rather than the exemption that allows full motion signs would be within a certain radius of the intersection along the Scenic Byway, so that would be at Sahara Avenue, Charleston Boulevard and Fremont Street. So, the Inspire Nightclub, which is on Fremont Street, is located at one of the three key intersections.

To COUNCILMAN ANTHONY MR. SUMMERFIELD indicated that the distance footage was not defined in the bill draft and was left blank; however, he included a general distance separation of 100 feet between signs within the intersections. He objected that the concept of limiting the signs to the three intersections came from the Historic Preservation Commission (HPC).

MR. SUMMERFIELD indicated to COUNCILMAN COFFIN that the 100 foot distance separation would be measured from the right-of-way, and it would be no motion signage more than 100 feet from the three key intersections; it has to be within. COUNCILMAN COFFIN was confused. He said he understands the significance of prohibiting neon, but it is very expensive to manufacture and repair. He would have preferred to impose a limit on the percentage of neon, such 50 percent on the signs installed or changed. MR. SUMMERFIELD explained that the HPC liked the idea of not counting the full LED board as a part of the full illumination requirement with the ability to do motion signs, which was included in the draft language under 5b. They also had concerns and decided to limit it because the Scenic Byway in the City still has residential uses in some parts; hence, the reason to propose the limitation on where the motion signage should be allowed. The full discretion; however, was up to the Recommending Committee.

COUNCILMAN COFFIN felt the language was very restrictive for signs outside of the recommended intersections. MR. SUMMERFIELD stated signs outside the three recommended intersections could have an LED board with changeable messaging; however, it must be static and display for at least six seconds before it can be changed. Signs that meet this requirement and are within 100 feet at any of the three key intersections could include motion video on the LED signage if the sign only contributes 50 percent toward the 75 percent illumination requirement and if it were wall mounted and not a freestanding sign.

COUNCILMAN COFFIN listed some of the potential signs and cited the large Stratosphere sign, which is attached to the building, as an example and asked if it is in compliance with the code.

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MR. SUMMERFIELD replied that all the signs for the Stratosphere have been through the process for review. Because the Stratosphere is so large, it can have a large sign, and he believes they are in order and in code compliance. He further clarified that the proposed bill allows motion video on signs attached to buildings, not on freestanding signs, which can only have six-second changeable messages.

COUNCILMAN COFFIN mentioned various properties on Las Vegas Boulevard and asked COUNCILMAN ANTHONY to allow the public to comment.

CLAYTEE WHITE, Chair of the HPC, commented that the HPC's primary objective is to preserve as much of the neon as possible along the Scenic Boulevard. The percentages MR. SUMMERFIELD shared on the building and freestanding signs is what was discussed at the HPC meeting. She indicated to COUNCILMAN ANTHONY that she is in favor of the bill with the proposed language.

MICHELLE LARIME, Nevada Preservation Foundation, submitted a letter outlining their position on this matter. She submitted a copy of the letter for the record. She indicated she has appeared at the Recommending Committee meetings to give foundations' concerns and some proposed amendments. She clarified that the proposed amendments put forth at the October meeting and listed in the letter are the ones supported by the Foundation:

COUNCILMAN COFFIN asked if a blade sign on any sign attached to a building is not a freestanding sign, to which MR. SUMMERFIELD replied that blade, roof and wall elevation signs would be eligible as long as they meet the other criteria.

COUNCILMAN COFFIN supported adoption with the proposed amendments, as submitted by MR. STEED regarding the three qualifications, the location of the signs and the recommended percentage. MR. STEED asked if the suggested 100-foot distance separation would be acceptable. The Councilman felt that imposing the distance separation requirement would make it too complicated and open to disputes. MR. STEED suggested modifying the language under 5a to just say that the sign may not be freestanding, with which MR. SUMMERFIELD agreed in order to make it less complicated. He reiterated that freestanding signs could have six-second changeable messages.

MR. STEED stated that the bill amendment would include changes to 5a and removal of 5c regarding the distance. COUNCILMAN COFFIN concurred.

COUNCILMAN ANTHONY announced that the bill would go to the 11/21/2018 City Council meeting for consideration.

COUNCILMAN ANTHONY declared the Public Hearing closed.