

1 **BILL NO. 2004-75**

2 **ORDINANCE NO. 5736**

3 AN ORDINANCE TO PROVIDE FOR THE RELOCATION OF OFF-PREMISE SIGNS THAT ARE
4 REQUIRED TO BE REMOVED IN CONNECTION WITH THE INSTALLATION OF
5 PUBLICLY-FUNDED IMPROVEMENTS, AND TO PROVIDE FOR OTHER RELATED
6 MATTERS.

7 Proposed by: Robert S. Genzer,
8 Director of Planning and Development

9 Summary: Provides for the relocation of
10 off-premise signs that are required to be
11 removed in connection with the installation of
12 publicly-funded improvements.

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

15 SECTION 1: Title 19, Chapter 14, Section 100, Subsection (B), of the Municipal
16 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 (B) Special Use Permit Required.

18 (1) Except as otherwise provided in Subsection (F) of this Section, [A] a Special Use
19 Permit is required for all off-premise signs prior to the construction, placement, erection or
20 modification of the sign in accordance with the requirements of this Chapter. A Special Use Permit
21 application shall be processed in accordance with Section 19.18.060. Furthermore, the property
22 owner(s), owner(s) of the structure or other assignee shall maintain in force, at all times, a sign
23 certificate for the sign in accordance with the requirements of this Chapter.

24 (2) The Special Use Permit requirement set forth in [this Section] Paragraph (1) is in
25 addition to [an] and independent of any locational provision or limitation contained in this Section.
26 In determining whether to approve or deny a Special Use Permit under this Section, the Planning
27 Commission and City Council may consider the aesthetic impact of the sign on the area and all other
28 aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence
of other signage in the area. The provisions of this Paragraph (2) are intended to reflect and reconfirm
existing standards and practice, rather than to impose a new or different standard.

(3) In connection with the approval of a Special Use Permit under this Section, the
Planning Commission or City Council may impose a time limit on the approval or require a periodic
review of the sign as a condition of approval. After conducting a review, the Planning Commission



1 or City Council may require removal of the sign if it is demonstrated that conditions in the
2 surrounding area have changed in such a manner that the sign no longer meets the standards
3 established in Section 19.18.060(L).

4 SECTION 2: Title 19, Chapter 14, Section 100, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subsection, designated
6 as Subsection (F), reading as follows:

7 (F) Relocation of Signs Required to Be Removed for Publicly Funded Improvements.

8 (1) If an off-premise sign is required to be removed by a governmental entity in connection
9 with the widening of a public roadway or the installation of publicly-funded improvements, the sign
10 may be relocated without obtaining a Special Use Permit or Variance that would otherwise be
11 required, but only if:

12 (a) The applicant can demonstrate that the sign, at its existing or previous location,
13 received all necessary approvals and permits, and that the approvals and permits remain valid;

14 (b) The relocation will be on the same parcel or within the same commercial
15 subdivision;

16 (c) The applicant submits for and obtains a waiver, pursuant to Paragraph (4)
17 below, of any and all requirements and limitations of this Section pertaining to distance separation and
18 location that cannot otherwise be met by the sign as relocated;

19 (d) There will be no increase in the area of the sign to be relocated; and

20 (e) There will be no increase in the height of the sign, except that:

21 (i) A sign within one hundred fifty feet of the right-of-way line of an
22 elevated freeway or highway to which it is oriented may be erected thirty feet above the elevation of
23 the elevated roadway surface nearest the sign; and

24 (ii) A sign that, at a height of forty feet, will have a significant portion of
25 its display surface obscured from view from the travel lanes of the right-of-way to which it is oriented,
26 may be increased to a maximum of fifty-five feet.

27 (2) The applicant for relocation of a sign under the provisions of Paragraph (1) must
28 submit to the Department a written application for administrative review. The application must

1 include:

2 (a) A site plan;

3 (b) An elevation drawing;

4 (c) Evidence that the sign, at its existing or previous location, received all necessary
5 approvals and permits, and that the approvals and permits remain valid;

6 (d) A request for the waiver of any and all requirements and limitations of this
7 Section pertaining to distance separation and location that cannot otherwise be met with the sign as
8 relocated;

9 (e) A request for any desired increase in the height of the sign that may be
10 permitted under Paragraph (1)(e);

11 (f) A justification letter that includes the reason for removal and relocation; and

12 (g) Any other information required by the Director.

13 (3) If the Director determines that the relocation of the off-premise sign:

14 (a) Conforms to the conditions set forth in Paragraph (1), the Director shall provide
15 written notice of approval to the applicant, with a copy to the office of the City Council. Within ten
16 days after the notice is mailed or delivered, the applicant may proceed to apply for building permits,
17 unless within that time a member of the City Council files with the Director a request for the Council
18 to review the approval. If such a request to review is filed, the application must first be reviewed and
19 approved by the Council prior to issuance of any building permits.

20 (b) Does not conform to the conditions set forth in Paragraph (1), the normal
21 Special Use Permit and Variance requirements and limitations will apply. Any determination by the
22 Director that the relocation of an off-premise sign does not conform to the conditions set forth in
23 Paragraph (1) is not subject to appeal.

24 (4) In connection with an application to relocate an off-premise sign pursuant to Paragraph
25 (1), the requirements and limitations of this Section pertaining to distance separation and location may
26 be waived by the Director, or in connection with City Council review pursuant to Paragraph (3)(a),
27 notwithstanding any other provision of this Title, upon a determination that the relocation, under the
28 circumstances, will not have a materially different impact on surrounding properties and uses than the

1 existing sign.

2 (5) Unless otherwise indicated in a written notice of approval pursuant to Paragraph (3)(a),
3 conditions of approval from any previous Special Use Permit and Variance applications pertaining to
4 the sign at its existing or previous location will apply to the relocated sign, and additional conditions
5 may be added as appropriate.

6 (6) A demolition permit must be obtained for the removal of an existing off-premise sign
7 prior to removal. A building permit must be obtained and construction related to the relocation of the
8 sign completed within six months after issuance of the demolition permit, unless the Director grants
9 an extension of time.

10 (7) For purposes of this Subsection (F), the "relocation" of a sign includes both the re-
11 erection of a sign at a replacement location and the erection of a new structure at that location.

12 SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVMC 19.14.100
13 is deemed to be a subchapter rather than a section.

14 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
15 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
16 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
17 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
18 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
19 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
20 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
21 invalid or ineffective.

22 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
23 ...
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25 ...
26 ...
27 ...
28 ...

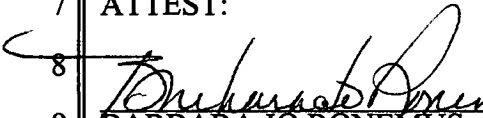
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 1st day of December, 2004.

4 APPROVED:

5 By 
6 OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Valsted 11-3-04
12 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 17th day of November, 2004, and referred to a committee for
3 recommendation; thereafter the committee reported favorably on said ordinance on the 1st
4 day of December, 2004, which was a regular meeting of said Council; that at said regular
5 meeting, the proposed ordinance was read by title to the City Council as first read and
6 adopted by the following vote:

7 VOTING "AYE": Mayor Goodman, Councilmembers Reese, Brown, Weekly, Mack,
8 Moncrief and Wolfson

9 VOTING "NAY": None

10 EXCUSED: None

11 ABSTAINED: None

12 APPROVED:

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14 _____
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

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18 _____
19 BARBARA JO RONEMUS, City Clerk

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RECEIVED
CITY CLERK

2004 DEC -3 A 10:24

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:
That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
3709786

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/20/2004 to 11/20/2004, on the following days: NOV. 20, 2004

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 24

day of November 2004

Mary B. Sheffield
Notary Public



BILL NO. 2004-75
AN ORDINANCE TO PROVIDE FOR THE RELOCATION OF OFF-PREMISE SIGNS THAT ARE REQUIRED TO BE REMOVED IN CONNECTION WITH THE INSTALLATION OF PUBLICLY-FUNDED IMPROVEMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.
Proposed by: Robert S. Genzer, Director of Planning and Development.
Summary: Provides for the relocation of off-premise signs that are required to be removed in connection with the installation of publicly-funded improvements.
At the City Council meeting of NOVEMBER 17, 2004 BILL NO. 2004-75 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: November 20, 2004
LV Review-Journal

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CITY CLERK

2004 DEC 15 A 11:58

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
3732229

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/04/2004 to 12/04/2004, on the following days: DEC. 4, 2004

Signed: _____

Donna Stark

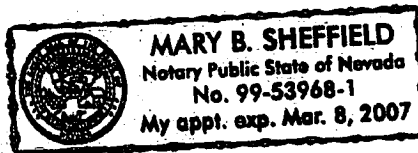
SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

9

day of December 2004

Mary B. Sheffield

Notary Public



BILL NO. 2004-75
Ordinance No. 5736

AN ORDINANCE TO PROVIDE FOR THE RELOCATION OF OFF-PREMISE SIGNS THAT ARE REQUIRED TO BE REMOVED IN CONNECTION WITH THE INSTALLATION OF PUBLICLY-FUNDED IMPROVEMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning and Development.
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 17th day of November 2004 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 1st day of December 2004, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Weekly, Mack, Moncrief, and Wolfson
VOTING "NAY": NONE
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: December 4, 2004
LV Review-Journal