



Ordinance & Resolutions Transmittal Scanning & Separator Page

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Ordinance No: 6207<=>

Date Read: 7/18/2012

Date Adopted: 8/15/2012

Ordinance Title: AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE AND STREAMLINE THE PROCESS FOR THE APPROVAL OF SIGNAGE BY THE DOWNTOWN DESIGN REVIEW COMMITTEE, ADJUST THE ELIGIBILITY REQUIREMENTS FOR SERVICE ON THE COMMITTEE, AND PROVIDE FOR OTHER RELATED MATTERS. <=>

Ordinance Summary: Amends the Unified Development Code to update and streamline the process of the approval of signage by the Downtown Design Review Committee, and to adjust the eligibility requirements for service on the Committee. <=>

Ordinance Sponsor: Flinn Fagg, Director of Planning<=>



Prepared By: tdresser

Scanned By:

SCANNED

QC By:

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**BILL NO. 2012-35**

**ORDINANCE NO. 6207**

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE AND STREAMLINE THE PROCESS FOR THE APPROVAL OF SIGNAGE BY THE DOWNTOWN DESIGN REVIEW COMMITTEE, ADJUST THE ELIGIBILITY REQUIREMENTS FOR SERVICE ON THE COMMITTEE, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Flinn Fagg, Director of Planning

Summary: Amends the Unified Development Code to update and streamline the process for the approval of signage by the Downtown Design Review Committee, and to adjust the eligibility requirements for service on the Committee.

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

SECTION 1: Ordinance No. 6190 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 to 6, inclusive, of this Ordinance.

SECTION 2: Title 19, Chapter 10, Section 100, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

C. Special Sign Standards

1. Signs on parcels within the Sub-district are exempt from the sign regulations contained in this Title to the extent that those regulations are inconsistent with the provisions of this Section. However, signs on parcels within the Sub-district that are also within the boundaries of the SB-O Las Vegas Boulevard Scenic Byway Overlay District are subject to the standards contained in LVMC 19.10.160. Provisions of this Title related to signage that are not inconsistent with the provisions of this Section shall continue to apply to signs within the District. Such provisions of this Title related to signage may be applied by the Director or be made applicable as part of the review and approval process set forth in this Section.

2. Any sign existing in the District as of January 2, 2002, that conforms to the provisions of this Title related to signage or has been allowed to continue under nonconforming status may continue under the provisions of this Section as long as a current permit is maintained, the sign is

1 structurally sound and in good working order, and the sign does not create a public nuisance or  
2 otherwise violate any ordinance, regulation or statute. Except as otherwise provided by ordinance,  
3 any such sign shall not be subject to removal or modification by reason of any amendment to this  
4 Title.

5 3. The sign standards contained in this Section shall:

6 a. Be interpreted and applied with reference to the background provisions set forth  
7 in Subsection (B) above;

8 b. Apply to all property, development, expansion and renovation within the  
9 Sub-district except property located within or directly abutting the boundaries of the Pedestrian Mall,  
10 as described in LVMC Chapter 11.68; and

11 c. Apply to any building facade within [125] 75 feet of the centerline of the streets  
12 that border the Sub-district (referred to hereafter as the “buffer area.”). (See “F” of Figure 3)

13 4. The development, construction, expansion, or renovation of freestanding signs within  
14 the Subdistrict is prohibited, except signs that:

15 a. Belong to or are within the Neon Museum collection;

16 b. Have been declared by the Las Vegas Historic Preservation Commission to be  
17 “historic” or “contributing”; or

18 c. Are components of a way finding system or identity program for the Sub-  
19 district.

20 5. Each wall-mounted sign within the Sub-district shall be a minimum of 10 feet vertically  
21 above the height of the finished sidewalk along public rights-of-way and public pedestrian pathways.  
22 (See “J” of Figure [2] 3) On-premise signs that do not exceed 65 square feet in size are exempt from  
23 this requirement, provided that there is a separation between such signs of at least 50 linear feet along  
24 the right-of-way or pathway. (See “E” of Figure 3)

25 6. [Of all signage to be placed along Fourth Street, or along any street that is adjacent and  
26 perpendicular to Fourth Street and is within 125 feet of the centerline of Fourth Street, at least 75%  
27 of the total sign surface areas must consist of neon signs or animated signs, or a combination thereof.  
28 (See “A,” “B,” “C,” “D,” and “E” of Figure 3) Of all signage that is not within the areas described

1 in the preceding sentence, the minimum percentage of neon or animated signage, or combination  
2 thereof, is 50%. (See “K” of Figure 2)] All new signage located within the Sub-district shall  
3 incorporate exposed neon, LED, animation, or any combination thereof, in at least 50% of the total  
4 surface area of such signage, excluding awning signs.

5 7. Individual sign surface areas shall not exceed a total of 1,500 square feet.

6 8. For any one wall, the maximum wall coverage for the composite total of all sign  
7 surface areas shall not exceed 50% of the eligible wall signage area, as depicted in Figure 4. This  
8 limitation does not apply to roof signs located above the roofline of the building facade nor to  
9 transparent “building wrap” signage.

10 9. The minimum separation distance between off-premise signs shall be five feet.

11 10. The total sign surface area of each wall mounted, roof mounted, or parapet mounted  
12 sign shall not exceed 1,500 square feet, and no such sign shall extend vertically more than 20 feet  
13 above the height of the parapet.

14 11. Animated signs must be fully operational and continuously animated 24 hours a day.  
15 Changes to the image or other animation feature must occur no less frequently than every 30 seconds,  
16 except when required maintenance or change of message dictates otherwise.

17 12. Each off-premise sign with at least two rotating or changing messages, images or  
18 contents, must change at least once every 30 seconds, and the sign must be framed by a decorative  
19 faceplate or frame that is at least 18 inches in width and that includes at least one band of illuminated  
20 neon tubing completely surrounding the sign.

21 13. At least 75% of off-premise signs are encouraged to be used to advertise places,  
22 products, goods, services, idea or statements whose subject is available or located within the District.

23 14. [It is recommended that all signs] All signs must be fully illuminated from at least one  
24 hour before dusk until one hour after dawn. Signs may be fully illuminated during daylight hours also.

25 15. Signs may not encroach into any public right-of-way, or any intersection more than  
26 eight feet perpendicular to the building wall to which the sign is attached. (See Figure 5) Marquee  
27 signage along Fourth Street is exempt from this limitation. The [city] City does not encourage  
28 encroachment of signage into public rights-of-way, and the applicant or sign owner must obtain all

1 necessary encroachment approvals before the installation of any sign.

2 16. The owner and operator of each sign is responsible for ensuring that appropriate sign  
3 maintenance occurs and that repairs of damaged signs are accomplished promptly.

4 SECTION 3: Title 19, Chapter 10, Section 100, Subsection (D), of the Municipal  
5 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 D. Special Sign Standards-Review and Approval Procedures

7 1. Downtown Design Review Committee. There is hereby created a Downtown Design  
8 Review Committee (DDRC) for the review of signs proposed to be located within the District. The  
9 DDRC shall be composed of:

- 10 a. Two members of the Planning Commission appointed by the Commission;
- 11 b. One [representatives] representative of the Department designated by the  
12 Director;
- 13 c. One representative of the City's [Office of Business] Department of Economic  
14 and Urban Development, designated by its Director; and
- 15 d. Three owners of businesses located within the DGP-O Downtown Centennial  
16 Plan Overlay District, as appointed by the Mayor.

17 Except as otherwise provided in Paragraph (2) below, [The] the DDRC shall have the authority to  
18 review and approve application for all signs, subject to the provisions of this Section. Members shall  
19 serve three-year terms and may be reappointed. As referred to in, and contemplated by, the provisions  
20 of LVMC 19.10.120 and 19.10.160, the DDRC also reviews signs proposed to be located within the  
21 DE-O Downtown Entertainment Overlay District and the SB-O Las Vegas Boulevard Scenic Byway  
22 Overlay District, respectively.

23 2. Administrative Review. Except where a deviation from applicable standards is  
24 requested, an application submitted pursuant to Paragraph (3) below for the review of signage under  
25 this Subsection (D) may be reviewed administratively by the Director (the term "Director" including,  
26 for purposes of this Subsection, the Director's designee). The Director may approve, approve with  
27 conditions, or deny the application.

- 28 a. The Director shall provide written notice of the decision, which shall include

1 the reasons for the decision and, if the decision is to approve the design of the sign, any modifications,  
2 conditions or limitations that the Director may impose. The notice shall be provided to the applicant  
3 or the applicant's agent. An administrative approval of the design of a sign does not constitute the  
4 approval of a permit. The applicant will be responsible for obtaining all necessary permits from the  
5 City prior to beginning any work related to the design review approval.

6           b. All applications submitted under this Subsection (D) that are determined not  
7 to be eligible for administrative review under this Paragraph (2) will be forwarded to the DDRC as  
8 provided for in Paragraph (3) below.

9       [2.] 3. Application Process. Sign applications shall be submitted to the Department[,] in  
10 accordance with the same procedures set forth in LVMC 19.16.270 for Master Sign Plan applications.  
11 The Department shall forward [the application] to the DDRC for review and action[,] each application  
12 that is determined not to be eligible for administrative review under Paragraph (2) above. The DDRC  
13 shall review the application and shall approve, approve with conditions, or deny the application.

14       [3.] 4. Design Review Provisions. The following design review procedures shall apply:

15           a. The DDRC or Director, as applicable, may approve a sign application for single  
16 or multiple uses [if it determines] upon a determination that each sign is compatible with the theme  
17 and overall character to be achieved in the area. The DDRC or Director shall base [its] the assessment  
18 of compatibility on the following criteria:

19                   i. The application's compliance with the standards identified in this  
20 Section.

21                   ii. The relationship of the scale and placement of the sign to the building  
22 or premises upon which it is to be displayed.

23                   iii. The relationship of colors of the sign to the colors of adjacent buildings  
24 and nearby street graphics.

25                   iv. The similarity or dissimilarity of a sign's size and shape to the size and  
26 shape of other signs in the area.

27                   v. The similarity or dissimilarity of the style of lettering on the sign to the  
28 style of lettering of nearby street graphics.

1 vi. The compatibility of the type of illumination, if any, with the type of  
2 illumination in the area.

3 vii. The compatibility of the materials used in the construction of the sign  
4 with the material used in the construction of other signs in the area.

5 viii. The aesthetic and architectural compatibility of the proposed sign with  
6 the building upon which the sign is suspended, including its signage, and with the surrounding  
7 buildings and their signage.

8 ix. The sign's use of high quality, durable materials such as hardwoods,  
9 painted wood, metal, stainless steel, painted steel, brass or glass.

10 b. Applications for [the] design review [of signs] by the DDRC shall be processed  
11 as follows:

12 i. [An application shall include: Ten complete sets of plans which contain  
13 visual representations of the lettering, illumination, color, area and height of graphics, and which also  
14 indicate the areas and building elevations where they are to be placed and located; photographic or  
15 drawn elevations of a minimum of 266 feet of frontage, with proposed signs superimposed, to show  
16 the context and perspective of the proposed signs; a drawing of each sign at one-half inch to one-inch  
17 scale; and any other items required by the Director or the DDRC.

18 ii.] Applications shall be forwarded to the DDRC by the Department at least  
19 one week prior to the regularly scheduled DDRC meeting.

20 [iii] ii. Approval or denial of an application by the DDRC shall be made in  
21 writing with reasons for approval, denial, or approval with conditions, within three days following  
22 each DDRC meeting. In the event written notification of the action is not provided within that period,  
23 the application shall be deemed to have been denied. Decisions of the DDRC may be appealed to the  
24 City Council in accordance with the provisions of Paragraph [(5)] (6) below.

25 [4.] 5. Waivers. The DDRC is authorized to waive any of the sign standards set forth in  
26 Subsection (C), other than the prohibitions contained in Paragraph (4) thereof, if:

27 a. The applicant establishes that a waiver is warranted based upon conditions  
28 specific to the parcel; and

- b. The DDRC determines that the waiver:
  - i. Will not compromise the design objectives of the sign standards; and
  - ii. Will further the City's redevelopment efforts.

[5.] 6. Appeals.

a. An applicant who is aggrieved by the Director's decision, including any condition attached to the approval of an application, may appeal the decision to the DDRC by written request within 10 days after the date of decision by the Director. The appeal must be filed with the Department. The appeal hearing shall be scheduled as soon as is reasonably possible, and appropriate notice of the hearing shall be provided. The DDRC may affirm, reverse or modify the Director's decision. Notice of the DDRC's decision shall be provided to the applicant or the applicant's agent.

b. The applicant may appeal a decision of the DDRC to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department. The appeal must be filed within 10 days after notification of the administrative decision has been given (or within 10 days after the deadline for notification has passed), and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

[6.] 7. Rules and Regulations. The DDRC shall have the authority to adopt rules and regulations concerning its administrative procedures.

SECTION 4: Title 19, Chapter 10, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting Figure 3 and Table 1 that appear therein and replacing them with the Figure 3 and Table 1 that are attached to this Ordinance.

SECTION 5: Title 19, Chapter 10, Section 120, Subsection (E), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

E. Signage Standards

Except as otherwise provided in LVMC 19.10.160(C)(2) with respect to properties located within the SB-O Las Vegas Boulevard Scenic Byway Overlay District, [All] all new signage shall incorporate exposed neon, LED, animation, or any combination thereof, in at least [fifty percent] 50% of the total surface area of such signage.

1 SECTION 6: Title 19, Chapter 10, Section 160, Subsection (C), of the Municipal  
2 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 C. Sign Standards

4 1. Relationship to Other Provisions. Standards governing signs located within the  
5 boundaries of the SB-O District are intended to be the most restrictive. Except as otherwise modified,  
6 required or prohibited by this Section, all signage within the Las Vegas Boulevard Scenic Byway  
7 Overlay District shall be governed by and subject to:

8 a. All applicable standards and procedures in this Title; and

9 b. [All applicable standards and procedures in LVMC Chapter 19.10 and that  
10 govern the Downtown Centennial Plan Overlay District, for properties that are located within the  
11 district;

12 c. All applicable standards and procedures in LVMC Chapter 19.10 that govern  
13 the Downtown Entertainment Overlay District, for properties that are located within that district; and

14 d.] The review and approval procedures set forth in Subsection (D) of LVMC  
15 19.10.100, irrespective of where in the Las Vegas Boulevard Scenic Byway Overlay District the  
16 signage will be located.

17 For signage on properties that are not located within the boundaries of the DCP-O Downtown  
18 Centennial Plan Overlay District, DC-O Downtown Casino Overlay District or the DE-O Downtown  
19 Entertainment Overlay District, the applicable sign standards will be as set forth in LVMC 19.08.120,  
20 as well as the standards set forth in Paragraphs (2) through (4) below.

21 2. Illumination. For any development within the Las Vegas Boulevard Scenic Byway  
22 Overlay District, at least 75% of the total sign surface areas for that development (excluding awning  
23 signs) must consist of illuminated signage, in the form of neon signs, animated signs, or a combination  
24 thereof. All signs must be fully illuminated from at least one hour before dusk until one hour after  
25 dawn. Signs may be fully illuminated during daylight hours also.

26 3. Off-premise Signs. Off-premise signs are not permitted within the Las Vegas  
27 Boulevard Scenic Byway Overlay District. No waiver or Variance from this prohibition is available.

28 4. Maintenance. The owner and operator of each sign are [jointed] jointly and severally

1 responsible for ensuring that appropriate sign maintenance occurs and that damaged or nonfunctional  
2 signs and lighting are promptly repaired and made functional.

3 SECTION 7: For purposes of Section 2.100(3) of the City Charter, Sections  
4 19.10.100, 19.10.120 and 19.10.160 are deemed to be subchapters rather than sections.

5 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or  
6 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
7 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
12 invalid or ineffective.

13 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 15<sup>th</sup> day of August, 2012.

17 APPROVED:

18 By   
19 CAROLYN G. GOODMAN, Mayor

20 ATTEST:

21   
22 BEVERLY K. BRIDGES, MMC  
City Clerk

23 APPROVED AS TO FORM:

24 Val Steef 7-2-12  
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 18<sup>th</sup> day of July, 2012, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 15<sup>th</sup> day of August, 2012, which as a regular meeting of said Council; 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 Anthony, Tarkanian, Ross, Barlow, Coffin and Beers  
VOTING "NAY": None  
EXCUSED : None  
ABSTAINED: None

APPROVED:  
  
CAROLYN G. GOODMAN, Mayor

ATTEST:  
  
BEVERLY K. BRIDGES, MMC City Clerk

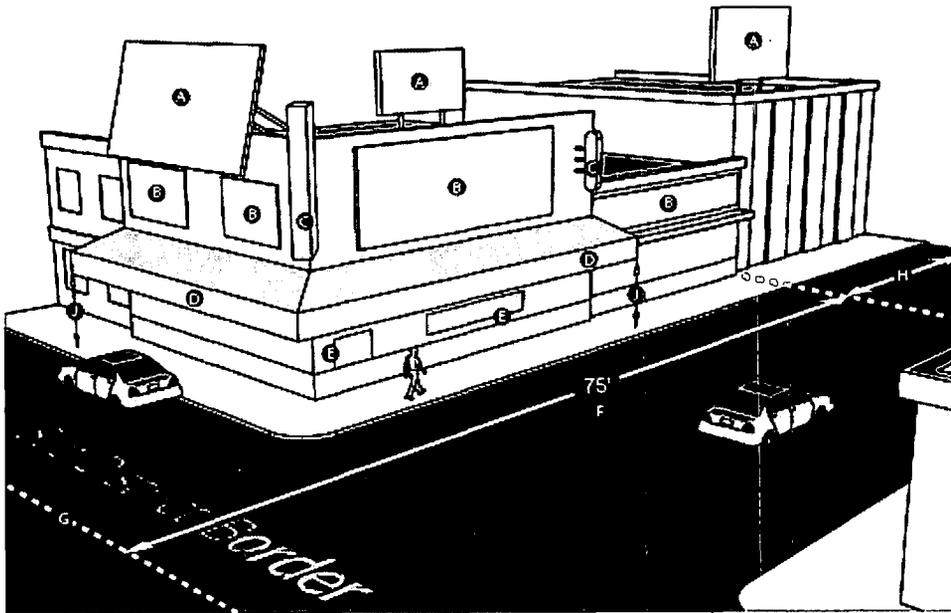


FIGURE 3

Table 1. Special Sign Standards Illustration Key (see Figure 3)

A.	Roof Sign	G.	Sub-district Border Street
B.	Wall Sign	H.	Non-buffer Area
C.	Projecting Sign	I.	Eligible Wall Sign Area
D.	Marquee Sign	J.	Minimum Sign Clearance
E.	Storefront Wall Sign		
F.	75-foot Buffer Area		



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, 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

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was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/18/2012 to 08/18/2012, on the following days:

08/18/2012

BILL NO. 2012-35  
ORDINANCE NO. 6207

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE AND STREAMLINE THE PROCESS FOR THE APPROVAL OF SIGNAGE BY THE DOWNTOWN DESIGN REVIEW COMMITTEE, ADJUST THE ELIGIBILITY REQUIREMENTS FOR SERVICE ON THE COMMITTEE, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Flinn Fagg,  
Director of Planning  
Summary: Amends the Unified Development Code to update and streamline the process for the approval of signage by the Downtown Design Review Committee, and to adjust the eligibility requirements for service on the Committee.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of July 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 15th day of August 2012, 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 introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Tarkanian, Ross, Barlow, Coffin and Beers  
VOTING "NAY": NONE  
NOT VOTING: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA.  
PUB: August 18, 2012  
LV Review-Journal

Signed Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 18th day of Aug, 2012.

Mary Lee  
Notary Public

