

# CHAPTER 19.8: SIGNS

## 19.8.1. PURPOSE

### A. GENERAL

1. The sign regulations of this chapter are intended to balance the public interest in promoting a safe, well-maintained, and attractive city with the interests of businesses, organizations, and individuals in ensuring the ability to identify and advertise products, services, and ideas.
2. The regulations allow for a variety of sign types and sizes, based on zoning, land use, lot/building sizes and other considerations. They are not intended to guarantee that every property owner and business owner will be able to achieve their desired level of visibility.

### B. SPECIFIC

The sign regulations of this chapter have the following specific purposes:

1. To ensure that signs are designed, constructed, installed, and maintained in a way that protects life, health, safety, property, and the public's general welfare;
2. To allow signs as a means of communication, while at the same time avoiding adverse impacts on nearby properties, motorists, and others;
3. To promote the desired character of the City and maintain and enhance the City's high-quality appearance and attractive visual environment;
4. To allow for adequate and effective signs, while preventing signs from dominating the appearance of the area;
5. To protect residential neighborhoods from potential adverse impacts associated with signs; and
6. To ensure that the constitutionally guaranteed right of free speech is protected.

## 19.8.2. APPLICABILITY

The sign regulations of this chapter apply to all signs erected, placed, constructed, painted, installed, or maintained in the City.

## 19.8.3. GENERAL SIGN REGULATIONS

The general sign regulations of this section are applicable to all allowed signs unless otherwise expressly stated.

### A. PROPERTY OWNER'S RESPONSIBILITY

Each property owner is responsible for proper permitting, installation, and maintenance of all signs on their property.

### B. NONCOMMERCIAL MESSAGES

Any sign allowed under this chapter may contain, in lieu of any other message or copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodity, or service for sale or lease, or to any other commercial interest or activity, so

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long as the sign complies with the size, height, area, and other requirements of this chapter. Authorized decision-making bodies may not consider the content of speech or the viewpoint of the speaker when taking action to approve or deny sign permits or other application for signs.

#### C. MAINTENANCE REQUIRED

1. All signs and sign supports, including decorative covers, must be maintained in a clean, safe like-new condition. Any damage, including weathering, resulting from wind or any other natural or artificial cause, must be repaired immediately.
2. Signs must be maintained in a graffiti-free condition.
3. Allowed banners and flags must be repaired or replaced when the surface area is frayed, torn, or damaged.
4. The display area of all painted signs must be kept neatly printed or posted at all times. Any painting, fading, chipping, peeling, flaking paint or plastic, and mechanical or structural defect must be repaired immediately or the sign must be removed.
5. Paint or debris associated with signs may not litter public property or public rights-of-way.

#### D. THE AMERICAN FLAG

##### 1. Display Protocol

The flag of the United States of America and flags of other nations, states, and governments, where allowed, must be displayed in accordance with the protocol set forth in United States Code, Title 36, Chapter 10, Patriotic Customs, the pertinent portions of which are contained in the book *Our Flag*, published by the Joint Committee on Printing, United States Congress, and available for review in the office of the Henderson City Clerk.

##### 2. Private Restrictions

Any of the following that prohibits or restricts the display of the American flag is void and unenforceable, except as expressly provided in this chapter.

- (a) A covenant, condition, or restriction contained in a legal instrument affecting an interest in real property; or
- (b) Any rule or regulation of an owners' association that otherwise has the authority to regulate the use of real property.
- (c) This does not apply to any covenant, condition, restriction, rule, or regulation that, with respect to the display of the American flag, establishes:
  - (1) Reasonable placement and safety standards applicable to the display of the flag;
  - (2) A maximum number of flags that may be displayed on a parcel;
  - (3) A requirement that flags to be displayed be portable and removable; or
  - (4) In the case of residential property, a requirement that the height of any flag, when displayed, does not exceed the height of the residence.

#### COMMENTARY

See also Section 19.6.7, *Master Sign Plans*.

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### SECTION 19.8.4 PROHIBITED SIGNS, SIGN LOCATIONS, AND SIGN CHARACTERISTICS | 19.8.4.E VEHICLE SIGNS AND PORTABLE SIGNS.

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#### E. SIGHT VISIBILITY ZONE

All signs must be located outside of the sight visibility zone per Section 19.7.4.J.4(c) and shall be shown on site plan at time of sign permit review.

#### 19.8.4. PROHIBITED SIGNS, SIGN LOCATIONS, AND SIGN CHARACTERISTICS

The following signs, sign locations, and sign characteristics are prohibited unless otherwise expressly stated:

- A. Abandoned signs.
- B. Banners, pennants, inflatable signs, tethered balloons, searchlights, and similar attention-getting devices, unless otherwise approved in Section 19.8.9.B.2.
- C. Signs that obstruct, impair, obscure, interfere with the view of or imitate, resemble or may be confused with any official emergency vehicle, traffic control sign, signal, or device.
- D. Signs attached to trees, telephone poles, public benches or streetlights, or placed on any public property or public right-of-way without governmental approval.
- E. Vehicle signs and portable signs.
  - 1. For the purposes of this section, a car, truck, trailer, or other similar vehicle will be considered stationary upon remaining parked in the same location for two hours or more. A vehicle that is moved at intervals of less than two hours, yet remains on the same property or in virtually the same location or proximity, will be considered stationary and in violation of this chapter.
  - 2. The following vehicles are not required to comply with the two-hour limitation specified above:
    - (a) Vehicles owned or operated by agencies of cities, counties, states or national governments;
    - (b) Vehicles of companies delivering services to the general public that are regulated by the public service commission;
    - (c) Vehicles displaying signs not exceeding six square feet of area affixed to not more than one door on each side of the vehicle;
    - (d) Vehicles of building trade contractors while on a construction site for which a valid building or grading permit has been issued that requires that contractor's presence;
    - (e) Delivery vehicles parked on the premises of a licensed business when that business is closed;
    - (f) Delivery vehicles staged at industrially zoned manufacturing, warehousing, and distribution sites while awaiting loading and dispatching;
    - (g) Vehicles displaying signs that cannot be readily viewed from a public right-of-way; and
    - (h) Trucks, trailers, and vans available for rent.

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SECTION 19.8.5 EXEMPT SIGNS | 19.8.5.H NON-ILLUMINATED WALL SIGNS ONE SQUARE FOOT IN AREA OR SMALLER, DISPLAYING THE NAME AND PROFESSION OF THE OCCUPANT OF THE PREMISES.

- F.** Except within the DCC and DP districts not fronting Lake Mead Parkway, roof-mounted signs and signs projecting above a parapet.
- G.** Weekend directional signs.
- H.** Back-lit awning signs.
- I.** Signs, other than allowed temporary signs, made of plywood, pressed board, or other non-exterior grade wood products.
- J.** Painted-on wall signs, except;
1. Temporary promotional signs painted on the surfaces of windows.
  2. Signs painted on exterior walls of buildings that are included in a master sign plan approved by Planning Commission or City Council.
- K.** Other signs not expressly allowed under this chapter.



### 19.8.5. EXEMPT SIGNS

These provisions do not relieve sign owners of the responsibility for proper sign placement and on-going sign maintenance or exempt the sign owner from compliance with the Building Code and other applicable provisions of this Code. All illuminated signs that are allowed by this Code require a sign permit. The following signs may be established without a permit in accordance with this section:

- A.** Official notices of any court, public body, or officer.
- B.** Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice.
- C.** Warning or security signs that are no more than four square feet in area.
- D.** In-park advertising panels on playing field walls, backboards, and scoreboards erected by a public agency or other organization authorized to do so by the City Council.
- E.** Brass, marble, or similar plaques containing names of buildings, dates of erection, monumental citations, commemorative information, and similar features when such plaques or monuments are cut into a masonry surface or inlaid so as to be part of a building or provided they are constructed of bronze or similar non-combustible material and not more than four square feet in area.
- F.** Signs manufactured as a standard, integral part of a mass-produced product accessory to a commercial, public, or semipublic use, including vending machines, automated teller machines, and gasoline pumps.
- G.** Holiday lights and displays containing no commercial message, erected no sooner than 45 days before the holiday and removed within 14 days following the holiday.
- H.** Non-illuminated wall signs one square foot in area or smaller, displaying the name and profession of the occupant of the premises.

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### SECTION 19.8.6 SIGNS IN RESIDENTIAL, PUBLIC, AND SEMIPUBLIC ZONING DISTRICTS | 19.8.6.B GENERAL

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- I. Onsite real estate signs offering a parcel “for sale” or “for lease,” not exceeding 32 square feet each, and provided that the maximum number of signs per site may not exceed one sign per 250 linear feet of frontage along a public right-of-way.
- J. Site entrance signs that direct and inform patrons and visitors to the subject site, not exceeding one sign per entrance and not exceeding eight square feet in area or 32 inches in height.
- K. Window displays covering less than 25 percent of each window in a nonresidential zoning district.
- L. Any sign inside a building that is not visible or legible from a distance of more than three feet beyond the subject site’s boundaries.
- M. Non-commercial messages unless otherwise expressly regulated by this chapter.
- N. Any public safety sign, notice, or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- O. Emblems or insignia of any nation or political subdivision.
- P. Religious symbols.
- Q. Works of art or decorative architectural graphics that do not include a commercial message and are not symbolic of any commercial business or commercial activity taking place on the subject premises.
- R. A single flag of the United States of America or the State of Nevada, or both, each not exceeding 100 square feet in area or 40 feet in height and in accordance with Section 19.8.3.D. (Note: a permit must be obtained and appropriate inspections performed as required by the Director of Building and Fire Safety for the flagpole). Flag poles that exceed zoning district height limits are subject to Section 19.12.3.C.
- S. Other signs that are expressly exempted from sign permit requirements in accordance with the regulations of this chapter.

#### **19.8.6. SIGNS IN RESIDENTIAL, PUBLIC, AND SEMIPUBLIC ZONING DISTRICTS**

##### **A. APPLICABILITY**

The regulations of this section apply in all Residential (R), Downtown Residential (DR), DH and PS zoning districts. They also apply to DP-zoned property that does not have frontage on Lake Mead Parkway. A master sign plan is not required for uses in R, DR, DH, or PS zoning districts.

##### **B. GENERAL**

Many of the types of signs found in residential, public, and semi-public zoning districts are regulated in accordance with Section 19.8.5, *Exempt Signs*, and Section 19.8.9, *Temporary Signs*.

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### SECTION 19.8.6 SIGNS IN RESIDENTIAL, PUBLIC, AND SEMIPUBLIC ZONING DISTRICTS | 19.8.6.E NONRESIDENTIAL USES

#### C. SUBDIVISION (OR NEIGHBORHOOD) IDENTIFICATION SIGNS

Subdivision (or neighborhood) identification signs are allowed as entrance features to neighborhoods or subdivisions. Neighborhood/subdivision identification signs:

1. May be illuminated or non-illuminated;
2. Must be monument signs or be attached to a masonry wall;
3. Must include landscaping around the base with minimum horizontal dimension of at least four feet (landscape within buffer areas may be counted when signs are within buffer area);
4. May not exceed six feet in height for monument signs; and
5. May not exceed 50 square feet in area, which may be in a single sign or may be divided between a maximum of two signs located on opposite sides of the same entrance.

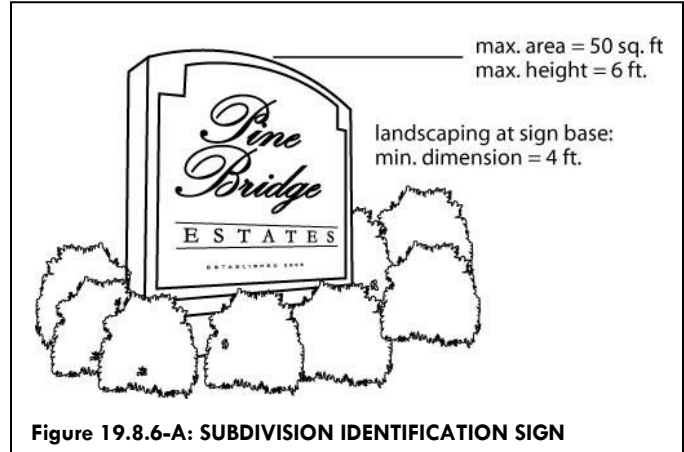


Figure 19.8.6-A: SUBDIVISION IDENTIFICATION SIGN

#### D. MASTER DEVELOPMENT SIGNS

Master Development signs are permitted within the planned community or large aggregate body of developments through a master sign plan or through the master plan development standards. Master development signs are anticipated to include long-term development directional, neighborhood and community identification signs that do not fall into defined sign categories. The master sign plan shall include the number of signs, setback, location, design and height. Sign locations shall comply with 19.8.3.E.

#### E. NONRESIDENTIAL USES

The following regulations apply to allowed nonresidential uses.

##### 1. Wall Signs

Nonresidential uses may have a maximum of one wall sign per building entrance that is open to the public. Wall signs may not exceed 0.80 square feet in area per lineal foot of tenant frontage or 50 square feet, whichever is less.

##### 2. Freestanding Signs

Nonresidential uses may have one freestanding sign per street frontage. Allowed freestanding signs may not exceed 50 square feet in area or six feet in height.

##### 3. Illumination

(a) Freestanding signs in residential zoning districts may be illuminated externally from the ground or with halo lighting only. See Section 19.8.8, *Sign Illumination and Design*.

(b) Signs in residential districts are prohibited from using manual or electronic message centers, which include but are not limited to LCDs, LEDs, and manually or

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mechanically changeable lettering and graphics. Schools and religious assembly outside of the RN overlay are exempt from this regulation.

#### 4. Setbacks

- (a) Freestanding signs must be set back at least 15 feet from the back of curb or 15 feet from the outer edge of the pavement or travel way where no curb exists and outside the public right-of-way. They must also be set back at least five feet from side and rear property lines.
- (b) Freestanding signs may not encroach on any required sight visibility zone.

#### 5. Address

Each freestanding sign allowed pursuant to this subsection must display the address of the subject property. The address must be affixed on the sign face or on the supporting structure. For freestanding signs within 50 feet of the street curb addresses must employ minimum six-inch tall, 1.25-inch wide letters or characters. If a sign is located on street frontage other than the parcel's assigned address, the sign must include the assigned street name and address.

## 19.8.7. SIGNS IN COMMERCIAL, MIXED-USE, DOWNTOWN, AND INDUSTRIAL DISTRICTS

### A. APPLICABILITY

The regulations of this section apply in Commercial (C), Mixed-Use (M), Industrial (I), and Downtown commercial (DCC and DHC) zoning districts. They also apply to DP-zoned property with tenant frontage on Lake Mead Parkway.

### B. WALL SIGNS

#### 1. Maximum Area

- (a) Sign Area Ratios

The maximum allowed wall sign area is determined by multiplying the subject tenant frontage (in feet) by the applicable maximum sign area ratio, as set forth in Table 19.8.7-1, below. Maximum wall sign area may be further restricted by the alternative maximum and minimum sign area standards of Section 19.8.7.B.2. Businesses or other entities that occupy pad sites that are part of a shopping center development but stand separate from the principal building on the site are allowed wall signs only.

- (b) Additional Sign Area for Businesses without Freestanding Signs

The wall sign area regulations allow additional wall sign area for businesses located on sites that do not have any on-site freestanding signs. The sign area ratio for businesses on sites without freestanding signs may be used only when an approved master sign plan for the subject property demonstrates that the site does not and will not have any on-site freestanding signs.

#### Commentary

See Section 19.8.12.B for building frontage calculation rules.

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**(c) Combination Signs**

If a sign consists of a combination of sign elements (e.g., raceway-mounted channel letter used in conjunction with a cabinet) the entire sign must be regulated in accordance with the standards that apply to the most strictly regulated element of the sign. This rule does not apply to a cabinet sign used solely to display a logo if the area of the logo/cabinet sign comprises no more than 20% of the overall, cumulative sign area of the combination sign or 20 square feet, whichever is less.

<b>TABLE 19.8.7-1, MAXIMUM WALL SIGN AREA RATIOS</b>				
<b>SIGN TYPE</b>	<b>NEIGHBORHOOD COMMERCIAL, OFFICE AND INDUSTRIAL (CN, CO, MN, DCC, IP, IL, IG)</b>		<b>COMMUNITY AND REGIONAL COMMERCIAL (MR, MC, CC, CH, CT, CA, DHC, DP{1})</b>	
	<b>WITH FREESTANDING SIGN</b>	<b>W/O FREESTANDING SIGN {2}</b>	<b>WITH FREESTANDING SIGN</b>	<b>W/O FREESTANDING SIGN {2}</b>
Channel letter sign, raceway-mounted	0.80	1.00	1.00	1.33
Channel letter sign, pin-mounted {3}	1.20	1.50	1.50	2.00
Distinctive materials/design sign {2}	1.40	1.75	1.75	2.50
Cabinet or other sign types	0.60	0.75	0.75	0.90

{1} The regulations of this section apply only to DP-zoned property with frontage on Lake Mead Parkway. Other DP-zoned property is subject to the regulations of Section 19.2.17.  
 {2} Except in the DCC district, master sign plan (Sec. 19.6.7) approval is required in order to use distinctive materials/design wall sign ratio or to use wall sign area ratio for sites without freestanding signs.  
 {3} In DCC zone neon signs are categorized as pin-mounted.

**2. Alternative Maximum and Minimum Wall Sign Area**

- (a)** Regardless of the maximum allowed wall sign area calculated pursuant to Section 19.8.7.B.1(a). Only wall signs used solely to convey the name of the subject building or multi-tenant development or primary tenant may be placed above the second floor of the building.
- (b)** Wall signs on separate tenant frontages must be separated by a minimum of 24 inches from the edge of tenant space.
- (c)** Wall signs may not project above the parapet on a building with a flat roof or above the fascia board on a building with a pitched roof; except in the DCC and DP districts not fronting Lake Mead Parkway, where wall signs and roof-mounted signs may extend above the parapet of a flat roof building.
- (d)** The exposed face of a wall sign must be parallel to and may project no more than 12 inches from the face of the building wall to which it is attached.

**3. Multi-tenant Buildings**

In multi-tenant buildings individual tenants are entitled to their own wall sign if all of the following conditions exist:



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- (a) The tenant is located on the first or second floor of the building and occupies floor area that directly abuts exterior tenant frontage; and
- (b) The tenant has their own (separate) public building entrance.

#### 4. Transfer of Wall Sign Area

Allowable wall sign area may not be transferred from one tenant or building wall area to another.

### C. FREESTANDING SIGNS

#### 1. Where Allowed

Freestanding signs are allowed in all nonresidential zoning districts to which this section applies, except the DCC district. Freestanding signs are prohibited in the DCC district.

#### 2. Number

- (a) A maximum of one freestanding sign is permitted per 500 feet of street frontage or fraction thereof.
- (b) Where the freestanding signs on the site are less than or equal to eight feet in height, a maximum of two freestanding signs are permitted per 500 feet of street frontage or fraction thereof.
- (c) Mixed-use parcels are permitted one freestanding sign that is greater than eight feet in height per 1,000 feet of street frontage or two freestanding per 1,000 feet of freestanding signs where both signs are less than or equal to eight feet in height.

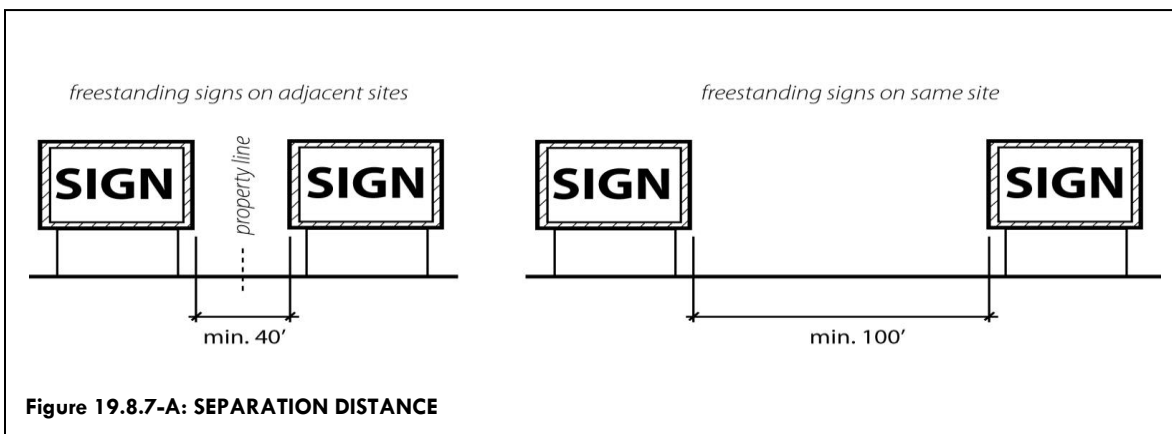
#### 3. Separation

Freestanding signs must be separated from other freestanding signs by the following minimum distances (Figure 19.8.7-A, *Separation Distance*):

- (a) From others on the same site: 100 feet;
- (b) From other freestanding signs on adjacent sites: 40 feet.

#### Commentary

These freestanding sign "number" regulations, which allow one freestanding sign per 500 feet... "or fraction thereof," are intended to allow one additional freestanding sign for any lot with more than 500 feet of street frontage, whether it's 501 feet or 998 feet.



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#### 4. Area

##### (a) Neighborhood, Office and Industrial Districts

The following regulations apply in CN, CO, MN, IP, IL, and IG zoning districts.

- (1) Freestanding signs may not exceed 64 square feet in area per sign except as expressly stated in this section.
- (2) Freestanding signs for multi-tenant developments with four or fewer tenants may be up to 96 square feet in area per sign if such sign includes at least two tenant panels. For multi-tenant developments with four or fewer tenants that are eligible for multiple freestanding signs, allowable sign area may be increased to 160 square feet if only one freestanding sign is used.
- (3) Freestanding signs for multi-tenant developments with five or more tenants may be up to 128 square feet in area per sign if such sign includes at least three tenant panels. For multi-tenant developments with five or more tenants that are eligible for multiple freestanding signs, allowable sign area may be increased to 220 square feet if only one freestanding sign is used.

#### Commentary

DP-zoned lots that do not have frontage on Lake Mead Parkway are subject to the regulations of 19.8.6.

##### (b) Community and Regional Districts

The following regulations apply in MR, MC, CC, CH, CT, CA, and DHC zoning districts. They also apply in DP zoning districts with frontage on Lake Mead Parkway.

- (1) Freestanding signs may not exceed 80 square feet in area per sign except as expressly stated in this section.
- (2) Freestanding signs for multi-tenant developments with four or fewer tenants may be up to 120 square feet in area per sign if such sign includes at least two tenant panels. For multi-tenant developments with four or fewer tenants that are eligible for multiple freestanding signs, allowable sign area may be increased to 200 square feet if only one freestanding sign is used.
- (3) Freestanding signs for multi-tenant developments with five or more tenants may be up to 160 square feet in area per sign if such sign includes at least three tenant panels. For multi-tenant developments with five or more tenants that are eligible for multiple freestanding signs, allowable sign area may be increased to 300 square feet if only one freestanding sign is used.

#### Commentary

These separation requirements apply only to freestanding signs allowed by Section 19.8.7.C. They do not apply to freestanding menu board signs, directory signs, exempt signs, or signs allowed without a permit.

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#### 5. Height

##### (a) Neighborhood, Office and Industrial Districts

The following regulations apply in CN, CO, MN, IP, IL, and IG zoning districts.

- (1) Freestanding signs may not exceed eight feet in height except as expressly stated in this section.
- (2) Freestanding signs for multi-tenant developments with four or fewer tenants may be up to 12 feet in height. For multi-tenant developments with four or fewer tenants that are eligible for multiple freestanding signs, allowable sign height may be increased to 20 feet if only one freestanding sign is used and if such sign does not exceed the height of the tallest building on the site.
- (3) Freestanding signs for multi-tenant developments with five or more tenants may be up to 16 feet in height. For multi-tenant developments with five or more tenants that are eligible for multiple freestanding signs, allowable sign height may be increased to 20 feet if only one freestanding sign is used and if such sign does not exceed the height of the tallest building on the site.

##### (b) Community and Regional Districts

The following regulations apply in MR, MC, CC, CH, CT, CA, and DHC zoning districts. They also apply in DP zoning districts with frontage on Lake Mead Parkway.

- (1) Freestanding signs may not exceed eight feet in height except as expressly stated in this section.
- (2) Freestanding signs for multi-tenant developments with four or fewer tenants may be up to 12 feet in height. For multi-tenant developments with four or fewer tenants that are eligible for multiple freestanding signs, allowable sign height may be increased to 20 feet if only one freestanding sign is used and if such sign does not exceed the height of the tallest building on the site.
- (3) Freestanding signs for multi-tenant developments with five or more tenants may be up to 16 feet in height. For multi-tenant developments with five or more tenants that are eligible for multiple freestanding signs, allowable sign height may be increased to 30 feet if only one freestanding sign is used and if such sign does not exceed the height of the tallest building on the site.

#### 6. Setbacks

- (a) Freestanding signs must be set back at least 15 feet from the back of curb or 15 feet from the outer edge of the pavement or travel way where no curb exists and outside the public right-of-way. They must also be set back at least five feet from side and rear property lines.
- (b) Freestanding signs may not encroach on any required sight visibility zone.

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- (c) Freestanding signs on parcels that abut residential uses must be set back the required minimum of 40 feet plus a distance equal to one-half of the sign's height. Changing-image signs, digital video displays, and electronic message center signs must be a minimum of 250 feet from any residential property line.
- (d) With the exception of freestanding signs that abut a residential use, freestanding signs may increase in area by two square feet for each additional one foot the sign is setback from the required minimum setback of 15 feet, up to a maximum sign area of 30 square feet.

#### 7. Design

- (a) Poles or pylons used to support freestanding signs must have decorative covers or be clad in materials that are compatible with the overall design of the sign and the architectural character of buildings on the site, in terms of style, color, and materials.
- (b) Freestanding signs supported by poles or pylons must be supported by at least two poles or pylons. A single supporting element may be used when it is at least 40 percent as wide as the widest portion of the sign face. The ground area surrounding the base of freestanding signs must be landscaped. The landscape area must be at least five feet in width measured from face-of-curb to base of sign when adjacent to drive aisles or parking areas.
- (c) Each freestanding sign allowed pursuant to this subsection must display the address of the subject property. The address must be affixed on the sign face or on the supporting structure. For freestanding signs within 50 feet of the street curb addresses must employ minimum six-inch tall, 1.25-inch wide letters or characters. If a sign is located on street frontage other than the parcel's assigned address, the sign must include the assigned street name and address.

#### 8. Multi-Tenant Developments

Multi-tenant developments are subject to the freestanding sign regulations of this subsection, except as expressly modified or supplemented by the following regulations:

##### (a) Directory Signs

In addition to other allowed signs, multi-tenant developments may have up to one directory sign for each building within the development or two per driveway whichever is less. Directory signs may not exceed 24 square feet in area and, if freestanding, may not exceed six feet in height. Directory signs are intended to convey information to pedestrians and motorists who have entered the development site and therefore may not be oriented to be legible from off site. Directory signs are allowed only on multi-tenant development sites.

##### (b) Freestanding Signs on Pad Sites

Freestanding signs are permitted on pad sites in multi-tenant developments only if the parcel has frontage on a public right-of-way and all buildings on the site are located more than 300 feet from the public right-of-way. This provision does not prohibit freestanding menu boards, directional/informational signs or signs accessory to service stations on pad sites. Service stations on pad sites may have

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no more than one freestanding sign with a maximum height of six feet and a maximum area of 32 square feet.

#### D. PROJECTING SIGNS

##### 1. Number

A maximum of one projecting sign is permitted per ground-level, publicly accessible building entrance. A maximum of one projecting sign is permitted per publicly accessible building entrance on the second floor of a building if the second floor building entrance is accessed via a common exterior (outdoor) walkway.

##### 2. Maximum Area

Projecting signs may be up to eight square feet in area. Decorative hardware used to attach the sign or trim materials that complement the building architecture does not count as part of the sign's area. This sign area does not count toward the overall wall signage total for the site.

##### 3. Location

- (a) No part of a projecting sign may project more than four feet from the building wall or be located within three feet of the curb face.
- (b) Projecting signs may not extend vertically above the roof line or parapet wall.
- (c) Sign supports for projecting signs must appear to be an integral part of the sign.

##### 4. Clearance

Projecting signs must maintain a minimum eight-foot clearance between the bottom of the sign and the highest point of the ground or walkway immediately beneath the sign and 14 feet above alleys or driveways.

##### 5. Lighting

Projecting signs may be illuminated only through external means, using indirect or shielded fixtures and bulbs.

#### E. AWNING AND CANOPY SIGNS

Non-illuminated awnings or canopies with no more than six square feet of sign (copy) area on the border (valance) of the awning may be used in addition to wall signs and does not count as wall sign area. Other awning signs or canopy signs do count as wall sign area.

#### F. MENU BOARD SIGNS

Menu board signs accessory to drive-through uses are permitted in addition to other allowed signs, as follows:

##### 1. Number and Dimensions

- (a) Primary Menu Board

One primary menu board not to exceed 36 square feet in area and eight feet in height is allowed per order station (i.e., the point at which the vehicle occupant relays their order or request) up to a maximum of two primary menu boards.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.7 SIGNS IN COMMERCIAL, MIXED-USE, DOWNTOWN, AND INDUSTRIAL DISTRICTS | 19.8.7.H CHANGING-IMAGE SIGNS

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**(b) Secondary Menu Board**

One secondary menu board not to exceed 15 square feet in area and six feet in height is allowed.

**2. Residential Separation**

Menu board signs without a speakerbox must be set back at least 75 feet from residential use. Those with a speakerbox must comply with Section 19.7.8.G, *Noise*.

**3. Visibility**

Menu board signs are intended to convey information to motorists within the boundaries of the development and, therefore, may not be located or oriented to be legible from off site.

**G. A-FRAME AND EASEL SIGNS**

Properties zoned DCC, MC, MN, or MR and DP-zoned properties with frontage on Lake Mead Parkway may use an A-frame sign or an easel sign, as follows:

1. A maximum of one A-frame sign not to exceed a total of nine square feet per business is permitted in addition to other allowed signs. Such signs must be professionally designed, using shapes and forms indicative of the type of business, products, and services being advertised. A-frame signs may not exceed a maximum vertical or horizontal dimension of three feet; or
2. A maximum of one easel sign not to exceed a total of nine square feet per business is permitted in addition to other allowed signs. The sign must be professionally designed, using shapes and forms indicative of the type of business, products, and services being advertised. The maximum vertical dimension of the easel support may not exceed six feet, and the maximum sign area may not exceed a vertical or horizontal dimension of three feet.

**H. CHANGING-IMAGE SIGNS**

For the purposes of this Code, there are three categories of signs that will be considered changing image signs: Electronic message centers, electronic graphic display signs, and digital video display signs. Such signs are permitted by right (P) or subject to Master Sign Plan (M) approval in accordance with Table 19.8.7-2:

**CHAPTER 19.8: SIGNS**

SECTION 19.8.7 SIGNS IN COMMERCIAL, MIXED-USE, DOWNTOWN, AND INDUSTRIAL DISTRICTS | 19.8.7.I ELECTRONIC MESSAGE CENTERS

<b>TABLE 19.8.7-2: CHANGING IMAGE SIGNS</b>				
<b>CHANGING IMAGE SIGN TYPE</b>	<b>ZONING DISTRICT</b>			
	<b>CN, CO, MN {1}</b>	<b>CC, CH, CT, CA, IL, IG, IP, MC, MR, PS</b>	<b>DCC, DHC, DP</b>	<b>DRL, DRM, DRH</b>
Electronic Message Center (Includes time & temp signs)	P	P	M	M
Electronic Graphic Display Sign		P	M	
Digital Video Display		M		
<p>NOTES:</p> <p>{1} Regulations of this column also apply to public and civic uses in residential and public districts (R, DR, DH, or PS) and uses in DP district without frontage on Lake Mead Parkway</p> <p>P=Permitted by right</p> <p>M=Master sign plan approval required</p> <p>Blank = Not allowed</p>				

**I. ELECTRONIC MESSAGE CENTERS**

Electronic message center signs are subject to the following regulations:

**1. Number**

No more than one electronic message center sign is allowed per lot or development site.

**2. Area and Height**

- (a) The electronic message center component of a sign may comprise no more than 50 percent of a sign’s total sign area.
- (b) Freestanding electronic message center signs must be mounted on a base with a width that is at least 75 percent of the width of the sign’s face, based on the greatest horizontal dimension of the sign face.
- (c) The maximum height of the electronic message center component of a freestanding sign is 12 feet.

**3. Brightness**

Lamp size may not exceed 54 watts of incandescent lighting for daytime use. An automatic dimmer must be installed to reduce nighttime wattage to a maximum of 30 watts. LEDs (light emitting diodes) and magnetic discs may be used, provided that light intensity is no greater than allowed for incandescent lighting. Special effects such as flashing, strobing, or simulated moving graphics are not allowed. Signs shall be factory-certified not to exceed a maximum illumination of 54 watts during daylight hours and a maximum illumination of 30 watts between dusk to dawn.

**4. Spacing**

- (a) Electronic message centers are prohibited within 250 feet of a building containing a residential dwelling unit or a residential zoning district. Except for those properties with the G overlay designation, this requirement may not be waived or modified/reduced.

**CHAPTER 19.8: SIGNS**

- (b) Electronic message centers are prohibited within 35 feet of any electronic graphic display sign or digital video display sign and within 250 feet of another electronic message center.

**J. ELECTRONIC GRAPHIC DISPLAY SIGNS**

Electronic graphic display signs are subject to the following regulations:

**1. Number**

No more than one such sign is allowed per development site.

**2. Area**

The graphic display component of any one sign may not exceed 35 percent of the sign's total area.

**3. Spacing**

- (a) Electronic graphic display signs are prohibited within 250 feet of a building containing a residential dwelling unit or a residential zoning district. Except for those properties with the G overlay designation, this requirement may not be waived or modified/reduced.
- (b) Electronic graphic display signs are prohibited within 35 feet of any electronic message center and within 250 feet of another electronic graphic display or digital video display sign.

**4. Orientation**

The sign face must be oriented away from residential uses and districts.

**5. Message Duration**

Each image must remain static for at least 20 seconds.

**6. Message Transition**

The transition from one message or image display to the next must be accomplished in one second or less.

**7. Brightness**

Electronic graphic display signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours or more than 500 nits during nighttime hours (between dusk and dawn), as measured from the sign's face at maximum brightness. Signs shall be factory-certified to not exceed a maximum illumination of 5,000 nits during daylight hours and a maximum illumination of 500 nits between dusk to dawn. Signs shall be equipped with an automatic dimmer device to reduce nighttime wattage to a maximum of 500 nits.

**Commentary**

Nits are the standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign in contrast to footcandles which measure the brightness of the surface area or object that is being lighted (e.g., parking lot).



## CHAPTER 19.8: SIGNS

### SECTION 19.8.7 SIGNS IN COMMERCIAL, MIXED-USE, DOWNTOWN, AND INDUSTRIAL DISTRICTS | 19.8.7.K DIGITAL VIDEO DISPLAY SIGNS

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#### 8. Hours of Operation

Signs must be programmed to display a static message from 10:00 p.m. until 6:00 a.m. Static messages must have a minimum duration of one minute or more during such hours and must conform to other applicable standards of this subsection.

#### 9. Default Image

Digital display signs must have a default design or image that will freeze in one position if a malfunction occurs. If a partial or incomplete message freezes or remains static on the sign due to a technical malfunction or a portion of the display face malfunctions, the sign's illumination must be turned off until the sign is repaired.

#### 10. Prohibited Display Types

Digital display signs may not include flashing, scrolling, intermittent, or full-motion video elements. Audio or pyrotechnic elements are prohibited.

### K. DIGITAL VIDEO DISPLAY SIGNS

Digital video display signs are subject to the same regulations as electronic graphic display signs with the following additions and exceptions.

#### 1. Message Duration

Each video message or image display cycle must be completed in no more than eight seconds.

#### 2. Message Transition

The transition from one message or image display cycle to the next must be accomplished in one second or less during which the screen is black or all images remain still. The transition must not employ special effects such as fade, fly-in, dissolve, or repixelization.

#### 3. Hours of Operation

Digital video display signs must be programmed to display a static message from 10:00 p.m. until 6:00 a.m. Static messages must have a minimum duration of 20 seconds or more during such hours and must conform to other applicable standards of this subsection.

#### 4. Brightness

Digital video display signs may not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours or more than 500 nits during nighttime hours (between dusk and dawn), as measured from the sign's face at maximum brightness. Signs shall be equipped with an automatic dimmer device to reduce nighttime wattage to a maximum of 500 nits.

#### 5. Default Image

Digital video display signs must have a default design or image that will freeze in one position if a malfunction occurs. If a partial or incomplete message freezes or remains static on the sign due to a technical malfunction or a portion of the display face malfunctions, the sign's illumination must be turned off until the sign is repaired.

## CHAPTER 19.8: SIGNS

### 6. Spacing

- (a) Digital video display signs are prohibited within 250 feet of a building containing a residential dwelling unit or a residential zoning district. Except for those properties with the G overlay designation, this requirement may not be waived or modified/reduced.
- (b) Digital video display signs are prohibited within 35 feet of any electronic message center or electronic graphic display sign and within 250 feet of another digital video display sign.

## L. MURALS

The following regulations apply in the DCC, DHC, CN, CC, CH, CT, MC, PS, DP, and MR districts.

### 1. General Standards

- (a) A mural may be painted on or placed on an exterior building wall or fence and maintained in conformance with the provisions of this chapter.
- (b) All murals should be properly maintained, cleaned, and repaired as necessary.
- (c) Murals may be used to display artistic and graphic displays. Text is limited to non-commercial messages only.
- (d) External illumination of murals is allowed in accordance with Section 19.8.8, *Sign Illumination and Design*.

### 2. Permit Required

- (a) A permit is required for each mural on a lot or site as provided in this section. The permit application must be submitted on forms available in the Department of Community Development.
- (b) An application for a mural permit must contain all information otherwise required for a wall sign in the district in which it is proposed. It must also include the following additional information and any other items deemed necessary by the Community Development Director.
  - (1) One color sketch of the proposed mural, drawn to scale.
  - (2) A sketch drawn to scale or a photograph showing the proposed building or fence area to be covered by or used for the mural.
  - (3) Information as to existing texture and material of the building or fence surface will also be required.
  - (4) A graphical or written description of the proposed mural, including subject matter; type of paint/sealer to be used; and expected life span and maintenance plan for mural.
  - (5) If applicable, the distance in feet of all other murals within a quarter-mile radius of the site of the proposed mural.
  - (6) Contact information for the person or entity primarily responsible for the installation, maintenance, and repair of the mural.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.8 SIGN ILLUMINATION AND DESIGN | 19.8.8.B DESIGN

#### M. WINDOW SIGNS

1. Window signs shall cover no more than 25 percent of each window or glass door in a nonresidential zoning district.
2. Signs shall not be placed in windows in a location that will obstruct the view of sales transaction areas from outside the business.
3. Exceptions to paragraphs 1 and 2 above: Window signs shall be permitted to exceed 25 percent of each window or glass door in industrial zoning districts. The portion of window signs exceeding 25 percent of each window or glass door shall be calculated against the allowable building tenant space wall signage, as allowed by code or defined by an approved master plan. Window signs proposed to exceed 25 percent of each window must meet the following criteria:
  - (a) Have a maximum perforation pattern of 50/50;
  - (b) Must be maintained from wear and tear and discoloration;
  - (c) Window signs covering more than 25 percent shall require approval by Community Development prior to installation; and
  - (d) No modification shall be permitted to increase tenant signage when utilizing window signage exceeding 25 percent of each window.

### 19.8.8. SIGN ILLUMINATION AND DESIGN

#### A. ILLUMINATION

Lighted signs or lighting devices must be directed or beamed in a manner that does not cause glare or illuminate a public street, highway, sidewalk, or adjacent premises to a degree that may constitute a traffic hazard or nuisance.

1. Channel letter signs may be illuminated internally or by halo or silhouette lighting.
2. Cabinet signs must be constructed with an opaque background and translucent letters and symbols or with a colored background and lighter letters and symbols.
3. No sign may flash, blink, or emit a varying intensity of light or color, or make or emit any sound, or emit smoke or vapors.
4. All light sources must be shielded from view.

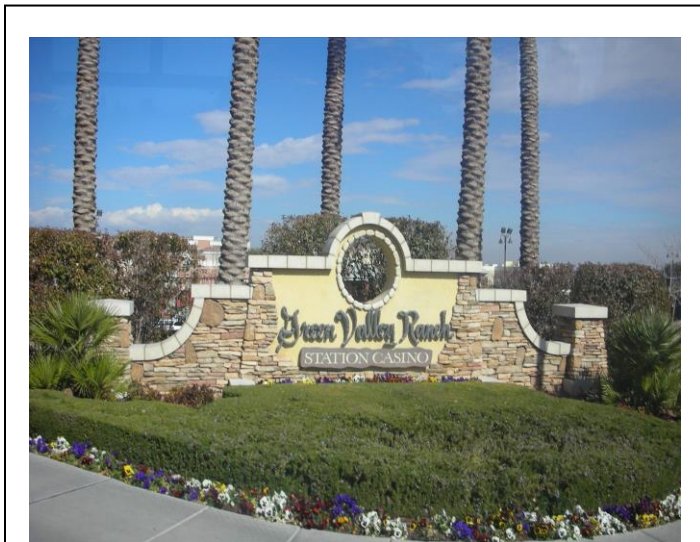


Figure 19.8.8-A: SIGN ILLUMINATION AND DESIGN

#### B. DESIGN

1. Signs should be designed to complement the architectural design and

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.B TEMPORARY BUSINESS SIGNS

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building materials used on principal buildings on the site. (Figure 19.8.8-A.)

2. Raceway mounts for channel letter signs must be painted and designed to blend in with the color of the wall to which it is attached. Raceway mounts must be of a size and design that gives them the appearance of being an integral background design feature of the sign rather than a separate mounting device.

#### **19.8.9. TEMPORARY SIGNS**

##### **A. GENERAL**

Temporary signs are allowed only in accordance with the regulations of this section. All temporary signs must conform to sight visibility requirements at all entrances, exits, and intersections.

##### **B. TEMPORARY BUSINESS SIGNS**

###### **1. “Grand Opening” Signs**

- (a) Upon issuance of an initial business license for sales of products or for the provision of a service to the public, a proprietor may install temporary signs and banners for up to 90 days to announce the opening of the new business on the premises. This 90-day initial promotion sign period is a one-time opportunity for product and service businesses and is not intended for use by residential or commercial rental agents or owners to market their available residential units or commercial or industrial lease space.
- (b) Merchants seeking to take advantage of this 90-day “grand opening” sign allowance may do so without obtaining a sign permit provided; however, the type and mounting methods of any proposed temporary signs must be reviewed and approved by the Director of Building and Safety, and further provided that no such sign or banner may be constructed or employed on the premises that presents a hazard to traffic or pedestrian safety.

###### **2. Sales/Promotional Event Signs/Coming-Soon Signs**

- (a) Proprietors licensed for sales of products or for the provision of a service to the public who are not eligible for a temporary “grand opening” sign, must obtain approval from the Community Development Director before installation, placement or other use of temporary sales/promotional event signs. Coming-soon signs are permitted without a proprietor’s license being obtained.
- (b) In the request for approval from the Community Development Director, the applicant must specify the type of signs to be used (either banner or a-frame only), their location on the premises, installation date, and date of removal.
- (c) Once an application is approved by the Community Development Director, the applicant must then submit plans and specifications and obtain sign permits as required by the Director of Building and Safety.
- (d) The regulations of this subsection are not intended for use in selling or leasing residential units or commercial or industrial space.
- (e) Temporary signs are permitted once every 90 days for a maximum of 14 days within any 90-day period.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.C TEMPORARY REAL ESTATE SIGNS

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- (f) A maximum of two temporary signs shall be permitted within any 14-day period.
- (g) Maximum square footage of temporary banner sign shall be 36 square feet and maximum square footage of an A-frame sign shall be nine square feet. A-frame signs shall not exceed a maximum vertical or horizontal dimension of three feet.
- (h) A-frame signs shall not be located within the required sight visibility zone.
- (i) Temporary banner signs shall be located on the tenant space of the business advertising. Temporary signs shall not be attached to public utility poles, landscaping or on-site informational signs.

#### C. TEMPORARY REAL ESTATE SIGNS

##### 1. General

All temporary real estate signs allowed by this section must be on the premises of the unimproved land, construction project, or development being offered for sale or lease except as otherwise expressly stated.

##### 2. Signs for New Construction

###### (a) Applicability

Temporary real estate signs for new construction are allowed in all zoning districts in addition to other allowed permanent signs. Such signs are subject to the regulations of this subsection.

###### (b) Small Signs

- (1) Two small temporary real estate signs for new construction, one which may be 32 square feet in area and the other which may be 16 square feet in area, are allowed without a sign permit.
- (2) Such signs must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

###### (c) Large Signs

The following temporary real estate signs for new construction are allowed:

- (1) One or more wall or freestanding sign(s) not to exceed a total aggregate sign area of 400 square feet or 16 square feet per acre, whichever is less;
- (2) One nongovernmental flag, 15 square feet in area or less, per acre;
- (3) Two banners 48 square feet or less in area; and
- (4) One A-frame sign of 32 square feet or less.

###### (d) Additional Signage for New Construction

In addition to other (new construction) temporary real estate signs allowed by this subsection, a developer may increase allowed temporary real estate signage for new construction by up to 50 percent from 6:00 p.m. Friday to 6:00 a.m. Monday or 6:00 a.m. Tuesday if Monday is a state or federal holiday.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.D SIGNS FOR LAND SALES OR LEASES

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(e) Time Limit on Temporary Real Estate Signs for New Construction

- (1) Temporary real estate signs for new construction are allowed upon the City's acceptance of street and utility public improvement bonds for the project and may be used for a period not to exceed 180 days after issuance of the last certificate of occupancy for permitted structures. Following this period, all signs for residential projects not approved by a master sign plan must be removed. For nonresidential projects, following this period, all signs except those approved by a master sign plan or otherwise expressly authorized by this subsection must be removed.
- (2) Permits for all structures offered for sale or lease must be kept current. Permits for common buildings, fences, pools, or other accessory structures do not extend the time period in which (new construction) temporary real estate signs are allowed.

3. Height

The maximum height of any temporary real estate sign is 20 feet.

## D. SIGNS FOR LAND SALES OR LEASES

1. General

Temporary signs are allowed in addition to other allowed signs to advertise the sale or lease of an unimproved parcel of residential, commercial, or industrial land, or to pre-lease unconstructed improvements. Such signs are subject to the regulations of this subsection.

2. Small Signs

- (a) On parcels not exceeding one acre in area (land sales or lease) one temporary real estate sign up to 16 square feet in area and four feet in height is allowed. On parcels larger than one acre in area (land sales or lease) one temporary real estate sign up to 32 square feet in area and eight feet in height is allowed. No sign permit is required for such signs.
- (b) Such signs must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

3. Large Signs

- (a) Temporary real estate signs for land sales or lease that are larger than allowed by subsection (b) below require a sign permit. Once issued, the sign permit is valid for one year and is renewable subject to compliance with all regulations in effect at the time of permit renewal.
- (b) Such signs may not exceed 96 square feet in area, and no more than one such sign is permitted for each 250 linear feet of frontage, up to a maximum of four signs per frontage. Signs may be combined, but no single sign may exceed 192 square feet. The maximum height of such signs is 20 feet.
- (c) Such signs must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.F OFF-PREMISES OPEN HOUSE SIGNS

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#### E. SIGNS FOR EXISTING IMPROVED PROPERTY

##### 1. General

Temporary real estate signs are allowed in addition to other allowed signs to advertise the sale or lease of an existing improved commercial or industrial project, including newly constructed projects, beyond 180 days after issuance of the last certificate of occupancy (as limited in Section 19.8.9.C.2(e)(1)) only in accordance with the regulations of this subsection.

##### 2. Small Signs

- (a) One small temporary real estate sign is allowed per frontage of an existing improved property. Such sign may not exceed 32 square feet in area or eight feet in height. No sign permit is required for such signs.
- (b) The sign must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

##### 3. Large Signs

- (a) Temporary real estate signs for existing improved property that are larger than allowed by subsection 2 (*Small Signs*) above require a sign permit. Once issued, the sign permit is valid for one year and is renewable subject to compliance with all regulations in effect at the time of permit renewal.
- (b) Such signs may consist of wall or freestanding signs not exceeding 400 square feet in area or one square foot per lineal foot of tenant frontage, whichever is less.
- (c) No more than one such sign is permitted for each 250 linear feet of frontage, up to a maximum of four signs per frontage. Where a building fronts on more than one street, only the longer side may be used to determine allowed sign area. Where an available tenant space consists of only a portion of a building, only that area available for lease may be counted in determining the length of the building frontage. The maximum height of such signs is 20 feet.
- (d) All freestanding signs must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

##### 4. Height

The maximum height of any temporary off-premises development directional sign is 20 feet.

#### F. OFF-PREMISES OPEN HOUSE SIGNS

##### 1. General

Temporary open house signs are allowed only in accordance with the regulations of this section.

##### 2. Use and Intent

A temporary open house sign is an off-premises sign, located on property that is not occupied by the house that is for sale. Such signs are intended to direct potential homebuyers to open houses of existing homes that are for sale. The signs are not to be

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.G OFF-PREMISES KIOSK SIGNS

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used as semi-permanent directional signs. Such signs may be used to direct traffic to resale homes only.

**3. Area**

Maximum of nine square feet.

**4. Number**

Maximum of five signs. One sign for each home per street intersection.

**5. Location**

(a) Temporary off-premises open house signs may not be placed within the public right-of-way, traffic median, public sidewalk, or bike lane, except where a landscaped greenway exists between the curb and sidewalk.

(b) Temporary off-premises open house signs located on private property require the property owner's approval.

**6. Type of Sign Allowed**

Temporary off-premises open house signs may be A-frame type only.

**7. Additional Requirements**

(a) The licensee or broker must be on duty at the open house while the sign is posted.

(b) The signs may be posted only between the hours of 8:00 a.m. and 9:00 p.m.

(c) Temporary off-premises open house signs may not be illuminated.

**8. Fines/Enforcement**

Any licensee or broker found not to comply with the requirements of this section are subject to the following fines:

(a) First offense: \$200.00 fine

(b) Subsequent offense: \$500.00 fine

**G. OFF-PREMISES KIOSK SIGNS**

**1. General**

Temporary off-premises kiosk signs are permitted only if reviewed and approved by the Planning Commission in accordance with the master sign plan procedures of Section 19.6.7, *Master Sign Plan*. Such signs are subject to the regulations of this section.

**2. Intent**

The temporary off-premises kiosk sign regulations of this section are intended to accommodate signs that direct potential buyers or renters to more than one real estate project offering lots, buildings or dwellings for sale or rent. Temporary off-premises kiosk signs serve multiple developments for a period of time longer than typically necessary for a single project, with the names and directional symbols changed from time-to-time during the life of the sign. A temporary off-premises kiosk sign is different from a master development sign in that a temporary off-premises kiosk sign is a temporary marketing sign, whereas a master development sign is a permanent display of a name or emblem.



## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.G OFF-PREMISES KIOSK SIGNS

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The temporary off-premises kiosk sign regulations are not intended to prohibit permanent way-finding signs that comply with this Code in developed residential subdivisions.

#### 3. Location

The following location standards apply to all off-premises kiosk signs unless otherwise expressly approved as part of a City-approved off-premises kiosk sign contract.

- (a) Prior to installation, the location of each temporary off-premises kiosk sign must be submitted to and approved by the City Traffic Engineer, and if the sign is proposed to be installed in a City-owned or City-maintained landscaped area, also by the Parks and Recreation Director.
- (b) Temporary off-premises kiosk signs may not be located:
  - (1) On a one-acre or smaller lot within a residential subdivision;
  - (2) Within 50 feet of any other temporary off-premises kiosk sign;
  - (3) Within 100 feet of any temporary off-premises development directional sign; or
  - (4) Within 100 feet of any other freestanding sign that requires a sign permit.
- (c) A residentially-zoned parcel larger than one acre may contain a temporary off-premises kiosk sign, and that sign may remain on the lot following the recording of a subsequent subdivision map that creates lots one acre or smaller until occupancy of the first lot of that subsequent subdivision. That first occupied lot need not be the specific lot on which the sign is constructed.

#### 4. Size

The allowed size of each temporary off-premises kiosk sign must be established as part of the master sign plan or Citywide off-premises kiosk sign contract.

#### 5. Setbacks

Except where a revocable permit has been authorized by the City Council for a sign to occupy space within a public right-of-way, temporary off-premises kiosk signs must be set back a minimum of three feet from all existing and future street rights-of-way.

#### 6. Life of Permit; Lapse of Approval

Unless otherwise expressly approved by the City Council, a temporary off-premises kiosk sign permit is valid for five years. Unless the temporary off-premises kiosk permit is reissued, the off-premises sign for which it was issued must be removed within five years of the date of issuance of the temporary off-premises kiosk permit. The sign permit for a temporary off-premises kiosk sign may be reissued for succeeding periods not to exceed five years if the following conditions exist:

- (a) The expiring permit must be at least four years and nine months old at the time of application for each reissuance.
- (b) The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required for a new permit.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.H OFF-PREMISES DEVELOPMENT DIRECTIONAL SIGNS

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- (c) The subject sign must have been in the permitted location and must have been maintained in accordance with the requirements of this Development Code during the entire life of the expiring permit.
- (d) The subject sign must meet all of the requirements of this Development Code and all other applicable sign regulations for a new sign in the subject location. If any condition exists that would prohibit a new temporary off-premises kiosk sign from being permitted at the subject location, the expiring temporary off-premises kiosk permit may not be reissued.

#### 7. Permit Number and Address

Every temporary off-premises kiosk sign must display the sign's owner, permit number, permit issuance and expiration dates, permittee's name and telephone number, and the sign's address on a four-inch by six-inch plate, or other approved substitute. The display must be installed to be readily accessible and legible.

#### 8. Reverse Side of Sign Treatment

The structural members of all temporary off-premises kiosk signs and the reverse side of each single-faced sign must be painted to match the framework of the face.

#### 9. Lease Agreements

Unless otherwise approved by the Community Development Director, a land-lease agreement, proof of ownership or other suitable land use agreement for the specific site where the kiosk sign is to be installed must be submitted to the City prior to issuance of a permit for construction of each sign.

### H. OFF-PREMISES DEVELOPMENT DIRECTIONAL SIGNS

#### 1. General

Temporary off-premises development directional signs are subject to the regulations of this section.

#### 2. Number Allowed

A maximum of six temporary off-premises development directional signs may be permitted for each separately identified project offering either lots, buildings, or dwellings for sale or lease. Where two or more developments are advertised on a single sign structure, that sign counts as one sign against the six allowable signs for each development. A sign structure may have multiple faces; however, a single sign structure will count as only one sign against the six allowable signs for each development, regardless of the number of faces advertising the same developments on that sign structure.

#### 3. Size and Form

The maximum size of any temporary off-premises development directional sign is 64 square feet. The measurement of the size of a sign includes all surfaces and faces containing messages, arrows, and graphics, including the structural framework if it contains messages or graphics.

## CHAPTER 19.8: SIGNS

### SECTION 19.8.9 TEMPORARY SIGNS | 19.8.9.H OFF-PREMISES DEVELOPMENT DIRECTIONAL SIGNS

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#### 4. Height

The maximum height of any temporary off-premises development directional sign is 15 feet.

#### 5. Changes of Sign Copy

Removing, adding to, or altering the message or graphics of the sign will be considered as removing, adding to, or altering the sign itself.

#### 6. Location

(a) Temporary off-premises development directional signs must be set back at least 15 feet from the back of curb, the outer edge of the pavement, or travel way where no curb exists.

(b) No temporary off-premises development directional sign may be located on a lot within a residential subdivision, within 100 feet of any residence, or within 100 feet of any other temporary off-premises development directional sign, billboard, temporary off-premises kiosk sign, master development sign, or freestanding sign allowed in accordance with Section 19.8.7.C. For the purposes of this section, a residential subdivision lot is one that is less than one acre. A residentially-zoned parcel larger than one acre may contain a temporary off-premises development directional sign, and that sign may remain on the lot following the recording of a subsequent subdivision map that creates lots smaller than one acre until occupancy of the first lot of that subsequent subdivision. That first occupied lot need not be the specific lot on which the sign is constructed.

(c) Within 200 feet of any freeway-limited access, controlled access arterial, or primary arterial as defined on the Henderson Master Streets and Highways Plan, temporary off-premises development directional signs must be separated from all other signs, except temporary off-premises election signs, by a distance of at least 300 feet.

#### 7. Life of Permit; Lapse of Approval

A permit for a temporary development directional sign advertising buildings or apartments for lease will expire 180 days following issuance of the final lease unit certificate of occupancy for the project or two years after issuance of the permit, whichever is sooner. A permit for a temporary off-premises development directional sign advertising buildings or apartments for sale will expire ten days following closure of the project sales office or two years after issuance of the permit, whichever is sooner. Unless the permit is reissued, a temporary off-premises development directional sign must be removed upon expiration of its permit. The permit for a temporary off-premises development directional sign may be reissued if the following conditions exist:

(a) The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required for a new permit.

(b) The subject sign must have remained unaltered in the permitted location and must have been maintained in accordance with the requirements of this Development Code during the entire life of the expiring permit.

(c) The subject sign must meet all of the requirements of this Code and all other applicable sign regulations for a new sign in the subject location. If, at the time of application for reissuance, any condition exists that would prohibit a new

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temporary off-premises development directional sign from being permitted at the subject location or if the existing sign has not been maintained in like-new condition, the expiring permit may not be reissued.

#### **8. Reverse Side of Sign Treatment**

The structural members of all temporary off-premises development directional signs and the reverse side of each single-faced sign must be painted to be compatible with the background surrounding it. Unless otherwise approved by the Community Development Director, for the purposes of this section, tan and light-brown colored paints will be considered compatible. All temporary off-premises development directional signs must comply with this standard or be considered in violation of this Development Code and removed.

#### **9. Permit Number and Address**

The sign's owner, permit number, permit issuance and expiration dates, permittee's name and telephone number, and the sign's address as assigned by the City must be indicated on a four-inch by six-inch plate or other approved substitute, installed so as to be readily accessible and readable approximately six feet above the adjacent ground surface, on every temporary off-premises development directional sign erected in accordance with the provisions of this section.

#### **10. Lease Agreements**

Unless otherwise approved by the Community Development Director, a land-lease agreement, proof of ownership or other suitable land use agreement for the specific site where the off-premises development directional sign is to be installed must be submitted to the City prior to issuance of a building permit for construction of each sign.

#### **11. Placement of Signs on Public Lands**

- (a) Temporary off-premises development directional signs may be placed on any unimproved City-owned land with the exception of parcels with frontage on Boulder Highway or Lake Mead Parkway.
- (b) Improved City-owned lands, including parks, may not be used without specific permission from the City Council. Other publicly owned lands (those owned by the Clark County School District, the federal government, etc.) are not to be used unless proof of permission for such use is submitted to the City.
- (c) All persons erecting, hanging, painting, installing, or otherwise placing temporary off-premises directional signs on City-owned land must first obtain a master sign plan in accordance with the procedures of Section 19.6.7.
- (d) If any sign is placed on publicly owned land under the terms of this chapter, the permittee assumes full responsibility for any damages or injuries to persons or property resulting either wholly, or in part, from the placement of the sign and must agree to defend and indemnify the City and hold the City harmless from all liability for such damages or injuries.

#### **12. Signs in the Public Rights-of-Way**

- (a) Temporary off-premises development directional signs are not allowed in the public right-of-way.

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- (b) Rights-of-way for streets not included on the Master Streets and Highways Plan may not be used for signs unless a revocable permit has been issued by the City Council for each specific sign.
- (c) In instances where a right-of-way is owned by the State of Nevada or the federal government, the permittee must abide by that owner's regulations in addition to the provisions of this chapter.
- (d) If any sign is placed in any public right-of-way under the terms of this chapter, the permittee assumes full responsibility for any damages or injuries to persons or property resulting either wholly, or in part, from the placement of the sign and must agree to defend and indemnify the City and hold the City harmless from all liability for such damages or injuries.

#### I. TEMPORARY OFF-PREMISES ELECTION SIGNS

##### 1. Permit Required

Each candidate for political office and each organization or individual supporting a position on an issue or ballot question who places a temporary off-premises election sign within the Henderson city limits must first obtain a permit to do so from the Henderson Director of Building and Fire Safety. The fee for this permit will be assessed per the Building and Fire Safety Department fees per candidate, issue, or ballot question, regardless of the number of signs placed. The purpose of the permit is to provide the Director of Building and Fire Safety with the name and pertinent information about the campaign manager or party responsible for repair of damaged or hazardous signs, and to monitor and remove all unclaimed signs following the election. Signs placed in Henderson without benefit of the proper permit will be removed and impounded until a permit is obtained. Permit contacts are required to provide a map indicating the location of all elections signs placements after all signs have been installed.

##### 2. Size

The maximum size of a temporary off-premises election sign is 18 square feet in residential zones and 128 square feet in all other zones.

##### 3. Location

- (a) Temporary off-premises election signs must not visually block any area within a street right-of-way or be located within the site visibility zone when taller than 24 inches above the curb or edge of pavement where no curb exists. Where no pavement exists, measurement must be made from the edge of the travel way.
- (b) Signs may not be placed on private property without the property owner's or authorized agent's written consent. Written consent shall be provided to the city upon request. Signs may not be placed, posted or otherwise affixed within public right-of-way, medians or upon any public property and on any site with construction fencing.

##### 4. Time Allowed; Removal

Temporary off-premises election signs may be installed on or after January 1 of the year in which the election for that registered candidate or qualified ballot question occurs. Each temporary off-premises election sign must be removed by the permittee within ten days of the election in which the office, issue, or ballot question is decided. Any such election sign found to be in violation of the provisions of this Code must be brought into conformance

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by the permittee upon notification by the Director of Building and Fire Safety. If the permittee fails to make appropriate corrections in a timely manner, the Director of Building and Fire Safety is authorized to remove or cause to have removed any signs in violation and impound those signs until the permittee can make the necessary corrections. Following the election in which the subject office, issue or ballot question is decided, all unclaimed election signs will become the property of the City and will be disposed of at the discretion of the City.

#### J. TEMPORARY OFF-PREMISES SPECIAL EVENT SIGNS

Temporary off-premises special event signs advertising or pertaining to a special event of general public interest taking place within the City may be authorized by the Community Development Director upon determination that such signs will not conflict with the general purpose of this Code. Such signs, when permitted, may not be installed prior to seven days before the event and must be removed within 24 hours after the event. Requests for permits must include a description of the event including place and duration, a depiction of the signs, a depiction of sign placement in relation to pedestrian and vehicle traffic, and a map showing all proposed sign locations. Unless otherwise approved by the Community Development Director, a land-lease agreement, proof of ownership or other suitable land use agreement for the specific site where the temporary off-premises special event sign is to be installed must be submitted to the City prior to issuance of a permit for construction of each sign.

### 19.8.10. OFF-PREMISES SIGNS

#### A. BILLBOARDS

##### 1. Applicability

Billboards are subject to the regulations of this section.

##### 2. Billboard Map

The map entitled, "City of Henderson Billboard Map", dated September 1, 1993, and as amended from time-to-time, is hereby adopted and made a part of this Development Code.

##### 3. Billboard Zone

The "Billboard Zone" is that area designated as such on the City of Henderson Billboard Map.

##### 4. Amendments to Billboard Map

Amendments to the billboard map must be applied for and processed in the same manner as amendments to the zoning map, as specified in Section 19.6.4.C, *Rezoning*s, with the following conditions:

- (a) Billboard zones may only be placed adjacent to streets listed on the Henderson Master Streets and Highways Plan.
- (b) Billboard zones must apply to both sides of the street. Billboard zones are intended to be corridors and, therefore, are not meant to overlay only one side of a street.
- (c) New billboard zones must be extensions of and contiguous to an existing billboard zone.

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(d) No billboard zone may be placed on residential zoning districts.

#### 5. Signs Prohibited Over Other Structures

No billboard may be erected over structures or mobile homes and, following construction of the sign, no building or mobile home may be constructed or placed beneath any part of a billboard.

#### 6. Lease Agreements

Unless otherwise approved by the Community Development Director, a land-lease agreement, proof of ownership or other suitable land use agreement for the specific site where a billboard is to be installed must be submitted to the City prior to issuance of a building permit for construction of each sign.

#### 7. Location

Billboard signs are allowed only within a billboard zone, as designated on the City of Henderson billboard map. The entire sign must lie in or above the billboard zone, and no part may lie in or overhang any lands not so designated. Billboards are prohibited within 100 feet of a residence. Unless otherwise approved by City Council through a master sign plan or variance, no billboard may be constructed on any parcel on which a structure other than a fence is constructed or for which any building permit has been issued. Unless otherwise approved by City Council through a master sign plan or variance, no billboard may remain on any parcel following construction of any other structure.

#### 8. Separation

No new billboard may be constructed within 750 feet of any existing billboard. For the purposes of this section, a sign for which a billboard permit has been issued will be considered an existing sign. The minimum required distance will be measured between points on the centerline of the adjacent street, and those points must reflect each sign's perpendicular relationship to that street's centerline. In no instance, however, because of a change in street direction or other measurement peculiarity, may the distance between signs be less than 750 feet when measured in a straight line.

#### 9. Height

(a) No billboard may exceed 50 feet in height, excluding allowable embellishments (e.g., extraneous decorations, such as two- or three-dimensional objects or text that extend beyond the primary frame or border of a sign or billboard).

(b) Each sign must be elevated a minimum of nine feet above the ground and may not have more than two supports. A billboard that adjoins a controlled access freeway and which becomes obstructed due to a noise abatement project within the right-of-way of that same controlled access freeway, may:

(1) Adjust the height or angles of the structure to restore visibility as allowed by the standards of this section, or

(2) Relocate the structure to another location where the owner has secured the right to locate and which conforms to the location standards of subsection 7 above.

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#### 10. Size

No billboard may have a display surface greater than 672 square feet, except for an embellishment, which may not be higher than five feet or exceed 128 square feet of additional surface. For the purposes of this standard, only one side of a back-to-back off-premises sign will be counted; however, two opposing faces may not exceed 45 degrees from parallel.

#### 11. Setbacks

No portion of a billboard may be closer than 25 feet to any existing or future public right-of-way.

#### 12. Life of Permit; Lapse of Approval

A billboard sign permit will remain in effect for a period of five years. Renewal of sign permits, including the payment of fees and completion of inspections, is required and must be completed in five-year increments. Failure to renew a sign permit in accordance with the provisions of this chapter will result in a penalty assessment and accrual of permit fees, the non-payment of which will result in a lien being placed on the real property upon which the sign is located. The billboard sign permit may be reissued for succeeding periods of five years from the date of reissuance if the following conditions exist:

- (a) The permit applicant must be an appropriately licensed sign contractor and must present all exhibits and fees required for a new billboard permit.
- (b) The subject sign must have been in the permitted location and must have been maintained in accordance with the requirements of this Development Code during the entire life of the expiring permit.
- (c) The subject sign must meet all of the requirements of this Development Code or qualify as a nonconforming billboard per Section 19.8.11.E, *Prohibited, Illegal, Unsafe, and Dilapidated Signs*.

#### 13. Permit Number and Address

The sign's owner, permit number, permit issuance and expiration dates, permittee's name and telephone number, and the sign's address as assigned by the City must be indicated on a four-inch by six-inch plate, or other approved substitute, installed so as to be readily accessible and readable, approximately six feet above the adjacent ground surface, on every billboard erected in accordance with the provisions of this section.

#### 14. Billboard Design Standards

- (a) Face, Frame, and Reverse Side Treatment of Sign
  - (1) The face of each permitted billboard must contain a discernable message or graphic at all times. A billboard that stands as a skeletal structure without message panels or that has all blank panels or panels removed or arranged in such a manner as to make the message unreadable will be considered in disrepair and not in compliance with the maintenance requirements of this Development Code.
  - (2) The structural members of all billboards and the reverse side of each single-faced sign must be painted to be compatible with the background surrounding it. Unless otherwise approved by the Community Development



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### SECTION 19.8.11 ADMINISTRATION AND ENFORCEMENT | 19.8.11.B BUSINESS LICENSE ISSUANCE/RENEWAL

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Director, for the purposes of this section, tan and light-brown colored paints will be considered compatible.

**(b) Lighting**

- (1)** Billboards may be illuminated internally or externally provided such external illumination be directed and shielded to limit direct illumination of any object other than the sign.
- (2)** A billboard's light source shall be boxed and integrated into the structure as to not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

**15. Conversion of Existing Off-Premises Sign Permits to Billboard Permits**

Each billboard sign that existed on November 21, 1991, and that met the definition of a billboard and that was properly permitted, constructed, inspected, and maintained in the City of Henderson will be issued a billboard permit and will be allowed to remain in place for the life of the permit, provided that it is maintained in accordance with the provisions of this Development Code. For the purposes of this section, regardless of the actual date of issuance of the billboard permit for each such previously existing, legally permitted, and legally constructed sign, the effective date of its permit will be November 21, 1991. Upon issuance of the billboard permit, all previous permits expire. Following the granting of a billboard permit by way of this conversion process, all signs must comply with all provisions of this Development Code. Any sign that did not at the time of conversion meet the locational or size requirements of this Development Code may not be altered unless it is brought into complete conformance with this Development Code.

**B. OTHER OFF-PREMISES SIGNS**

Regulations governing temporary off-premises signs can be found in the following sections:

1. Off-Premises Open House Signs, Section 19.8.9.F;
2. Off-Premises Kiosk Signs, Section 19.8.9.G;
3. Off-Premises Development Directional Signs, Section 19.8.9.H;
4. Temporary Off-Premises Election Signs, Section 19.8.9.I; and
5. Temporary Off-Premises Special Event Signs, Section 19.8.9.J.

## **19.8.11. ADMINISTRATION AND ENFORCEMENT**

**A. PERMIT REQUIRED**

Except as otherwise expressly provided in this chapter, all persons erecting, hanging, painting, installing, or otherwise placing signs in the City must first obtain a sign permit and/or master sign plan approval in accordance with the procedures of Section 19.6.7, *Master Sign Plans*.

**B. BUSINESS LICENSE ISSUANCE/RENEWAL**

Regardless of whether a business is owned by the property owner or by a tenant proprietor, no business license may be issued or renewed for premises on which a prohibited sign exists.

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### SECTION 19.8.11 ADMINISTRATION AND ENFORCEMENT | 19.8.11.D ABANDONED SIGNS

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#### C. SIGN ALTERATIONS

1. Billboards and Temporary Off-Premises Kiosks

Except for message and graphics changes on billboard signs or temporary off-premises kiosk signs, no billboard or temporary off-premises kiosk sign may be altered unless its sign permit is reissued.

2. Temporary Off-Premises Development Directional Signs

Except as otherwise authorized by the Community Development Director, no temporary off-premises development directional sign may be altered in any way, including message or graphics, unless its permit is reissued. The Community Development Director may authorize minor message changes on temporary off-premises development directional signs, such as corrections in the advertised telephone number or subdivision phase number, or other similar minor text or maintenance items. The term “minor message changes,” however, does not include changes in project or developer name or redesigning the fundamental message or graphics of the sign.

3. Signs Requiring Building Permits

No sign requiring a building permit by this Development Code may be altered unless its sign permit is reissued.

4. Signs Governed by Master Sign Plans

Except for message changes, no sign included in a master sign plan may be altered except as prescribed in its approved master sign plan.

#### D. ABANDONED SIGNS

1. Within 45 days of abandonment, all abandoned signs must be removed. Except for vehicle signs, a sign will be deemed abandoned when it no longer directs, advertises, or identifies a licensed business establishment, legal product, or activity. Upon determination by the Director of Building and Fire Safety that a sign has been abandoned for 45 days, the Director of Building and Fire Safety must notify the property owner of such condition and must allow the property owner no less than 10, but no more than 30, calendar days to complete at least one of the following actions:

- (a) Remove the abandoned sign and restore/repair building face to previous or like-new condition, which may include repainting of tenant space where signs were located;
- (b) Reoccupy the premises with a business requiring the same sign message and make any changes to the sign needed to bring it into conformance with the building, electrical, neon, and all other applicable codes adopted by the City Council at the time of reoccupancy;
- (c) Replace the former business message with the message of a public service organization and make any changes to the sign needed to bring it into conformance with the building, electrical, neon, and all other applicable codes adopted by the City Council. For the purposes of this section, naming the sign’s leasing agent will not be considered a qualified message; or
- (d) Apply to the Community Development Director for an extension of time up to an additional 45 days to reoccupy the premises with a licensed business. This request

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### SECTION 19.8.11 ADMINISTRATION AND ENFORCEMENT | 19.8.11.F REMOVAL PROCEEDINGS

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must be accompanied by a signed lease for occupancy of the premises by a user allowed under the terms of the Development Code, and the applicant must make any changes to the sign needed to bring it into conformance with this chapter and the building, electrical, neon, and other applicable codes adopted by the City Council. Appeals of the Community Development Director's decision or any request for an extension beyond that granted by the Community Development Director requires approval by the Planning Commission. An applicant appealing the Community Development Director's decision or seeking an extension beyond that granted by the Community Development Director must make any changes to the sign needed to bring it into conformance with this chapter and the building, electrical, neon, and other applicable codes adopted by the City Council.

2. If the property owner fails to complete at least one of the preceding four actions within the time specified by the Director of Building and Safety or within any extension of time granted by the Community Development Director or City Council, the Director of Building and Safety is authorized to initiate removal proceedings in accordance with this section.

#### **E. PROHIBITED, ILLEGAL, UNSAFE, AND DILAPIDATED SIGNS**

1. Weekend directional signs will be impounded immediately.
2. Uninspected off-premises signs will be considered unsafe and will be impounded immediately.
3. All signs blocking public sidewalks or other required pedestrian walkways or exit corridors will be impounded immediately, unless such sign has received permit approval.
4. Upon determination by the Director of Building and Fire Safety that a sign was not properly permitted, that a sign does not comply with the approved plans or other requirements of this chapter, or that such sign, through lack of maintenance or other damaging cause, has come into such disrepair that it must be renovated or removed, the Director of Building and Fire Safety must notify the property owner of such condition and must allow the property owner no less than 10, but no more than 30 calendar days, to make the repairs directed by the Director of Building and Fire Safety. If the property owner fails to remedy all deficiencies within the time specified by the Director of Building and Safety, the Director of Building and Safety is authorized to initiate removal proceedings.

#### **F. REMOVAL PROCEEDINGS**

1. Billboards
  - (a) All provisions for the removal of billboards set forth by NRS Chapter 278 apply. A public hearing must be scheduled before the Planning Commission to address the removal of a nonconforming billboard sign prior to final review of any development applications for a parcel upon which a nonconforming billboard exists. Public notice provisions of Section 19.6.3.B.4, Public Notice apply.
  - (b) The Community Development Director is authorized to initiate removal proceedings for billboards. When an imminent threat to public safety exists, the Community Development Director in consultation with the Director of Building and Fire Safety must immediately take any necessary actions to prevent public exposure to the danger, including demolition, if necessary, until the billboard is removed. All labor and material costs incurred for such preventive measures or removal (as determined by the City Finance Director) must be reimbursed by the

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property owner. The Director of Building and Fire Safety may place a lien against the parcel from which the sign was removed for any unreimbursed expenses.

- (c) Nonconforming billboards that are destroyed or damaged in excess of 50 percent of their material structural value as a result of a natural disaster, including, without limitation, a fire, flood, earthquake, windstorm, rainstorm, and snowstorm must be removed.
- (d) Nonconforming billboards must also be removed under the following circumstances:
  - (1) The owner of the real property upon which the Billboard is located terminates the lease that governs the placement of the nonconforming billboards on that property pursuant to the terms of that lease.
  - (2) The billboard is destroyed or damaged in excess of 50 percent of its material structural value as a result of a natural disaster, including, without limitation, a fire, flood, earthquake, windstorm, rainstorm, and snowstorm.
  - (3) The conditions of approval for development or redevelopment require the removal of a billboard. In this circumstance, the City may not require the removal of a nonconforming billboard until such time as a building permit is submitted to the Department of Building and Safety for vertical construction.
  - (4) For purposes of record keeping, when it is discovered that no permit exists for a nonconforming billboard, the City is authorized to require that a licensed sign contractor acquire a sign permit. This requirement to obtain a sign permit does not authorize the City to require the removal of a nonconforming billboard, unless otherwise required by the provisions of this section. The issuance and renewal of all billboard permits is required as set forth in Section 19.8.10.A.12, *Life of Permit, Lapse of Approval*.

#### G. OTHER SIGNS

1. For temporary off-premises kiosk signs and temporary off-premises development directional signs, the Director of Building and Fire Safety may, at the property owner's expense, remove the subject sign or cause the sign to be removed. Where an imminent threat to public safety exists, the Director of Building and Fire Safety must immediately take any necessary actions to prevent public exposure to the danger including demolition, if necessary, until the sign can be removed. The Director of Building and Fire Safety may also impound the removed sign for a period of 30 days or until the labor and material removal costs (as determined by the City Finance Director) are reimbursed to the City, whichever is sooner. If at the end of the 30-day impound period the property owner has not reimbursed the City for the removal expenses and claimed the sign, the sign may be disposed of at the discretion of the Director of Building and Fire Safety. The removal expense to be reimbursed for each sign will be the cost for labor and materials as determined by the City Finance Director or the applicable sign permit fee that would apply if such sign was being newly installed, whichever is greater.
2. For regulations regarding removal of temporary off-premises election signs, refer to Section 19.8.9.I, Temporary Off-Premises Election Signs.

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### SECTION 19.8.12 MEASUREMENTS AND INTERPRETATIONS | 19.8.12.A SIGN AREA

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3. For all other signs except vehicle signs, the Director of Building and Fire Safety may, where an imminent threat to public safety exists, take any necessary actions to prevent public exposure to the danger, including demolition if necessary, until the sign is removed. Such preventive measures or removal (as determined by the City Finance Director) must be reimbursed by the property owner. The Director of Building and Fire Safety must impound the removed sign for a period of 30 days or until the removal expenses are reimbursed to the City, whichever is sooner. If at the end of the 30-day impound period the property owner or his authorized agent has not reimbursed the City for the removal expenses and claimed the sign, the sign may be disposed of at the discretion of the Director of Building and Fire Safety. The removal expense to be reimbursed for each sign will be the cost for labor and materials as determined by the City Finance Director or the applicable sign permit fee that would apply if such sign was being newly installed, whichever is greater. The Director of Building and Fire Safety may place a lien against the parcel from which the sign was removed for any unreimbursed expenses.
4. For vehicle signs, the Director of Building and Fire Safety may, where an imminent threat to public safety exists, take any necessary actions to prevent public exposure to the danger, including causing its removal and impoundment if on private property, or notification of the Police Department if on a public right-of-way. If an imminent threat to public safety does not exist, the Director of Building and Fire Safety may issue a misdemeanor citation for each day in which the violation occurs. At such time as the Director of Building and Fire Safety determines that the vehicle or vehicle-mounted sign has been abandoned, the Director of Building and Fire Safety is authorized to cause it to be removed and disposed of it in the same manner as any other abandoned vehicle.

#### H. EXCEPTIONS AND MODIFICATIONS

The Planning Commission is authorized to approve exceptions to and modifications of sign regulations of this chapter only in accordance with the master sign plan regulations of Section 19.6.7, *Master Sign Plans*.

### 19.8.12. MEASUREMENTS AND INTERPRETATIONS

#### A. SIGN AREA

##### 1. Sign Face

The area of a sign face is based on the outer dimensions of the frame or cabinet surrounding the sign surface area.

##### 2. Channel (Individual) Letter Signs

The area of a sign comprised of individual letters or elements attached to a building wall is determined by calculating the area of the smallest geometric shape (e.g., square, rectangle, circle, polygon, etc) with no more than eight sides that can be drawn around the letters and/or elements. Signs consisting of individual letters and/or elements will be measured as one sign when the distance between the letters and/or elements is less than the largest dimension of the largest sign letter. (Figure 19.8.12-A.)

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SECTION 19.8.12 MEASUREMENTS AND INTERPRETATIONS | 19.8.12.A SIGN AREA

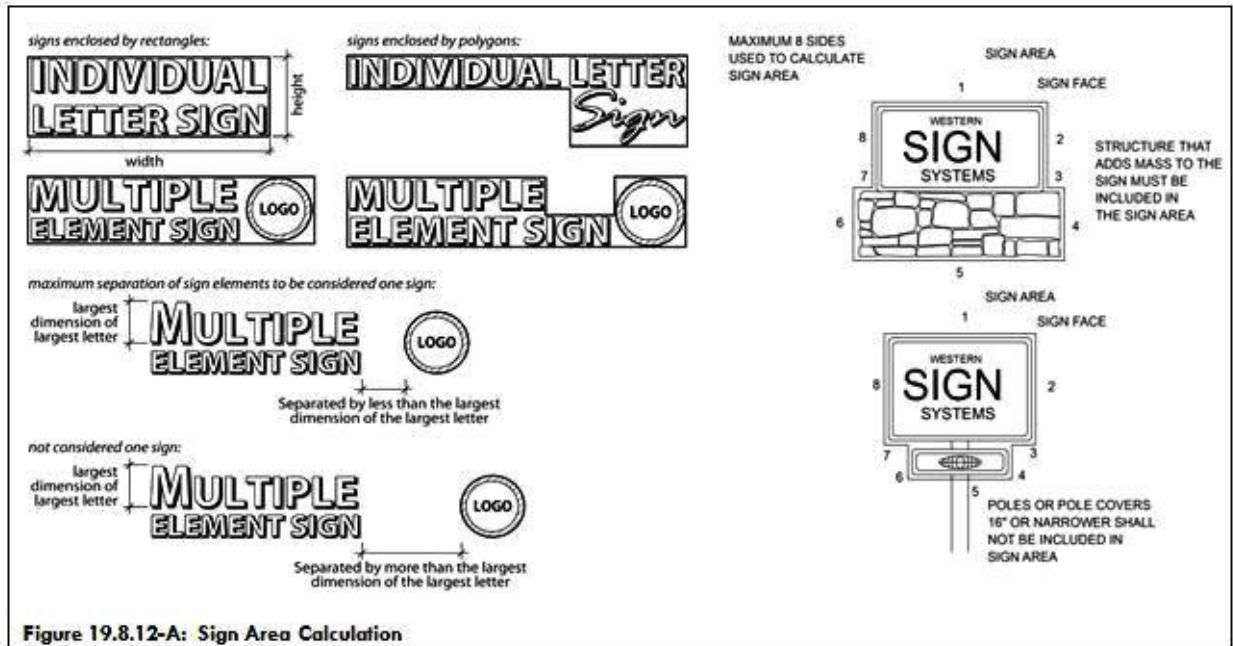


Figure 19.8.12-A: Sign Area Calculation

**3. Multi-Sided Signs**

When the sign faces of a multi-sided sign are parallel or within 45 degrees of parallel, only one side is counted. If the sign faces are not parallel or within 45 degrees of parallel, all sign faces are counted. (Figure 19.8.12-B).

**4. Projecting, Roof-mounted and Freestanding**

Means the sign face of any single-faced freestanding, roof-mounted or projecting sign and the largest side only of any double-faced freestanding, roof-mounted or projecting sign shall be counted in calculating its area. One-half the total area of any spherical, round, oval, elliptical, polygonal, totem, or any other sign having more than two faces shall be counted in calculating its area.

The area of the sign shall be measured as follows:

For each sign face, a rectilinear line of not more than eight sides shall be drawn around and enclosing the perimeter of all cabinets or modules and their structure where the structure adds mass to the sign. Such area within the rectilinear line shall be the total sign area of that face. The perimeter of the measurable area shall not include incidental embellishments such as poles and pole covers 16 inches or narrower, framing, etc., provided that such embellishments do not include any advertising message,

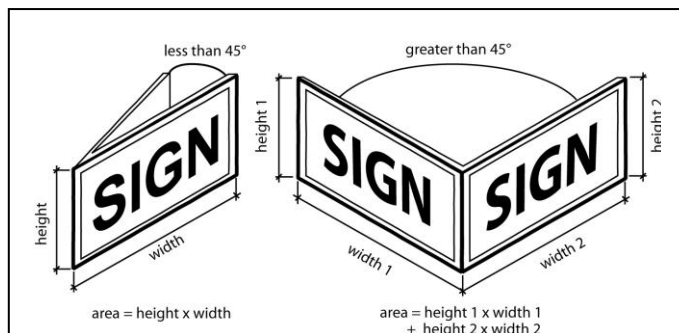


Figure 19.8.12-B: MULTI-SIDED SIGN FACE AREA CALCULATION



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### SECTION 19.8.12 MEASUREMENTS AND INTERPRETATIONS | 19.8.12.B FRONTAGE

announcement, declaration, insignia, or mural, or are otherwise erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product or service. (See Figure 19.8.12-A)

## B. FRONTAGE

The wall sign regulations of this chapter are based on either “building frontage” for buildings with a single primary entrance or “tenant frontage” for buildings where each tenant has its own entrance. Regardless of the height, number of stories, or number of tenants in a building, frontage will be determined by one measurement of the horizontal length of the exterior wall at floor plate level. Buildings frontage must be measured along a flat, unbroken plane, regardless of the presence of recesses or projections along the building wall.

### 1. Building Frontage

The following rules govern the measurement of building frontage: For buildings occupied by a single tenant or multiple tenants that access the building via a common entrance, building frontage is the horizontal measurement of the exterior building wall (or walls) that: (1) is adjacent to a street or a parking area or other vehicle or pedestrian circulation area that is accessory to and serves the subject building and (2) contains either windows or a public building entrance. Allowed wall sign area for a building that has two or more building frontages must be calculated on the basis of each individual building frontage. (Figure 19.8.12-C.)

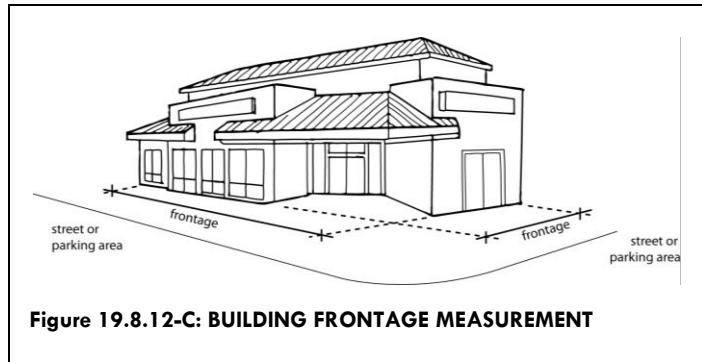


Figure 19.8.12-C: BUILDING FRONTAGE MEASUREMENT

### 2. Tenant Frontage

For tenants that are located on the first or second floors of a building and have their own building entrance, building frontage is the horizontal measurement of the exterior building wall (or walls) that directly abuts the tenant’s interior floor space (at floor plate level) and that: (1) abuts, parallels, or is the nearest to parallel with a street or a parking area or other vehicle circulation area that is accessory to and serves the subject building and (2) contains either windows or a public building

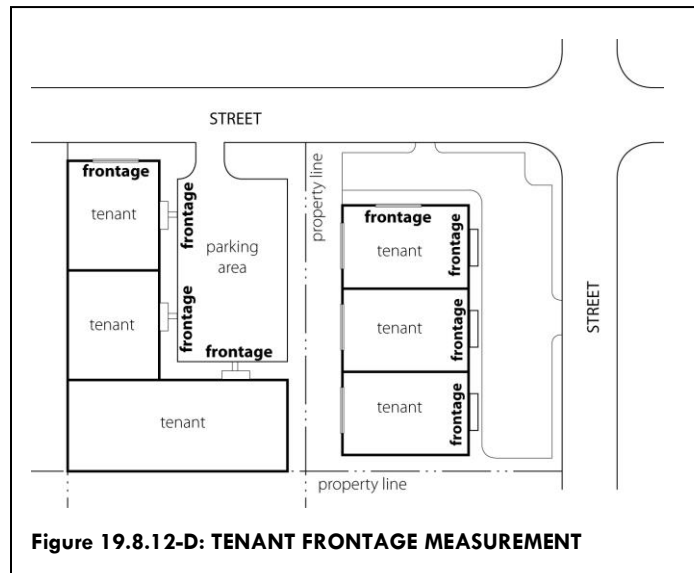


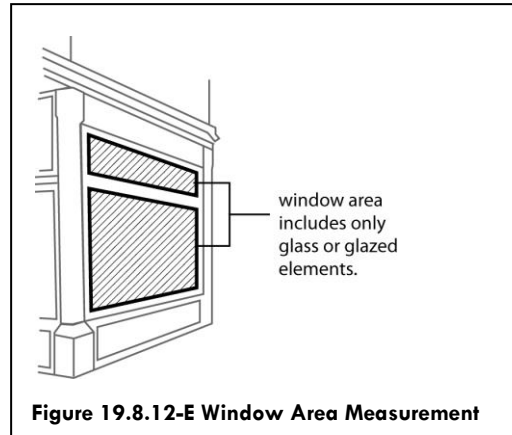
Figure 19.8.12-D: TENANT FRONTAGE MEASUREMENT

## CHAPTER 19.8: SIGNS

### SECTION 19.8.12 MEASUREMENTS AND INTERPRETATIONS | 19.8.12.D SIGN HEIGHT

entrance. A tenant that has two or more building frontages must calculate the permitted sign area on the basis of each individual building frontage. (Figure 19.8.12-D.)

In no instance may the total combined sign area for all signs exceed the cumulative maximum allowed sign area for the individual tenant frontages, as determined in accordance with the provisions of Section 19.8.7.B.1, *Maximum Area*.

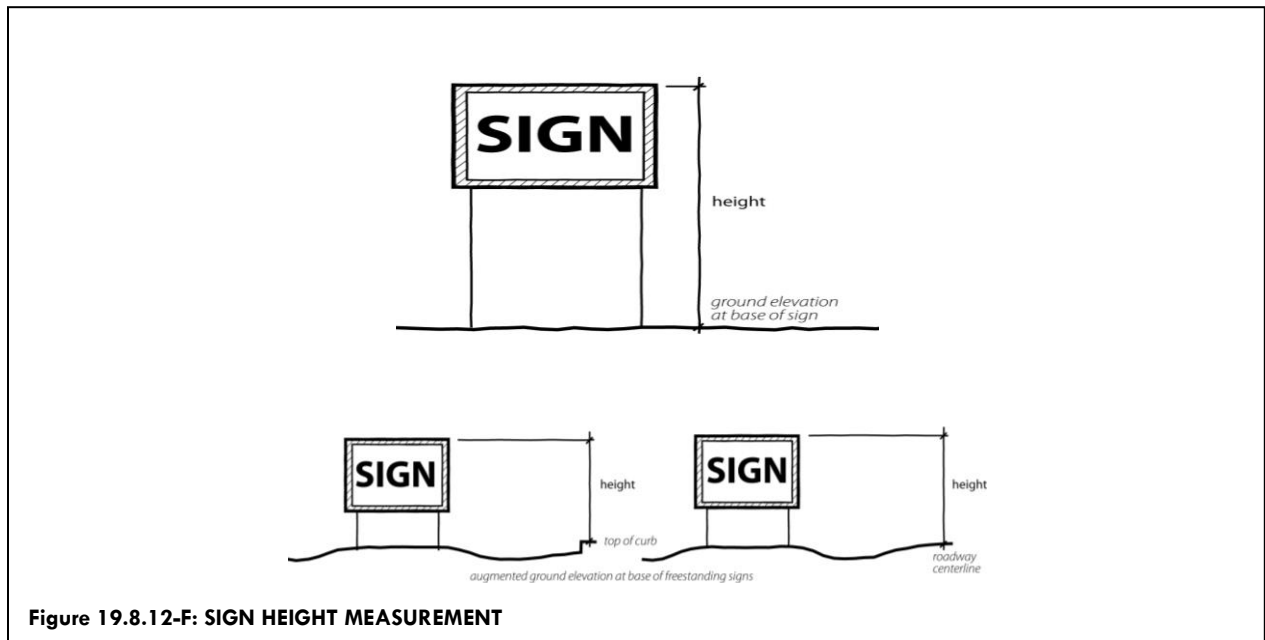


#### C. WINDOW AREA

The area of a window includes only the glass or glazed elements of the window. Frames, mullions, and similar features are not counted as part of the window area. (Figure 19.8.12-E.)

#### D. SIGN HEIGHT

The height of a sign must be computed as the distance from the highest point of the sign or sign structure (including any framework or embellishments) to the average finished grade at the base of a freestanding sign. If the ground elevation at the base of a freestanding sign is augmented in a manner that adds height to the sign but not to surrounding buildings, sign height must be measured from the top of curb of the nearest street or road. If no curb exists, height must be measured from the highest point of the sign structure to the centerline pavement elevation of the nearest street or road. When street or road improvements are planned to the nearest street or road, the measurement must be made from the projected, improved curb (or centerline) grade. (Figure 19.8.12-F.)





## CHAPTER 19.8: SIGNS

### SECTION 19.8.12 MEASUREMENTS AND INTERPRETATIONS | 19.8.12.G DETERMINATION OF "VISIBILITY" OR "LEGIBILITY"

#### E. SIGN CLEARANCE

The vertical distance between the highest point of the ground immediately beneath the sign and the lowest point of the sign itself, including framework and embellishments extending over the ground. (Figure 19.8.12-G.)

#### F. SIGN BASE

The solid base of a monument sign must be equal to or greater than the width of the sign face with no separations between the sign and base. The supporting base must have a minimum 12-inch vertical height. The height of any monument sign base or other structure erected to support or adorn the sign is measured as part of the sign height.

#### G. DETERMINATION OF "VISIBILITY" OR "LEGIBILITY"

1. When this chapter requires a determination of "visibility," the standard is based on the eyesight of an adult eligible to receive a Nevada driver's license (wearing any corrective lenses required by such license). Where the height of the person is material to the determination, the person will be presumed to be between five and six feet in height.
2. In determining visibility of a sign from property used or zoned for residential purposes, it will be assumed that a two-story residence will occupy the property with second-story windows facing the sign.
3. In determining legibility, the reader will be assumed to have a high school education.

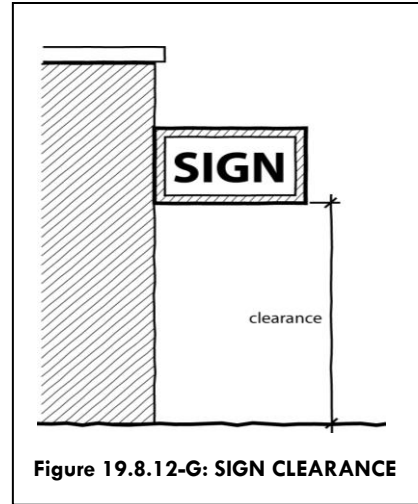


Figure 19.8.12-G: SIGN CLEARANCE