

Memo



Date: September 7, 2011
File: Sign Bylaw Amendment No. 18 (TA11-0004)
To: City Manager
From: Land Use Management, Community Sustainability (PMc)
Subject: Amendment to Sign Bylaw No.8235 to clarify regulation of electronic changeable copy signs, Project Signs, and Project Banner Signs
Report Prepared by: Paul McVey

Recommendation:

THAT Sign Bylaw Amendment No. 18 to amend City of Kelowna Sign Bylaw No. 8235, by adding text as per Schedule "A" as outlined in the report of the Land Use Management Department dated September 2, 2011 be considered by Council.

Purpose:

This amendment to Sign Bylaw No. 8235 seeks to clarify regulations related to the operation of Electronic Changeable Copy Signs, and the use of temporary marketing signs comprised of Project Signs and Project Banner Signs related to development project marketing and directional way-finding.

Background:

In January 2011, Council directed Staff (through Service request #185719) to review project development signage regulation for multiple unit residential and subdivision projects with show suites in order to provide increased certainty and clarity with respect to development marketing and business signage. Specifically, the Council resolution stated:

THAT staff report back to Council with respect to potential amendments to the City's Sign Bylaw so that multi-family developments already approved by Council, and approved subdivisions with show suites, can erect signage on the site in order to promote the development to the public;

AND THAT the potential amendments include a timeline for how long the signage can be displayed and whether or not the signs can be illuminated;

AND FURTHER THAT Council directs staff to engage the development community with respect to the potential amendments.

Accordingly, it is envisioned that the changes to the project marketing signage and project banner signs will accommodate visual marketing for temporary and permanent signage and will provide clarity to Staff and the development community for marketing purposes. The exact proposed wording changes to the bylaw are shown in Schedule "A" attached to this report.

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In addition, Staff are incorporating changes to the electronic changeable copy sign regulations. Owing to the number of electronic changeable copy signs recently proposed and the lack of clarity in the Sign Bylaw, this amendment aims to provide clearer regulation to guide the operation and programming of electronic changeable copy signs in response to evolving technology.

Staff has researched Sign Bylaws from other similar sized communities in British Columbia and have collaborated with the UDI, which represented the collective voice of the development community. These amendments to the Sign Bylaw for development signage are the collaborative result for improved signage regulations which are summarized below.

1.1 Project and Development Signs

The current Sign Bylaw only defines “Contractor Sign” when referring to temporary signs identifying a project or development. The Urban Development Institute (UDI) felt that this definition was too limited and did not meet the marketing requirements of the industry. This text amendment proposes to add a new definition for “Project Sign”, and set out regulations that allow for a larger sign area and adding timelines for installation. In addition to the “Project Sign” amendments, this text amendment also proposes to add a definition for “Banner Sign - Project” to allow banners to be installed on street lights or flag poles to serve as way-finding to development sales offices. Additionally, there has also been an amendment to allow off-site directional signs to provide public way-finding to project sales offices.

1.2 Changeable Copy Signs

The Sign Bylaw currently includes regulation regarding changeable copy signs, however the regulation is vague and open to interpretation regarding automatic or electronic switching. As well, the bylaw does not include provision for new forms of electronic sign technology that is currently sought by businesses. The proposed text amendment adds a new definition for “Electronic Changeable Copy Signs”, and groups the operating restrictions under one clause and adds regulation to the number of times that a message can electronically change.

In summary, this Text Amendment aims to provide clarity for project signs, project banner signs, and electronic changeable copy signs, that are more responsive to the development market and business requests while also introducing regulations that will fairly and consistently apply to all sign permit approvals. These changes have been circulated to the UDI local chapter and are generally endorsed by their staff representative.

Internal Circulation:

Bylaw Enforcement Services
Building and Permitting Branch

Legal/Statutory Authority:

Community Charter, Part 3, Division 1, Sec. 65

Existing Policy:

Sign Bylaw No. 8235

External Agency/Public Comments:

Urban Development Institute, Okanagan Chapter
Advisory Planning Commission

Considerations not applicable to this report:

Financial/Budgetary Considerations

Personnel Implications

Legal/Statutory Procedural Requirements

Submitted by:



Danielle Noble, Manager, Urban Land Use Management

Approved for inclusion:



Shelley Gambacort, Director, Land Use Management

cc: Bylaw Enforcement Supervisor, Al Dixon
Chief Building Official, Doug Patan

Attachments:

Schedule "A"

SCHEDULE 'A' TA11-0004

Sign Bylaw No. 8235			
No.	Section	Existing Text	Proposed Text
1	1.3.1 - definitions	No definition in bylaw	Add new definition for "Banner Sign - Project" <i>'Banner Sign - Project' means a sign composed of material either enclosed or not enclosed in a rigid frame, which may be secured or mounted so as to allow movement of the sign caused by air movement, and is used to promote a development project or subdivision, and provides direction to the project sales centre.</i>
2	1.3.1 - definitions	No definition in bylaw	Add new definition for "Changeable Copy Sign - Electronic" <i>'Changeable Copy Sign - Electronic' means a sign on which the message copy is displayed by means of electronically controlled illumination of lamps, tubes, or Light Emitting Diodes (LED), or other electronic technology which can be changed through computer programming. A changeable copy sign - electronic must include public service information. A changeable copy sign- electronic may be a freestanding sign or a fascia sign, and must comply with appropriate sections of the sign bylaw.</i>
3	1.3.1 - definitions	No definition in bylaw	Add new definition for "Project Sign" <i>'Project Sign' means a temporary sign erected on a development, subdivision or construction site, or on the road leading to a sales centre for a development, subdivision or construction site, that names and describes the project and provides marketing information relating to the project, which may include project name and/or logo, contact information and/or office hours. This sign may also lists the names of the consultants involved on the development team. The sign may be a free-standing or fascia sign.</i>
4	Section 2.3.1	Add new section 2.3.1(f1) to address Project Signs	<i>(f1) project signs provided that; (i) such project signs are located on the same site as the development; (ii) the maximum cumulative total area of project signs is less than 9.0 m² and 4.5 m in height measured from natural grade in all zones; (iii) there is no more than three project signs per lot frontage or flanking street for lots with less than 100m frontage, or a maximum of six signs for lots greater</i>

Sign Bylaw No. 8235

No.	Section	Existing Text	Proposed Text
5	Section 2.3.1	Add new section 2.3.1(k1) to regulate Banner Signs - Project.	<p><i>than 100m frontage; and</i></p> <p><i>(iv) the display of such project signs shall not commence before the associated rezoning bylaw has obtained third reading, the Development Permit application is submitted, or the subdivision has received preliminary layout review. The display of project signs will be limited to a period of three years after the Development Permit is issued or three years after the subdivision is approved. Should the project not continue to actively proceed for a period of one year or more, the project signs shall be removed.</i></p>
6	Section 3.1.3	No person, owner or tenant shall permit off-site signs including billboards, except for a temporary directional sign for the purpose of selling agricultural products in accordance with the provisions of Section 5.6.1 of this Bylaw.	<p><i>(k1) Banner Signs - Project for the promotion of development projects, such as sales centres for subdivisions or multiple unit residential projects, shall be permitted to be mounted on ornamental street lighting standards leading to the sales centre, or to temporary flag poles installed in the road right of way with permission from the appropriate City agency. There shall be a maximum of 2 banners to each lamp standard at a maximum combined area of 2.8 m² to each lamp standard, provided the lamp standards or flag poles are located within 500m of the sales centre. Permission to mount the banner must be obtained from the owner of the lamp standard. These banners may contain the corporate logo of both the developer and the project name. The 'banner signs - project' may remain in place for the duration of the project, but must be removed within 14 days of the project no long being marketed.</i></p>
6	Section 3.1.3	No person, owner or tenant shall permit off-site signs including billboards, except for a temporary directional sign for the purpose of selling agricultural products in accordance with the provisions of Section 5.6.1 of this Bylaw.	No person, owner or tenant shall permit off-site signs including billboards, except for a temporary directional sign for the purpose of selling agricultural products in accordance with the provisions of Section 5-6-4 5.7.1 of this bylaw.

Sign Bylaw No. 8235

No.	Section	Existing Text	Proposed Text
7	Add new Section 3.1.3a	Adds new section to add regulation to control off-site directional signs.	<i>No person, owner or tenant shall permit off-site signs including billboards, except for temporary directional signs for the purpose of directing traffic to a development project or subdivision sales centre in accordance with the provisions of Section 5.7.1a of this Bylaw.</i>
8	Add new section 5.7.1a	Adds new section to control Off-Site real estate signs	<i>Off-site free standing Project Signs are permitted only if; (a) the off-site project sign is erected for the purpose of directing traffic to the sales centre associated with a development project or subdivision which creates greater than 20 lots or units; (b) the off-site project direction signs are located on lots abutting road intersections leading to the sales centre; (c) the off-site project direction sign is limited to a maximum size of 3m²; (d) The maximum number of off-site signs is limited to 4 signs; (e) all project signs must be removed within 14 days of the project no long being marketed; (f) the developer obtains written permission from the appropriate land owner upon which the signs are to be located.</i>
9	Add new Section 5.10 for Electronic Changeable Copy Signs	Adds new section to control Electronic Changeable Copy Signs	<i>5.10.1 An Electronic Changeable Copy Sign is permitted if it; (a) is part of a freestanding or fascia sign; (b) incorporates public service information (time, date, or temperature) for a portion of the message; (c) limits the change to the complete message to one change per minute; (d) does not incorporate any form of scrolling, fading, movement of any kind as part of the change of message; (e) does not incorporate any form of animation, moving letters, symbols, or image, or any change in intensity of illumination to the message; (f) does not incorporate any form of chasing borders or animation of any kind to the sign or message.</i>