



Request for Decision

Agenda Date: February 14, 2018
Date: February 14, 2018
Memo to: Council
From: Chief Administrative Officer
Subject: Letter from L. Lindberg, Sign Bylaw No. 477, 2010

Recommendations/Options:

1. That Council ask the CAO to send a letter of thanks to Mr. L Lindberg for his observations in his letter, and
That Council asks staff to do a full review of the Sign Bylaw with a view to simplify and adapt current sign options, promoting a simplistic, clean presentation within the community.
2. That Council endorses adding storefront signage to any future façade incentive program that may be considered.

Purpose/Issue

A letter to Council was received. The CAO has been asked to address the concerns voiced, related to the Sign Bylaw No. 477, 2010. The motion of Council reads as follows:

R17-18

That staff bring back a report on the letter to Council from Mr. Lindberg related to his sign complaint, and outline any sign bylaw inconsistencies that can be addressed.

Background

A letter addressed to Council from Larry Lindberg, a resident of Clinton, was received January 16th and published in the Council agenda of the January 24th meeting. He addressed his displeasure with a new sign erected at the Cariboo Lodge described as a "neon type flashing billboard". He notes the speed of change is 6 times per minute. He adds that this type of sign exposure will cause undue stress and illness to the community.

As a taxpayer, he wishes to ask Council to change the bylaw to read "static signs only" and have existing permit holders comply.

Also, he notes a lack of appreciation given him at the Village office when noting his concerns to the CAO.

Mr. Lindberg is the owner of a beautiful heritage home at 1400 Cariboo Hwy, on the corner of Dewdney Avenue and Hwy 97, directly across from the Petrocan and approximately 200 yards



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away from the Cariboo Lodge. His home is situated within the business corridor of the Village of Clinton and zoned Commercial 1.



Looking west from the Cariboo Lodge sidewalk, towards the home of L. Lindberg.



Looking east from the side of L. Lindberg property, towards the Cariboo Lodge. Sign can be seen just past porch frontage.



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As a matter of practice, staff requests all residents to voice their concerns at the Village office so the issue can be recorded, and further discussed in a respectful and productive manner. Appropriately, Mr. Lindberg approached the CAO with his concerns. The Sign Bylaw was reviewed along with the permit process, and finally what process would be needed to invoke any changes to the existing Bylaw, which was the precipice to this letter.

The CAO extends her apology to Mr. Lindberg for any misunderstanding he may have; the comment 'to cover his windows' was related to his question "What do I do if the Petrocan across the street wishes to put up a flashing sign?" was offered as a possible solution and not as an offence to him personally.

All residents and business pay taxes towards operations and services within the Village. Tax rates are not the same for each classification. Business/Commercial 1 zone pays 2.09 times more than the residential rate. Appropriately, we encourage business growth and development along the main Highway and business corridor. Business must be allowed to advertise for their permitted uses, without dominating the appearance of the area.

The Cariboo Lodge made application to the Village for a sign permit, in accordance with the Sign Bylaw No. 477, 2010 on October 12, 2017. The permit proposed an alteration to an existing freestanding sign, replacing a section with a new LED illuminated sign. This new section will ultimately replace six (6) sections of the existing sign. Commercially zoned properties are permitted two (2) signs in total. With this replacement, the information from all six signs due to be removed, can be combined on one (1) LED sign.

With the approval of this sign, the CAO has allowed a 1-year compliance time frame for a height reduction to 11 feet, to meet the Bylaw requirements. As well, as only one freestanding sign is permitted per property, the removal of a second large sign to the north east of the property will also be removed within this time frame.

When the sign was first installed, the business took some time to learn the controlling program, which caused some discomfort to residents. Now, the business owners have been happy to comply with requests from the Village to reduce the rate of change to the messaging and have added many community messages and local photos, highlighting the community as a whole.

It should be noted that many signs in the Village are non-compliant to the existing Bylaw. Many non-compliant signs do not have a permit request or approval from the Village.

The Village of Clinton Sign Bylaw No. 477, 2010 is a 40 page document. There are several inconsistencies within the document that should be addressed in the next rewrite. Issues in the bylaw that relate to this complaint are as follows:



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Within the Bylaw we are provided with the following definitions:

1.20 Flashing Sign - means an artificially illuminated sign including, any part of which is intermittently illuminated while the sign is in operation, any illuminated part of which moves or intended to move, or any illuminated part of which is operated by varying either the intensity or colour of the light.

1.21 Fluorescent Sign - means a sign that contains fluorescent tubes, designed to illuminate the sign.

1.26 Moving Sign - means any sign that has mechanical or electronic movement with the exception of time and temperature.

There is no definition for an LED sign of which the Cariboo Lodge originally applied for. As both the Village and some gas stations have existing LED signs and is noted as an approved sign in the Bylaw, a new LED for this applicant was approved.

Relaxed definitions can be adopted to incorporate the variety of signs used and now available for purchase.

3.4 Prohibited Signs:

3.4.1 No person(s) shall display the following sign(s) anywhere within the Village:

- a. Roof top sign(s);
- b. Flashing, animated, and/or moving sign(s);
- c. Billboards(s);
- d. Backlit signs (see section 5.8 for illumination);
- e. Inflatable sign(s);
- f. Portable sign(s), unless approved within this bylaw; and
- g. Sign(s) that, in the opinion of the Village of Clinton, contain discriminatory language or depictions.

There are examples of most of these prohibited signs throughout the Village now. It is difficult to know if they existed prior to this Bylaw coming into force, or after, as little has been done to enforce this Bylaw. As the Bylaw is more than 7 years old, it is likely most prohibited signs that exist today have been installed since the rules were put into place.

5.2 Design Guidelines & Requirements

5.2.1 The design of signs shall be consistent with the following provisions:

- f. Neon tube signs within a sign area not exceeding 0.5m² are permitted, but shall not be located on a canopy or awning, or with a portable sign;



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- i. Signs shall not include changeable text, except for a community notice board or sign located on a service station premises;

Custom neon tubes signs are in short supply and are cost prohibitive. They are less likely to be custom made.

A local government and its bylaw cannot provide an unfair advantage for one business over another. The exception provided in 5.2.1 (i) above, is not zone related, but business related. The changeable text referred to is the Village LED sign which changes screens at a rate of 10 times per minute (faster than the Cariboo Lodge sign). Some service stations are currently operating with LED signs for price of fuel, as well as scrolling multicolored LED advertising.

5.8 Material and Illumination

5.8.1 The following are acceptable forms of material and illumination:

- c) spotlights, floodlights, or other incandescent light fixtures that are focused directly on the face of the sign;
- d) solid sign panels that are haloed by hidden reflecting light;
- h) backlit signage of any type is prohibited.

NEON and LED are not addressed. The lighting for signage suggested here is obsolete and has been replaced with more efficient and digitally enhanced alternatives. Static signs, as requested by Mr. Lindberg, have become less used since they do not provide the ability to change the message; static signs often give a busy or cluttered view to the business property as a whole.

The current Sign Bylaw can be updated to meet current lighting standards and options available to the business owner. Maintaining a minimum number of signs and avoiding a cluttered look to each business should be the objective. The western theme can be incorporated and can be tastefully approached with both LED and digital signage.

An assessment of the current signage at each business could be required, with an aim to collaborate with the business in reduction to the clutter of signs, while maintaining the need to display information to the customers.

If a sign bylaw is re-written, enforcement plays an equal role in achieving a positive outcome. A collaborative effort by all business owners will result in a pleasant and impressive store front for all owners.

Financial Impact

The sign costs to the business owners can be well over \$5000. This is a substantial investment towards a future economic return. If new signage purchases or upgrades were part of an



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incentive program, like a business façade program, many businesses may be encouraged to participate.

Monika Schitteck, CAO