

AGENDA – WORKSHOP OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, APRIL 15, 2013, AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COUNCIL INPUT AND DISCUSSION:** REGARDING THE PROPOSED UPDATE TO THE UNIFIED DEVELOPMENT CODE REGARDING ELECTRONIC SIGNS.

Ms. Lata Krishnarao, Director of Community Development.

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

Workshop Item No. 1

1. **COUNCIL INPUT AND DISCUSSION:** REGARDING THE PROPOSED UPDATE TO THE UNIFIED DEVELOPMENT CODE REGARDING ELECTRONIC SIGNS. *Ms. Lata Krishnarao, Director of Community Development*

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: April 15, 2013	ITEM NO.: Workshop Item No. 1
DATE SUBMITTED: April 5, 2013	DEPARTMENT OF ORIGIN: Planning
PREPARED BY: Lata Krishnarao	PRESENTOR: Lata Krishnarao
REVIEWED BY: Mike Hodge	REVIEW DATE: April 8, 2013
SUBJECT: Proposed update to the Unified Development Code (UDC) regarding Electronic Signs.	
EXHIBITS: None	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: N/A ACCOUNT NO.: N/A PROJECT NO.: N/A	
To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Chamber of Commerce has been working with staff to amend the regulations regarding electronic signs. A workshop was held in February with the City Council in this regard. Several changes have been proposed to the current regulations regarding Electronic Changeable Message Signs (ECMS), as shown below. The additions are shown in red, and deletions are stricken out.

In summary, the amendments include the following:

1. Changing the static time from six (6) seconds to two (2) seconds.
2. Permit scrolling signs that are currently not permitted.
3. Remove restriction on colors and allow more than one color. Currently, the flashing display (i.e., changeable message) portion is limited to one (1) color, and limited to white, gold, yellow, red, blue, or green.
4. Require that all Electronic Changeable Message Signs (ECMS) shall be equipped with automatic dimming technology

5. Require that ECMS shall not exceed a brightness level of three-tenths (0.3) of a foot candle above ambient light.

6. Add the following definitions -

(369) SIGN, ANIMATED: A sign with any visual effect of a light source which causes the perception of movement of graphics or text.

(376) SIGN, FLASHING/BLINKING: Sign with a type of animation characterized by cyclical switching of visual content between on and off states in rapid successive increments of less than two (2) seconds.

(392) SIGN, SCREEN TRANSITION: A type of animation used to transition from one message to another and lasting less than 1 second.

(393) SIGN, SCROLLING: Sign with a type of animation which causes displayed text or graphics to move continuously up, down, or across the screen, so that a line of text or graphics appears at one edge of the screen for each line that moves off the opposite edge.

RECOMMENDED ACTION

Consider the proposed amendments.

Unified Development Code

Proposed changes to regulations regarding Electronic Changeable Message Signs

Additions are shown in red, deletions are stricken out.

Chapter 4

Section 4.2.5.3 (b)

(7) Electronic Changeable Message Sign (**ECMS**): An electronic changeable message sign that conforms to the size and locational requirements of this Section shall be permitted with adherence the following:

a. Each message displayed on an electronic changeable message sign must be static or depicted for a minimum of ~~six (6)~~ **two (2)** seconds. The scrolling of messages **and screen transitions are** is permitted, ~~but must also conform to the minimum of six (6) seconds static display.~~ **Unless scrolling, a single screen or message must be static for at least two (2) seconds before a new screen or message may be displayed. Screens which change at a more rapid rate will be considered flashing and are prohibited. Scrolling messages designed to resemble flashing signs are also prohibited. All other animations, including videos, flashing / blinking, and other visual motion effects, are not permitted. No content may resemble any sort of traffic control, warning, or regulatory device in its shape, symbol, text, or attention getting effects.**

b. ~~The flashing display/~~**electronic display** (i.e., changeable message) portion shall not exceed twenty-five (25) percent of the total allowable effective sign area.

c. ~~The flashing display (i.e., changeable message) portion shall be limited to one (1) color, and shall be limited to white, gold, yellow, red, blue, or green. The Planning Director shall determine whether proposed colors conform to these colors.~~ **There will be no restriction of color use for any ECMS.**

d. The addition of any flashing display (i.e., changeable message) to any nonconforming sign is prohibited.

e. **All ECMS shall be equipped with automatic dimming technology that adjusts brightness in direct correlation with ambient light conditions. Existing signs that lack this technology need not conform to this requirement.**

f. **No ECMS shall exceed a brightness level of three-tenths (0.3) of a foot candle above ambient light as measured using a foot candle meter at a preset measuring distance from the sign face. Measuring distance shall be determined by taking the square root of the product of the electronic display portion of the sign area and one hundred.**

Example: For a 12 square foot sign, measuring distance = $\sqrt{(12 \times 100)} = 34.6$ feet from the sign.

Existing signs that lack this technology need not conform to this requirement.

Chapter 5

Add the following definitions.

(366) SIGN: Any object, device or display facing the exterior (outdoors), which is used to inform or give direction or to advertise or identify a person, organization, business, product, service, event or location by any means, including words, letters, numbers, symbols, figures, or illumination.

(367) SIGN COPY: The letters, numbers, symbols or geometric shapes, either in permanent or changeable form, on the surface of a sign.

(368) SIGN PERMIT: A City-issued permit that authorizes the display, erection, rebuilding, expansion or relocation of any on-premises or off-premises sign and that conforms to Chapter 4, Article 1, Division 2, Section 4.1.2.6 of this UDC.

(369) SIGN, ANIMATED: A sign with any visual effect of a light source which causes the perception of movement of graphics or text.

(370) SIGN, ATTACHED: Any sign attached to, applied on or supported by any part of a building or accessory structure, including awnings and other similar permanent attachments to the buildings. Also may be referred to as "building sign".

(371) SIGN, BILLBOARD: A, off-premise sign which is subject to regulation under the provisions of the Federal Highway Beautification Act, 23 U.S.C.A. Section 131 et seq., as amended.

(372) SIGN, BLADE: A non-illuminated panel sign with dimensional copy suspended from a decorative bracket attached to the building, typically upon a merchant's storefront, permitted for occupant identification purposes only, and limited to 1 blade sign per public entrance where public foot traffic occurs, and limited to two square feet per face.

(373) SIGN, BUILDER/SUBDIVISION: Any sign that advertises 1) a new subdivision for the purpose of selling lots, land, and/or buildings and/or 2) a builder(s) that has lots, land, or buildings for sale. Such sign may or may not be directional.

(374) SIGN, COMMUNITY INFORMATION: Any sign which promotes items of general interest to the community including time, temperature, date, atmospheric conditions and upcoming noncommercial events or charitable causes.

(375) SIGN, ELECTRONIC CHANGEABLE MESSAGE: Any sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means.

(376) SIGN, FLASHING/BLINKING: Sign with a type of animation characterized by cyclical switching of visual content between on and off states in rapid successive increments of less than two (2) seconds.

(377) SIGN, FREESTANDING: An on-premise sign which advertises an establishment and is located on the premises owned or controlled by said establishment, which is supported by a single vertical support anchored or set into the ground.

(378) SIGN, GROUND: Also referred to as a *Monument Sign*. A sign which is supported by one (1) monolithic structure which is not less in width than one-half (½) the maximum sign height, set upon the ground and is not part of a building, including ground signs that advertise for more than one occupancy on the premises (multi-tenant).

(379) SIGN, ILLUMINATED: A sign exposed to artificial lighting by light sources located on or in the sign or specifically directed toward the sign.

(378) SIGN, MARQUEE: A sign with slots or wires for inserting individual letters so that a message about products sold or services provided on the same premises may be changed.

(380) SIGN, MONUMENT: See *Ground Sign*.

(381) SIGN, MULTI-TENANT: An on-premise sign with the name of the primary on-site facility and a list of the individual stores or businesses mounted on such sign. Examples include signs describing a mall arrangement, a shopping center development, and industrial park complex, or a complex of buildings with a unifying name and group of businesses.

(382) SIGN, MULTI-USER: A ground sign used to advertise more than two (2) businesses that are part of an integrated business development. A multi-user sign shall be located on the premises of one of said businesses, but shall be allowed to be off-premise signage as to the other businesses that are part of the integrated business development.

(383) SIGN, NON-COMMERCIAL or NON-BUSINESS: A sign with a message that does not contain or convey commercial context or information or advertising for any business, commodity, service, entertainment, product or other attraction or event.

(384) SIGN, NONCONFORMING: means any sign lawfully existing on the effective date of the ordinance from which the sign regulations in this Unified Development Code derive which does not conform to all the standards and requirements of this Unified Development Code.

(385) SIGN, OFF-PREMISE PORTABLE: An off-premise sign which is also a portable sign.

(386) SIGN, OFF-PREMISE: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

(387) SIGN, ON-PREMISE: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product principally located or primarily manufactured or sold on the premises on which the sign is located.

(388) SIGN, PERMANENT: A sign designed to be anchored to the ground, a building or other structure for the duration of the use of the premises.

(389) SIGN, POLITICAL: A sign that contains primarily a political message and that is located on private real property with the consent of the property owner.

(390) SIGN, PORTABLE: Any sign designed or constructed to be easily moved from one location to another, including, but not limited to, signs mounted upon or designed to be mounted upon a trailer, bench, wheeled carrier, A-frame, or other non-motorized mobile structure; a portable sign which has its wheels removed

shall still be considered a portable sign hereunder. For the purpose of this definition, trailer signs and signs on benches are “portable signs”.

(391) SIGN, REAL ESTATE: A sign which has the purpose of advertising for sale a parcel of real property or an estate in land, including rentals.

(392) SIGN, SCREEN TRANSITION: A type of animation used to transition from one message to another and lasting less than 1 second.

(393) SIGN, SCROLLING: Sign with a type of animation which causes displayed text or graphics to move continuously up, down, or across the screen, so that a line of text or graphics appears at one edge of the screen for each line that moves off the opposite edge.

(394) SIGN, SUBDIVISION IDENTIFICATION: Any sign that is a permanent sign identifying an entrance to a residential or nonresidential (e.g., office park) subdivision.

(395) SIGN, SUSPENDED: Signs which hang or are suspended from any projecting element off the façade of the building. This can include Blade Signs.

(396) SIGN, TEMPORARY: Any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, plywood, or other light materials with short life expectancies. A portable sign shall not be considered a temporary sign.