

**Chapter 58****SIGNS****58.1 RESOURCE MANAGEMENT ISSUES**

The following Resource Management Issues have been identified as significant for the City:

**58.1.1 Recognising the significant role signs have in directing, informing and advertising within the City.**

Signs within Napier City have two main functions. Firstly, to identify the location of a place or land use, and secondly, to promote or advertise particular land uses, services or products. In some cases a sign clearly performs one function or the other, and in other cases a sign will comprise elements of both functions.

Both functions of signs are considered important in the continued efficient and effective functioning of the City. However, it is also recognised that directional, informational and advertising signs have both positive and adverse effects for the City. Through the Plan, the Council attempts to minimise the negative effects of signs on the environment, while ensuring that the positive effects of signs is maintained.

**58.1.2 Signs located on or above footpaths and/or close to roads have the potential to create hazards and other nuisance for pedestrians and vehicular traffic.**

Signs located on or above footpaths and/or close to roads can have adverse effects on the efficient and safe movement of vehicular and pedestrian traffic. Pedestrians are unable to move about freely at road level and vehicular traffic is distracted by inappropriately designed and located signs that obstruct sight lines and interfere with traffic flows. It is critical that signs are designed and located to avoid creating a nuisance or hazard to pedestrian and vehicular traffic.

**58.1.3 The effects of signs on the different areas of the City.**

There are five main environments in Napier City. These are, residential, rural, industrial commercial and open space. Each of these environments has different characteristics to the other, for example, scale of buildings, types of land uses, noise, and amenity levels. As a result of these differing characteristics, signs that are appropriate in one area may not be appropriate in another..

For example, residential activity predominates in the residential environment. As such, signs can adversely impact on the visual amenity of these zones. However, within the Residential Environment there are many non-residential activities such as home occupations, local shops, social and community facilities that occur. These land uses require signs to direct people to their presence.

Additionally, the Rural Environment contains signs that need to achieve a compromise between ensuring land uses are locatable and maintaining the rural character of the environment.

The adverse effects of signs in commercial and industrial environments are not as significant as in the other environments. Signs in the commercial and industrial environments tend to be bolder and larger, contributing to the character identified with these zones. However, signs in the industrial and commercial environment can have adverse effects, ranging from clutter, distraction from buildings, conflicting scale with existing land uses, traffic hazards and distraction and nuisance effects for people in the area.

In addition, throughout all environments there are buildings, structures and areas that are recognised in the Plan as having heritage values. Signs through unsympathetic design, colour, size and location can adversely affect these values.

Therefore the Council considers it important to manage signs in all environments of the City in order to minimise any adverse effects of signs.

## OBJECTIVES, POLICIES AND METHODS

The following objectives, policies and methods apply to all signs throughout the City, excluding the Art Deco Quarter.

### Objective 58.2

To provide for a range of signs to meet the needs of the City's communities, which do not cause a nuisance, distraction or hazard to other activities, vehicular traffic or pedestrians, or detract from the visual amenities or character of the environment where they are located.

This objective relates to Issues 58.1.1, 58.1.2 and 58.1.3.

### Policies

- 58.2.1 Provide for flexibility in the design and style of signs used, which reflects the unique elements of the activities to which they relate, and creates diversity and interest in the environment, while mitigating adverse effects.
- 58.2.2 Ensure that the size and bulk of signs are consistent with the expected amenity levels for each zone by establishing limits on signs in each Zone in Napier City.
- 58.2.3 To provide for illuminated signs both internally (including electronic or externally), where they are of a size and intensity that is suitable for the location.
- 58.2.4 Restrict the location and siting of signs within, or overhanging road reserves and public places.
- 58.2.5 Ensure that signs located under verandahs, attached to verandah fascia, or affixed to the face of buildings, do not cause a physical obstruction or hazard to traffic or pedestrians, or detract from the visual amenities of the areas where they are located.
- 58.2.6 Ensure that the location and size of signs, and the mediums used for signs are controlled through the District Plan to maintain the safety and efficiency of Napier City's transport network.
- 58.2.7 The location of signs will be limited to avoid adverse clutter in commercial areas.
- 58.2.8 Provide signs which promote the social well being of the community.
- 58.2.9 Provide for temporary remote advertising devices established legitimately for roadside stalls in order to support productive uses within certain Rural zones.

### Principal Reasons for Adopting Objective and Policies

The District Plan allows and encourages flexibility in the design and style of signs used, in order to create interest and diversity in the environment. The District Plan does however still contain performance standards to ensure that the devices will not detract from the visual amenities of the environment where they are located, or cause a nuisance or hazard to traffic, pedestrians or other activities.

The size of signs can have an impact on the visual amenities of the areas where they are located. The District Plan includes rules allowing for maximum total areas for signs that are permitted, having regard to the relative sensitivity of the local environment to visual impacts. The District Plan recognises that in Commercial and Industrial zones, signage is important for the identification of business premises and the services that the business offers, while in other zones devices are principally used to provide information, location identification and direction. Larger areas of signs will therefore generally be allowed in the commercial and industrial areas which recognise that the signs are a significant and essential part of the built environment and activities in these zones. The exception to this is in relation to heritage buildings or within the Art Deco Quarter, where the protection of heritage values and streetscape character necessitate greater restrictions on signs.

In general, signs will be required to be located entirely on the site to which they relate (signs affixed to verandahs are an exception). However in some cases, signs which convey public information may be located on the road reserve or in a public place. Signage located within the road reserve will need approval from the Road Controlling Authority (RCA) or New Zealand Transport Agency in the case of State Highways).

Performance standards are included in the District Plan to ensure that signs are set back a minimum distance from footpaths or kerb lines where they hang below verandahs, or protrude from the face of buildings, or are attached to verandah fascia, to ensure that they do not obstruct or cause a hazard for traffic or pedestrians, and do not detract from the visual amenities of areas where they are located.

Signs which use reflective materials or are illuminated can distract road users and cause traffic hazards. The considered siting of signs and medium used in their construction can avoid possible confusion to users and avoid the creation of traffic hazards especially where they are in close proximity to road intersections.

The District Plan provides for a variety of sizes and locations for signs. To minimise the visual clutter it is necessary to limit the amount and placement of signs in all commercially zoned sites.

The District Plan recognises the importance of promoting community events through signs. This needs to be balanced between the visual amenity, pedestrian and traffic safety.

The District Plan recognises that Rural zones should in the first instance be used primarily for productive uses. Allowing legitimately established road side stalls to erect a temporary sign remote from their site will enable seasonal produce to be advertised in a controlled manner. Such advertising will allow people and communities to provide for their social and economic wellbeing by encouraging productive use of fertile soils and giving the community wider choice in locating and sourcing seasonal produce.

### Methods

- (1) District Plan Rules.
- (2) Traffic signs under the Traffic Regulations 1976.
- (3) New Zealand Transport Agency (Signs on State Highways) Bylaw 2010.
- (4) Guidelines for visibility at driveways (1993), RTS 6, New Zealand Transport Agency.

### Reasons for Methods

*Rules in the District Plan ensure that the requirements for informational, directional and promotional signs are recognised and provided for. It is envisaged that this will assist the development of signs which are clear, simple and in proportion with the function it is providing. It is envisaged that this will reduce the level of any adverse effect on the environment, particularly amenity levels.*

*Regulatory signs on roads are provided for under the Traffic regulations and the effects need not be managed under the Resource Management Act 1991.*

*The New Zealand Transport Agency (Signs on State Highway) Bylaw 2010 is relevant to signs on State Highways within Napier City (being State Highways 2, 2B, 5 and 50) as the New Zealand Transport Agency is the asset manager of these roads on behalf of the Crown.*

*RTS 6 (Road and Traffic Standards series) are a set of guidelines which sets the minimum standard to ensure sightlines for vehicle movement is maintained on and off the roading network.*

### Objective 58.3

To avoid, remedy or mitigate the effects of signs on heritage values.

This objective relates to Issues 56.1.1, 56.1.2, and 58.1.3.

### Policies

58.3.1 Ensure that signs erected on recognised Heritage Buildings complement the heritage values and architectural features of the structure.

#### Principal Reasons for Adopting Objective and Policies

The District Plan recognises a number of significant heritage buildings and encourages their retention and use for a range of activities. However it would be inconsistent with the District Plan's objectives if signs associated with such activities were allowed to undermine or compromise the heritage elements being protected.

### Methods

- (1) District Plan Rules.
- (2) Napier City Council Heritage Improvement Grants.

#### Reasons for Methods

Rules in the District Plan encourages signs, amongst other building alterations, which are compatible with the scale, form, materials and colour of the building in order to preserve this heritage.

Napier City Council Heritage Improvement Grants are given to building owners to assist in the costs of repainting and signage for certain buildings in Napier.

### Objective 58.4

To prevent the distraction of vehicular and pedestrian traffic and to reduce the potential hazard signs can cause.

*This objective relates to Issue 58.1.2.*

### Policies

58.4.1 Ensure that the location of signs do not have an adverse effect on vehicular or pedestrian traffic, or amenity values.

58.4.2 Discourage signage that advertises goods and services not directly related to the primary use of the site on which the sign is located, except for legitimately established roadside stalls.

#### Principal Reasons for Adopting Objective and Policies

*Inappropriate size, design and location of signs can have an adverse effect and become a hazard for vehicular traffic and pedestrians through the obstruction of sight lines, distraction of drivers and interference with traffic flows. Key factors which ensure adverse effects, nuisance and hazards are minimised include controls on the number, type, height, location and construction of a sign. When these elements are absent the potential for*

*adverse effects increases significantly. Accordingly, careful management of these factors is required for signs within the City.*

*Signage that advertises goods and services in another location often results in visual clutter and a traffic hazard, particularly if these signs are of a 'billboard nature' where what is being advertised changes frequently. The acknowledged exception is roadside stalls in some Rural Zones where it is deemed that subject to strict controls, the benefit of promoting productive uses outweighs potential for decreased amenity and traffic hazards.*

## Methods

- (1) District Plan Rules.
- (2) Traffic signs under the Traffic Regulations 1976.

### **Reasons for Methods**

*Rules are included in the District Plan that will ensure that signs do not adversely effect, or create hazard or nuisance to pedestrians or vehicular traffic.*

*Regulatory signs on roads are provided for under the Traffic regulations and the effects need not be managed under the Act.*

## 58.5 ANTICIPATED ENVIRONMENTAL RESULTS

- (1) Flexibility of design and style of signs which reflects the unique elements of activities and creates diversity and interest in the environment
- (2) Maintenance and enhancement of the visual amenity and character of the area where signs are located
- (3) Avoidance of obstruction, hazard, distraction or nuisance to traffic or pedestrians
- (4) Signs that maintain and enhance the amenity and heritage values of areas where the sign is located.

## RULES

This chapter contains rules managing the control of signs throughout the City, other than within the Art Deco Quarter. All rules apply to all areas of the City, other than the Art Deco Quarter, and are in addition to the specific zone rules and district wide rules unless otherwise stated. Appendix 15 provides examples of the different types of signs discussed in the following Activity and Condition Table. Appendix 15 displays examples only and does not replace the following rules and conditions.

### 58.6 Summary of Rules for Signs

The following is a quick reference guide that summarises the Signs Activity Table. It is intended as a guide only and should not be used in place of the Signs Activity Table elsewhere in this chapter.

Rule Number and Description		Classification	Page Number
Rule 58.7	Any sign that is not a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity and complies in all respects with the relevant conditions.	Permitted	7
Rule 58.8	Signs mounted on a building facade.	Permitted	7
Rule 58.9	Signs mounted on a veranda fascia.	Permitted	7
Rule 58.10	Signs mounted under a veranda.	Permitted	7
Rule 58.11	Official signs.	Permitted	8
Rule 58.12	Moveable, footpath signs.	Permitted	8
Rule 58.13	Temporary signs, including signs for the sale or auction of property, elections and concerts, fairs circuses and any other similar events.	Permitted	8
Rule 58.14	Warning signs and emergency service signs.	Permitted	10
Rule 58.15	Banners.	Permitted	10
Rule 58.16	Captive balloons.	Permitted	10
Rule 58.17	Service station and transport depot signs.	Permitted	11
Rule 58.18	Signs in enclosed sportsgrounds.	Permitted	11
Rule 58.19	Signs located on land adjacent to State Highways outside of 50km/h speed limit	Permitted	11
Rule 58.21	Any permitted activity or controlled activity that does not comply with all the relevant conditions, unless stated elsewhere in this Chapter.	Restricted Discretionary	12
Rule 58.22(a)	Any sign, other than an official sign, constructed using reflective materials.	Discretionary	12
Rule 58.22(b)	Any flashing or animated sign including revolving lights.	Discretionary	12
Rule 58.22(c)	Any sign, other than an official sign, located on or over a road, including the road reserve.	Discretionary	12
Rule 58.22(d)	Any moveable, footpath sign in the Inner City Commercial Zone	Discretionary	12
Rule 58.23(a)	Any sign that does not directly relate to the site it is located on (excluding temporary signs for legitimately established road side stalls within the Main Rural and Rural Residential zones).	Non-Complying	12

## DISTRICT WIDE SIGNS – ACTIVITY TABLE

PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p><b>58.7 Signs Generally</b></p> <p>1. Any sign, unless stated by a rule elsewhere in this Chapter is a permitted activity provided that:</p> <p>a) It complies in all respects with the relevant conditions in the respective zone's condition table and the relevant conditions elsewhere in this Chapter.</p> <p>b) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p> <p>NOTE: All signs must comply with the New Zealand Traffic Regulations 1976.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21.</p>
<p><b>58.8 Sign Mounted on a Building Facade</b></p> <p>1. Any sign mounted on a building facade is a permitted activity provided that:</p> <p>a) The sign, including its support structures must not exceed a horizontal distance of 1 metre from the building facade.</p> <p>b) The sign complies in all respects with the relevant conditions in the Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>
<p><b>58.9 Sign Mounted on a Veranda Fascia</b></p> <p>1. The construction, erection, or placement of a sign on a veranda fascia is a permitted activity provided that:</p> <p>a) The sign must be parallel to the veranda fascia and must not exceed a horizontal distance of 250mm from the veranda fascia.</p> <p>b) The base of the sign must be at least 2.5 metres above ground level.</p> <p>c) The sign's vertical dimension does not exceed 1 metre.</p> <p>d) The sign does not extend beyond the length of the veranda fascia.</p> <p>e) The sign complies in all respects with the relevant conditions in the Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>
<p><b>58.10 Sign Mounted Under a Veranda</b></p> <p>1. The construction, erection, or placement of a sign mounted under a veranda is a permitted activity provided that:</p> <p>a) The number of signs mounted under the veranda must not exceed one sign per business premises, except where:</p> <p>i) The business premises has frontage to more than one road.</p> <p>ii) The business premises has more than one entrance.</p> <p>iii) The business premises has a road frontage in excess of 10 metres.</p> <p>In which case one additional sign is permitted for each road frontage, entrance or additional 10 metres of road frontage or part thereof.</p> <p>b) The base of the sign must be at least 2.5 metres above ground</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> </ul>

<p>level.</p> <p>c) The sign does not exceed the length of the veranda at right angles to the road.</p> <p>d) The maximum area of the sign must not exceed 1.5 m<sup>2</sup>.</p> <p>e) The sign must comply in all respects with the relevant conditions in the Signs Condition Table elsewhere in this Chapter.</p>	
<p><b>58.11 Official Signs</b></p> <p>1. An official sign is a permitted activity provided that:</p> <p>a) It is located on or above a road.</p> <p>b) It is in accordance with the Traffic Regulations.</p> <p>c) It need not comply with the conditions elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- The effects of the sign on vehicular and pedestrian traffic safety.</li> <li>- The effects on heritage values.</li> </ul>
<p><b>58.12 Moveable, Footpath Signs</b></p> <p>1. The erection or placement of a moveable, footpath sign (excluding the Inner City Commercial Zone, refer to Rule 58.22) is a permitted activity provided that:</p> <p>a) No more than one moveable, footpath sign per business premises is permitted.</p> <p>b) The sign does not protrude more than 600 mm from the front of the business premises, except that:</p> <p>(i) Where a footpath is more than 3 metres wide the sign may be placed in other positions directly outside the business premises provided that a minimum of 3 metres width of unobstructed pedestrian walkway is maintained between the front of the business premises and the sign at all times.</p> <p>c) The maximum area of the moveable, sign is 1.5 m<sup>2</sup>.</p> <p>d) The sign complies in all respects with the relevant conditions in the Signs Condition table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- Any hazard, (including actual or potential) for pedestrian traffic.</li> <li>- The dimensions of the sign.</li> </ul>
<p><b>58.13 Temporary Signs</b></p> <p>1. The following temporary signs are a permitted activity provided that they comply in all respects with the relevant conditions elsewhere in this Chapter.</p> <p>a) Sale of Property</p> <p>i) Any temporary sign or signs must not exceed 2.5m<sup>2</sup> in area on or within the site to which the sign relates, provided that in the case of subdivision, no sign may be erected until a Section 224 certificate is signed.</p> <p>b) Auction of Property</p> <p>i) Any temporary sign or signs must not exceed 2.5m<sup>2</sup> in area on or within the site to which the sign relates, provided that no signs may be erected more than six weeks before the date of the auction.</p> <p>c) Electioneering and Similar Purposes</p> <p>i) A candidate may erect temporary signs on private property:</p> <ul style="list-style-type: none"> <li>• In the event of a postal ballot, not more than three months prior to the final polling day and must be removed one day prior to the final polling day.</li> </ul>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The impact on the appearance of any buildings.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The duration of the sign placement.</li> </ul>

- In the event of an election day, not more than three months prior to the polling day and must be removed one day prior to the polling day.

ii) Any election sign must not be constructed, erected or placed in an Open Space Environment or on any land vested as Reserve under the Reserves Act 1977, including any road.

iii) There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.

iv) No sign is to be erected or placed in a way as to cause a public safety or traffic hazard.

NOTE: Refer to Rule 58.19 for provisions relating to signs on or adjacent to a State Highway.

d) Concerts, Conventions, Fairs, Circuses and Similar Events

i) A temporary sign or signs must not exceed 2.5m<sup>2</sup> and may be placed on the site where the event is to be held for a period of not more than six weeks prior to the event and must be removed at the conclusion of the event.

NOTE: These provisions for temporary signs are in addition to provisions for permanent signage, which is subject to the maximum sign area condition table 58.26(1)(a)

e) Roadside stalls

i) Each legitimately established roadside stall located in either the Main Rural Zone or Rural Residential Zone may erect a temporary sign. This temporary sign shall comply with the following conditions:

- The sign need not be located on the site to which it relates, but shall be located no greater than one kilometre from the roadside stall that it advertises. This temporary sign is exempt from condition 58.24.1 (c) but all other conditions stated elsewhere in this chapter shall be complied with.
- Each roadside stall shall only erect one temporary sign, which shall be displayed for no more than four months in a calendar year.
- Signs must not be located on, or over, a road including the road reserve, or land vested as reserve under the Reserves Act 1977.
- Written permission shall be obtained from the landowner prior to any temporary sign being attached to the landowners' fence.

<p><b>58.14 Warning Signs and Emergency Services Signs</b></p> <p>1. Warning signs are a permitted activity provided that:</p> <p>a) All hazardous facilities must be adequately signposted to indicate the nature of the substances stored, used, or otherwise handled.</p> <p>NOTE: Adherence with the Code of Practice for Warning Signs for Premises Storing Hazardous Substances of the New Zealand Chemical Industry Council, or other Code of Practices approved by the New Zealand Fire Service are useful documents to assist with satisfying this condition.</p> <p>b) It is for the purposes of advising and/or warning people of hazards such as the proximity of explosives or flammable fuels or electrical danger or endangering public health or safety, or similar, and may be displayed on any property in any zone.</p> <p>c) The maximum area of the sign must not exceed 1m<sup>2</sup>.</p> <p>2. Directional signs for the purposes of emergency services are a permitted activity provided that:</p> <p>a) The sign indicates or directs people to the presence of an emergency service facility.</p> <p>b) The sign need not be located on the site to which it relates.</p> <p>c) The maximum area of the sign must not exceed 1m<sup>2</sup>.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- The number of signs allowed by the consent for any one destination.</li> <li>- The location of any proposed signs.</li> <li>- The effects of the sign on traffic safety.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The health, safety and wellbeing of people.</li> <li>- The effects on heritage values.</li> </ul>
<p><b>58.15 Banners</b></p> <p>1. A banner is a permitted activity provided that:</p> <p>a) The banner is securely attached to a building or structure.</p> <p>b) The banner complies in all respects with the relevant conditions in the Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> </ul>
<p><b>58.16 Captive Balloons</b></p> <p>1. A captive balloon is a permitted activity provided that:</p> <p>a) The tethering point for the captive balloon must not be located on, or within 75 metres of any site which is in a residential, open space or rural environment.</p> <p>b) There must be no more than one captive balloon per site.</p> <p>c) The captive balloon must be tethered at a height:</p> <p>i) Not exceeding 60 metres.</p> <p>ii) Not exceeding the Airport height restrictions shown in Appendix 7.</p> <p>d) Where there is conflict between any of the height control lines or limits, the lowest height must prevail.</p> <p>e) The written approval of the Civil Aviation Authority as an affected person will be necessary in relation to any resource consent application for a captive balloon. This is to ensure that the balloons do not impede the safe passage of aircraft.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- The duration of the consent.</li> <li>- The design and appearance of the sign.</li> <li>- The location of the sign.</li> <li>- The likely effect of the sign on traffic safety.</li> <li>- The effects on air traffic safety.</li> <li>- The effects on heritage values.</li> </ul>

<p><b>58.17 Service Stations and Transport Depots</b></p> <p>1. Any sign for a service station and/or transport depots is a permitted activity provided that:</p> <p>a) There must not be more than 2 free standing signs on each site.</p> <p>i) The first free standing sign must not exceed 6.5m<sup>2</sup> in area, the second free standing sign must not exceed 2.5m<sup>2</sup> in area.</p> <p>ii) Any free standing sign must comply with the height conditions for the respective zone.</p> <p>b) All signs, other than as provided for in this rule above, must comply in all respects with the relevant conditions in the Signs Condition Table elsewhere in this Chapter.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- The location of any proposed signs.</li> <li>- The likely effect of the sign on traffic safety.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> </ul>
<p><b>58.18 Signs in Enclosed Sportsgrounds</b></p> <p>1. Any sign within enclosed sportsgrounds is a permitted activity provided that:</p> <p>a) All commercial signs must face into the park or sportsground.</p> <p>b) Any commercial sign must not be positioned to be obtrusively visible from any surrounding residential, rural, or open space environment, or from the road.</p> <p>c) All commercial signs must be located and constructed in such a manner that they do not interfere with the proper use of the playing field or with the viewing of the field and are not a danger to players or spectators.</p> <p>d) All signs must comply in all respects with the relevant conditions in the Signs Condition Table.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The visibility of the sign.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location and placement of the sign and alternatives for location and placement.</li> </ul>
<p><b>58.19 Signs located on land adjacent to State Highways outside of 50km/h speed limit</b></p> <p>1. Any sign located on land adjacent to a State Highway is a permitted activity provided that:</p> <p>a) Signs directed towards the state Highway shall have a minimum lettering height of 120mm in areas of up to 70km/h speed limit and 160mm in areas above 70km/h speed limit.</p> <p>b) All signs must comply in all respects with the relevant conditions in the Signs Condition Table elsewhere in this chapter.</p> <p>NOTE: The control of signs within the legal State Highway road reserve outside of areas with a 50km/h speed limit, is achieved through a Transit New Zealand Bylaw and through the implementation of the provisions contained in the Transit New Zealand and Land Transport Safety Authority's Manual of Traffic Signs and Markings.</p> <p>Any person wishing to erect a sign within the State Highway road reserve outside of areas with a 50km/h speed limit must obtain approval from Transit New Zealand.</p> <p>Signs on a State Highway road reserve within a 50km/h speed limit area are administered by the Napier City Council. (Refer Rule 58.22)</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 58.21 including the following:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location of the sign.</li> <li>- The number of signs allowed by the consent for any one destination.</li> <li>- The effects of the sign on traffic safety.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- Whether the sign will affect any access sightlines as identified in Appendix 21</li> </ul>

CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>58.20 <b>Controlled Activities</b></p> <p>1. There are no controlled activities in respect of signs.</p>	
RESTRICTED DISCRETIONARY ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>58.21 <b>Signs Not Complying With Conditions</b></p> <p>1. Any subdivision, use or development of land in rules 58.7 to 58.20 that does not comply with all of the relevant conditions in the Signs Activity Table and Condition Table is a restricted discretionary activity, unless stated by a rule elsewhere in this Plan.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> <li>- The matters identified in the second column of the Signs activity table and/or condition table.</li> <li>- The cumulative effect of non-compliance with more than one condition.</li> <li>- In respect of a controlled activity failing to comply with all of the relevant conditions, those matters the Council had reserved its control over.</li> <li>- The matters set out in Chapter 1.6.5.</li> <li>- The assessment criteria in Chapter 58.29 of this Plan where applicable.</li> </ul>
DISCRETIONARY ACTIVITIES	
<p>58.22 <b>Discretionary Activities</b></p> <p>1. The following signs are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the relevant assessment criteria elsewhere in this Plan. The Council's discretion is unrestricted.</p> <p>a) Any sign, other than an official sign, constructed using reflective materials.</p> <p>b) Any flashing or animated sign including revolving lights.</p> <p>c) Any sign, other than an official sign, located on or over a road, including the road reserve.</p> <p>NOTE: Refer to Rule 58.11 for official signs.</p> <p>d) Any moveable, footpath sign in the Inner City Commercial Zone. Refer Appendix 15A for design criteria.</p>	
NON-COMPLYING ACTIVITIES	
<p>58.23 <b>Non-Complying Activities</b></p> <p>1. The following are non-complying activities.</p> <p>a) Any sign which is used to advertise any services, goods or products that are not directly related to the primary use or activities occurring on the site of the sign (excluding temporary signs for legitimately established road side stalls within the Main Rural and Rural Residential zones).</p>	
PROHIBITED ACTIVITIES	
<p>58.24 <b>Prohibited Activities</b></p> <p>1. There are no prohibited activities in respect of signs.</p>	

DISTRICT WIDE SIGNS – CONDITION TABLE

CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.												
<p><b>58.25 Sign Location</b></p> <p>1. The following location conditions shall apply to all signs, unless stated by a rule elsewhere in this Plan:</p> <ul style="list-style-type: none"> <li>a) All signs must be contained solely within the site boundaries.</li> <li>b) Where a building has no veranda, the minimum vertical clearance of any sign (other than a moveable, footpath sign) attached at right angles to the building facade from the footpath must be 2.5 metres.</li> <li>c) All signs must be located only on the site to which they relate.</li> </ul> <p>NOTE: Failure to comply with this condition results in a Non-Complying Activity in accordance with Rule 58.23 (a)</p> <ul style="list-style-type: none"> <li>d) Signs must not be located on or over a road including the road reserve, or land vested as reserve under the Reserves Act 1977.</li> <li>e) Signs must not obscure any significant architectural feature of a heritage building (listed in Appendix 13 to this Plan) including but not limited to windows, parapets, cornices, features or materials with a decorative pattern, and any other architectural elements that are a feature of the building.</li> </ul>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area..</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location and placement of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The effect on people's health, safety and wellbeing.</li> </ul>												
<p><b>58.26 Sign Height</b></p> <p>1. The following height conditions shall apply to all signs, unless stated by a rule elsewhere in this Plan:</p> <ul style="list-style-type: none"> <li>a) All signs, including their support structures, must comply with the height conditions for aerials, lines and support structures in the respective zone's condition table.</li> <li>b) Where a sign is attached to a building, the sign must not exceed a vertical distance of 2 metres beyond the height of the building to which it is attached.</li> <li>c) Where there is conflict between any of the height control limits, the lowest height must prevail.</li> </ul>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location and placement of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The effect on people's health, safety and wellbeing.</li> </ul>												
<p><b>58.27 Sign Area</b></p> <p>1. The following area conditions shall apply to all signs, unless stated by a rule elsewhere in this Plan:</p> <ul style="list-style-type: none"> <li>a) The area of a sign or combination of signs, per site, must not exceed the dimensions for the respective zone in the following table:</li> </ul> <table border="1" data-bbox="177 1682 880 2047"> <thead> <tr> <th>Zone</th> <th>Maximum Sign Area</th> </tr> </thead> <tbody> <tr> <td>All Residential Zones (including the Residential Precinct of the Mission Special Character Zone)</td> <td>0.3m<sup>2</sup></td> </tr> <tr> <td>Art Deco Quarter</td> <td>Refer to Chapter 59 (Art Deco Quarter Signs)</td> </tr> <tr> <td>Fringe Commercial Inner City Commercial</td> <td>5m<sup>2</sup></td> </tr> <tr> <td>Suburban Commercial Foreshore Commercial</td> <td>4.5m<sup>2</sup></td> </tr> <tr> <td>All Industrial Zones Business Park Zone</td> <td>No limit, unless stated by a rule elsewhere in this Plan.</td> </tr> </tbody> </table>	Zone	Maximum Sign Area	All Residential Zones (including the Residential Precinct of the Mission Special Character Zone)	0.3m <sup>2</sup>	Art Deco Quarter	Refer to Chapter 59 (Art Deco Quarter Signs)	Fringe Commercial Inner City Commercial	5m <sup>2</sup>	Suburban Commercial Foreshore Commercial	4.5m <sup>2</sup>	All Industrial Zones Business Park Zone	No limit, unless stated by a rule elsewhere in this Plan.	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The location and placement of the sign.</li> <li>- Any hazard, (including actual or potential) for vehicular and pedestrian traffic.</li> <li>- The effect on people's health, safety and wellbeing.</li> </ul>
Zone	Maximum Sign Area												
All Residential Zones (including the Residential Precinct of the Mission Special Character Zone)	0.3m <sup>2</sup>												
Art Deco Quarter	Refer to Chapter 59 (Art Deco Quarter Signs)												
Fringe Commercial Inner City Commercial	5m <sup>2</sup>												
Suburban Commercial Foreshore Commercial	4.5m <sup>2</sup>												
All Industrial Zones Business Park Zone	No limit, unless stated by a rule elsewhere in this Plan.												

Zone	Maximum Sign Area
Main Rural; Rural Residential; Rural Conservation; and the Productive Rural, Landscape and Visitor, and Rural Residential Precincts of the Mission Special Character Zone.	2.5m <sup>2</sup>
Rural Settlement	0.3m <sup>2</sup>
Jervoistown	0.3m <sup>2</sup>
Rural Commercial	4.5m <sup>2</sup>
Marine Parade Recreation	4.5m <sup>2</sup>
Reserve	6m <sup>2</sup>
Estuary; Foreshore Reserve; River Conservation	0.3m <sup>2</sup>
Sports Park	No limit, unless stated by a rule elsewhere in this Plan.
Mixed Use Zone	4.5m <sup>2</sup>
Boat Harbour	0.3m <sup>2</sup> , unless stated by a rule elsewhere in this plan.

The area of a sign is calculated as being the area of the sides which are used as part of the sign and which are visible from any one point (direction). For example, where a sign is multi-faced, the area of a sign is calculated as the total area of those faces which will be visible from any one place.

<p><b>58.28 Illumination of Signs</b></p> <p>1. The following sign illumination conditions shall apply to all signs, whether illuminated internally, externally or by other means:</p> <ul style="list-style-type: none"> <li>a) Any illuminated sign must not visually obstruct traffic control signals.</li> <li>b) The illuminated sign must comply with the conditions relating to light spill in the condition table for the respective zone.</li> <li>c) Lighting for the purpose of external illumination of signs must be securely attached to the veranda roof, building or sign, and must be directed solely at the sign to be illuminated.</li> </ul>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Any effects (including cumulative) of signs on the amenity of the area.</li> <li>- The effects on heritage values.</li> <li>- The impact on the appearance of the building.</li> <li>- The design and appearance of the sign.</li> <li>- The dimensions of the sign.</li> <li>- The orientation, strength, intensity and colour of the illuminated sign.</li> <li>- Any hazard (including actual or potential) for vehicular and pedestrian traffic.</li> </ul>
<p><b>58.29 Heritage</b></p> <p>1. The relevant provisions of Chapter 56 (Heritage) of this Plan must be complied with.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- Refer to Chapter 56 (Heritage) of this Plan.</li> </ul>

### 58.30 ASSESSMENT CRITERIA

Some discretionary activity and restricted discretionary rules refer to assessment criteria to assist the Council in considering resource consent applications. The Council will have regard to the Assessment Criteria outlined below for Signs when considering an application under Sections 104 and 105 of the Act.

#### 1. General

The following criteria will be used by the Council in considering a resource consent application for a Discretionary Activity or a Restricted Discretionary Activity for non-compliance with one or more conditions in the relevant activity table and/or condition table.

- a) Any unusual circumstances including, but not limited to, those listed below:
  - i) Inherent site considerations: including unusual size, shape, topography, substratum, vegetation;
  - ii) Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
  - iii) Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective adjacent screening.

#### 2. Signs

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

- a) Whether there are adverse effects on amenity levels and heritage values of the surrounding environments.
- b) Whether there is any adverse effect on the efficient movement and safety of people on footpaths and other public open spaces.
- c) Whether any sign in the Industrial Environment can be viewed from the Residential Environment or from a Rural Settlement Zone.
- d) Whether the sign creates severe nuisance or distraction effects.
- e) Any adverse effect on traffic safety, including if it obstructs drivers sight lines, causes confusion or a distraction for drivers and/or creates actual or potential adverse effects on the safe movement of traffic.
- f) Any cumulative effect.
- g) Any effect that the sign may have on a significant landscape or natural area including the foreshore environment.

**58.31 PRINCIPAL REASONS FOR RULES - SIGNS****1. Signs Mounted On Building Facades**

Signs attached to building facades can cover and/or destroy the architectural features of a building. They can also create a hazard to vehicular and pedestrian traffic. Limiting the sign's degree of protrusion from a building facade will ensure that any adverse effects on traffic safety can be avoided, remedied or mitigated.

**2. Signs Mounted On Veranda Fascias**

A veranda fascia is considered to be an important architectural feature of a building. Signs on veranda fascia's can create hazards to vehicular and pedestrian traffic. Conditions on clearance distances and maximum dimensions of signs on veranda fascias will ensure that these hazards are avoided, remedied or mitigated.

**3. Signs Mounted Under Verandas**

Signs mounted below verandas are important in providing direction to the location of land uses throughout the City, in particular the commercial environments. However, these signs can cause adverse effects for pedestrian and vehicular traffic through both obstruction and distraction. The rules intend to control the number, height and length of signs mounted below the veranda to avoid such effects.

**4. Official Signs**

The Traffic Regulations provide for signs on roads for the purposes of traffic warnings, safety, information and advice. Their function, design and location is controlled by the Traffic Regulations, consequently, it is not necessary for the Plan to place additional controls on such signs throughout the City.

**5. Moveable, Footpath Signs**

Moveable, footpath signs are important for attracting people's attention, however they can cause visual clutter and impede pedestrian movement. It is important that moveable, footpath signs shall not restrict pedestrian movement and cause traffic hazards. Also moveable, footpath signs should be designed to reduce the likelihood of toppling over and injuring pedestrians.

**6. Temporary Signs**

It is recognised that signs such as "For Sale" signs and electioneering signs are only required for a short and temporary duration. There may be effects from such signs, however due to their short duration this effect is considered to be minimal and any detracting from amenity caused by temporary signs can often be outweighed by community interest in receiving information.

It is a main goal of the Napier District Plan to protect the productive capacity of the Rural Zones for future generations. As a way of supporting this, temporary signage has been permitted to allow roadside stalls one 'off-site' sign. There may be effects from such signs. However, if these are minimized by strict controls, combined with the sign's temporary seasonal duration these effects are considered to be outweighed by the positive support they provide for rural producers.

**7. Warning and Emergency Services Signs**

Warning signs and signs for the purposes of emergency services are considered essential to the recognition of dangerous goods or areas, and important to the safe and efficient functioning of the City, particularly in the event of an emergency. Such signs ensure that public health and safety is recognised and protected.

**8. Banners**

Banner signs are subject to the general conditions applicable to all other signs. The condition ensuring the banner is securely attached is necessary to ensure potential hazards to vehicular and pedestrian traffic is avoided or minimised. Banners that are attached between two buildings or structures over a road (as opposed to a banner that falls parallel to a building/structure) are only permitted in certain locations in the City. This is to ensure that adverse effects on road safety are avoided and amenity are avoided.

**9. Captive Balloons**

The Council considers that signs associated with Captive Balloons have the potential to be extremely visible across the City. Therefore captive balloons require careful management to ensure that potential adverse effects on the safe passage of air traffic, especially near flight paths, and the effects on ground traffic i.e. distraction are avoided.

**10. Service Stations and Transport Depots**

Service stations and transport depots have a relatively consistent building design within which signs are a significant and integral component. The colour schemes and associated signs adopted by the various companies enable the public to distinguish service stations from one another.

**11. Commercial Signs in Enclosed Sports Grounds**

The Council recognises that many sports clubs and sportsgrounds use signs as a means of creating revenue for the sports club or grounds operations. The Council recognises that signs within enclosed sportsgrounds have a limited effect on the surrounding area as the signs cannot usually be viewed unless inside the grounds. The rule does not allow signs to be obtrusively visible from surrounding areas, thus avoiding adverse effects on the amenity of the surrounding areas.

**12. Location**

The location of a sign has the potential to adversely effect the area in which it is placed. The Council deems the potential adverse effects from the inappropriate location of signs to be considerable. Therefore the Council has included rules to limit the location of signs to ensure that there is safe and efficient movement around the City free from any obstruction or any other hazard or nuisance a sign or signs may present.

**13. Height**

The height of a sign has the potential to adversely effect the amenity of the area in which it is placed and the potential to create a hazard to users of the area. The Council deems the potential adverse effects from signs that are excessive in height to be considerable. Therefore the Council has included rules to limit the height of signs to ensure that there is safe and efficient movement around the City, free from any obstruction or any other hazard or nuisance a sign may present and to ensure that amenity values are maintained.

**14. Sign Area**

Residential Zones

It is intended that in all residential zones, signs shall be limited to those that are necessary for the general information of the public. Signs which are likely to have a detrimental effect on the amenity of an area or, when viewed from a residential property are likely to cause an offence or nuisance to any resident, are to be discouraged.

Commercial Zones

Signs in commercial zones are considered to be more acceptable, provided the signs are of a scale and intensity that is equivalent to the scale and intensity of the site, land use, or product being promoted. However signs in commercial areas can create a cluttered appearance around a building or site and can cause distraction and nuisance for people using the area. The location and size of signs needs careful management, to ensure this does not occur.

### Industrial Zones

It is recognised that the industrial zones of the City are more able to accommodate larger, bolder signs, especially compared to other zones. A more permissive approach is proposed for the industrial areas of the City, where the effects of signs would not have as marked detrimental effect upon visual amenity. However, signs do have the potential to cause nuisance or hazard for the users of the area in which signs are located. Therefore signs in Industrial Zones are still required to meet the general conditions.

### Rural Zones

The size of signs provided for in the rural environment acknowledges that the speed of traffic is quicker and larger signs may be required to transmit information quickly without undue distraction. This rule provides for limitations on the size of signs that direct, inform and advertise, to ensure adverse effects on rural character are avoided or mitigated.

### Reserve Zone

Reserve areas have unique characteristics and are therefore sensitive to the visual effects of signs. For this reason, the establishment of signs needs to be carefully controlled in these areas.

### Marine Parade Recreation zone

Signs in the Marine Parade Recreation Zone are considered to be more acceptable, provided the signs are of a scale and intensity that is equivalent to the scale and intensity of the site and land use being promoted. However signs in these areas can create a cluttered appearance around a building or site and can cause distraction and nuisance for people using the area. Therefore the location and size of signs needs careful management, to ensure this does not occur.

### Estuary, Boat Harbour and Foreshore Reserve Zone

The Estuary, Boat Harbour and the Foreshore Reserve Zone is an important natural environment within the City. The erection or placement of signs can have a severe detrimental affect on the visual amenity and natural environment of the Zone. Therefore the maximum area of signs in the Zone is limited.

### Sports Park Zone

The Council recognises that many sports clubs and sportsgrounds use signs as a means of creating revenue for the sports club or grounds operations. The rule does not allow signs to be obtrusively visible from surrounding areas thereby avoiding impacts on the amenity of the surrounding areas.

## **15. Illumination of Signs**

Illuminated signs are a commonly used advertising tool. Their prominence can, if poorly located or designed, create a nuisance or hazard for adjacent land uses through glare or the spillage of light.

Illuminated signs can add to the visual amenity of an area. However beyond the commercial and industrial zones, their impact can be more significant where the effects of their illumination can cause a nuisance to neighbouring properties. Illuminated signs also have greater potential to be hazardous to vehicle movement and safety. These adverse effects can be more significant where the illumination is by intermittent or flashing sources of light. For this reason, flashing signs require a resource consent for a discretionary activity.