



## City Council Report

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**File ID:** 2019-00281

April 23, 2019

**Consent Item 11**

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**Title: Ordinance Amending City Code Chapter 15.148 to Allow On-site Digital Signs at Regional Shopping Centers (M18-013) [Passed for Publication 04/09/2019; Published 04/12/2019]**

**Location:** Citywide

**Recommendation:** Adopt an Ordinance adding section 15.148.925 to chapter 15.148 of the Sacramento City Code, relating to signs.

**Contact:** Evan Compton, Principal Planner, (916) 808-5260, Community Development Department

**Presenter:** None

**Attachments:**

- 1-Description/Analysis
- 2-Background
- 3-Ordinance

## Description/Analysis

**Issue Detail:** The proposed ordinance adds section 15.148.925 to City Code chapter 15.148 (Signs) to authorize on-site signs with digital displays—i.e., digital signs—for regional shopping centers. Chapter 15.148 currently does not allow regional shopping centers to have such signs. With brick-and-mortar retail stores challenged by online shopping, it is in the City’s best interest to let large regional shopping centers attract customers by having digital signs on their properties.

The proposed ordinance allows up to two digital signs for each “regional shopping center,” defined as “a permanent building or group of permanent buildings that is located on at least 50 contiguous acres, has at least 1,000,000 square feet of retail space, has shared on-site parking, and is managed as a single property.” This definition will allow digital signs only for the largest shopping centers within the City and will prevent the proliferation of digital signs. The background section of this report lists the shopping centers that could potentially qualify.

In drafting recommendations for this ordinance, staff reviewed the signage allowances in the General Commercial (C-2) and Shopping Center (SC) zones, which are the typical locations for shopping centers. These allowances underlie the following initial recommendations for size, height, number, and sign-spacing requirements:

- A maximum of two digital signs would be allowed for each regional shopping center, and the signs would need to be spaced at least 300 feet apart. The total number of such signs at each center would have to comply with the rest of chapter 15.148, which may require that some existing signs to be removed before new digital signs are constructed.
- The maximum size of each digital display on a digital sign would be 300 square feet, and the distance between a digital sign’s ground elevation and its top could be no more than 35 feet.
- The ordinance would allow the digital signs to display advertising for businesses and products at the regional shopping center but not general advertising for hire.
- Detached digital signs that are oriented perpendicularly to streets with two-way traffic could have two sides, with a digital display on each side, for visibility to the motoring public.
- The requirements for brightness, hours of operation, and transition would be the same as for digital signs in large entertainment venues (see City Code section 15.148.920).
- All signage other than the digital signs for the regional shopping center would need to comply with the current requirements of chapter 15.148.

**Policy Considerations:** Sign regulations are used to preserve and improve the appearance of the City as a desirable place in which to live; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; and to promote the public health, safety, and general welfare. The restriction of digital signs to regional shopping centers would prevent the uncontrolled proliferation of digital signs throughout the City while also promoting new technology to increase economic vitality for businesses.

The proposed ordinance would also further the following goals in the City's 2035 General Plan:

- *Business Climate.* Maintain a supportive business climate that increases the City's ability to retain and expand existing businesses and attract business. (Goal ED 1.1)
- *City Image.* The City shall continue to promote Sacramento among its citizens and the wider business community as a livable community and an excellent place to do business. (ED 1.1.2)

**Economic Impacts:** By allowing a limited number of digital signs for regional shopping centers, the City will retain and attract retail businesses and maintain the health of large tax generators within the city limits.

**Environmental Considerations:** The proposed ordinance would allow on-site digital signs in regional shopping centers. The approval, installation, and operation of these signs is categorically exempt from review under the California Environmental Quality Act (14 Cal. Code Regs. § 15311(a) [accessory structures; on-premise signs]). Signs installed under the proposed ordinance would not have any significant environmental effects. The ordinance regulates the brightness of digital displays, ensuring that the signs will not result in nuisance or glare (City Code § 15.148.925, D.5 & D.7). No cumulative effects would result, and no unusually circumstances are present that could result in a significant environmental effect.

**Sustainability:** No sustainability considerations apply to the proposed ordinance.

**Commission/Committee Action:** The Law and Legislation Committee heard and forwarded a draft Ordinance on March 5, 2019, to allow on-site digital signs at regional shopping centers. At the April 9, 2019 hearing, the City Council requested that staff modify the definition of a regional shopping center in the draft ordinance from a minimum of 450,000 square feet to a minimum of 1,000,000 square feet.

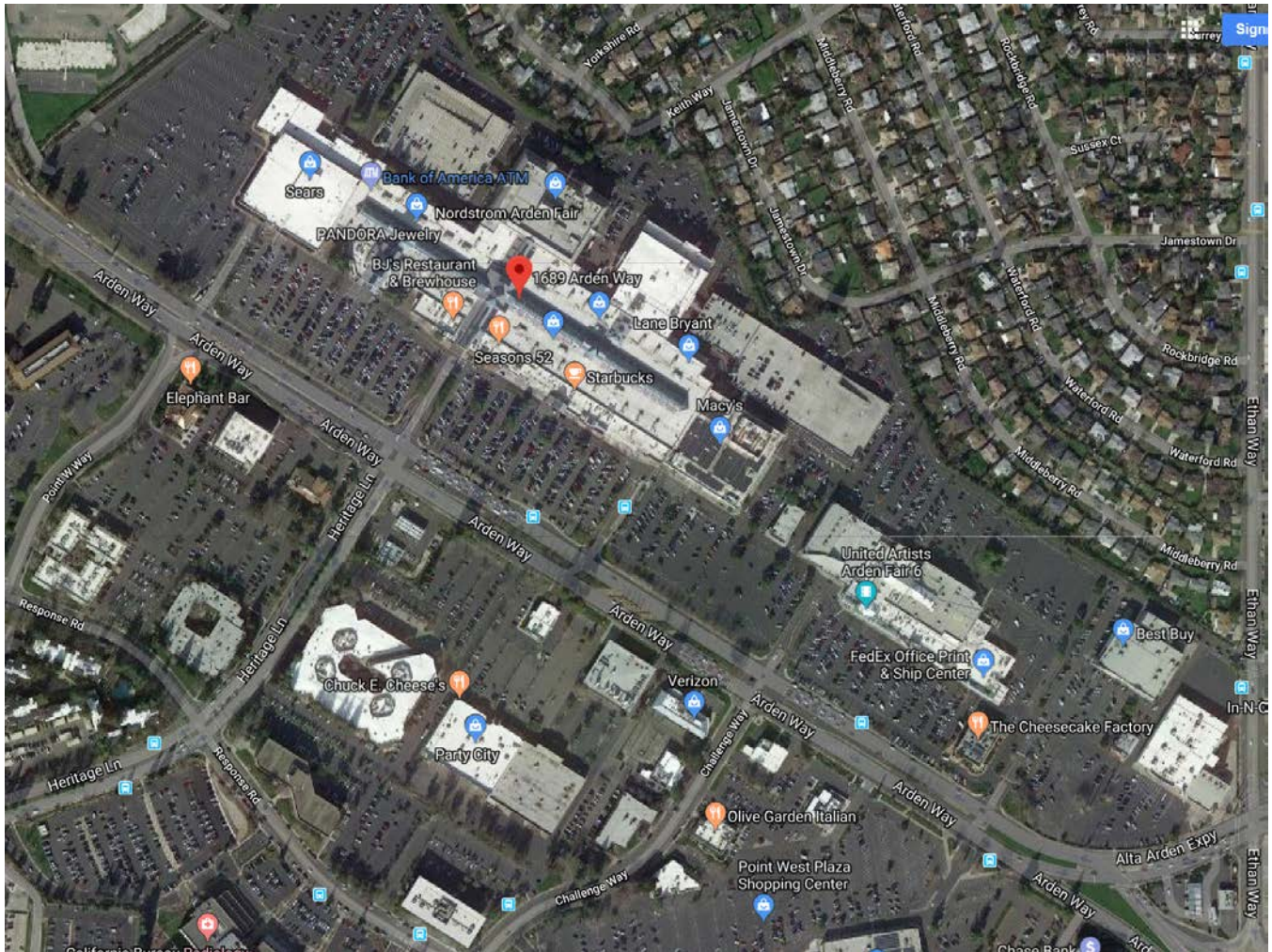
**Rationale for Recommendation:** Regional shopping centers have more-intense signage needs because of their size and the number of their tenants. Chapter 15.148 does not currently allow regional shopping centers to adequately compete in the evolving retail environment. The proposed ordinance authorizes digital signs that will enable regional shopping centers to be more recognizable and successful.

**Financial Considerations:** Not applicable.

**Local Business Enterprise (LBE):** Not applicable.

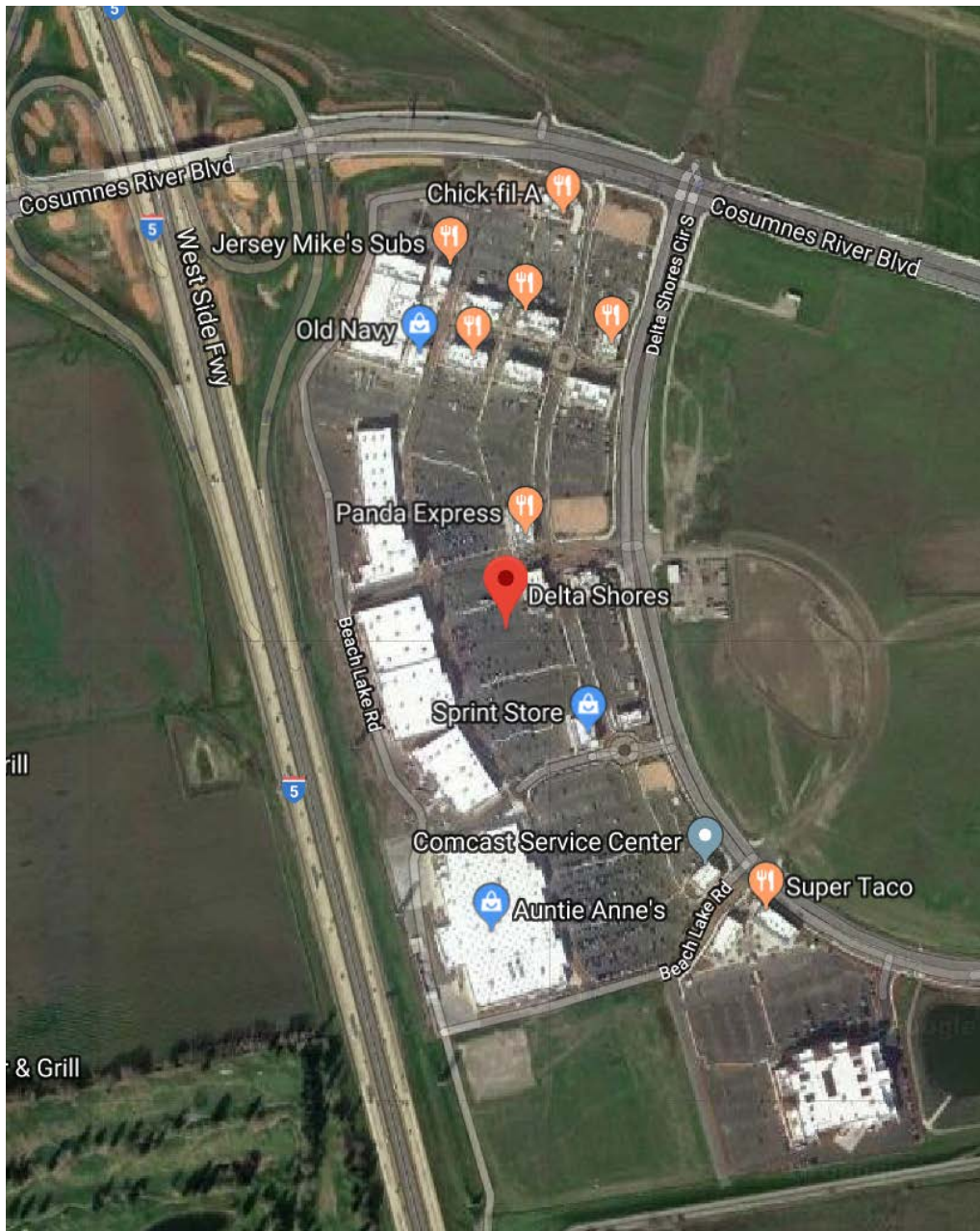
**Background:** Staff is requesting an amendment of City Code chapter 15.148 relating to signs. This amendment would allow two digital-display signs at two sites that will be classified as regional shopping centers: Arden Fair Mall and Delta Shores. Shown below for each site are an aerial photo plus the site's retail square footage and overall acreage.

1. Arden Fair Mall at 1689 Arden Way (1.07 million square feet on approximately 76.6 acres) [www.ardenfair.com](http://www.ardenfair.com)





2. Under Construction: Delta Shores North and South at Cosumnes River Boulevard  
(Projected 1.26 million square feet on approximately 113.6 acres)



**ORDINANCE NO. 2019-XXX**

Adopted by the Sacramento City Council  
[Date]

**AN ORDINANCE ADDING SECTION 15.148.925 TO THE  
SACRAMENTO CITY CODE, RELATING TO DIGITAL SIGNS IN  
REGIONAL SHOPPING CENTERS**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

**SECTION 1.**

Section 15.148.925 is added to the Sacramento City Code to read as follows:

**15.148.925 Digital signs in regional shopping centers.**

A. The following definitions apply in this section:

“Digital display” means a sign face that displays images through the use of grid lights, cathode-ray projections, light-emitting diodes (LEDs), plasma screens, liquid-crystal displays (LCDs), fiber optics, or other electronic media or functionally equivalent technology.

“Digital sign” means an on-site sign that uses digital displays.

“Director” means the design director (defined in section 17.108.050) or the preservation director (defined in section 17.108.170), as appropriate.

“Regional shopping center” means a permanent building or group of permanent buildings that is located on at least 50 contiguous acres, has at least 1,000,000 square feet of retail space, has shared on-site parking, and is managed as a single property.

B. In addition to signage otherwise allowed by chapter 15.148, and subject to the requirements of this section, a regional shopping center may have up to two digital signs. Each digital sign must have a sign permit issued in accordance with article II of this chapter.

C. Structural requirements

1. The digital signs may be attached or detached signs.
2. The digital signs must be at least 300 feet apart (measured using the closest edges of the two digital signs) when on the same façade or street frontage.
3. Detached digital signs that are oriented perpendicularly to a public street may have two sides, with one digital display on each side.

4. The maximum display area for each digital display is 300 square feet.
5. The maximum height of each digital sign is 35 feet.

D. Operational requirements

1. General advertising may not be displayed. For purposes of this section, “general advertising” excludes advertising for a business within the regional shopping center.
2. Each image on a digital display must be static. Images may not be animated (i.e., move or present the appearance of motion) and may not use flashing, scintillating, blinking, or traveling lights or any other similar means of illumination.
3. Each image on a digital display must appear for at least 8 seconds. Digital displays must use either an instant transition between images or a fading transition with a transition time between images of at least 1 second and not more than 2 seconds. A digital display must not go blank during a transition.
4. The maximum pixel pitch of a digital display is 16 millimeters.
5. Digital displays must be equipped with a sensor or other device that automatically adjusts the brightness of the display according to changes in ambient lighting to comply with a brightness limitation of 0.3 foot-candle above ambient lighting. Digital displays must transition smoothly at a consistent rate from the allowed daytime brightness to the allowed nighttime brightness levels, beginning at 45 minutes before sunset and ending 45 minutes after sunset. An automatic photometric sensor must be provided for automatic dimming.
6. The hours of operation for digital displays are from dawn to midnight on Sunday, Monday, Tuesday, Wednesday, and Thursday and from dawn to 2:00 a.m. the following day on Friday and Saturday.
7. The maximum brightness of any digital display is 450 candelas per square meter at night and 7,500 candelas per square meter during the day. The brightness of a digital display must be measured as follows, at the display owner’s expense, by a testing agency approved by the chief building official or designee:
  - a. Step One. Measure the display’s brightness at night and during the day by focusing on the direct center of the display from a point that is 6 feet above grade and 20 feet away from the plane



of the display (determined by a line that is within 6 degrees of a line perpendicular to the plane of the display).

- b. Step Two. Use the following formula to determine the “measurement distance” (the “display area” in the radicand is the area of the display in square feet):

$$\text{Measurement Distance (in feet)} = \sqrt{\text{Display Area} \times 100}$$

- c. Step Three. Use the following formulas, calculate the display’s equivalent maximum brightness during the day and at night:

Nighttime Maximum Brightness
$B_n = 180,000 \div D^2$

$B_n$  = equivalent maximum nighttime brightness

$D$  = the measurement distance calculated in Step Two

Daytime Maximum Brightness
$B_d = 3,000,000 \div D^2$

$B_d$  = equivalent maximum daytime brightness

$D$  = the measurement distance calculated in Step Two

- d. Step Four. Measure the display’s brightness at night and during the day by focusing on the direct center of the display from a point that is 6 feet above grade and  $D$  feet away (i.e., the measurement distance calculated in Step Two) from the plane of the display as determined by a line that is within 6 degrees of a line perpendicular to the plane of the display. If a brightness so measured exceeds the relevant equivalent maximum brightness calculated in Step Three, then the display’s illumination must be adjusted so that it does not exceed that equivalent maximum brightness.

E. Other requirements

1. The total number of permitted signs in a regional shopping center, including the digital signs authorized by this section, may not exceed the maximum number of permitted signs allowed for the regional shopping center under article III of this chapter.
2. Digital signs are subject to approval by the director. As part of this process, the director will consult with the chief building official on the design and operational elements of any digital signs.

- a. When deciding whether to approve the plans and specifications for a digital sign, the director—
    - i. shall consider all of the factors relating to the proposed digital sign and, based on the evidence submitted, make the findings set forth in subsections E.1 through E.8 of section 15.148.1110 that apply to the digital sign; and
    - ii. shall not consider the content or graphic design of messages to be displayed on the digital sign other than to determine legality under federal or state law.
  - b. A permit issued for a digital sign under this section expires 10 years after the date of issuance, and upon expiration of the permit the digital sign must be removed at the owner's expense unless a new sign permit has been obtained for the continued use of the digital sign.
3. When constructing, operating, improving, maintaining, repairing, and removing a digital sign and any structures to which it is attached, the owner of the digital sign must comply with all applicable federal, state, or local laws, including the federal Highway Beautification Act of 1965 (23 U.S.C. § 131), the California Outdoor Advertising Act (Business and Professions Code § 5200 et seq.), and this chapter.
4. Based on new or updated information or studies, the city council may amend the standards and other provisions set forth in this section to mitigate effects on the visual environment or on residential properties or other sensitive receptors; to reduce driver distractions or other hazards to traffic; or to otherwise protect and promote the public health, safety, and welfare. The city council may apply the amended standards to existing digital signs.