

ORDINANCE NO. 2020-0028

Adopted by the Sacramento City Council

July 21, 2020

An Ordinance Amending Section 15.148.965 of the Sacramento City Code, Relating to Agreements for Digital Billboards

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

SECTION 1.

Section 15.148.965 of the Sacramento City Code is hereby amended to read as follows:

15.148.965 Agreements for digital billboards.

- A. Definitions. As used in this section, “city-owned property” means real property the city owns in fee, and “city-leased property” means real property in which the city has a leasehold interest.
- B. Relocation agreements. Notwithstanding anything to the contrary in this chapter (including section 15.148.640) or in any ordinance not codified in this chapter (including Ordinance No. 2007-079), the city council may approve relocation agreements under section 15.148.815 that authorize the construction and operation of digital billboards on city-owned property adjacent to a freeway, subject to the common provisions in subsection D of this section and the following additional provisions:
 - 1. Notwithstanding subsection F.3 of section 15.148.815, the city-owned property may be in any commercial zoning district or industrial zoning district.
 - 2. Notwithstanding any provision to the contrary in section 15.148.815, an existing billboard that is removed and relocated under a relocation agreement that authorizes the construction and operation of a digital billboard may be either a legal conforming sign or a legal nonconforming sign.
- C. Funding agreements. Notwithstanding anything to the contrary in this chapter (including section 15.148.640) or in any ordinance not codified in this chapter (including Ordinance No. 2007-079), the city council may approve agreements that authorize the construction of digital billboards on city-owned or city-leased property adjacent to a freeway, subject to the common provisions in subsection D of this section and the following additional provisions:

1. The agreement may authorize the construction and operation of up to six digital billboards.
2. The owner of the digital billboard or billboards authorized by the agreement (or an affiliate of the owner) must agree, among other things, to the following:
 - a. To fund at least 40% of the costs to design and construct an indoor arena or outdoor stadium that is capable of hosting professional major-league sports and has permanent seating for at least 15,000 persons.
 - b. At no cost to the city, to remove the digital billboard or billboards from the city-owned or city-leased property at the expiration of the agreement's term, which may not exceed 35 years, and to restore the property to its pre-agreement condition.
3. No more than six digital billboards may be authorized for each facility to which contributions are made under subsection C.2.a of this section.
4. The city council must find that the agreement will confer a substantial public benefit to the city and to the general public, identifying the benefit with reasonable specificity. In addition, the city council must find that each digital billboard identified in the agreement satisfies the following:
 - a. It complies with the purpose and requirements of this section and this chapter.
 - b. It is compatible with the uses and structures on the city-owned or city-leased property and in the surrounding area, including parks, trails, and other public facilities and amenities.
 - c. It will not interfere with on-site access, circulation, or visibility.
 - d. It will not create a traffic or safety hazard.
 - e. It will not result in any undue or significant increase in visual clutter in the area surrounding the city-owned or city-leased property.
5. The city-owned or city-leased property must be in a commercial zoning district or an industrial zoning district.

- D. Common provisions. All digital billboards authorized by this section are subject to the following provisions:
1. Each digital-display face must be oriented primarily for viewing from the adjacent freeway.
 2. Notwithstanding anything to the contrary in this chapter, the maximum height of a digital-billboard structure, measured from grade to the top of the digital-display face, is 85 feet; and the overall maximum height, measured from grade to the top of the billboard structure, is 90 feet.
 3. Notwithstanding anything to the contrary in this chapter, the maximum area of each digital-display face is 700 square feet, and a digital billboard may have either one or two digital-display faces.
 4. A digital billboard may display only a series of still images, each of which is displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing, scintillating, blinking, or traveling lights or any other means not providing constant illumination. Transition or blank screen time between still images may not exceed one second.
 5. The owner of the digital billboard must comply with all applicable federal, state, or local laws when constructing, operating, improving, maintaining, repairing, and removing the digital billboard, including the Highway Beautification Act of 1965 (23 U.S.C. § 131), the Outdoor Advertising Act (Cal. Bus. & Prof. Code, § 5200 et seq.), the regulations promulgated to implement the Outdoor Advertising Act (4 Cal. Code Regs. § 2242(c) et seq.), and this chapter.
 6. The city must comply with the California Environmental Quality Act (Cal. Pub. Resources Code, § 21000 et seq.) before approving an agreement that authorizes a digital billboard.

Adopted by the City of Sacramento City Council on July 21, 2020, by the following vote:

Ayes: Members Carr, Guerra, Harris, Jennings, Schenirer, Warren and Mayor Steinberg

Noes: None

Abstain: None

Absent: Members Ashby and Hansen

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2020.07.30 11:19:00 -07'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

Passed for Publication: June 30, 2020

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