

Meeting Date: 7/12/2016

Report Type: Staff/Discussion

Report ID: 2016-00663

Title: Ordinance Adding Sections 15.148.015 and 15.148.191 to the Sacramento City Code, Relating to Signs for Government Speech and Detached Signs for a Plaza District Area within the Central Business District (C-3) Zone (M16-009)

Location: The east side of 3rd Street extending to the west side of 7th Street and from the south side of J Street to the approximate location of Liestal Alley (between L Street and Capitol Mall) between the west side of 7th Street to the east side of 4th Street. After 4th Street the southern boundary of the defined sign area will be the north side of L Street from the west side of 4th Street to the east side of 3rd Street, District 4 and Citywide

Recommendation: 1) Review an Ordinance adding sections 15.148.015 and 15.148.191 to the Sacramento City Code Relating to Signs for Government Speech and Detached Signs for a Plaza District Area within the Central Business District Zone; and 2) pass a Motion forwarding to City Council for approval.

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Presenter: Sandra Yope, Senior Planner, (916) 808-7158, Community Development Department

Department: Community Development Dept

Division: Current Planning

Dept ID:

Attachments:

1-Description/Analysis

2-Ordinance for Plaza Signs

City Attorney Review

Approved as to Form

Joseph Cerullo

6/30/2016 5:55:41 PM

Approvals/Acknowledgements

Department Director or Designee: Frances Chong - 6/24/2016 12:07:31 PM

Description/Analysis

Issue Detail: The City's sign regulations, set forth in Sacramento City Code chapter 15.148, do not allow detached signs within the Central Business District (C-3) zone; nor do they allow signs displaying general advertising for hire (i.e., messages that advertise or promote the establishments, activities, or causes of others, typically for a fee or other consideration). Chapter 15.148 also does not expressly address the City's own use of signs to facilitate city-related purposes or promote city-sponsored activities. The proposed ordinance fills these gaps by adding new sections 15.148.191 and 15.148.015 to chapter 15.148.

Section 15.148.191 authorizes detached signage for a small area within the Central Business District: specifically, the area around Golden 1 Center, designated as the "plaza district." These signs may be used to direct pedestrians and vehicles to the arena, to other businesses and attractions in the plaza district, and to nearby parking. Among other things, section 15.148.191—

- allows the installation within the plaza district of up to eight free-standing, pedestrian-oriented signs, which may have small digital displays;
- allows the installation within the plaza district of up to four large detached signs on the perimeter of the plaza district;
- allows the installation on each parcel within the plaza district of one monument sign, which may include a small digital display;
- regulates the dimensions of the three sign types;
- requires site plan and design review for the three sign types;
- requires that sign permits for digital displays be approved by either the design director or the preservation director, with the director's decision appealable to the planning and design commission or the preservation commission, as appropriate; and
- authorizes the display on each sign type of general advertising for hire.

Large numbers of pedestrians and vehicles will converge on the area around Golden 1 Center for basketball games, concerts, and other events. New section 15.148.191 will authorize signage that can be used to direct the flow of traffic to, from, and within the plaza district. It will also allow signs that identify the area around the arena.

Section 15.148.015 expressly exempts from chapter 15.148 signs that are used to display the City's own messages and signs that serve a regulatory purpose, such as traffic control and public safety.

Policy Considerations: Sign regulations preserve and improve the appearance of the city, making it a better place in which to live, work, and play; safeguard and enhance property values; protect public and private investment in buildings and open spaces; and promote the public health, safety, and general welfare.

Economic Impacts: Not applicable.

Environmental Considerations: The Master Environmental Impact Report for the 2035 General Plan (the “Master EIR”) evaluated the cumulative effects of signage allowed within the city, including the signage authorized by new sections 15.148.191 and 15.148.015. Because the new signage allowed by the new sections will result in no significant effects on the environment other than those evaluated in the Master EIR, no additional review is required by the California Environmental Quality Act. (14 Cal. Code Regs. § 15061(b)(3).) Note, too, that each digital display allowed by new section 15.148.191 will be subject to review and approval by the design director or the preservation director, who will consider the display’s environmental effects.

Sustainability: Not applicable.

Rationale for Recommendation: The Golden 1 Center requires wayfinding signage to facilitate the orderly movement of pedestrians and vehicles to, within, and from the area. Chapter 15.148 does not currently allow the required types of signage within the C-3 zone. Additionally, chapter 15.148 does not unambiguously exempt the City’s own signs, which are used to facilitate public safety, provide public service messages or to display City information.

Financial Considerations: Not applicable.

Local Business Enterprise (LBE): Not applicable.

ORDINANCE NO. 2016-XXX

Adopted by the Sacramento City Council
July __, 2016

AN ORDINANCE ADDING SECTIONS 15.148.015 AND 15.148.191 TO THE SACRAMENTO CITY CODE, RELATING TO SIGNS

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

SECTION 1.

Section 15.148.015 is added to the Sacramento City Code to read as follows:

15.148.015 Government messages and signs.

Nothing in this chapter applies to or restricts the following:

- A. The city's use of city property to display the city's own messages. "City property" means real property over which the city (1) has fee title, an easement (including a public right-of-way), a leasehold interest, or other legal interest; and (2) has the present right of possession and control.
- B. Governmental signs for regulatory purposes such as traffic control and public safety (e.g., street signs, danger signs, railroad-crossing signs, signs of public-service companies indicating danger, and aids to service or safety).

SECTION 2.

Section 15.148.191 is added to the Sacramento City Code to read as follows:

15.148.191 Plaza district signs.

- A. The following definitions apply in this section:

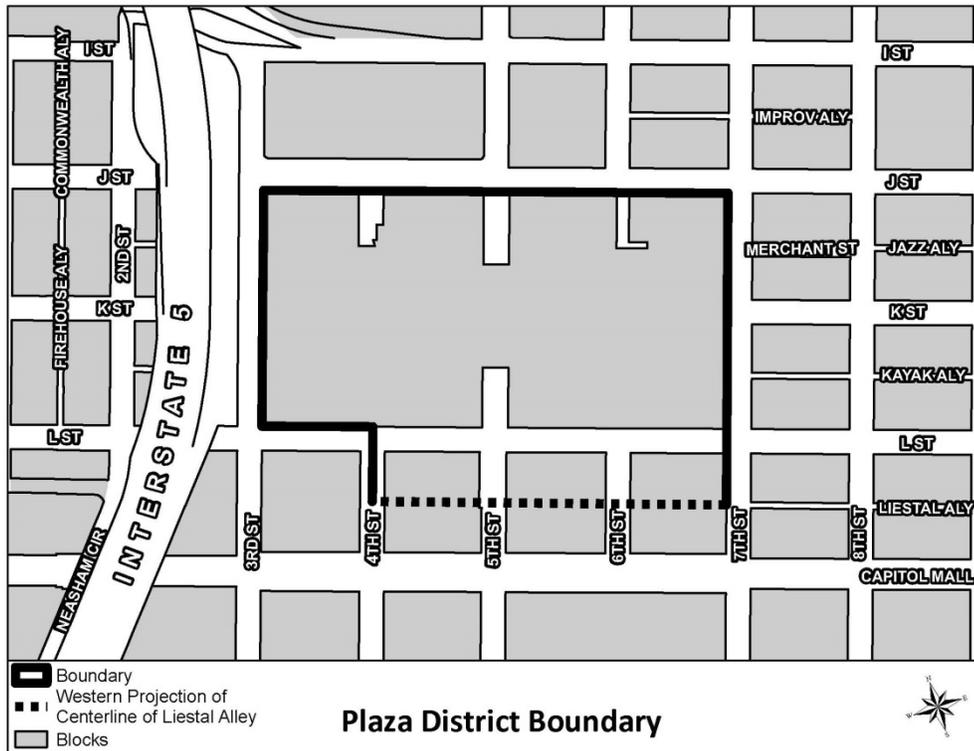
"Attached plaza-entry sign" means a sign that is mounted on, and parallel to, a wall; is located at an entrance to the plaza district; is not more than 4 feet wide; and has a total surface area of not more than 16 square feet.

"Digital display" means a sign face, building face, or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation, 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.

"Detached plaza-entry sign" means a sign on a structure that is supported wholly by the ground (i.e., not supported in whole or in part by a building or

another structure); is located at an entrance to the plaza district; is not more than 10 feet wide; and has a total surface area on each side (including the base) of not more than 120 square feet.

“Plaza district” means the area shown on the following map:



“Plaza kiosk” means a small, pedestrian-oriented, free-standing structure that is used to display information and has the following dimensions: a width of not more than 4.5 feet, a height not more than four times its width, and a total surface area on each side (including the base) of not more than 50 square feet.

“Plaza monument sign” means a low-profile, freestanding sign that is not more than 3.5 feet wide; has a total surface area on each side (including the base) of not more than 30 square feet; and is erected with its base on the ground or on a solid-appearing support substantially equivalent in width and depth to the base of the sign.

- B. Up to eight plaza kiosks are allowed in the plaza district, subject to the following criteria:
 1. Plaza kiosks must undergo site plan and design review under title 17.
 2. A plaza kiosk may display commercial messages if it is located at least 100 feet from each public right-of-way in the vicinity. For plaza kiosks

located closer than 100 feet to a public right-of-way, commercial messages must not be visible from, or oriented toward, areas outside of the plaza district.

3. Plaza kiosks may have two digital displays. Only one digital display is allowed on a side. Each digital display must comply with subsection E of this section and may not exceed 20 square feet in display area.
 4. All plaza kiosks must be similar in their physical characteristics and visually compatible with buildings and other structures in the plaza district.
 5. Plaza kiosks may not include vinyl wraps or applique.
 6. Plaza kiosks may display general advertising for hire.
- C. Up to four detached plaza-entry signs are allowed in the plaza district, subject to the following criteria:
1. Detached plaza-entry signs must undergo site plan and design review under title 17.
 2. The display areas for detached plaza-entry signs must be at least 60% transparent.
 3. All detached plaza-entry signs must be similar in their physical characteristics and visually compatible with buildings and other structures in the plaza district.
 4. Detached plaza-entry signs may not include vinyl wraps or appliqué.
 5. Detached plaza-entry signs may display general advertising for hire.
- D. Up to two attached plaza-entry signs are allowed in the plaza district, subject to the following criteria:
1. Attached plaza-entry signs must undergo site plan and design review under title 17.
 2. The display areas for attached plaza-entry signs must be at least 60% transparent.
 3. All attached plaza-entry signs must be similar in their physical characteristics and visually compatible with buildings and other structures in the plaza district.
 4. Attached plaza-entry signs may not include vinyl wraps or appliqué.
 5. Attached plaza-entry signs may not display general advertising for hire.

- E. Plaza monument signs are allowed in the plaza district, subject to the following criteria:
1. Plaza monument signs must undergo site plan and design review under title 17.
 2. One plaza monument sign is allowed for each parcel, but only if the parcel has a driveway to a public right-of-way.
 3. Plaza monument signs must be at least 20 feet from each driveway entry to a public right-of-way.
 4. A plaza monument sign may have one digital display that has a maximum display area of 8 square feet. The digital display is subject to all requirements of subsection E of this section.
 5. All plaza monument signs must be similar in their physical characteristics and visually compatible with buildings and other structures in the plaza district.
 6. Plaza monument signs may not include vinyl wraps or appliqué.
 7. Plaza monument signs may display general advertising for hire.

E. Digital displays.

1. A digital display must be permanently attached to a plaza kiosk.
2. Digital displays may display general advertising for hire.
3. Digital displays must meet the following operating criteria:
 - a. Digital displays with changing messages must use either an instant transition between messages or a fading transition with a transition time between messages of not less than 1 second and not more than 2 seconds.
 - b. A digital display must not go blank during a transition between messages.
 - c. A digital display must not use a pixel pitch greater than 12 mm.
 - d. 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-candles 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.

- e. Upon the request of the chief building official or his or her designee, the digital display owner, at the owner's expense, shall have a city-approved testing agency measure the brightness of a digital display as follows:

Step One. Measure the digital 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). If brightness so measured exceeds 450 candelas per square meter during the night or 7,500 candelas per square meter during the day, then the display's illumination must be adjusted so that it does not exceed 450 or 7,500 candelas, as applicable.

Step Two. Determine the "measurement distance" using the following formula (the "display area" in the radicand is the area of the display in square feet):

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

Step Three. Use the following formulas to calculate the digital display's maximum allowed brightness at night and during the day:

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

B_n = the maximum brightness allowed at night

D = the measurement distance calculated in Step Two

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

B_d = the maximum brightness allowed during the day

D = the measurement distance calculated in Step Two

Step Four. Measure the digital 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 applicable maximum brightness calculated in Step Three, then the display's illumination must be adjusted so that it does not exceed that maximum brightness.

4. Based on new or updated information or studies, the city council may amend the standards and other provisions 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 signs and digital displays.
 5. Digital displays are subject to approval by the design director (defined in section 17.108.050) or the preservation director (defined in section 17.108.170), as appropriate. As part of this process, the design director shall consult with the chief building official on the design and operational elements of any digital display. When deciding whether to approve the drawings, the design director or preservation director (a) shall consider all of the factors relating to the proposed digital display 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 display; and (b) shall not consider the content or graphic design of messages other than to determine legality under federal or state law.
 6. Each digital display must be integral in design to the architectural style of the plaza kiosk to which it is attached.
- F. The signs authorized by this section are in addition to the signs allowed in the central business district (C-3 zone).