

December 10, 2013

City of Yakima
Planning Commission



INTERNATIONAL SIGN ASSOCIATION

Dear Planning Commission,

On behalf of the International Sign Association (ISA) and the Northwest Sign Council (NWSC), I would like to submit our organization's comments with regard to Introductory Discussion of billboards and digital signs. The International Sign Association (ISA) is a 2000-member trade association, the members of which are manufacturers, users and suppliers of on-premise signs and other visual communications products from the 50 United States and 60 countries around the world. ISA supports, promotes and improves the visual communications industry, which sustains the nation's retail, distribution, service and manufacturing industries. ISA and the NWSC work actively with officials and business owners throughout the northwest to assist jurisdictions with creating reasonable and effective sign regulations.

ISA recommends that staff, City Council, and other involved stakeholders should consider the following resources as part of their information-gathering and ordinance-writing processes. In preparation for this meeting we took the liberty to review the sign code for, legal issues and best practices.

For purposes of organization, I have organized my comments into three categories of feedback. The first grouping is **Recommendations for on-premise sign regulations**. The next category are **Comments on the Memorandum dated December 11, 2013** and the last category is **Changes Recommended as Best Practices in Drafting a Sign Ordinance**.

Recommendations for on-premise electronic message centers

- **Brightness Levels for Electronic Display Signs**

In 2008, ISA hired a lighting expert (and a former president of the Illuminating Engineering Society of North America) to develop recommendations for self-regulating industry standards to address concerns about EMC brightness. These standards are compliant with IES TM-11-00 ("Light Trespass: Research, Results, and Recommendations"). In summary:

B. EMC Illumination Limits: The difference between the off and solid-message measurements using the EMC Measurement Criteria shall not exceed 0.3 footcandles according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.



INTERNATIONAL SIGN ASSOCIATION

We believe that the 0.3 foot-candles standard (which is typically equivalent to ~320 nits or less of an all-white EMC background at night) is proven to be an appropriate method for regulating brightness.

- **Automatic dimming**

C. Dimming Capabilities: All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim

- **Allowable percentage of freestanding sign to used as a digital sign.**

We recommend that the City allow 75% or 100% (versus what staff has suggested 30% or 50%) of the freestanding sign to be digital. This allows for additional design flexibility and is supportive of Yakima's business and institutions such as churches, convention centers, sports facilities or entertainment centers that would choose the flexibility of a digital sign as their primary sign .

- **Definition for digital sign or (electronic message center)**

We recommend that a definition for an digital sign be include in the definition section of the code.

Digital Sign – A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Comments on the Memorandum dated December 12, 2013 by Steve Osguthorpe

No mention is made of the economic considerations for digital or electronic message centers. Please see the attached study by the University of Cincinnati that has information on the economic impacts of EMCs on a hotel chain, banks and auto dealership. We suggest that the positive economic impacts of EMCs on the business community be a part of the discussion when regulating EMCs. Note the attached study "The Economic Value of Signs."

Other Comments on the Bulleted points under Digital Signs page 1, comments by Steve Osguthorpe are indicated by (SO) NWCS/ISA comments are in bold italics:

- Allow 30% to 50% of freestanding sign to be used for digital signs (SO)



INTERNATIONAL SIGN ASSOCIATION

We recommend that the City consider 75% or 100% as recommended above. We believe that to unreasonably limit the sign area to 30% or 50% would severely limit the amount of information that can be displayed on a digital sign at one time. The bottom line with the allowable % of digital sign is, how business friendly (includes other uses institutional or churches) does Yakima want to be?

- Limit digital signs in sensitive areas to monochrome text only with a dark background (SO).
We recommend that the City not enact any color or text only restrictions. This could infringe on court established free speech requirements. With our recommended brightness restrictions EMC signs will not exceed the brightness of other sign types.
- Limit text change to 1.5 seconds fade in, and retain image for 8 seconds (OS).
We recommend that if the City is to enact hold times for EMCs that they be in the range of 3 to 4 seconds. The transition time for fade in and out should not exceed 1 second.
- Limit illumination to 5,000 nits daytime and 500 nits evening.
This standard is outdated since it is based upon the maximum LED brightness limitations from over 10 years ago. The daytime standard is not needed with the automatic dimming requirement. If digital signs were limited to 5,000 nits they could not be properly viewed in full sunlight. Our recommended brightness limitations are typically around 300 nits substantially less than the 500 nits that are suggested.
- Require background to be darker than text (OS).
We recommend that the City not enact any color or text only restrictions. This could infringe on court established free speech requirements. With our recommended brightness restrictions EMC signs will not exceed the brightness of other sign types.

Changes Recommended as Best Practices

Maintain separate and distinct regulations for on-premise and off-premise signs.

The current sign code for Yakima has distinct and separate regulations for on premise and off premise signs. We strongly recommend that all of the regulations for on-premise and off-premise signs be maintained as entirely separate sections of the sign ordinance. This will ensure correct administration of these sections and minimize any confusion of the regulations for on-premise and off-premise signs.

Again, ISA and the NWSC recommends that the Planning Commission, staff, Council, and other involved stakeholders should consider these suggestions to the language of the proposed ordinance.

Thank you for your time and consideration to the ISA recommendations to the proposed regulations. ISA and local sign company representatives would be pleased to offer any additional assistance in understanding issues involved in the regulation of on-premise digital signs, including a demonstration of brightness.

Sincerely,

James Carpentier AICP

Manager, State and Local Government Affairs