



## Folsom City Council Staff Report

<b>MEETING DATE:</b>	4/22/2025
<b>AGENDA SECTION:</b>	New Business
<b>SUBJECT:</b>	Ordinance No. 1349- An Ordinance of the City of Folsom Amending Subsection E(4) and adding Subsection (E)(7) to Section 17.52.510 of the Folsom Municipal Code Pertaining to Minor Illuminated Open Signs in the Historic District Sutter Street Subarea (Introduction and First Reading)
<b>FROM:</b>	Community Development Department

### **RECOMMENDATION / CITY COUNCIL ACTION**

Conduct the first reading of Ordinance No. 1349- An Ordinance of the City of Folsom Amending Subsection E(4) and adding Subsection (E)(7) to Section 17.52.510 of the Folsom Municipal Code Pertaining to Minor Illuminated Open Signs in the Historic District Sutter Street Subarea.

### **BACKGROUND / ISSUE**

The proposed Ordinance is to modify the sign regulations for the Sutter Street Subarea of the Historic District within Section 17.52.510 of the Folsom Municipal Code in order to allow for the use of minor illuminated “open” signs, including specifically internally illuminated and neon “open” signs, within certain design standards.

The Folsom Municipal Code amendment is based on concerns brought by the Sutter Street Merchants Association regarding the visibility of businesses in the evening hours within the Sutter Street Subarea of the Historic District. Currently, internal illumination and neon are prohibited forms of illumination for all signage in the Sutter Street Subarea. During code enforcement efforts after the end of the COVID-19 Public Health Emergency (PHE), it was discovered that several businesses in the Sutter Street Subarea had put up neon and internally illuminated (e.g., LED, etc.) “open” signs in order to clearly identify that they were open, particularly for businesses which were open in the evenings. Staff presented a workshop to the Historic District Commission regarding this issue on June 5, 2024, during which several business owners recommended that certain types of illuminated “open” signs be allowed in order to provide greater visibility for businesses. At the direction by the Commission, staff prepared a draft Ordinance which would allow for the use of minor illuminated open signs, which is the subject of this report.

The proposed Ordinance was considered by the Historic District Commission at its March 12, 2025 hearing. At this hearing, Judy Collingsworth of the Folsom Historic District Association spoke in support of the ordinance. However, instead of limiting the colors to red or orange as staff had proposed, Ms. Collingsworth, speaking on behalf of the merchants of Sutter Street, voiced a preference for limiting the illumination color to white only. Comment letters have also been submitted by the Heritage Preservation League, who recommended the continued prohibition on neon and recommended the allowance of alternative forms of internal illumination that use warm tones; and by Bob Delp, Historic District resident, who recommended that the City enforce the existing prohibition of neon and internal illuminated signage for the noncompliant “open” signs. The Commission expressed support for the Ordinance, with an amendment to limit the color of illumination to white instead of the red and orange colors as originally proposed by staff. The Planning Commission adopted a motion (5-0-1-1: 5 votes in support, 0 opposed, 1 recusal, and 1 member absent) to recommend approval of the proposed Ordinance to the City Council, subject to the findings included with the report.

### **POLICY / RULE**

Under Section 2.12 of the City Charter, amendments to the Folsom Municipal Code require review and approval by the City Council.

### **ANALYSIS**

Under the current sign regulations for the Sutter Street Subarea, “open” signs are limited to externally and nonilluminated signage due to the prohibition of the use of neon and internal illumination for all signage, as outlined in FMC 17.52.510(E)(4). After research around the potential for externally illuminated “open” sign options, staff found that these types of “open” signs are not common or readily available on the market compared to other illuminated “open” sign options, and business owners on Sutter Street have claimed that nonilluminated “open” signs are not easily visible in the evening hours which makes it difficult for customers to clearly identify which businesses are opened or closed.

Additionally, of the historic districts in our region that were evaluated by staff, most either explicitly allowed or did not prohibit the use of neon or internally illuminated signage. Notably, Nevada City’s district prohibited internally illuminated signs, including neon, but others, such as Auburn and Woodland, explicitly allow for neon signs. Sacramento and Grass Valley also allow for the use of internally illuminated signage in their historic district standards. Of the illuminated “open” signs allowed in these districts, staff concluded that a controlled approach for the Sutter street Subarea would help both address the needs of businesses for visibility while maintaining the district’s historic character.

Staff has provided proposed modifications to FMC Section 17.52.510 to add a provision to allow businesses in the Sutter Street Subarea the use of one “open” sign of a size no greater than 1.5 square-feet, that may be nonilluminated, externally illuminated, or internally illuminated. A clean version of the proposed ordinance is provided in Attachment 1, and a redlined version showing the edits is provided in Attachment 2. The types of internal illumination are further limited to face-lit, neon-tube, or similar type of illumination. Animated signs and multi-bulb signs would be prohibited alongside any information that would advertise the business, such as trade names, logos, or symbols. Illumination is proposed to be limited to only white colors.

This proposal aims to improve visibility for businesses during evening hours without compromising the historic character of the Sutter Street Subarea. The allowance for internal illumination, including neon, would grant businesses greater visibility in the evenings, while the limitation on the number of signs, the size, and the prohibition on advertisement would ensure that the use of these “open” signs will be as small minor signs, not the main visual draw for the storefront of a business. The size limitation to 1.5 square-feet will also be able to accommodate most readily available “open” sign sizes on the market. The prohibition on animated and multi-bulb signs will also ensure that no modern-appearing signs, such as multi-bulb LED signs, would be used.

Originally staff had recommended that the illumination colors be limited to red and orange, as this was the first colors available for neon signage in the early 1900s and is considered more historically compatible with the Historic District. Additionally, the use of red and orange would effectively limit the brightness, and thus the visual impact, of the signs on the historic street façade. However, a letter from the Folsom Historic District Association recommended that only white illumination be allowed, which was reiterated by their representative at the March 12<sup>th</sup> Historic District Commission hearing, and at the direction of the Commission staff have modified the color to white illumination only. The limitation to a singular color is intended to prevent the use of modern red and blue neon “open” signs (developed in the 1980s) which are not considered historically accurate to the Sutter Street Subarea.

Overall, the proposed draft ordinance intends to balance the goal to preserve the historic character of the Sutter Street Subarea with the needs of businesses for enhanced evening visibility through allowing the use of small, minor illuminated “open” signs.

### **FINANCIAL IMPACT**

The changes to Section 17.52.510 of the FMC is not anticipated to impact the General Fund.

### **ENVIRONMENTAL REVIEW**

The change to this chapter of the Folsom Municipal Code is not a project under the California Environmental Quality Act (CEQA) and is therefore exempt from environmental review in accordance with Section 15061(b)(3). Additionally, the addition of small illuminated open signs at Sutter Street businesses would be categorically exempt under Section 15301 of the CEQA Guidelines as it is a minor alteration that involves no expansion of the use.

### **ATTACHMENTS**

1. Ordinance No. 1349 – An Ordinance of the City of Folsom Amending Subsection E(4) and adding Subsection (E)(7) to Section 17.52.510 of the Folsom Municipal Code Pertaining to Minor Illuminated Open Signs in the Historic District Sutter Street Subarea
2. Proposed Ordinance amendment in redline version
3. Historic District Commission Staff Report and Attachments, dated March 12, 2025
4. Public Comment Letter, dated March 11, 2025
5. Minutes from March 12, 2025 Historic District Commission Meeting (Draft)

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

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PAM JOHNS  
Community Development Director