

5  PACIFIC PALISADES COMMUNITY COUNCIL

August 8, 2011

Via Email & PLUM Hearing Hand Delivery

Councilmember Ed P. Reyes, Chair
Councilmember Jose Huizar
Councilmember Paul Krekorian
c/o Michael Espinosa – Legislative Assistant / Michael.Espinosa@lacity.org
The Los Angeles City Council; Planning & Land Use Management Committee
200 North Spring Street
Los Angeles, CA 90012

Date: 8.9.11
Submitted in PLUM Committee
Council File No.: 08-2020
Item No.: 5
Deputy: public

Re: PPCC Opposes "Sign Ordinance"¹ / File No. 08-2020 / PLUM Hearing August 9, 2011 Item (5)

Dear Councilmembers Reyes, Huizar and Krekorian:

Pacific Palisades Community Council ("PPCC" opposes the Sign Ordinance as presently drafted. The Executive Committee of PPCC voted on this proposed ordinance, as the full Board is on summer schedule. PPCC's opposition is based on the following key points:

1. **Community Groups Have Insufficient Notice.** Rather than the customary sixty (60) days notice, we received twenty-one (21) days to review, vet language, adopt positions and present a voice on the Sign Ordinance. The PPCC, other groups and affected persons have not had a chance to adequately evaluate and react to the substantial zoning code changes now proposed to take effect.
2. **The "Internal Sign Exception" (proposed LAMC Art. 4, Sec. 14.4.3(A)) Must Be Changed.** The intent of this exception is to accommodate signs in large, enclosed spaces like malls and stadiums through sign districts, a comprehensive sign program or during temporary construction. Planning has indicated that it would consider a revision(s) to the current wording because it is a total exception to the City's sign regulations (i.e., no site characteristics are considered). *Without change, the PPCC believes that both our specific plan and non-specific plan areas may become subject to unregulated interior signs (including on-site digital signs) because we have small commercial atrium office buildings, enclosed retail plazas, schools with courtyard areas, and walled baseball fields at our recreation center.* PPCC has suggested to Planning, in order of preference, the following options: (a) delete proposed change and leave the existing LAMC which regulates interior signs, (b) have the interior sign exception not apply to off-site signs and digital signs, or (c) cross-reference Sec. 91.6216.4.3 (Sign Districts) and LAMC 14.4.24 (Comprehensive Sign Program) to ensure that the interior sign exception applies only to larger projects.²

¹ The "Sign Ordinance" is that report from the Department of City Planning relative to a proposed ordinance amending Sections 11.5.7, 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of Chapter 1 of the Los Angeles Municipal Code to enact a new criteria for the establishment of sign districts; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; and enact related technical corrections and other measures to control the potential impacts of signs on traffic safety and the visual environment.

² Planning has represented that the interior sign exception was never intended to allow unregulated signs in specific plan areas and is "aware of the ambiguity" in LAMC Sec. 14.4.3(A) as presently drafted.

3. **The New “Donor Sign” Definition (proposed LAMC Art. 4, Sec. 14.4.2) Should be Deleted.**

This definition should be deleted because it arguably regulates content. Second, it does not specify whether donor signs are recognized as off-site or on-site signs. *Therefore, the definition may provide a loophole for a proliferation of unregulated on-site and off-site “donor” signs throughout the Pacific Palisades (note: our specific plan bans only “off-site commercial” signs).*

4. **The Off-Site Sign Definition (proposed LAMC Art. 4.4, Sec. 14.4.2) Should be Clarified.**

Planning agreed to consider PPCC’s recommendation that the word "exclusively" be inserted before "used to advertise" in this definition – to be consistent with the definition of “on-site” signs and encompass all forms of commercial advertising.

5. **The Impact of the Sign Ordinance on Public and Charter School Campuses In Areas Not Covered by Specific Plans is Unclear.**

When Palisades Charter High School erected a digital sign, homeowners experienced light spillover from flashing, rolling, scrolling 24/7 messages that also created a substantial distraction to drivers along Temescal Canyon Road and Sunset Boulevard (the sign is one long block from Sunset Blvd.). The PPCC quite simply has not had time to research the impact of the proposed ordinance, if any, on these government-owned properties in the Palisades.

6. **The "Three Tiered Approach to Deviations" (proposed LAMC Art. 4, Sec.’s 14.4.4(B), 14.4.4(C), 14.4.4(D), 14.4.22, 14.4.23, 14.4.24) is Not Acceptable as Written.**

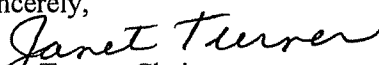
The PPCC is gravely concerned about Planning’s May 11, 2011 letter to the Budget and Finance Committee which states that the Comprehensive Sign Program “might apply to the Department of Recreation and Parks . . . [as] a new discretionary procedure that would enable the City to approve otherwise prohibited signs (including digital off-site signs) in certain locations . . .” *PPCC objects to the “three tiered approach” as drafted because the Sign Ordinance allows otherwise prohibited on-site signs in our parks and may allow otherwise prohibited off-site and temporary signs on other properties where the city may apply for a comprehensive sign program.* Finally, the PPCC objects to the application of the “three tiered approach” without time to evaluate how adjustments of 20% will affect on-site signs in our commercial areas.

7. **Regulation of Digital Displays (proposed LAMC Art. 4, Sec. 14.4.19) is Insufficient.**

The Sign Ordinance contains bare minimum standards. *Based on our experience with Palisades Charter High School (ref. Paragraph 5 above), the PPCC is most concerned that spillover light is not regulated³ – along with regulation of size, spacing, and the number of signs which are critical factors to driver safety and contributors to visual blight.*

Thank you in advance for your consideration.

Sincerely,


Janet Turner, Chair
310-573-0382

CC’s: CD 11: Councilmember Rosendahl, Norm Kulla, Whitney Blumenfeld, Paul Backstrom, Joaquin Macias / City Planning Department: Michael LoGrande, Alan Bell, Daisy Mo

³ The candelas standard involves pointing a light at the source to determine what is too bright only and does not address spillover impacts. Proposed LAMC Art. 4, Sec. 14.4.4(F) (Sign Illumination Limitations) limits light intensity from a single sign and not an aggregate affect of multiple signs on nearby residentially zoned properties. It is also unclear whether the “not visible” language proposed in the interior sign exception (Sec. 14.4.3(A)) means “not visible” or includes the allowance of light intensity limited by Sec. 14.4.4(F).

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August 9, 2011

Planning and Land Use Management Committee
 Los Angeles City Council
 City Hall, Room 395
 200 North Spring Street
 Los Angeles, CA 90012

City Council File No. 08-2020; 02-3386-S1

Re: PLUM Agenda Item No. 5: Citywide Sign Ordinance

Dear Chairman Reyes and Councilmembers Huizar and Krekorian:

We appreciate the opportunity to work with the business community and individual companies – business owners and operators, sports and entertainment facilities, educational institutions, and shopping centers – to provide comments to your Committee concerning the Department of City Planning’s proposed revisions to the City’s sign regulations (“Sign Ordinance”) that were previously considered by the City Council in May 2009. While we appreciate the consideration given to these important stakeholders by the Department of City Planning during revisions to the draft Sign Ordinance, a number of critical modifications still need to be addressed. We respectfully request that these modifications be made before Council action on the draft Sign Ordinance.

The importance of advertising and identification signs to jobs and City revenues cannot be overstated, particularly when we recognize that Los Angeles suffers from lower sales tax revenues and higher unemployment than other local cities. Consumer spending is a key to the economic recovery, and advertising is intended to support such spending. We appreciate the Committee’s recognition of the urgency of providing certainty for investment in Los Angeles.

The suggested modifications are detailed in Attachment A and summarized below. Attachment B contains our proposed modifications as a redline to Planning’s draft Sign Ordinance dated July 22, 2011.

1. Sign Districts. To provide the City with the necessary flexibility to approve signs for unique projects or in unique areas, we request that the Committee incorporate an alternative qualification to the 5,000 linear feet or 15 acre size thresholds proposed for Sign Districts. Projects with sufficient density in highly urbanized areas, where lot sizes are smaller and property ownerships occupy fewer acres, should qualify with lower


acreage or linear frontage thresholds. In addition, an alternative to the sign reduction requirement for Sign Districts that permit off-site signs should be provided to allow other aesthetic benefits to the area such as improved landscaping or streetscaping.

2. Comprehensive Sign Program. While we appreciate the flexibility that would be provided by a Comprehensive Sign Program, it is essential to restore the provisions in the prior draft that permitted definitions of “specialty signs” (e.g., donor signs, sponsorship signs, corporate signs, and signs associated with temporary promotions) to provide a practical permitting solution for these necessary signs. These relationships represent investment in Los Angeles. In addition, we request that comprehensive sign districts have the flexibility to vary provisions limiting combined sign area and governing the location of combined sign area.
3. Grandfathering; Pending Projects and Amendments to Existing Specific Plans. To promote fairness for projects that are currently in the pipeline, the Sign Ordinance should not apply to applications for discretionary approval for on-site signs that are filed prior to the effective date of the Sign Ordinance. In addition, future amendments to existing or otherwise grandfathered specific plans that modify or increase sign rights within the existing boundaries of the Specific Plan should be permitted under the existing regulations for Specific Plans.
4. Scope: Exempt Interior Signs. The exemption for interior signs should further exclude signs blocked by visual obstructions other than walls and signs not primarily visible from a public right-of-way or adjacent property. Moreover, without additional provisions, the application of the Sign Ordinance will not be clear as to interior signs within larger, campus-like properties that do not affect the visible attributes of the public realm – including interior signs at such destinations as entertainment, sports, cultural, and academic facilities – because with open air design these campuses are not always bounded on all sides by one or more buildings. We request that the Council adopt a more flexible definition so that such signs, which historically have not been regulated by the City’s exterior sign regulations, will continue not to be regulated under the Sign Ordinance.
5. Penalties. To promote fairness and protect business viability, notice and opportunities to cure sign violations should be provided.
6. Appeals. The appeal procedure contained in the previous draft Sign Ordinance issued by the Planning Department in March 2011 should be restored and coordinated with the appeal procedures proposed in the draft Administrative Enforcement Ordinance. In addition, to provide fairness, penalties should not accrue while an appeal is pending.

LATHAM & WATKINS^{LLP}

We appreciate your consideration of these critical issues before taking action on the Sign Ordinance. We respectfully request that your Committee direct Planning staff to work with stakeholders to address these proposed modifications to the Sign Ordinance.

Very truly yours,

Lucinda Starrett 

Lucinda Starrett
of LATHAM & WATKINS LLP



David A Goldberg
of LATHAM & WATKINS LLP

Attachments

- A: Detailed Comments on Proposed Sign Ordinance
- B: Requested Changes to Department of City Planning's July 22, 2011 Draft Sign Ordinance

Cc: Alan Bell, Department of City Planning
Daisy Mo, Department of City Planning

Attachment A

Detailed Comments on Proposed Sign Ordinance

For the reasons set forth below and in our prior submittals, additional modifications are necessary to the Draft Sign Ordinance to ensure a proper balance of aesthetic, planning, and business interests and to avoid unnecessary impacts to the City's revenue and job creators, including its small businesses, sports and entertainment facilities, shopping centers, nonprofits, museums and cultural establishments.

1. Alternative Compliance Mechanisms Should Be Provided For Sign Districts

a. Sign Districts Should Be Permitted For Properties in Urban Areas with Significant Density

We request that the Committee not adopt the proposed increased minimum size for a Sign District from one block or three acres, whichever is smaller, to 5,000 linear feet of street frontage or 15 acres, whichever is smaller. These restrictions severely and arbitrarily prohibit several properties where additional signage would be appropriate, including cultural, entertainment, and economic centers of the City, and those commercial areas located at or surrounding transit stations, employment centers, large shopping centers, entertainment venues, and various tourist areas, from obtaining additional signage through a Sign District. Rather than severely and artificially restricting the size or permitted locations for Sign Districts, the approval of Sign Districts instead should be required to show special circumstances that make additional signage appropriate for the property, regardless of their size, as well as public benefits to the community or the City as a whole.

If the Committee adopts the proposed size thresholds for Sign District, we request that the Committee also permit, as an alternative compliance threshold, Sign Districts on properties with at least 750,000 square feet of non-residential development, 2,500 square feet of linear feet of street frontage, and 7.5 acres in area to qualify for Sign Districts. The current minimum size does not account for properties in urban areas in the City where additional signage rights may be appropriate, such as areas undertaking Specific Plans that previously allowed for signs, which have significant density but do not have either 5,000 linear feet of street frontage or 15 acres. Proposed language modifying LAMC Section 13.11.B.2 is included in Attachment B.

b. An Alternative to the Sign Reduction Requirement for Sign Districts that Permit Off-Site Signs Should Be Provided to Allow Other Aesthetic Benefits

The Sign Ordinance also includes a new finding requiring a mandatory off-site sign reduction program for Sign Districts. Contrary to the Planning Department's assertion, the purpose of the sign reduction is not to limit any additional off-site sign area in the City, but to determine where off-site signs are appropriate based on objective findings. There is no nexus between this requirement and the requested signs if the other findings are met. If an applicant is able to establish that the proposed signs are appropriate for the area and will "enhance the unique

quality, theme or character” of the proposed Sign District, then there is no nexus to require any sign reduction. Moreover, a mandatory sign reduction would not be appropriate for a proposed Sign District that may not be currently developed with off-site signs or digital signs in which instance it would be impossible to comply with a mandatory sign reduction requirement. In particular, the mandatory sign reduction would significantly disadvantage communities seeking economic development and redevelopment. In lieu of the proposed finding, we recommend including a finding that requires that the proposed use will provide public benefits that will benefit the community or City as a whole, e.g., landscaping, streetscaping, economic development, or job creation. Contrary to the Planning Department’s assertions, the findings for approval of a Sign District providing aesthetic benefits as an alternative to mandatory off-site sign reduction are objective. Proposed language modifying LAMC Section 13.11.C is included in Attachment B.

2. The Comprehensive Sign Program Should Provide for a Definition of “Specialty Signs” that may be Considered as On-Site Signs

Section 14.4.24 proposes a Comprehensive Sign Program to allow flexibility for developments with unique sign needs. The Comprehensive Sign Program should provide for a definition of what constitutes “specialty signs” for developments with unique needs such as entertainment, sports, cultural, and academic facilities, to clearly identify the specialty signs (e.g., donor signs, sponsorship signs, corporate signs, and signs associated with temporary promotions) may be considered as on-site signs. Proposed language adding a new LAMC Section 14.4.24.E is included in Attachment B.

Consistent with the purpose of the Comprehensive Sign Program to meet the special sign requirements of uses with a need for flexible and innovative sign regulations, Section 14.4.24.C should be modified so a Comprehensive Sign Program may vary provisions limiting combined sign area and location of combined signs. Issues regarding the aggregate amount of sign area and location of signs should be addressed through the stringent findings that have been required and, as necessary, conditions of approval. In addition, these restrictions are contrary to the express purpose of the Comprehensive Sign Program, which to provide flexibility and innovative sign regulations for qualifying properties. Moreover, there are no other mechanisms to increase the maximum sign area other than a Sign District or variance, which would be required for even the slightest deviations from maximum sign area.

3. Expand Transition Rules to Provide For Projects with Applications Seeking On-Site Signs and Public Hearings Held Prior to the Effective Date of the Ordinance

Proposed Sign Ordinance Section 13 provides that the new provisions of the Sign Ordinance shall not apply to any project that has received a discretionary land use approval prior to the effective date of the Sign Ordinance, and such approval specifically allowed signs, or otherwise sought relief from the sign regulations. To further the interest of fairness, the new provisions also should not apply to any project that has filed an application that specifically requested on-site signs through a discretionary approval, or otherwise sought relief from the sign regulations to allow for on-site signs prior to the effective date of the Sign Ordinance. In these cases, applicants have relied in good faith on the existing sign regulations and have incurred

substantial resources to process these applications, and have had public hearings on their applications. Principles of equity and fairness require that these applicants be permitted to complete the approvals process under the existing rules.

In addition, language should be added to clarify that future amendments to existing or otherwise grandfathered Specific Plans that modify or increase signage rights within the existing boundaries of the Specific Plan are permitted under the existing regulations for Specific Plans. Attachment B contains specific language to expand the transition rule in Sign Ordinance Section 13 for such on-site signs.

4. Clarify the Inapplicability of the Sign Ordinance to Interior Signs Not Primarily Viewable from a Public Right-of-Way and On Campuses

Proposed Section 14.4.3.A clarifies that the Sign Ordinance only applies to exterior signs and sign support structures and exempts interior signs. The exemption for interior signs should further exclude signs not primarily visible from a public-right-of-way or adjacent property. Proposed language modifying LAMC Section 14.4.3.A is included in Attachment B.

Moreover, without additional provisions, the application of the Sign Ordinance will not be clear as to interior signs within larger, campus-like properties that do not affect the visible attributes of the public realm – including interior signs at such destinations as entertainment, sports, cultural, and academic facilities – because with open air design these campuses are not always bounded on all sides by one or more buildings. We request that the Council adopt a more flexible definition so that such signs, which historically have not been regulated by the City’s exterior sign regulations, will continue not to be regulated under the Sign Ordinance. Attachment B contains suggested language at LAMC Section 14.4.3.A to ensure that signs shall not be considered exterior if they face an interior area bounded on all sides by one or more buildings, walls, or other visual obstructions; no sign is higher than the surrounding buildings, walls, or other visual obstructions; and the sign is predominantly viewable from the property and merely incidentally viewable from any public right-of-way or adjacent property.

5. The Purpose of the Sign Ordinance Should Include Encouraging Entertainment, Sports, Cultural, and Academic Facilities

PLUM commented that the intent of the Sign Ordinance is not to negatively impact the City’s destinations. These include entertainment, sports, cultural, and academic facilities, which incorporate on-site signs in their essential activities and to promote their activities, programs, and events. Creativity of expression in sign design is essential to the ability of entertainment, sports, cultural, and academic facilities to attract visitors to their premises. Many Los Angeles visitors come to our City for the purpose of attending activities, programs, and events at the City’s entertainment, sports, cultural, and academic facilities. To clarify this purpose, language should be added to LAMC Section 14.4.1 as set forth in Attachment B that an objective of the Sign Ordinance is that consideration will be given to encourage the viability of tourism, entertainment, sports, cultural, and academic industries through on-site signs at entertainment, sports, cultural, and academic venues.

6. Enforcement Provisions Should Provide Opportunities to Cure On-Site Sign Violations to Promote Fairness and Due Process Protections and Protect Business Viability

a. Retain Existing Enforcement Provisions for On-Site Signs

The proposed Sign Ordinance contains severe civil per day penalties of \$2,500 per day per violation for on-site sign violations of the Sign Ordinance. Such large penalties are inappropriate and misplaced for on-site sign violations. Such significant civil penalties for on-site signs could result in a circumstance where schools, nonprofits, cultural, and entertainment establishments, or small business – unknowingly violating the Sign Ordinance with signs that identify them and promote their businesses and events – would incur civil penalties that would be a severe detriment to pay. To ensure that the proposed Sign Ordinance is not a detriment to businesses with legitimate on-site signs, Section 14.4.26 should be modified to retain the existing enforcement provisions for on-site signs.

b. Businesses should be Given an Opportunity to Cure On-Site Sign Violations, and Filing and Appeal to Stop Penalties from Accruing

To further ensure that the Sign Ordinance is not a detriment to businesses with legitimate on-site signs, Section 14.4.26.B should be modified to provide property owners and tenants the opportunity to cure an alleged violation of the sign regulations before civil penalties accrue. This is only fair given the complexity of the City's sign regulations, the severity of the penalties, and the costly appeal fees. In addition, filing an appeal should stop penalties from accruing. Language modifying LAMC Section 14.4.26.B is included in Attachment B.

7. The Sign Ordinance Should Include Appeal Procedures That Are Coordinated and Consistent With the Draft Administrative Enforcement Ordinance

Previous version of the draft Sign Ordinance included appeal procedures to govern appeals of the administrative civil penalties assessed pursuant to the Sign Ordinance, as well as appeals of orders to comply with the Sign Ordinance. These appeal procedures were removed in the current, proposed Sign Ordinance. The appeal procedures should be restored to provide a mechanism for responsible parties to appeal. Attachment B includes a proposed LAMC Section 14.4.27, which is the appeal procedures proposed by the Planning Department in the previous version of the Sign Ordinance.

The City is currently processing a proposed Administrative Enforcement Ordinance, which also includes enforcement provisions and appeal procedures governing signs. The appeal procedures should be coordinated with the appeal procedures proposed in the draft Administrative Enforcement Ordinance to ensure consistency in the appeal procedures between the draft Sign Ordinance and the Administrative Enforcement Ordinance. In addition, consistency should be provided with the current provisions of the Sign Inspection Ordinance.

Attachment B

Requested Changes to Department of City Planning's July 22, 2011 Draft Sign Ordinance

ORDINANCE NO. _____

A proposed ordinance amending Sections 11.5.7, 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of Chapter 1 of the Los Angeles Municipal Code to enact new criteria for the establishment of sign districts; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; and enact related technical corrections and other measures to control the potential impacts of signs on traffic safety and the visual environment.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 11.5.7 of Article 1.5 of Chapter 1 of the Los Angeles Municipal Code is amended by adding a new Subsection K to read:

K. Sign Regulations. A specific plan shall not permit any of the signs prohibited by Section 14.4.4 C of this Code. Any sign regulations included in a specific plan may be more restrictive and may not be more permissive than the sign regulations set forth in Article 4.4 of Chapter 1 of this Code or in Article 7 of Chapter 5 of this Code.

Sec. 2. Subparagraph (2) of Paragraph (a) of Subdivision 16 of Subsection A of Section 12.05 of the Los Angeles Municipal Code is deleted.

Sec. 3. Subdivision 7 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is deleted.

Sec. 4. Subparagraph (6) of paragraph (a) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(6) Signs.

- (i) In addition to the requirements set forth in Article 4.4 of this chapter, no person shall erect on the lot or lots the following signs, as defined in Section 14.4.2 of this Code, unless a Sign Adjustment is obtained per Section 14.4.22 of this Code: pole signs; projecting signs; or roof signs.
- (ii) Monument signs and information signs shall be located only within the landscape-planted areas of the lot or lots.

Sec. 5. Subparagraph (5) of paragraph (b) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(5) **Covenant.** Prior to the issuance of a building permit or land use permit, the owner of the lot or lots shall execute and record a covenant and agreement in a form satisfactory to the Director of Planning, acknowledging that the owner shall implement each of the conditions set forth in Paragraph (b) of this subdivision, and shall not permit the establishment of any uses enumerated in Section 12.24 W 27 of this Code without first obtaining a conditional use approval. The covenant and agreement shall run with the land and be binding upon the owners, and any assignees, lessees, heirs, and successors of the owners. The City's right to enforce the covenant and agreement is in addition to any other remedy provided by law.

Sec. 6. Subsubparagraph (iii) of Subparagraph (1) of paragraph (c) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(iii) All signs proposed to be located on the site comply with Paragraph (a)(6) of this subdivision; and

Sec. 7. Subparagraph (6) of paragraph (a) of Subdivision 28 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(6) Signs.

- (i) In addition to the requirements set forth in Article 4.4 of this chapter, no person shall erect a pole sign or projecting sign, as defined in Section 14.4.2 of this Code, on the lot or lots unless a Sign Adjustment is obtained per Section 14.4.22 of this Code.
- (ii) Monument signs and information signs may only be located within the landscape-planted areas of the lot or lots.

Sec. 8. Paragraph (j) of Subdivision 20 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is deleted.

Sec. 9. Subdivision 3 of Subsection C of Section 12.23 of the Los Angeles Municipal Code is deleted.

Sec. 10. Section 91.6216.4.3 of Division 62 of Article 1 of Chapter 9 of the Los Angeles Municipal Code is hereby amended to read:

91.6216.4.3. The alteration, repair or rehabilitation of any existing sign or sign support structure that exceeds 50 percent of the replacement cost of both the sign and sign support structure must comply with all the requirements of this Code.

EXCEPTION: If the sign or sign support structure is a qualified historical structure then the applicant may utilize the California Historical Building Code if desired, in which case the California Historical Building Code shall govern and not Division 62 of this Code.

Sec. 11. Section 13.11 of the Los Angeles Municipal Code is hereby amended to read:

A. Purpose. This section sets forth procedures, guidelines and standards for the establishment of “SN” Sign Districts. The purpose of the “SN” Sign District is to facilitate the creation of a unique quality, theme or character within districts that have a distinctive regional identity and that serve as regional destinations or hubs of commerce, culture, entertainment or international transport. The creation of a unique quality, theme or character will be supported by a design or architectural theme that is compatible with the surrounding environment. A further purpose of the “SN” Sign District is to improve the visual environment of the City through a net reduction in signage or improvement through aesthetic benefits.

B. Establishment of Districts.

1. The procedures set forth in Section 12.32 S of this Code shall be followed; however, each “SN” Sign District shall only include properties that are:

(a) Zoned C, PF, or R5 and in an area designated on an adopted community plan as “Regional Center” or “Regional Commercial”; or

(b) Located in the area of the Los Angeles International Airport (LAX) Specific Plan or of the Port of Los Angeles Plan, if such plan authorizes off-site signage through a Sign District; ~~or~~

(c) Zoned M, C, PF, or R5, and located in the “Greater Downtown Housing Incentive Area,” as defined in Section 12.03 of this Code; ~~or~~

(d) Within a specific plan area.

2. Any “SN” Sign District shall contain at least 5,000 linear feet of street frontage or 15 acres in area; or 750,000 square feet of non-residential development, 2,500 linear feet of street frontage, and 7.5 acres in area. For purposes of applying this provision, “street frontage” shall be as defined in Section 14.4.2 of this Code, and a “block” shall follow the definition of “block face” in Section 13.09 of this Code.

3. The boundaries of an “SN” Sign District shall not:

(a) ~~abut an RW1 zone or a more restrictive zone;~~ or (b) abut a major highway or secondary highway identified as a scenic highway as designated on an adopted community plan unless an additional finding is made that the establishment of the Sign District will not negatively impact the aesthetic qualities of the scenic highway based upon the regulations in the Sign District; or

(eb) be established within 500 feet of an ecological preserve, as defined by California Fish and Game Code Section 1584.

4. In addition to the findings required by Section 12.32 C 2 of this Code, the below findings shall be made in establishing an “SN” Sign District. The review of an initial Sign District, or any amendment to an approved Sign District, shall not consider the content or message of any proposed signs.

(a) The area of the proposed “SN” Sign District comprises an existing or future district with a unique regional identity that serves or will serve as a regional destination or hub of commerce, culture, entertainment, or international transport; and

(b) The area of the proposed “SN” Sign District possesses a unique quality, theme or character, or zoning regulations have been or are being established that are intended to create a unique quality, theme or character **reflecting its identity as a regional destination or hub of commerce, culture, entertainment, or international transport**; and

(c) The proposed signs include special design or architectural attributes that support the maintenance or creation of the “SN” Sign District’s unique quality, theme or character **reflecting its identity as a regional destination or hub of commerce, culture, entertainment, or international transport**; and

~~(d) — The proposed design or architectural attributes of the proposed signage are compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent properties; and~~

~~(e) — If the Sign District provides an exception to the citywide ban on off-site signs or other provision of the citywide sign regulations, the ban or other provision will continue to directly advance the purposes of aesthetics and traffic safety despite the exception; and~~

~~(fd) Any aesthetic or traffic safety harm resulting from allowing signs that would otherwise be prohibited or restricted by the citywide ban on off-site signs or other provision of the citywide sign regulations, is outweighed by the elimination of blight, or the improvement of aesthetics or traffic safety, resulting from development within the Sign District.~~

5. The total acreage in an “SN” Sign District shall include contiguous parcels of land, which may ~~only~~ be separated by **intervening public or private** streets, ways, alleys, **bridges** or other physical features, **or changes in jurisdictional boundaries, or may be noncontiguous if contained within an area approved through one**

administrative process from the same applicant. Precise boundaries are required at the time of application for or initiation of an individual district.

C. Sign Reduction or Other Aesthetic Benefits. If the ordinance establishing the “SN” Sign District allows off-site signs, as otherwise prohibited by Section 14.4.4 C 9 of this Code, then the ordinance shall:

1. Identify the boundaries of a “sign impact area,” which shall have at least one boundary adjacent to the “SN” Sign District.

2. Require, ~~at a minimum,~~ that every square foot of sign area of a new off-site sign must be offset by a reduction of more than one square foot of existing off-site sign area, within either the “SN” Sign District or the “sign impact area:” or that other public benefits to improve aesthetics be provided.

3. Require that any application for reduction of off-site sign area include the notarized signature of the owner of the property on which the sign is located.

4. Credits for removal of off-site signs shall be awarded to the property owner. Such credits can then be used to acquire rights to establish new off-site signage.

The sign reduction ~~requirement~~ or aesthetic benefits requirements established by this subsection shall ~~only~~ be met through the demolition of existing, legally permitted off-site signs, including nonconforming off-site signs: or provision of aesthetic, public benefits including but not limited to landscaping enhancements, building facade improvements, or funding to reduce visual blight within either the “SN” Sign District or the “sign impact area.” The reduction in existing sign area or other aesthetic benefit provided shall be ~~accomplished prior to~~ a condition of issuance of a building permit for the new off-site sign. The applicant shall obtain the required demolition permits from the Department of Building and Safety or other aesthetic benefit prior to any demolition work.

D. Sign Regulations. The ordinance establishing the “SN” Sign District may be less restrictive or more restrictive than the sign regulations set forth in Article 4.4 of this chapter, and as such may allow signs prohibited by that article; but may not be less restrictive than Article 7 of Chapter 5 of this Code. If all or a portion of a defined geographic area is governed by both a specific plan and an “SN” Sign District, the “SN” Sign District regulations applicable to that area shall not conflict with or supersede the specific plan’s special sign regulations applicable to the same area. An “SN” Sign District may only authorize sign types defined in Section 14.4.2 of this Code.

E. Conformance. The Department of Building and Safety shall not issue a building permit for a sign within a “SN” Sign District unless the sign conforms to the regulations set forth in a specific “SN” Sign District ordinance.

F. Administration.

1. The procedures to administer an "SN" Sign District shall be the specific plan procedures set forth in Section 11.5.7 of this Code, except that the findings for a Specific Plan Exception for signage shall be the same as the findings for a Sign Variance, the findings for a Project Permit Adjustment for signage shall be the same as the findings for a Sign Adjustment, and the findings for Project Permit Compliance Review for signage shall be as follows:

a. All proposed signage complies with the applicable regulations of this Sign District.

b. Pursuant to the California Environmental Quality Act, the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

2. For any signage request within a Sign District as identified in Paragraph 1 of this Subsection, the following additional finding shall be used solely to condition an approval and shall not be used to deny a project:

a. All existing and proposed signs are appropriately scaled to the architectural character of all buildings and structures on the lot.

b. All existing and proposed signs result in a complementary enhancement to the architecture on the lot.

c. All existing and proposed signs result in a visually uncluttered appearance.

Sec. 12. Article 4.4 of Chapter I of the Los Angeles Municipal Code is amended to read:

ARTICLE 4.4

SIGN REGULATIONS

Section

14.4.1 Purpose

14.4.2 Definitions

14.4.3 Application

14.4.4 General Provisions

14.4.5 Freeway Exposure

14.4.6 Information Signs

14.4.7 Monument Signs

14.4.8 Projecting Signs

14.4.9 Wall Signs

14.4.10 Illuminated Architectural Canopy Signs

14.4.11 Pole Signs

- 14.4.12 Roof Signs
- 14.4.13 Window Signs
- 14.4.14 Marquee Signs
- 14.4.15 Temporary Signs
- 14.4.16 Temporary Signs on Temporary Construction Walls
- 14.4.17 Off-Site Signs
- 14.4.18 Awning Signs
- 14.4.19 Digital Displays
- 14.4.20 Vintage Art Murals
- 14.4.21 Signs in A and R Zones
- 14.4.22 Sign Adjustments
- 14.4.23 Sign Variances
- 14.4.24 Comprehensive Sign Programs
- 14.4.25 Continuation of Nonconforming Signs
- 14.4.26 Violations and Civil Penalties
- 14.4.27 Appeal Procedures
- 14.4.28 Recovery of Costs

SEC. 14.4.1. PURPOSE.

The purpose of this article is to promote public safety and welfare by regulating signs in keeping with the following objectives:

- A. That the design, construction, installation, repair and maintenance of signs will not interfere with traffic safety or otherwise endanger public safety.
- B. That the regulations will provide reasonable protection to the visual environment by controlling the size, height, spacing and location of signs.
- C. That both the public and sign users will benefit from signs having improved legibility, readability and visibility.
- D. That consideration will be given to equalizing the opportunity for messages to be displayed.
- E. That adequacy of message opportunity will be available to sign users without dominating the visual appearance of the area.
- F. That the regulations will conform to judicial decisions, thereby limiting further costly litigation and facilitating enforcement of these regulations.
- G. That consideration will be given to encouraging the viability of tourism, entertainment, sports, cultural, and academic industries through signs at retail, entertainment, sports, cultural, and academic venues.**

SEC. 14.4.2. DEFINITIONS.

The definitions of the following terms shall apply to this article. Other terms used in this article shall have the meanings set forth in Section 12.03 of this Code, if defined in that section.

Aerial View Sign. A sign that is applied or placed upon the roof surface, approximately parallel with the roof plane, intended to be viewed from the sky.

Animated Sign: A sign that contains parts that change, move, stream, scroll, or otherwise incorporate physical motion that is not a digital display sign.

Architectural Ledge Sign. A wall sign with individual channel letters and/or a pre-fabricated image, attached to a horizontal projection forming a narrow shelf on a wall or architectural projection.

Awning Sign. A sign displayed on a canopy that projects over a deck, door, or window of a building.

Bisecting Line. A line that equally divides the angle created by the projection of intersecting lot lines of a lot adjoining the street of a corner lot as illustrated in Diagram C of this article.

Building Face. The general outer surface, not including cornices, bay windows or architectural projections, of any exterior wall of a building.

Building Frontage. The projection of the exterior building walls upon the street used for street frontage, as measured perpendicular to the edge of the street.

Building Line. A line established on a property as defined in Section 91.202 of this Code.

Campus. A development site over 25 acres in size with interior roadways, private streets, alleys, or walkways. The Zoning Administrator shall be authorized to issue a Zoning Administrator Interpretation as to whether a property qualifies as a Campus.

Can Sign. A wall sign whose text, logos and/or symbols are placed on the plastic face of an enclosed cabinet.

Channel Letters. Individually cut letters, numbers or figures, illuminated or non-illuminated, affixed to a building or structure.

Construction / Contractor Sign: A sign located on the site of a building that states the name of the developer, building owner and contractor(s) working on the site and any building-related architectural, engineering or financial firms involved with the building on that site.

Digital Display. A sign face, building face, and/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 diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of or attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means.

Donor Sign. A sign that recognizes a donor to the establishment located on the property where the sign is located.

Exterior Sign. A sign that is displayed on any exterior surface of a building or structure or is otherwise outdoors.

Freeway. A highway in respect to which the owners or those in possession of abutting lands have no right or easement of access to or from their abutting lands or in respect to which the owners have only limited or restricted right or easement of access, and which is declared to be a freeway, in compliance with the Streets and Highways Code of the State of California.

Graphic Treatment. An image or pattern which is applied to a fence/wall or structure and does not constitute a written message or logo and is not part of a wall sign. A Graphic Treatment also may function as a screening device. Graphic Treatments are not signs and are not regulated by this Article of this Code.

Hanging Sign. A wall sign with individual channel letters and/or a prefabricated image that is suspended from a horizontal architectural ledge or projection, or from the ceiling of an architectural recess.

Identification Sign. A wall sign that is limited to a company logo, generic type of business, or the name of a business ~~or building~~, **building, destination or common place name for an area of the City, e.g. Bunker Hill, Century City, Chinatown, Echo Park, Hollywood, San Pedro, Silver Lake, Venice, Universal City, etc.**

Illuminated Architectural Canopy Sign. An enclosed illuminated canopy listed in accordance with the National Electrical Code that is attached to the wall of a building with the face of the sign approximately parallel to the wall and with the message integrated into its surface.

Inflatable Device. A sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method. The term inflatable device shall not include any object that contains helium, hot air or a lighter-than-air substance.

Information Sign. A sign that is limited to a message giving directions, instructions, menus, selections or address numerals.

Main Traveled Roadway of a Freeway. The portion of a freeway, including interchange roadways connecting one freeway with another, which is designed for the movement

of large volumes of vehicular traffic, efficiently and safely at high speed, but not including service roadways, landscape areas, or ingress or egress ramps connecting the freeway with other streets.

Marquee Sign. A sign displayed on a roof-like structure that projects over the entrance to a building or structure.

Monument Sign. A freestanding sign that is erected directly upon the existing or artificially created grade, or that is raised no more than 12 inches from the existing or artificially created grade to the bottom of the sign, and that has a horizontal dimension equal to or greater than its vertical dimension.

Off-Site Sign. A sign that is not used to advertise business conducted, services rendered or goods produced or sold on the lot or Campus upon which the sign is placed.

On-Site Sign. A sign that is used exclusively to advertise business conducted or services rendered or goods produced or sold on the lot or Campus upon which the sign is placed.

Perpendicular Line. A straight line between the point on a sign face that is closest to the street and the point where the line intersects the street lot line at a 90 degree angle, as illustrated in Diagram C of this article.

Pillar Sign. A freestanding sign that is mounted directly on the ground, consisting of rectangular sign faces or a sculptural themed shape, with a horizontal dimension that does not exceed 25 percent of the length of the vertical dimension.

Pole Sign. A freestanding sign that is erected or affixed to one or more poles or posts and that does not meet the requirements of a monument sign.

Projecting Sign. A sign, other than a wall sign, that is attached to a building and projects outward and/or upward from the building with one or more sign faces approximately perpendicular to the face of the building.

Projection. The distance by which a sign extends beyond the building face.

Roof Sign. A sign erected upon a roof of a building.

Sign. Any whole or part of a display board, wall, screen, projected image or object, used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public.

Sign Area. An area circumscribed by the smallest geometric shape created with a maximum of eight straight lines, which will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas and attention-attracting devices, forming an integral part of an individual message except that:

1. Wall signs having no discernible boundary shall have the areas between letters, words intended to be read together and any device intended to draw attention to the sign message included in any computation of surface area.

2. For spherical, cylindrical or other three-dimensional signs the area of the sign shall be computed from the smallest two-dimensional geometrical shape or shapes, which will best approximate the greatest actual surface area visible from any one direction.

Sign Face. The surface upon which the sign message is placed.

Sign Support Structure. A structure of any kind or character, erected, used or maintained for a sign upon which any poster, bill, printing, painting, projected image or other message may be placed.

Street Banners (Private): A banner that is generally constructed of fabric, canvas, metal or similar material and that is attached to a street light fixture or other such fixture on a Private Street as defined by Section 17.02 of this Code.

Street Banners (Public): A banner that is generally constructed of fabric, canvas, metal or similar material and that is attached to a street light fixture or other such fixture within the public right-of-way in compliance with Section 62.132 of this Code.

Street Frontage. The length of a line separating a lot from one street.

Temporary Construction Wall. A wooden fence or wooden barrier that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site pursuant to Section 3303 and 3306 of the California Building Code (CBC).

Temporary Sign. Any sign that is to be maintained for a limited duration, including paper signs and other signs that are not permanently affixed to the ground or building.

Wall Sign. A sign on the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, that has been attached to, painted on, or erected against the wall; projected onto the wall; or printed on any material which is supported and attached to the wall by an adhesive or other materials or methods.

Window. An operable or inoperable opening constructed in a wall or roof that admits light or air to an enclosure and is often framed and spanned with glass or other translucent material.

Window Sign. A sign that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the sign is visible from outside the building. The term window sign shall not include the display of merchandise in a store window.

SEC. 14.4.3. APPLICATION.

A. **Scope.** All exterior signs and sign support structures not located entirely in the public right-of-way shall conform to the requirements of this article and all other applicable provisions of this Code, to include Article 7 of Chapter 5 of this Code.

EXCEPTION: Signs or sign support structures shall not be considered exterior if ~~they~~the signs face an interior ~~court~~area bounded on all sides by one or more ~~non-translucent~~ buildings or walls or other visual obstructions such as landscaping or varying topography on the property, ~~and;~~ no sign is higher than any of the surrounding buildings or walls or is other visual obstructions such as landscaping or varying topography; and the sign face is predominantly viewable from the property and merely incidentally visible from any public right of way or adjacent property.

B. **On-Site Signs.** Information signs, monument signs, projecting signs, wall signs, illuminated architectural canopy signs, pole signs (not including pole signs permitted by Section 14.4.17 of this article), window signs, marquee signs and awning signs may only display on-site or noncommercial messages. The following provisions of this Code, as applicable, shall apply to on-site signs: Sections 14.4.4; 14.4.5; 14.4.6; 14.4.7; 14.4.8; 14.4.9; 14.4.10; 14.4.11; 14.4.12; 14.4.13; 14.4.14; 14.4.18; 14.4.19; 14.4.20; 14.4.21; 14.4.22; 14.4.23; 14.4.24; 14.4.25; 14.4.26; 14.4.27; 91.6205; 91.6207; and 91.6216.

C. **Off-Site Signs.** Pole signs conforming to the regulations set forth in Section ~~14.4.18~~14.4.11 of this article and other legally existing non-conforming off-site wall and off-site roof signs may display off-site or noncommercial messages. The following provisions of this Code, as applicable, shall apply to off-site signs: Sections 14.4.4; 14.4.5; 14.4.17; 14.4.25; 14.4.26; 14.4.27; 91.6205; 91.6206; and 91.6207.

D. **Temporary Signs.** Temporary signs may display off-site, on-site or noncommercial messages. The provisions of the following sections of this Code, as applicable, shall apply to temporary signs: Sections 14.4.4; 14.4.5; 14.4.15; 14.4.16; 14.4.21; 14.4.24; 14.4.26; 14.4.27; 91.6205; and 91.6207.

E. **Zones.**

1. Signs are allowed on any lot in the A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, R4 or R5 zones, provided that these signs comply with the provisions of the following sections of this article, as applicable: Sections 14.4.4; 14.4.5; 14.4.6; 14.4.9; 14.4.11; 14.4.15; 14.4.16; 14.4.18; 14.4.21 and 14.4.25.

2. Signs are allowed on any lot in a RAS or other A or R zone where C or M uses are permitted by right; on any lot in an A or R zone where the use was permitted pursuant to Section 12.24 or Section 12.27 of this Code; and on any lot in the C, M, OS, PF, SL or SL-specific plan zones; provided that these signs comply with the requirements of the zone and with the provisions of the following sections of this article, as applicable: Sections 14.4.4; 14.4.5; 14.4.6; 14.4.7, 14.4.8, 14.4.9; 14.4.10, 14.4.11; 14.4.12, 14.4.13, 14.4.14; 14.4.15; 14.4.16; 14.4.18; 14.4.19; 14.4.20; and 14.4.25.

3. Signs are allowed on any lot in the P and PB zones, provided that these signs comply with all applicable provisions of this article and Section 12.12.1 of this Code.

4. A sign located on a lot comprised of two or more zones shall be regulated by the provisions of this article applicable to the zone where the sign is located.

F. **Relationship to Other Provisions of this Code.** If the provisions of this article are different from, more restrictive than or more permissive than any other provisions of this Code related to signs, then the provisions of this article shall prevail and supersede those provisions.

SEC. 14.4.4. GENERAL PROVISIONS.

A. **Authorized Signs.** Only Authorized signs include only the signs defined in and regulated by this article, or allowed by a "SN" Sign District as permitted by Section 13.11, and no others are allowed. It shall be unlawful for any person to erect, construct, install, enlarge, alter, repair, move, remove, convert, demolish, use or maintain any sign or sign support structure, or cause or permit those actions to be done, in violation of any of the provisions of this article.

B. **Ideological and Political Signs.** No provision of this article shall prohibit an ideological, political or other noncommercial message on a sign otherwise allowed by this article.

C. **Prohibited Signs.** Signs are prohibited if they:

1. Contain obscene matters, as defined in Section 311 of the Penal Code of the State of California.

2. Contain or consist of posters, pennants, banners, other than street banners, ribbons, streamers, spinners, or similar devices, except as permitted by Sections 14.4.15 and 14.4.16 of this article.

3. Contain flashing, mechanical and strobe lights in conflict with the provisions of Sections 80.08.4 and 93.0107 of this Code.

4. Are revolving and where all or any portion rotate at greater than six revolutions per minute.

5. Are tacked, pasted or otherwise temporarily affixed on the walls of buildings, barns, sheds, trees, poles, posts or fences, except as permitted by Sections 14.4.15 and 14.4.16 of this article.

6. Are affixed to any vehicle or trailer on private property if the vehicle or trailer is not otherwise used in the business and the sole purpose of attaching the sign to the vehicle or trailer is to attract people to a place of business.

7. Emit audible sounds, odor or visible matter.
8. Use live human beings, live animals, animated figures, motion pictures, or continuous motion in connection with any sign.

EXCEPTION: This prohibition shall not apply to motion pictures or continuous motion signs, including Digital Displays, which are specifically permitted by a legally adopted "SN" Sign District, or a Comprehensive Sign Program, or as otherwise permitted by this Code.

9. Are off-site signs, including off-site digital displays, except when off-site signs are specifically permitted pursuant to a Sign District, a Comprehensive Sign Program, or a relocation agreement entered into pursuant to California Business and Professions Code Section 5412, 5412, or as otherwise permitted by this Code. This prohibition shall also apply to alterations, enlargements or conversions to digital displays of legally existing off-site signs, except for alterations that conform to the provisions of Section 91.6216 and all other requirements of this Code.

10. Are inflatable devices.

D. Prohibited Locations.

1. No sign or sign support structure shall project into any public alley, except that a sign or sign support structure above a height of 14 feet may project no more than six inches into a public alley.

2. No sign or sign support structure shall be located less than six feet horizontally or 12 feet vertically from overhead electrical conductors, which are energized in excess of 750 volts. The term "**overhead electrical conductors**" as used here shall mean any electrical conductor, either bare or insulated, installed above ground, except electrical conductors that are enclosed in iron pipe or other material covering of equal strength. Arcs of six foot radius may be used to define corners of prohibition area.

3. No sign or sign support structure shall be erected in a visibility triangle as defined by Sections 12.21 C 7 and 62.200 of this Code.

4. No sign or sign support structure shall be located within two feet of the curb or edge of any roadway, as measured horizontally.

5. Under no circumstances shall a sign obstruct the free operation of a door or window, or ingress or egress through a door or window.

E. Maintenance.

1. **Appearance.** Every sign shall be maintained in a clean, safe and good working condition, including the replacement of defective parts, defaced or broken faces, lighting and other acts required for the maintenance of the sign. The display surfaces shall be kept neatly painted or posted and free of graffiti at all times.

2. **Debris Removal.** The base of any sign erected on the ground shall be kept clear of weeds, rubbish or other combustible material at all times.

3. **Abandoned Signage.** Ninety days after the cessation of a business activity, service ~~or~~, product, event, or institution the related signs shall be removed, or the face of the signs shall be removed and replaced with blank panels or shall be painted out.

F. **Sign Illumination Limitations.** No sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than 0.3 foot candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.

G. **Combination Signs.** A sign, which is subject to more than one classification, shall meet the requirements for the classification to which each portion is subject.

H. **Flag Lots.** For purposes of this article, flag lots containing less than 50 feet of street frontage shall be allotted 50 feet of street frontage for the purpose of determining the type of sign permitted and for the allowable sign area.

I. **Street Address Numbers.** No sign shall be maintained on any property unless the street address of the property is maintained in accordance with the provisions of Section 63.113 of this Code.

J. **Sign Permit Priority Status.**

1. To maintain location, area, frontage, or spacing status, signs must be installed within six months of issuance of a building permit or prior to expiration of any permit extension granted by the Department of Building and Safety.

2. Where more than one permit has been issued and the effect of those permits when considered together results in a violation of this article, all permits except the permit with the earlier date and time of issuance shall be invalid.

K. **Lots With Multiple Street Frontages.** If a lot is a corner lot or other lot with two or more street frontages then the following regulations shall apply:

1. A freestanding sign shall be considered to be located along a particular street if the sign and its support structure are located entirely on the side of the bisecting line closest to that street, and the sign face is placed at the same angle as the perpendicular line or at an angle not to exceed 20 degrees from either side of the perpendicular line as shown on Diagram C of this article.

2. On a through lot, a freestanding sign shall be considered to be located along a particular street if the sign and its support structure are located entirely on that half of the lot closest to the lot line adjoining that street.

L. **Sign Height.** The height of all signs permitted by this article shall be measured as the distance in a straight vertical line from the top of the sign to the sidewalk grade or edge of

roadway grade nearest the sign. No sign may be located at a height that exceeds the height limit above grade established by any land use ordinance, including the height limit established for the underlying zone or height district **unless alternative height regulations for signs are allowed though a Sign District.**

M. **Relief.** Notwithstanding the provisions of Sections 12.24, 12.27, 12.28 or any other section of this Code, no relief from the sign regulations set forth in this article shall be granted, except as provided by Sections 14.4.22, 14.4.23 and 14.4.24 of this article.

EXCEPTION: Relief for on-site signs for which plans are submitted pursuant to the procedures set forth in Sections 12.24 M and 12.27 U of this chapter may be approved, and a building permit may be issued provided that the conditional use permit or variance was granted before the effective date of this ordinance, is still valid, and specifically authorized on-site signs or otherwise provided relief from the sign regulations.

N. **Replacement of Signs on Historic Buildings.** Signs on historic buildings may be reconstructed or re-created if the Department of City Planning's Office of Historic Resources determines that sufficient photographic documentation or a building permit has been submitted to prove that a historic sign once existed at that location, and that the reconstructed or re-created sign will enhance the historic nature of the building or historic district and comply with the Secretary of the Interior's Standards. For the purposes of this section, a "historic building" shall be defined as a building that is a City-designated Historic-Cultural Monument, is listed in or formally determined eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, or is a Contributor in an established Historic Preservation Overlay Zone.

SEC. 14.4.5. FREEWAY EXPOSURE.

A. **New Signs.** No person shall erect, construct, install, paint, maintain, and no building or electrical permit shall be issued for, any **off-site** sign or sign support structure within 2,000 feet of a freeway unless the Department of Building and Safety has first determined that the sign is only incidentally viewable from a main traveled roadway of a freeway ~~or an on-ramp/off ramp. However, at the termination of an off ramp, any wall sign located along the front line may be fully and clearly viewable from the off ramp.~~

B. **Exemption.** The wall signs specified in Subdivisions 1 and 2 below are exempt from the limitation of Subsection A above. These signs shall not have moving parts or any arrangement of lights that create the illusion of movement.

1. Identification signs identifying the building where the sign is located, providing the area of the sign is not more than 50 square feet or is not larger than five percent of the area of the side of the building, which faces primarily to the freeway, whichever is greater; and

2. Wall signs on which the advertising is limited to the name of any person, firm or corporation occupying the building, or the type of business, services rendered, or

the name of any product manufactured or sold on the premises. The total area of all wall signs on a building permitted in this subdivision shall not exceed 100 square feet. Anyone sign shall not exceed 50 square feet in area.

SEC. 14.4.6. INFORMATION SIGNS.

- A. **Area.** Information signs shall not exceed 25 square feet in area.
- B. **Height.** No information sign shall exceed a height of six feet six inches.

SEC. 14.4.7. MONUMENT SIGNS.

A. Area.

1. The sign area of monument signs shall not exceed 1.5 square feet per foot of street frontage on which the signs are located ~~nor~~or a maximum of 75 square feet for the sign face visible to the same direction of traffic.

2. The combined sign area of monument signs, projecting signs, wall signs, illuminated architectural canopy signs, pole signs, roof signs, digital displays, and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

B. Height. Monument signs shall be limited to a maximum overall height of eight feet above sidewalk grade or edge of roadway grade nearest the sign.

C. Location. Monument signs shall be located at least 7.5 feet from interior lot lines and at least 15 feet from any other monument sign, projecting sign or pole sign. The location of monument signs shall not interfere or present a hazard to pedestrian or vehicular traffic.

D. Shape. Monument signs shall have a horizontal dimension equal to or greater than their vertical dimension.

E. Projection. Monument signs shall not project over the roof of a building or over the building line.

SEC. 14.4.8. PROJECTING SIGNS.

A. Permitted. Projecting signs shall not be permitted on a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a projecting sign for each 200 feet of street frontage or fraction thereof. Projecting signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. Area.

1. The sign area of projecting signs visible to the same direction of traffic shall not exceed 25 square feet plus 1.5 square feet for each foot of street frontage on which the signs are located, up to a maximum sign area of 300 square feet. Any

projecting sign located at the street corner of a corner lot may use the greater street frontage in computing area limitations.

2. The combined sign area of projecting signs, wall signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs, digital displays and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

C. Height. A projecting sign shall not be located lower than eight feet above sidewalk grade or edge of roadway grade nearest the sign and shall not extend above the top of the wall.

D. Location.

1. A projecting sign shall be located at least 7.5 feet from any interior lot line.

2. A projecting sign shall be located at least 15 feet from any other projecting sign, monument sign or pole sign.

3. The plane of the sign face of a projecting sign shall be within 15 degrees of being perpendicular to the face of the building, except at the corner of the building.

E. Projection. A projecting sign may project over the building line, but shall not extend beyond the limits shown in Diagram A of this article. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel with the building line. In no event, may a projecting sign project more than eight feet from the face of a building.

EXCEPTION: For projecting signs located above a 16-foot height and on a lot having a street frontage greater than 50 feet, projections over the building line may vary linearly from five feet at 50 feet to eight feet at 100 feet of street frontage.

SEC. 14.4.9. WALL SIGNS.

A. Area.

1. The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street, for a single-story building.

2. For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.

3. For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent,

provided there is no change in color between the background and the surrounding wall area.

4. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs, digital displays and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

B. Height. A wall sign shall not extend above the top of the wall of the building.

EXCEPTION: Where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.

C. Location.

1. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.

2. Wall signs installed on a wall that faces the rear lot line and that is located within 30 feet of property that is zoned R-3 or more restrictive shall not be illuminated.

3. No wall sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents; unless the Fire Department determines that the sign would not create a hazardous condition.

4. No wall sign shall cross the perimeter of any opening of a building, including its windows, doors, and vents, at any point 24 inches or less of the exterior building face measured perpendicularly to the surface of the opening; unless the Fire Department determines that the sign would not create a hazardous condition.

D. Projection.

1. No wall sign shall have a projection over any public street, other public property or building line greater than that permitted in Diagram A of this article.

2. No wall sign shall project more than 24 inches from the face of the building. If any message is placed on the edge of a wall sign, then that portion of the wall sign shall be regulated as a projecting sign.

E. High Rise Signs. Any wall signs located over 100 feet above grade shall be used as identification signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Notwithstanding the

provisions of Subsection A. above, the area of these signs may constitute up to five percent of the area of the wall where the signs are attached and may be in addition to the area permitted in Subsection A. above.

F. Parking Lots. Notwithstanding the provisions of Section 14.4.4 C 5 of this article, where a parking lot exists between a wall sign and the street, and there is a fence or freestanding wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the fence or freestanding wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the fence or freestanding wall between two feet six inches and three feet six inches in height above the finished grade at the base of the fence or freestanding wall generally facing the street.

SEC. 14.4.10. ILLUMINATED ARCHITECTURAL CANOPY SIGNS.

A. Area.

1. The area of illuminated architectural canopy signs shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

2. In applying sign area limits, only the area occupied by the message of the illuminated architectural canopy signs will be used.

3. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

4. The combined sign area of illuminated architectural canopy signs, projecting signs, monument signs, wall signs, pole signs, roof signs, digital displays and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

B. Height. An illuminated architectural canopy sign shall not extend above the top of the wall of the building on which it is located.

C. Clearance. Illuminated architectural canopy signs shall have a minimum clearance of eight feet above the sidewalk grade or edge of roadway grade nearest the sign and shall not be located closer than two feet from the curb of any roadway, as measured horizontally.

D. Emergency Personnel Access. Illuminated architectural canopy signs shall not occupy a four-foot distance along the exterior wall at one corner of the building's street frontage and an additional four-foot distance along every 50 feet of the building frontage.

E. Illumination. The sign shall be internally illuminated so as to illuminate the canopy and the exterior wall below. The illuminated architectural canopy sign shall bear the electric sign label of an approved testing agency with a re-inspection service.

F. **Projection.** Illuminated architectural canopy signs may project over a building line. However, in no event may an illuminated architectural canopy sign project more than three feet from the face of the building.

SEC. 14.4.11. POLE SIGNS.

A. **Permitted.** Pole signs shall not be permitted on that portion of a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a pole sign for each 200 feet of street frontage or fraction thereof. Pole signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. **Area.**

1. Pole sign area visible to the same direction of traffic shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

2. The maximum area per side of any one pole sign shall not exceed 400 square feet.

3. Any pole sign that is located at the street corner of a corner lot may use the greater street frontage for area limitations.

4. The combined sign area of pole signs, projecting signs, monument signs, illuminated architectural canopy signs, wall signs, roof signs, digital displays, and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

C. **Height.** Height shall be measured from the nearest sidewalk or edge of roadway grade to the top of the sign. The overall height limitation shall be determined by street frontage as follows:

1. 25 feet for lots having 50 feet of street frontage;
2. 35 feet for lots having more than 50 feet and less than 100 feet of street frontage;~~and~~
3. 42 feet for lots having at least 100 feet of street frontage; and
4. 60 feet for lots having at least 500 feet of street frontage.

Any pole sign that is located at the street corner of a corner lot may use the greater street frontage for determining height limitations. In no event shall a sign exceed the height specified for the height district in which the sign is located.

D. **Location.**

1. Pole signs shall be located at least ten feet from interior lot lines; however, on corner lots and flag lots, pole signs may be located no less than five feet from interior lot lines.

2. A pole sign shall be located at least 15 feet from any other pole sign, projecting sign or monument sign.

3. Pole signs shall be located so as not to interfere or present a hazard to pedestrian or vehicular traffic.

4. Notwithstanding the requirements of Subsection F of this Section, where the lower part of a pole sign is less than eight feet above sidewalk grade or the edge of roadway grade nearest the sign, the sign shall extend to grade or shall be installed in a planter that extends beyond the edges of the sign and sign support structure and that is a minimum of 18 inches in height.

E. Projection. A pole sign may project over a building line, but shall not extend beyond the limits shown in Diagram A of this article. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel to the building line.

F. Other Requirements. A maximum of two poles shall be permitted for any pole sign. The maximum cross-sectional dimension of a pole shall not exceed ten percent of the overall height of the sign.

SEC. 14.4.12. ROOF SIGNS.

A. Permitted. Roof signs shall be permitted only when placed directly upon a roof that slopes downward toward and extends to or over the top of an exterior wall. Roof signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. Area.

1. Roof sign area shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

2. The maximum area of any one roof sign shall not exceed 300 square feet.

3. The combined area of roof signs, illuminated architectural canopy signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

4. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs, digital displays, and

window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

C. Height. The top of the roof sign shall be located at least two feet below the ridge of the roof.

D. Location.

1. Roof signs shall be located at least ten feet from interior lot lines.
2. Roof signs shall be located at least two feet from the edge of the roof.
3. The plane of the sign face of a roof sign shall be approximately parallel to the face of the building.

SEC. 14.4.13. WINDOW SIGNS.

A. Area. The total area of all window signs shall not exceed ten percent of the area of the window.

B. Combined Area. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs, digital displays and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

SEC. 14.4.14. MARQUEE SIGNS.

A. General Requirements. Marquee signs shall comply with the requirements set forth in Sections 14.4.3 A; 14.4.4 B; 91.3106, 91.3106.1 91.6205; and 91.6207 of this Code.

B. Location. Signs shall not be attached to any portion of the marquee except on the periphery. Wall signs on the periphery of a marquee shall not extend above or below the periphery of the marquee. Signs shall not be extended above nor suspended below the exterior periphery of a marquee sign.

SEC. 14.4.15. TEMPORARY SIGNS.

A. General Requirements. No temporary sign shall also be an off-site sign, except for temporary signs on temporary construction walls.

B. Permit Required. Notwithstanding any other provision of this article, a building permit shall be required for a temporary sign, pennant, banner, ribbon, streamer or spinner. The permit application shall specify the dates being requested for authorized installation and the proposed location.

EXCEPTION: Pursuant to Section 91.6201.2.1a of this Code, no building permit shall be required for a temporary sign, pennant, banner, ribbon streamer or spinner that

contains a political, ideological or other noncommercial message, or that, pursuant to Section 91.101.5 of this Code, contains less than 20 square feet of sign area.

B. Area

1. The combined sign area of temporary signs shall not exceed two square feet for each foot of street frontage on which the signs are located.

2. The combined sign area of temporary signs, when placed upon a window and any other window signs shall not exceed a maximum of ten percent of the window area. Any temporary sign placed upon the interior of a window of vacant commercial space will be permitted to cover up to 100 percent of the window area, except that the height of such temporary sign will not be permitted to exceed the second story of the building, or 30 feet, which is higher.

C. Time Limit. Temporary signs shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days of the date of removal of the previous sign. The installation of temporary signs shall not exceed a total of 90 days in any calendar year. These time provisions may be modified through an Adjustment or Variance granted by the Zoning Administrator as allowed under Section 14.4.22 and Section 14.4.23.

EXCEPTION: Temporary signs that do not require a building permit may be installed for a period of greater than 30 days, provided that such signs shall not exceed a total of 90 days in any calendar year. unless an Adjustment or Variance for time is granted by the Zoning Administrator as allowed under Section 14.4.22 and Section 14.4.23.

D. Location. Temporary signs may be allowed on fences, on the interior surface of windows and doors, and at any location where any permanent sign of any type is allowed by this article. Pennants, ribbons, streamers or spinners are allowed between light standards on private property.

E. Construction. Temporary signs may contain or consist of posters, pennants, ribbons, streamers or spinners. Temporary signs may be made of paper or any other material. If the temporary sign is made of cloth, it shall be flame retardant when the aggregate area exceeds 100 square feet. Every temporary sign shall be supported and attached with stranded cable of 1/16-inch minimum diameter or by other methods as approved by the Department of Building and Safety.

SEC. 14.4.16. TEMPORARY SIGNS ON TEMPORARY CONSTRUCTION WALLS.

A. Permit Required. A building permit shall be required for a temporary sign on a temporary construction wall. Temporary signs on temporary construction walls shall comply with the construction requirements of Section 14.4.15 E of this article. For purposes of this section, the term "applicant" shall mean the owner of the sign company or, if there is no sign company, the owner of the property.

B. **Area.** Notwithstanding the provisions of Section 14.4.15 B 1 and 2 of this article, signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots pursuant to the terms of this section shall not extend above the top of the wall or fence and shall comply with the following:

1. The combined sign area of temporary signs shall not exceed eight square feet for each foot of street frontage on which the signs are located.
2. Individual signs shall not exceed a sign area of 250 square feet.
3. Signs may be grouped to form a maximum sign area of 250 square feet.
4. Signs or groups of signs having an area of 250 square feet shall be separated from any other sign on the temporary construction walls and/or solid wood fences surrounding vacant lots by at least ten feet measured horizontally, except that information signs governed by paragraph 8 of subsection F of this section may be placed within such ten-foot spaces.

C. **Time Limit.** Notwithstanding the provisions of Section 14.4.15 C of this article, signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots pursuant to the terms of this section shall be allowed to remain for as long as the building permits associated with the construction site remain in effect or for a period of two years, whichever is less. Building permits for signs on solid wood fences surrounding vacant lots, which are not construction sites, shall be issued for a time period not to exceed one year. The Department of Building and Safety shall grant a new building permit for a period equal to the original building permit term upon the receipt of (i) an application for a new building permit, (ii) the payment of the building permit fee and (iii) a written statement from the Director of the Office of Community Beautification consenting to the new building permit.

D. **Height.** Signs may only be placed to a maximum height of eight feet.

E. **Location.** Temporary signs placed on the exterior surfaces of any temporary construction walls, and/or solid wood fences surrounding vacant lots are limited to lots located in the C or M zones.

F. **Special Requirements for Signs on Temporary Construction Walls, and/or Solid Wood Fences Surrounding Vacant Lots.**

1. **Review by the Office of Community Beautification.** At any time after the issuance of a building permit under this section and upon request of the Council district office of the Council district in which the site or lot is located, the Office of Community Beautification of the Department of Public Works (Office of Community Beautification) shall investigate an area consisting of a 500-foot radius around the permitted site or lot to determine whether there exists a public nuisance due to the presence of graffiti and/or posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property.

If the Office of Community Beautification cannot establish that the area constitutes a public nuisance because of the presence of graffiti, posters/handbills and any other illegal postings on public property within a 500- foot radius around the permitted site or lot, then the Office of Community Beautification shall expand the radius around the site or lot in 250-foot increments, up to a maximum radius of 1500-feet. If the Office of Community Beautification finds the existence of a public nuisance on public property within the expanded radius area beyond the original 500 foot radius, then it shall require the applicant to abate the public nuisance in the expanded radius area in accordance with Subdivision 3, below.

2. **Notification of Locations for Placement of Signs.** Within ten days after the issuance of the building permit, the applicant shall provide written notification to the Office of Community Beautification and the Council district office of the Council district in which the construction site or vacant lot is located. The notification shall contain the name and address of the applicant and the property address where the signs will be placed. The notification to the Office of Community Beautification shall include a copy of the applicant's contract with the property owner to post signs at the specified location.

3. **Nuisance Abatement.** It shall be the applicant's responsibility to clean and maintain free from graffiti public property and rights-of-way within an area consisting of a 500-foot radius or any expanded radius required by the Office of Community Beautification around the permitted site or lot. The applicant shall patrol the abatement area every 24 hours to search for graffiti and remove any graffiti within 24 hours of its discovery. The removal of graffiti shall include, but not be limited to, spray paint on walls, poles, and fences on public property. In addition, the applicant shall also be responsible for removing any posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property. At the time of graffiti removal, the applicant shall also remove any trash, debris or rubbish from the public sidewalks within the abatement area around the permitted site. The Office of Community Beautification shall enforce the provisions of this subsection.

4. **Permit Revocation.** Any building permit issued pursuant to this section may be revoked by the Department of Building and Safety for any of the following reasons, provided a written and signed notification of the applicant's failure to comply with Paragraphs (a), (d), (e) or (f) of this subsection is sent to the Department of Building and Safety by the Director of the Office of Community Beautification:

(a) Failure by the applicant to maintain the temporary construction wall and/or solid wood fence surrounding a vacant lot free from graffiti.

(b) Failure by the applicant to comply with the terms of the permit.

(c) Failure by the applicant to maintain the bond required in Subsection A of this section.

(d) Failure by the applicant to eradicate graffiti within a 500-foot radius or any expanded radius required by the Office of Community

Beautification of the temporary construction wall, and/or solid wood fence surrounding a vacant lot within 24 hours of receiving notification of the presence of graffiti from the Office of Community Beautification or the Council staff in the Council district in which the construction site or vacant lot is located.

(e) Failure by the applicant to remove posters/handbills placed on light poles, utility poles, bus stops and any other illegal postings on public property within a 500-foot radius or any expanded radius required by the Office of Community Beautification of the temporary construction wall, and/or solid wood fence surrounding a vacant lot, within 24 hours of receiving notification of the presence of posters/handbills or other illegal postings from the Office of Community Beautification or the Council staff in the Council district in which the construction site or vacant lot is located.

(f) Failure by the applicant, at the time of graffiti removal, to remove trash, debris or rubbish from the public sidewalks within the abatement area around the permitted site.

5. **Removal of Signs.** If the Department of Building and Safety revokes the building permit allowing signs on temporary construction walls, and/or solid wood fences surrounding vacant lots, then any signs placed on the temporary construction walls and/or solid wood fences surrounding vacant lots shall be removed by the applicant within 72 hours after receipt of written notification.

6. **Public Nuisance.** Any signs remaining on temporary construction walls, and/or solid wood fences surrounding vacant lots after the building permit is revoked are deemed to be a public nuisance that can be abated by utilizing the procedure contained in Section 91.8904, et seq., of this Code.

7. **Office of Community Beautification.** The Office of Community Beautification is hereby designated the authorized representative of the City for the purpose of enforcing and implementing the provisions of Sections 91.8904.1.2 and 91.8307 of this Code to remove the nuisances described in this section.

8. **Information Sign.** Each temporary construction wall and/or solid wood fence surrounding vacant lots shall display an information sign that identifies the date the wall was erected or permitted, the address and telephone number of the person responsible for maintaining the property, the address and telephone number of the Office of Community Beautification. If the Office of Community Beautification maintains a graffiti hotline then this telephone number shall also be displayed on the information sign. The information sign shall conform with the requirements of Section 14.4.6 of this article, and may be located within the ten-foot spaces between signs on the temporary construction wall or solid wood fence.

9. Adjustment or Variance. Changes to the provisions of this Section 14.4.16 may be authorized through procedures for an Adjustment or Variance by the Zoning Administrator as allowed under Section 14.4.22 or 14.4.23.

SEC. 14.4.17. OFF-SITE SIGNS.

A. **Area.** The sign area of a single sign face shall not exceed 800 square feet.

B. **Height.**

1. The height to the top of the off-site sign shall be limited to a maximum of 42 feet above the sidewalk grade or edge of roadway grade nearest the sign, except that a sign that is more than 80 percent above a roof of a building may extend to the top of the sign a maximum of 30 feet above the surface of the roof under the sign.

2. In no event shall the height to the top of the off-site sign exceed a height greater the height allowed by the height district, specific plan, or zone in which the sign is located, or by any applicable land use ordinance, or a height of 60 feet above the sidewalk grade or edge of roadway grade nearest the sign, whichever is more restrictive.

3. The bottom of the off-site sign shall be at least eight feet above the sidewalk grade or edge of roadway grade nearest the sign.

C. **Location.**

1. No portion of an off-site sign with a sign area greater than 80 square feet shall be placed within 200 feet of a residentially zoned lot, which is located on the same side of the same street as the lot on which the sign is placed. However, where a lot has two or more street frontages, a sign may be located on that street frontage, which is not on the same street as the residentially zoned lot; provided the sign and sign support structure are placed in that half of the lot that is the farthest from the street frontage on which the residentially zoned lot is located.

2. No portion of an off-site sign or sign support structure shall be located in that half of a lot located farthest from the street frontage when residentially zoned property is located to the rear of that street frontage.

3. Off-site signs are not permitted along that portion of a lot having a street frontage of less than 50 feet.

4. No more than four off-site signs shall be located at the intersection of two or more streets when the off-site signs are located within 150 feet of the intersection of two street frontages.

5. An off-site sign face shall not be located within one foot of an interior lot line.

D. **Frontage Determination on Lots with Lot Lines Adjoining More Than One Street.**

1. An off-site sign shall be considered to be on a single street for purposes of Subsections C and E of this section if the sign and its support structure are located

entirely on the side of the bisecting line closest to that street and the sign face is placed at the same angle as the perpendicular line or at an angle not to exceed 20 degrees from either side of the perpendicular line as shown on Diagram C of this article.

2. An off-site sign located on a through lot shall be located on a single street if the sign and its support structure are located entirely on that half of the lot closest to the lot line adjoining that street.

Any off-site sign not in conformance with either Subdivision 1 or 2 above shall be considered to be located on more than one street frontage.

E. Spacing.

1. An off-site sign, which is either single-faced or parallel double-faced, shall be spaced as specified in Table No. B of this article from any other existing or previously permitted off-site sign, which is single-faced or parallel double-faced. If an off-site sign is located within a California Department of Transportation jurisdiction area, then the spacing rules set forth in Section 5408 of the Business and Professions Code must be followed, but spacing shall not be less than what this article requires.

2. For any double-faced off-site sign, the spacing requirements shall be based on the area of the largest sign face.

3. For double-faced off-site signs whose faces are not parallel, the spacing between any proposed, permitted or existing off-site sign shall be determined by the following formula:

WHERE:

D = required spacing between signs, in feet.

S = sign spacing determined from Table No. B below in feet.

B = widest edge separation of sign faces in feet.

4. Spacing shall be measured between off-site signs that are located on the same side of the same street. Spacing shall be measured from a line that is perpendicular to the building line and that passes through a point on the building line that is closest to the nearest sign face edge. Spacing shall be measured along the center line of the street.

F. Double-faced Off-Site Signs.

1. Off-site signs may be either single or double-faced.

2. For double-faced off-site signs whose faces are parallel, the distance between sign faces shall not exceed six feet.

3. For double-faced off-site signs whose faces are not parallel, the distance between sign faces at their widest point shall not exceed 35 feet. The separation of sign faces at their closest point shall not exceed six feet. In no event shall the angle between sign faces exceed 37 degrees.

G. **Projection.** Off-site signs shall not project beyond the building line.

H. **Covering.** The backs of off-site signs exposed to public view shall be covered with a finished surface or material and shall be properly maintained.

I. **Other Requirements.**

1. A maximum of two poles shall be permitted for any off-site sign. The maximum cross-sectional dimension of a pole shall not exceed ten percent of the overall height of the sign.

2. Off-site sign supports shall be structurally independent of a building.

3. Sign support structures must be located directly under the sign face as viewed from the front of the sign. The maximum horizontal distance between the center of the sign support structure and the sign face shall not exceed ten feet.

SEC. 14.4.18. AWNING SIGNS.

No awning sign shall be placed on any portion of an awning except the valance. The sign area is limited to a maximum of 12 inches in height on the portion of the valance that is parallel to the building face, and only when the awning complies with all applicable provisions of Section 3202 California Building Code and Section 91.3202.3.1 of this Code. Awning signs are not permitted on awnings with a valance above a height of 14 feet as measured from the nearest sidewalk or edge of roadway grade to the top of the valance.

SEC. 14.4.19. DIGITAL DISPLAYS.

A. Digital displays with changing messages shall observe a minimum duration of 8 seconds for each message. The message must remain static between transitions.

B. Digital displays with changing messages shall utilize 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. At no time shall a digital display go blank during a transition.

C. The maximum brightness of any digital display shall not exceed 600 candelas per square meter during the nighttime and ~~3,500~~9,000 candelas per square meter during the daytime. Digital displays shall transition smoothly at a consistent rate from the permitted daytime brightness to the permitted nighttime brightness levels, beginning at 45 minutes prior to sunset and concluding 45 minutes after sunset. Measurements shall be provided by the owner of the sign and submitted to the Department of Building and Safety when requested by that Department.

SEC. 14.4.20. VINTAGE ART MURALS.

This section is reserved for future regulations on vintage art murals.

SEC. 14.4.21. SIGNS IN A AND R ZONES.

A. General Provisions.

1. No freestanding sign shall exceed a height of six feet.
2. No sign which is attached to a building shall project above the lowest portion of any roof, eave or ridge of the building.
3. A sign may be single-faced or double-faced and may be located in any required front yard, side yard, rear yard, passageway or other required open space.

B. Temporary Signs. Temporary signs shall be allowed in the A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, R4 or R5 zones, subject to the following regulations:

1. The sign area of all temporary signs on a lot shall be less than 20 square feet for all the sign faces.
2. Temporary signs shall comply with the time limit specified in Section 14.4.15 of this article, except that temporary signs related to the occasional sale of used and hand made goods cannot be erected more than two days prior to the sale and shall be removed by sunset of the day of the sale.

C. Permanent Signs. Permanent signs shall be allowed in the zones and subject to the provisions listed below:

1. **A1 and A2 Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 20 square feet in area. No individual pole sign or monument sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the A1 or A2 zones shall not exceed 30 square feet in area for all the sign faces.

2. **RA, RE, RS, R1, RU, RZ, RW1, R2 and RW2 Zones.** One wall sign not to exceed two square feet in area shall be allowed on each lot.

3. **RD Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 15 square feet in area. No individual pole sign or monument sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the RD zones shall not exceed 20 square feet in area for all the sign faces.

4. **R3, R4, and R5 Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning

sign or wall sign shall exceed 20 square feet in area. No individual pole sign or monument sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the R3, R4, or R5 zones shall not exceed 30 square feet in area for all the sign faces.

5. **RMP Zone.** Any number of awning signs or wall signs shall be permitted on each lot. No individual awning sign or wall sign shall exceed 10 square feet in area. The sign area of all permanent signs on a lot in the RMP zone shall not exceed 15 square feet in area for all the sign faces.

SEC. 14.4.22. SIGN ADJUSTMENTS.

A. **Authority.** The Zoning Administrator shall have the authority to grant an adjustment of the provisions of this article pertaining to height, location, sign area of an individual sign, shape, projection, number, and clearance of signs; time limit of temporary signs; and sign type on commercial corners and mini-shopping centers. Any request for an adjustment pertaining to height or sign area of an individual sign is limited to an increase of 20 percent beyond what is otherwise permitted by this Code.

B. **Procedures.** No Sign Adjustment may be granted unless the Zoning Administrator makes all of the findings specified in this section. In making determinations on applications for a Sign Adjustment, no consideration shall be given to the content or message of the sign. The procedures for considering applications for a Sign Adjustment shall be the same as the procedures for Adjustments set forth in Section 12.28 of this Code, except that the findings for approval shall be as follows:

1. that site characteristics or existing improvements make strict adherence to the sign regulations impractical or infeasible; and

2. that the requested signage shall be compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent properties.

C. **Plan Approvals.** The procedures for considering an application for a plan approval for a Sign Adjustment shall be the same as the procedures for variances set forth in Section 12.27 U of this Code, except that the findings for approval shall be the findings set forth under subsection B of this Section.

SEC. 14.4.23. SIGN VARIANCES.

A. **Authority.** The Zoning Administrator shall have the authority to grant a variance in the provisions of this article pertaining to height, location, sign area of an individual sign, location of combined sign area, shape, projection, clearance, time limit of temporary signs, sign type, and number of signs. No Sign Variance shall approve any sign prohibited by Section 14.4.4 C of this Code.

B. **Procedures.** No Sign Variance may be granted unless the Zoning Administrator makes all of the findings specified in this section. In making determinations on applications for a Sign Variance, no consideration shall be given to the content or message of the sign. The procedures for considering applications for a Sign Variance shall be the same as the procedures for Variances set forth in Section 12.27 of this Code, except that the findings for approval shall be as follows:

1. that the strict application of the sign regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the sign regulations;
2. that there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity; and
3. that the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.
4. That the requested signage shall be compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent properties.

C. **Plan Approvals.** The procedures for considering an application for a plan approval for a Sign Variance shall be the same as the procedures for variances set forth in Section 12.27 U of this Code, except that the findings for approval shall be the findings set forth under Subsection B of this Section.

SEC. 14.4.24. COMPREHENSIVE SIGN PROGRAMS.

A. **Purpose.** A comprehensive sign program is intended to integrate the design of signs with the design of a development project's buildings and structures, in order to create a unified design or architectural theme. A further purpose of a comprehensive sign program is to define common sign regulations for multi-tenant development projects and to meet the special sign requirements of uses with a need for flexible and innovative sign regulations, including museums and other cultural institutions, universities and college campuses, **studios and major entertainment destinations**, automotive dealerships, and stadiums and other sporting facilities. A comprehensive sign program is intended to create clear and attractive signs while complementing and protecting the character of surrounding areas by limiting visual clutter through appropriate regulation of the number, type, location, height, illumination, and orientation to and distance from the nearest **public** street of the signs that the comprehensive sign program allows.

B. **Eligibility.**

1. An application for a comprehensive sign program may only be submitted for existing or proposed development projects on development sites that meet either of the following size criteria:

a. A minimum of three acres of non-residential or mixed used development or at least 50,000 square feet of non-residential floor area if the site is located in an area designated on an adopted community plan as “Regional Center” or “Regional Commercial” or is located in the “Greater Downtown Housing Incentive Area,” as defined in Section 12.03 of this Code.

b. A minimum of five acres of non-residential or mixed use development or at least 100,000 square feet of non-residential floor area if the site is located in any other area.

2. A comprehensive sign program cannot be requested for property within an established Sign District or within the area of any Specific Plan ~~or Overlay~~ that contains special signage regulations.

C. **Sign Regulations.** A comprehensive sign program may include provisions that vary from Sections 14.4.6, 14.4.7, 14.4.8, 14.4.9 (except 14.4.9 C3 and C4), 14.4.10, 14.4.11, 14.4.12, 14.4.13, 14.4.14, 14.4.15, 14.4.16; 14.4.18; 14.4.19; 14.4.20; and 14.4.21 of this Article; ~~except any provisions limiting combined sign area; and including provisions governing the location of combined sign area.~~ A comprehensive sign program may only authorize sign types defined in this article. The number, type, location, height, illumination, and orientation to and distance from the nearest street of all proposed permanent and temporary signs must be identified in the approved comprehensive sign program. In addition, the approved comprehensive sign program must identify the number of days each temporary sign will remain in one location.

D. **Prohibited Signs.** A comprehensive sign program may not include any signs prohibited by Section 14.4.4 C of this Code, except that off-site signs, posters, banners and inflatable devices may be allowed, so long as they are consistent with the purpose of this section and are not primarily visible from any public right of way ~~or adjacent property~~.

E. Specialty Signs. A comprehensive sign program may include a definition for specialty signs unique to the proposed comprehensive sign program. The definition will be based on the specific circumstances of the property subject to the comprehensive sign program including Donor Signs, sponsorship, corporate identification, or temporary promotions.

F. **Procedures.** The initial decision-maker for a comprehensive sign program shall be the City Planning Commission and the appellate body shall be the City Council.

1. **Application.** An application for a comprehensive sign program shall be filed at a public office of the Department of City Planning, on a form provided by the Department, and accompanied by applicable fees. The application must identify, through a visual representation in color, the number, type, location, height, illumination, and orientation to and distance from the nearest public street of all proposed permanent and

temporary signs, or sign design guidelines for a comprehensive sign program in an alternative form acceptable to the Director. In addition, the application must identify the number of days each temporary sign will remain in one location and how and to what extent all proposed signs vary from the provisions of this article. The application must also demonstrate, through architectural elevation drawings or other visual representation, that any requested off-site signs will not be primarily visible from any public right-of-way or adjacent property.

2. **Public Hearing and Notice.** The City Planning Commission shall set the matter for a public hearing, following the procedures for providing notice of the time, place and purpose of the hearing as set forth in Section 12.24 D of this Code.

3. **Initial Decision by the City Planning Commission.** The City Planning Commission's initial decision shall be supported by written findings of fact based upon written or oral statements and documents presented to the Commission, which may include photographs, maps, and plans, together with the result of staff investigations. Upon making a determination pursuant to an application for a comprehensive sign program, the City Planning Commission shall transmit a copy of the written findings and decision to the applicant, the Department of Building and Safety, owners of all properties within 100 feet of the boundary of the subject property, owners of all properties abutting, across the public street or alley from, or having a common corner with the subject property, and to all persons who have filed written requests for this notice with the Department of City Planning, and the applicable Certified Neighborhood Council. The City Planning Commission shall also place a copy of the findings and decision in the file.

4. **Content or Message.** The City Planning Commission's review of an initial comprehensive sign program, or an amendment to an approved comprehensive sign program, shall not consider the content or message of the proposed signs.

5. ~~Off-Site Signs. A maximum of 10% of the signs permitted through a Comprehensive Sign Program shall be off-site signs.~~ **Findings.** The City Planning Commission, or the City Council on appeal, shall make all of the below findings in order to approve an application for a comprehensive sign program. For the purposes of these findings, "compatibility" shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering; and the "surrounding environment" shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent properties.

a. The proposed signs are compatible with each other and with the overall design or architectural theme of the project;

b. The proposed signs are compatible with the buildings and structures on the development site and with the surrounding environment;

c. Any proposed signs within 500 feet of a residentially zoned lot are compatible with residential uses; and

d. No proposed off-site sign, posters, banners, or inflatable devices will be more than incidentally visible from any public right-of-way or adjacent property.

7.6. Filing of an Appeal. Any person aggrieved by an initial decision of the City Planning Commission concerning a comprehensive sign program, may appeal the decision to the City Council by filing an appeal with the Department of City Planning within 15 days of the date of mailing of the City Planning Commission's decision. The appeal shall be filed at a public office of the Department of City Planning, on a form provided by the Department, and shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the City Planning Commission. The City Council shall not consider any appeal not filed within the 15-day period. The filing of an appeal stays proceedings in the matter until the City Council has made a decision. Once an appeal is filed, the City Planning Commission shall transmit the appeal and the file to the City Council. At any time prior to the action of the City Council on the appeal, the City Planning Commission shall submit any supplementary pertinent information it deems necessary or as the City Council may request.

8.7. Appellate Decision - Public Hearing and Notice. Before acting on the appeal, the City Council shall set the matter for hearing. The Department shall give notice by mail of the time, place and purpose of the hearing to the appellant, to the applicant, to the owner or owners of the property involved, to the City Planning Commission, and to any interested party who has requested in writing to be so notified. The notice shall be mailed at least 24 days prior to the hearing.

9.8. Time for Appellate Decision. The City Council shall make its decision within 7530 days after the expiration of the appeal period. The 7530 day time limit to act on an appeal may be extended by mutual written consent of the applicant and the City Council. If the City Council fails to act within this time limit, the action of the City Planning Commission shall be final.

10.9. Appellate Decision. The City Council may reverse or modify the ruling or decision appealed from only upon making written findings setting forth specifically the manner in which the action of the City Planning Commission was in error or constituted an abuse of discretion. The City Council's decision shall be based solely on the record and evidence and testimony introduced at the hearing. Upon making a decision, a copy of the findings and decision shall forthwith be placed on file in the Department of City Planning, and copies of the decision shall be sent to the applicant, the appellant, the Department of Building and Safety, and the Director of Planning.

11.10. Compliance with an Approved Comprehensive Sign Program.

(a) **Sign permit.** The Department of Building and Safety shall not issue a sign permit for a sign on any development site subject to a comprehensive sign program unless it complies with the applicable comprehensive sign program, as determined by the Director of Planning.

~~12.11.~~ **Plan Approvals.** The procedures for considering an application for a plan approval for a comprehensive sign program shall be the same as the procedures set forth in Section 12.24 M of this Code, except that the findings for approval shall be the findings set forth under Paragraph 5 of this Subsection.

SEC. 14.4.25. CONTINUATION OF NONCONFORMING SIGNS.

Any existing sign that lawfully existed at the time the regulations with which it does not conform became effective may be continued, repaired and rehabilitated, including changes or replacement of copy and necessary structural, electrical and mechanical alterations to be conducted as set forth in Section 91.6216 of this Code. If the sign or sign support structure is a qualified historical structure then the applicant may utilize the California Historical Building Code if desired, in which case the California Historical Building Code shall govern and not Division 62 of this Code. The replacement of nonconforming signs is allowed as permitted by Section 16.03 or Section 12.23 A 4 of this chapter, or when the work is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition.

SEC. 14.4.26. VIOLATIONS AND ADMINISTRATIVE CIVIL PENALTIES.

This section governs violations of the sign regulations set forth in this article and violations of any other sign regulations established by ordinance. It also governs the assessment of administrative civil penalties.

A. **Purpose.** The City Council finds there is a need for alternative methods of enforcing all provisions of this Code pertaining to signage. The City Council further finds that the assessment of civil penalties for violations of the sign regulations is a necessary alternative method for gaining compliance with the sign regulations. The assessment of civil penalties established in this article is in addition to any other administrative or judicial remedies established by law which may be pursued to address violations of the sign regulations.

B. Authority and General Provisions.

1. The Department of Building and Safety shall have the authority to issue orders to comply and assess penalties against any and all responsible parties for violations of any provisions of this Code pertaining to signage.

2. The owner of the property on which a sign is located and the owner of the sign and sign support structure are both responsible parties for complying with all provisions of this Code pertaining to signage. In addition, both responsible parties are individually liable to pay the civil penalties assessed pursuant to this section.

3. Violations of the sign regulations are deemed continuing violations and each day that a violation continues is deemed to be a new and separate offense.

4. Whenever the Department of Building and Safety determines that a violation of the sign regulations has occurred or continues to exist, the Department of

Building and Safety may issue a written order to comply to each of the responsible parties.

5. The order to comply shall be posted in a conspicuous location on the premises where the violation has occurred and mailed via U.S. first class mail to each responsible party.

6. Penalties ~~are due and payable within 15~~shall not accrue for 30 days of the date postmarked on the order to comply, ~~unless the violation is corrected, or any extension thereof while the responsible party completes all actions required by the order to comply, including notifying the Department of Building and Safety to request a re-inspection.~~

7. Penalties are due and payable within 30 days of the date postmarked on the order to comply or any extension thereof, unless the violation is corrected, in which case no penalties will be assessed.

8. The amount of penalties shall follow the chart in Subsection C below. These penalty amounts shall be in addition to any other fees required by Chapter IX of this Code.

~~8.9.~~ After correcting the violation, the responsible party must contact the representative of the Department of Building and Safety who issued the order to comply, to request a re-inspection. Any penalties assessed will toll from the date the responsible party contacts the Department of Building and Safety to request a re-inspection and the re-inspection. Any penalties assessed will cease to accrue starting on the day that the Department of Building and Safety determines through its re-inspection that the violation has been corrected.

9. ~~All other matters pertaining to the issuance of orders to comply and assessment of penalties for sign code violations, to include the processing of appeals, shall be as regulated by Chapter IX of this Code.~~

10. Filing an appeal pursuant to Section 14.4.27 shall stop penalties from accruing.

11. If the Department of Building and Safety or the administrative hearing officer rescinds an order to comply, the violation shall be considered corrected and no penalties shall be due.

D. Amount of Penalties.

1. The amount of administrative civil penalties for off-site signs are as set forth in the following table:

SIGN AREA OF OFF-SITE SIGN IN VIOLATION	CIVIL PENALTIES PER DAY OF VIOLATION
--	---

	First Violation	Second Violation	Third Violation and All Subsequent Violations
Less than 150 square feet	\$2,500	\$4,000	\$8,000
150 to less than 300 square feet	\$4,000	\$8,000	\$16,000
300 to less than 450 square feet	\$6,000	\$12,000	\$24,000
450 to less than 600 square feet	\$8,000	\$16,000	\$32,000
600 to less than 750 square feet	\$10,000	\$20,000	\$40,000
750 or more square feet	\$12,000	\$24,000	\$48,000

2. The amount of administrative civil penalties for on-site or noncommercial signs of any size shall be the same as the general civil penalty defined in Section 11.00 L of this Code, for the first and all subsequent violations.

3. Civil penalties per day of a violation of Section 14.4.21 of this article for signs of less than 20 square feet in sign area shall be \$500 per day of violation for the first and all subsequent violations.

D. Collection.

1. If the civil penalties are not paid in a timely manner, the City Council may order that the civil penalties be specially assessed against the real property on which the sign found in violation is located. If the City Council orders that the civil penalties be specially assessed against the real property on which the sign found in violation is located, it shall confirm the assessment, and the assessment may be collected at the same time and in the same manner as ordinary real property taxes are collected. The assessment shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary real property taxes. All laws applicable to the levy, collection, and enforcement of real property taxes are applicable to the special assessment.

2. The City Council may also cause a notice of lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of the real property, set forth the last known address of the record owner or possessor, the date on which the civil penalties were imposed, a description of the real property subject to the lien, and the amount of the penalty.

3. Any unpaid civil penalties may also be collected in accordance with the procedures set forth in Los Angeles Administrative Code Section 5.181 *et seq.*

E. General Fund. Civil penalties collected pursuant to this section shall be credited to the general fund.

SEC. 14.4.27. RECOVERY OF COSTS. 14.4.27 APPEAL PROCEDURES

The procedures set forth in this section govern appeals of the administrative civil penalties assessed pursuant to Section 14.4.26 of this article, as well as appeals of orders to

comply with the sign regulations set forth in this article or any other sign regulations established by ordinance. No further appeal may be filed pursuant to the provisions of Section 12.26 K of this chapter.

A. General Provisions.

1. An appeal of an order to comply or the civil penalties pursuant to Section 98.0403.2 (a) must be filed within 20 days of the date the order to comply is issued to the responsible party by the Department of Building and Safety. The appeal shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the Department of Building and Safety. An appeal may only be filed by a responsible party.

2. After the Department of Building and Safety has rendered a decision in writing and provided written justification and findings on the appeal made pursuant to Section 98.0403.2(a) of this Code, then the responsible party may appeal to the Chief Zoning Administrator.

3. The appeal must be filed at a public office of the Department of City Planning, on a form provided by the Department of City Planning, and accompanied by applicable fees. The appeal shall set forth specifically the points at issue, the reasons for disputing the written justification and findings in the Building and Safety report, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the Department of Building and Safety. The appeal to the Chief Zoning Administrator shall be accompanied by a written copy of the decision of the Department of Building and Safety, and any written copy of the underlying order taken on the matter by the Department of Building and Safety.

B. Public Hearings.

1. The Chief Zoning Administrator shall appoint one or more administrative hearing officers to hear appeals filed pursuant to this section. The administrative hearing officer shall exercise all the powers and duties to conduct hearings and make decisions pursuant to this article.

2. The Chief Zoning Administrator shall set the matter for a public hearing, following the procedures for providing notice of the time, place and purpose of the hearing as set forth in Section 12.27 C of this Code.

3. The Chief Zoning Administrator may grant continuances; however, when an administrative hearing officer has been appointed, no continuances may be granted, except by him or her, and only for good cause shown, so long as the matter remains before him or her.

4. The administrative hearing officer shall proceed with reasonable dispatch to conclude any matter being heard. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

5. All oral testimony shall be upon oath or affirmation. The administrative hearing officer shall have the authority to administer oaths and to allow cross-examination of witnesses.

6. The proceedings of the hearing shall be recorded by an audio recorder.

C. Rights of Parties. Each party shall have the right to represent himself or herself, or to be represented by an attorney or other person of his or her choice; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence presented against him or her.

D. Decision.

1. The administrative hearing officer may reverse or modify, in whole or in part, the order to comply. The administrative hearing officer may also reduce the amount of the civil penalties. The administrative hearing officer's decision shall be based solely on the record and evidence that relates to whether or not the responsible party violated the sign regulations and whether the Department of Building and Safety erred or abused its discretion as well as testimony introduced at the hearing. In making his or her decision, the administrative hearing officer may consider the seriousness of the violation, previous violations, the number of days the violation has occurred, and good faith efforts taken by the responsible party to correct prior violations.

2. The decision of the administrative hearing officer shall be in writing. A copy of the decision shall be provided to the owner of the property on which the sign and support structure is located, the owner of the sign and sign support structure, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property and to all persons who have filed written requests for this notice with the Office of Zoning Administration. The administrative hearing officer shall also place a copy of the findings and decision in the file.

3. The administrative hearing officer may establish dates by which the civil penalties must be paid.

4. The decision of the administrative hearing officer is final and may not be appealed.

SEC. 14.4.28. RECOVERY OF COSTS.

Pursuant to the procedures and authority found in Los Angeles Administrative Code Section 7.35.3, any City department shall be entitled to recover any reasonable fee, charge or cost incurring in enforcing the sign regulations that is collectible under Government Code Section ~~54988~~54988, provided that their action is in connection with civil penalties that are not overturned pursuant to an appeal under Section 14.4.27 or any other provision of law. Collectible fees, charges or costs shall include permit fees, fines, late charges, interest and costs incurred in performing inspections and otherwise enforcing the sign regulations, provided that all such fees, charges and costs have been previously published and adopted by the City.

Sec. 13. APPLICATION OF REGULATIONS TO PENDING PROJECTS, EXISTING PROJECTS, AND INITIATED OR APPLIED FOR SIGN DISTRICTS AND SPECIFIC PLANS.

This ordinance amends Article 4.4 and related provisions of the Los Angeles Municipal Code to enact new requirements and provisions regulating signs. This ordinance also amends Section 13.11 of the Code to enact new findings and other criteria for the establishment of "SN" Sign Districts. This Section sets forth the rules for application of this ordinance to pending projects, discretionary land use approvals, and initiated or applied for Sign Districts and specific plans.

Pending Projects. This ordinance shall not apply to any project that has applied for a discretionary land use approval, where such application specifically requested on-site signs, or otherwise sought relief from the sign regulations to allow for on-site signs, prior to the effective date of the Sign Ordinance.

Discretionary Land Use Approvals. This ordinance shall not apply to any discretionary land use approval set forth in Section 16.05 B 2 or Section 11.5.7 of the Los Angeles Municipal Code granted prior to the effective date of this ordinance, provided the approval is still valid and specifically allowed signs or otherwise granted relief from the sign regulations. In particular, this ordinance shall not supersede any of the provisions set forth in the approval related to signs, nor shall it supersede any of the procedures set forth in Chapter I of the Los Angeles Municipal Code that authorize a decision-maker to modify the provisions set forth in the approval related to signs.

For Specific Plans granted prior to the effective date of this ordinance that specifically allowed signs or otherwise granted relief from the sign regulations, any proposed amendments that would allow signs prohibited by Section 14.4.4 C of this Code shall be established within a Sign District, subject to the specific plan provisions in this Code at the time such regulations are proposed, except for Section 11.5.7.K of this Code, rather than to the Sign District regulations.

Initiated or Applied for Sign Districts.

Any initiated or applied for Sign District or other land use ordinance that contains special sign regulations shall be subject to the Sign District regulations or regulations for the

adoption of land use ordinances in this Code as of August 9, 2011, rather than to the subsequently updated regulations.

An “initiated or applied for Sign District” or “other land use ordinance that contains special sign regulations” is one which was not approved before August 9, ~~2011~~2011, but was initiated or applied for before this date, pursuant to Section 12.32 of this Code; or any Sign District for which precise boundaries were identified in ~~a notice of preparation for an~~ environmental impact report posted by the Department of City Planning before August 9, 2011.

After an initiated or applied for Sign District or other land use ordinance that contains special sign regulations is adopted, any proposed amendments that would allow signs prohibited by Section 14.4.4 C of this Code shall be subject to the Sign District provisions in this Code at the time such regulations are proposed.

Initiated or Applied for Specific Plans.

Within any initiated or applied for specific plan, any regulations that permit signs prohibited by Section 14.4.4 C of this Code shall be removed from the specific plan and established within a proposed Sign District. The proposed Sign District shall be reviewed concurrently with the specific plan, shall not require an application fee, and shall be subject to the ~~Sign District~~specific plan regulations in this Code as of August 9, 2011, rather than to the ~~subsequently updated~~Sign District regulations.

An “initiated or applied for specific plan” is one which was not approved before August 9, ~~2011~~2011, but was initiated or applied for before this date, pursuant to Section 12.32 of this Code; or any specific plan for which ~~precise~~geographic boundaries were identified in a notice of preparation for a environmental impact report that was posted by the Department of City Planning before August 9, 2011.

After an initiated or applied for specific plan is adopted and a Sign District is adopted as provided above, any proposed ~~regulations~~amendments to the Sign District that would allow signs prohibited by Section 14.4.4 C of this Code shall ~~also be established within a Sign District,~~ be subject to the ~~Sign District~~specific plan provisions in this Code at the time such regulations are proposed, except for Section 11.5.7.K of this Code, rather than to the Sign District regulations.

Sec. 14. Subsection G of Section 19.01 of the Los Angeles Municipal Code is amended to read:

G. Sign Applications.

[FILING FEE]

Type of Application	Fee
Comprehensive Sign Program (Section 14.4.24)	\$11,738

Amendment of Comprehensive Sign Program (Section 14.4.24)	\$5,748
Sign Variance (Section 14.4.23)	\$6,448
Sign Adjustment (Section 14.4.22)	\$5,370
Plan Approval – Sign Variance (Section 14.4.23 C)	\$5,754
Plan Approval – Sign Adjustment (Section 14.4.22 C)	\$5,754

Sec. 14-15. STATEMENT OF INTENT.

This ordinance amends Article 4.4 of Chapter 1 of the Los Angeles Municipal Code to clarify that the sign regulations are permissive. This ordinance affirms the Council’s intent that a use or structure is only allowed if the codes and ordinances of the City of Los Angeles expressly allow it. Any use or structure that is not regulated by these codes and ordinances is prohibited. This amendment clarifies the Council’s longstanding interpretation and does not change existing law.

In addition, when supergraphic signs, extremely large wall signs, first appeared they were regulated as either wall signs or temporary signs. In 2002, the Council added a definition to the Code for supergraphic signs and enacted a ban. This ordinance deletes the definition of supergraphic signs. It is the intent of Council in enacting this ordinance’s new provisions to again require that supergraphic signs comply with the provisions of wall signs or temporary signs.

In addition to the above, Council’s enactment of this ordinance is an exercise of the City’s police powers and, therefore, its provisions shall apply to all signs citywide regardless of any provisions to the contrary set forth in a settlement agreement entered into prior to the effective date of this ordinance.

TABLE NO. B
SPACING REQUIREMENTS BETWEEN OFF-SITE SIGNS

	Sign Area	PROPOSED SIGN		
		Less than 80 sq. ft.	80 sq. ft. to 300 sq. ft.	Greater than 300 sq. ft.
Existing or Permitted Sign	Less than 80 sq. ft.	100 ft.	100 ft.	200 ft.
	80 sq. ft. to 300 sq. ft.	100 ft.	300 ft.	300 ft.
	Greater than 300 sq. ft.	200 ft.	300 ft.	600 ft.



City of Los Angeles Revised Sign Ordinance

Date: 8-9-11
Submitted in plum Committee
Council File No: 08-2020
Item No.: 5
Deputy: public

Date: August 9, 2011

Position: Valley Industry and Commerce Association (VICA) supports, if amended, the revised sign ordinance proposed by the Department of City Planning.

1. Sign District Size & Location

The minimum 5,000 linear feet/15 acres threshold is far too large and limits the flexibility necessary to enhance dense areas. The "regional center" requirement for location of sign districts also restricts neighborhoods from granting greater access to signage as a community planning tool. In areas that are rapidly changing, signage can be used to spur economic growth. The proposed ordinance does not respect these realities.

The restriction against abutting highways is also unrealistic. Los Angeles is built around highway access. Eliminating the potential for sign districts along highways would eliminate the potential for prime advertisement space, especially in suburban areas such as the San Fernando Valley.

2. Definition of On-Site & Off-Site Signs

The use of "exclusively" in the definition of an on-site sign is too narrow and does not account for signage for cross-promotional signage. Under these definitions, many traditional on-site signs will be classified as off-site signs, therefore unjustly subjecting them to off-site sign regulations. "Exclusively" should be removed from the definition of on-site signage to reflect the reality of common on-site signage.

3. Enforcement Procedures and Penalties

While fees must be assessed at a value that will incite change, the proposed penalties are extreme and unnecessarily punitive. Even the smallest, simplest signs will incur \$2,500 daily—increasing to \$8,000 after only 3 days—while the business awaits appeal. The flat \$2,500 fee for on-site signs is similarly excessive, as well as being particularly unjust due to the non-revenue generating nature of on-site signage. These enormous fees are cost prohibitive for small businesses, leading to either the abandonment of new signage or—more likely—a prevalence of illegal signage.

4. Digital Display Regulations

While the 600 candelas per sq. meter is standard for nighttime display, the 3500 candelas daytime requirement is unnecessary. As weather and time of day can affect visibility, digital billboards should be permitted to include an automatic sensor that can increase/decrease brightness based on sun rising/setting and account for fog and precipitation.

If a candela requirement must be set for daytime display, it should be no less than 9000 candelas, in order to compete with direct sunlight. Existing digital billboards and message centers in Los Angeles currently display images at 5000-10000 candelas during daytime. The Grand Wilshire project set standards at 3500 candelas in daytime, but the consultant report suggested 9000 candelas on the lower floors.

5. Sign Reduction

The off-site sign ban was a step in the wrong direction; this provision extends this detrimental regulation. The attraction of visitors to Los Angeles stems from its extravagant facade, which signage expansion is instrumental in sustaining and developing.

6. Missing Provisions

The ordinance does not address repermitting; sign reduction; sign relocation; potential revenue generation from signage on City-owned property; size, spacing and prevalence of digital signs; freeway exposure; combined signs across adjacent properties; or the effects of recently invalidated sign-related settlement agreements. The Department of City Planning has expressed the intent to address these areas through a dedicated Sign Unit. These absent areas need to be addressed by the Council either by amending this ordinance before passing or by creating the Sign Unit to draft individual ordinances before the first quarter of 2012 when related judgments are expected.

5

GGPNC OFFICERS

PRESIDENT
Philip Gasteier
VICE-PRESIDENTS
Bruce Carroll - Administration
Rosemary DeMonte - Outreach
TREASURER
Tomas O'Grady
SECRETARY
Mark Mauceri



**Greater Griffith Park
Neighborhood Council**
*Your Neighborhood. Your Voice.
Your Council.*



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Certified Council #35

April 21, 2009

Members of the City Council
City of Los Angeles
City Hall
200 North Spring Street
Los Angeles, California 90012

Date: 8.9.11
Submitted In plum Committee
Council File No: 08-2020
Item No.: 5
Deputy: public

Council File No. 08-2020
Proposed Amendments to Sign Regulations

Dear Council Members:

Greater Griffith Park Neighborhood Council ("GGPNC") has been actively engaged in the problem of the incursion into our public lives by signage for a number of years..

In the summer of 2007 we presented a catalog, containing photographs and addresses, of all off site signs in our area to the Department of Building and Safety to aid it in carrying out its obligations to identify all off site signs which were built or modified without permit and to enforce the existing ordinances. Unfortunately, we understand that department has done nothing to avail itself of the benefit we provided to them or to enforce the current ordinances in our area.

I. Enforcement of Existing Ordinances.

The City Council should take whatever action is necessary to cause the Department of Building and Safety to enforce the current ordinances and to cause all off site signs which have not been properly constructed in accordance with the ordinances in existence at the time of their construction or modification to be removed.

We have previously so advised the Council by our Community Impact Statement, clause (b), dated November 24, 2008, filed in Council File Nos. 08-2020 and 08-2617.

II. Proposed Comprehensive Sign Ordinance.

GGPNC has also followed the development of a proposed comprehensive sign ordinance by the Department of Planning as instructed by you on July 29, 2008. We have commented as the process has proceeded. For example, we have filed a letter dated March 17, 2009, with the City Planning Commission, we have filed several community impact statements, and we have had representatives speak at various public hearings.

Since March 17, the date of our latest letter, amendments have been made to the proposed ordinance, and we have had further thoughts on the procedure. We give you our specific comments.

A. The Current Ban Should be Extended, and the Proposed Ordinance Should be Revised.

The current ban has been put in place to allow the City to provide a comprehensive plan for signs, both on site and off site. This project of revising the ordinance applicable to signs is however subject to questions raised by various interests as to the scope of such regulation. We understand that some of the major issues raised are in the process of litigation in the federal court.

We think the sign ordinance revision should be done at one time with all relevant information before the City Council. We think enacting an ordinance which is not informed with the most critical facts relating to its permitted scope is unwise. The most rational time to revise the ordinance is after the Ninth Circuit has spoken. Hopefully, the new ordinance will be in compliance and there will be a reasonable possibility of an end to litigation on the subject.

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Section 14.4.24 conditions the private right on action on the prior issuance of an order by the City. Presumably, if the City has so acted it will proceed to enforcement under the ordinance, and a private right of action will not ordinarily be necessary.

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Moreover, we believe the ordinance ought to have a provision to encourage private action (after failure by the City) by a guarantee to a successful plaintiff of costs of suit and attorney's fees and a share of any penalty imposed.

We believe general provisions of the law against nuisance lawsuits and vexatious litigants should be a sufficient safeguard from abuse. On the other hand, limiting the right as proposed may allow for no real enforcement at all.

3. Sign Districts.

Selecting certain areas for a superabundance or saturation of signs is patently unfair. Moreover, we believe that a sign district, by creating a free-for-all attitude, may increase crime in that and adjoining areas.

If new sign districts are allowed, such sign districts should be regulated so that (a) new signs in such a district will be offset by the removal of an equal or greater number of square feet of signs in the area abutting the sign district, (b) provision shall be made that areas outside of the district will be protected from the effects of signs within the district and (c) notice of a proposed sign district (and an opportunity to be heard) be broadly provided to residents and owners of property in areas adjacent to the proposed district.

4. Distinction between On-Site and Off-Site Signs.

The distinction between "on site" and "off site" signs should be retained; however, a definition of "on site" sign should be adopted to reflect the common-sense distinction, such as providing that a sign which advertises a product or service sold on site must be for a product or service that provides no less than a certain percentage (e.g., 25%) of that business's monthly income during the period the product or service is advertised.

5. Enforcement.

The City must commit to providing a substantially larger number of employees to enforce the ordinance, which might be funded by effective

collection of fines owed by violators. If legally possible, the fines should go first to fund enforcement and then to the extent the fines exceed the cost of enforcement they should go to general funds. Alternatively, inspection fees should be set at an amount to adequately fund the cost of enforcement.

6. Fines

Fines should be imposed against the person or entity determining the message on the sign (*i.e.*, advertiser) as well as the land owner and owner of the sign. Enforcement might include revocation of the offender's business license if there are any unpaid fines.

7. Super graphics, Digital Signs and New Roof Signs.

We support continued prohibition of these signs.

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The City Council should require the Department of Building and Safety to promptly perform its long-standing obligation to enforce current regulations and determine which signs now existing are not legal. The City Council should fund the effort to enforce the applicable current ordinances.

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Very truly yours,

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Chair, Planning, Zoning and Historic Preservation Committee

Cc: The Honorable Antonio Villaraigosa
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Philip Gasteier
VICE-PRESIDENTS
Bruce Carroll - Administration
Rosemary DeMonte - Outreach
TREASURER
Tomas O'Grady
SECRETARY
Mark Mauceri



**Greater Griffith Park
Neighborhood Council**
*Your Neighborhood. Your Voice.
Your Council.*



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Certified Council #35

April 21, 2009

Members of the City Council
City of Los Angeles
City Hall
200 North Spring Street
Los Angeles, California 90012

Date: 8.9.11
Submitted in plmm Committee
Council File No: 08-2020
Item No.: 5
Deputy: public

Council File No. 08-2020
Proposed Amendments to Sign Regulations

Dear Council Members:

Greater Griffith Park Neighborhood Council ("GGPNC") has been actively engaged in the problem of the incursion into our public lives by signage for a number of years..

In the summer of 2007 we presented a catalog, containing photographs and addresses, of all off site signs in our area to the Department of Building and Safety to aid it in carrying out its obligations to identify all off site signs which were built or modified without permit and to enforce the existing ordinances. Unfortunately, we understand that department has done nothing to avail itself of the benefit we provided to them or to enforce the current ordinances in our area.

I. Enforcement of Existing Ordinances.

The City Council should take whatever action is necessary to cause the Department of Building and Safety to enforce the current ordinances and to cause all off site signs which have not been properly constructed in accordance with the ordinances in existence at the time of their construction or modification to be removed.

We have previously so advised the Council by our Community Impact Statement, clause (b), dated November 24, 2008, filed in Council File Nos. 08-2020 and 08-2617.

II. Proposed Comprehensive Sign Ordinance.

GGPNC has also followed the development of a proposed comprehensive sign ordinance by the Department of Planning as instructed by you on July 29, 2008. We have commented as the process has proceeded. For example, we have filed a letter dated March 17, 2009, with the City Planning Commission, we have filed several community impact statements, and we have had representatives speak at various public hearings.

Since March 17, the date of our latest letter, amendments have been made to the proposed ordinance, and we have had further thoughts on the procedure. We give you our specific comments.

A. The Current Ban Should be Extended, and the Proposed Ordinance Should be Revised.

The current ban has been put in place to allow the City to provide a comprehensive plan for signs, both on site and off site. This project of revising the ordinance applicable to signs is however subject to questions raised by various interests as to the scope of such regulation. We understand that some of the major issues raised are in the process of litigation in the federal court.

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