



OFFICE OF THE CITY ATTORNEY
ROCKARD J. DELGADILLO
CITY ATTORNEY

REPORT NO. R 09 - 0177

MAY 20 2009

REPORT RE:

**DRAFT 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 REGULATE SIGNS**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 08-2020
CPC Case No. 09-0008- not transmitted

Honorable Members:

Attached to this report is a final draft ordinance, approved as to form and legality, 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 (LAMC) to regulate signs.

Background and Summary

On May 12, 2009, your Planning and Land Use Management Committee (PLUM) recommended adoption, with modifications, of the City Planning Commission draft 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 LAMC to establish total sign area limits for properties; establish area and height limits for individual signs; prohibit off-site signs, digital displays and roof signs; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment.

Charter Findings

As addressed in the Director of Planning's letter of May 20, 2009, the language contained in the proposed ordinance as approved by PLUM is substantially different

from the version of the ordinance previously approved by the City Planning Commission. Accordingly, pursuant to Charter Section 559, the Director of Planning has disapproved this draft of ordinance on behalf of the City Planning Commission and recommended that you not adopt it. Therefore, City Council can proceed to consider the ordinance as approved by PLUM and adopt it with a two-thirds vote.

Should you adopt this ordinance, you may comply with the provisions of Charter Section 558 by either adopting the findings of the Director of Planning as set forth in her letter dated May 20, 2009, or by making your own findings.

Council Rule 38 Referral

A copy of the final draft of ordinance was sent, pursuant to Council Rule 38, to the Departments of Building and Safety, Fire and Transportation for their comments. The Departments have been requested to report their comments directly to you.

CEQA Findings

Regarding a finding pursuant to the California Environmental Quality Act (CEQA), the Director, on behalf of the City Planning Commission, recommends that you adopt Negative Declaration No. ENV-2009-0009-ND and determine that the adoption of the proposed ordinance will not have a significant impact on the environment. If you concur, you must take these actions and make these findings prior to or concurrent with your action on the ordinance. If the subject ordinance is enacted, the City Clerk should file a Notice of Determination in accordance with Section 15075 of the State CEQA Guidelines.

If you have any questions, feel free to contact Assistant City Attorney Sharon Siedorf Cardenas at (213) 978-8235. She or another member of this staff will be available to answer any questions you may have when you consider this matter.

Sincerely,

ROCKARD J. DELGADILLO, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:SSC: pj
Transmittal

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 establish total sign area limits for properties; establish area and height limits for individual signs; prohibit off-site signs, digital displays and roof signs; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on 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 shall 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.

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.** 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 deleted.

Sec. 7. Paragraph (j) of Subdivision 20 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is deleted.

Sec. 8. Subdivision 3 of Subsection C of Section 12.23 of the Los Angeles Municipal Code is deleted.

Sec. 9. 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 sense of place in areas of the City that have a unique quality, theme or character through special sign regulations that convey a unified design or architectural theme, especially those areas of the City that have unique entertainment or cultural attributes. A further purpose of the "SN" Sign District is to improve the visual environment of the City through sign reduction.

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 in the C, PF, or R5 Zones and are located:

(a) in the "Downtown Center," as designated on the Framework Element of the General Plan; or

(b) in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial".

2. No "SN" Sign District shall contain less than 5,000 linear feet of street frontage or 15 acres in area, whichever is the smaller. For purposes of applying this provision, "street frontage" shall be as defined in Section 14.4.2 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 scenic highway as designated on an adopted community plan; or

(c) 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 following findings shall be made in establishing an "SN" Sign District:

(a) The area of the proposed "SN" Sign District has a unique quality, theme or character; and

(b) The proposed special sign regulations convey a unified design or architectural theme that will enhance the unique quality, theme or character of the proposed "SN" Sign District; and

(c) The proposed special sign regulations shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or create a condition that endangers the safety of persons, pedestrians or property; and

(d) The proposed special sign regulations will not create light pollution or other negative environmental effects that will be materially detrimental to the character of development in the immediate neighborhood outside the proposed district; and

(e) The proposed special sign regulations will further the applicable goals, objectives and policies of the urban form and neighborhood design chapter of the Framework Element of the General Plan.

5. The total acreage in an "SN" Sign District shall include contiguous parcels of land, which may only be separated by public streets, ways, alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for or initiation of an individual district.

C. Sign Reduction. 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, or sign faces with digital displays, as otherwise prohibited by Section 14.4.4 C 8 of this Code, then the ordinance shall:

1. Identify the precise boundaries of a "sign impact area" adjacent to the "SN" Sign District. Properties to be included in the "sign impact area" shall be those properties most likely to be impacted by the proposed new off-site signs or new sign faces with digital displays.

2. Require, at a minimum, that every square foot of sign area of a new off-site sign or a new sign face with a digital display must be offset by a reduction of more than one square foot of existing sign area, within either the "SN" Sign District or the "sign impact area."

The sign reduction requirement established by this subsection shall only be met through the demolition of existing, legally permitted off-site signs, including nonconforming off-site signs. The reduction in existing sign area shall be accomplished prior to issuance of a building permit for the new off-site sign or new sign face with a digital display. The applicant shall provide evidence satisfactory to the Department of Building and Safety that the demolition of the required off-site sign area has been accomplished.

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. 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.

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. Procedures. The procedures to administer an "SN" Sign District shall be the specific plan procedures set forth in Section 11.5.7 of this Code. Notwithstanding these procedures, a modification of the district's height, location and sign area provisions shall be limited to less than 20 percent. This limitation shall apply to project permit adjustments granted pursuant to Section 11.5.7 E of this Code and exceptions granted pursuant to Section 11.5.7 F of this Code.

Sec. 10. 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	Hazard to Traffic
14.4.6	Freeway Exposure
14.4.7	Information Signs

- 14.4.8 Monument Signs
- 14.4.9 Projecting Signs
- 14.4.10 Wall Signs
- 14.4.11 Illuminated Architectural Canopy Signs
- 14.4.12 Pole 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 Signs in A and R Zones
- 14.4.20 Sign Modification
- 14.4.21 Comprehensive Sign Program
- 14.4.22 Continuation of Nonconforming Signs
- 14.4.23 Violations and Administrative Civil Penalties
- 14.4.24 Appeal Procedures
- 14.4.25 Right of Private Action
- 14.4.26 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.

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.

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

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 building walls upon the street used for street frontage.

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

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

Digital Display. A sign face that displays still images, scrolling images or moving images, including video and animation, through a series of grid lights, including cathode ray, light emitting diode display, plasma screen, liquid crystal display, fiber optic, or other electronic media or technology, and that may be changed remotely through electronic means.

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.

Identification Sign. A wall sign that is limited to a company logo, generic type of business, or the name of a business or building.

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 displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or other commercial message that does not occur on the premises where the sign is located or is not conducted, sold, manufactured, produced or offered on the premises where the sign is located.

On-Site Sign. A sign other than an off-site sign.

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.

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 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 line.

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

Sign. Any whole or part of a display board, wall, screen 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 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 approved in Division 62 Article 1 of Chapter IX of this Code, 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 shall conform to the requirements of this article and all other applicable provisions of this Code.

EXCEPTION: Signs or sign support structures shall not be considered exterior if they face an interior court bounded on all sides by one or more buildings and no sign is higher than the surrounding building walls.

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; 14.4.25; 14.4.26; 91.6205; 91.6207; and 91.6216.

C. **Off-Site Signs.** Pole signs conforming to the regulations set forth in Section 14.4.17 of this article 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; 14.4.6; 14.4.17; 14.4.22; 14.4.23; 14.4.25; 14.4.26; 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; 14.4.6; 14.4.15; 14.4.16; 14.4.19; 14.4.21; 14.4.23; 14.4.25; 14.4.26; 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; 14.4.7; 14.4.10; 14.4.12; 14.4.15; 14.4.16; 14.4.18; 14.4.19 and 14.4.22.

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 or SL 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; 14.4.7; 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; and 14.4.22.

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 the signs defined in and regulated by this article 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, ribbons, streamers, or spinners, 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 intended to be 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 human beings, live animals, animated figures, motion pictures, digital displays, or continuous motion in connection with any sign.

9. Are off-site signs, except when off-site signs are specifically permitted pursuant to a relocation agreement entered into pursuant to California Business and Professions Code Section 5412. This prohibition shall also apply to alterations or enlargements of legally existing off-site signs, except for alterations or enlargements specifically permitted by Section 91.6216 of this Code.

10. Are inflatable devices.

11. Are roof signs.

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.

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 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, 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 two 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. **Maximum Sign Area.** The maximum sign area for on-site signs allowed on a street frontage shall be one square foot of sign area for every linear foot of street frontage and 1.5 square feet of sign area for every linear foot of building frontage. This sign area may be aggregated on one on-site sign or multiple on-site signs, provided that each individual sign complies with all applicable provisions of this article.

EXCEPTION: Identification signs located at a height of 100 feet or more, temporary signs and information signs shall not be subject to the maximum sign area limitation imposed by this subsection.

L. **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.

M. Maximum Number of Signs. The maximum number of monument signs, projecting signs, and pole signs allowed on a street frontage is shown in the chart below. There is no maximum number of information signs, wall signs, illuminated architectural canopy signs, window signs, marquee signs, and awning signs allowed on a lot.

Street frontage	Permitted monument signs	Permitted pole signs	Permitted projecting signs	Total permitted freestanding signs and projecting signs
0- less than 50 feet	None	None	1	1
50 to less than 100 feet	None	None	1	1
100 to less than 200 feet	1	None	2	2
200 to less than 400 feet	2	None	3	4
400 to less than 600 feet	3	1	4	7
600 to less than 800 feet	4	1	5	9
800 to less than 1000 feet	5	1	6	11
1000 or more feet	5	1	6	11

N. 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.

O. 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 14.4.20 and 14.4.21 of this article.

EXCEPTION: Plans for on-site signs may be submitted and approved pursuant to the procedures set forth in Sections 12.24 M and 12.27 U of this chapter, 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.

SEC. 14.4.5. HAZARD TO TRAFFIC.

A. **Prohibition.** No sign or sign support structure shall be erected, constructed, painted or maintained, and no permit shall be issued, if the sign or sign support structure, because of its location, size, nature or type, constitutes a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or creates a condition that endangers the safety of persons or property.

B. **Hazard Referral.** The Department of Building and Safety shall refer the following to the Department of Transportation for hazard evaluation and determination prior to the issuance of a building permit:

1. All permit applications for signs that will be visible from and are located within 500 feet of the main traveled roadway of a freeway; and
2. All other permit applications and any signs that are determined by the Department of Building and Safety to have a potential for hazard.

C. **Hazard Determination.** The Department of Transportation shall return to the Department of Building and Safety each application so referred to it, together with a written statement of its determination, within 120 days of the date of referral by the Department of Building and Safety, or within an extended period of time as mutually agreed upon by the permit applicant and the Department of Transportation. Failure of the Department of Transportation to return the application and a hazard determination to the Department of Building and Safety shall be deemed a finding by the Department of Transportation of no hazard, and the Department of Transportation shall then approve the permit application. If the Department of Transportation determines that the sign or sign support structure will constitute a hazard, the Department of Building and Safety shall deny the application for permit.

D. **Appeal.** An appeal of the determination of the Department of Transportation's hazard determination may be filed by the permit applicant with the Board of Transportation Commissioners within 15 days of the date the determination is issued. Any appeal so filed pursuant to this subsection stays proceedings in the matter. The Board must act within 75 days of the date the appeal is filed. The decision of the Board of Transportation Commissioners may not be further appealed, subject to Charter Section 245.

E. **Procedures.** The Department of Transportation shall prepare and make available to the public procedures for administering the provisions of this section.

SEC. 14.4.6. FREEWAY EXPOSURE.

No person shall erect, construct, install, or maintain any sign or sign support structure within 660 feet of a freeway unless the sign conforms to the requirements of California Business and Professions Code Sections 5403, 5404, 5405, 5406, 5408, 5440, 5440.1, 5442.11 and 5442.13.

SEC. 14.4.7. 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. 14.4.8. MONUMENT SIGNS.

- A. **Area.** The maximum sign area of any one monument sign shall not exceed a total of 120 square feet for all the sign faces, and no single sign face shall exceed 60 square feet in area.
- B. **Height.** No monument sign shall exceed a height of eight feet.
- 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.
- D. **Projection.** Monument signs shall not project over the building line.

SEC. 14.4.9. PROJECTING SIGNS.

- A. **Area.** The maximum sign area of any one projecting sign shall not exceed a total of 100 square feet for all the sign faces, and no single sign face shall exceed 50 square feet in area.
- B. **Clearance.** Projecting signs shall have a minimum clearance of eight feet above the sidewalk grade or edge of roadway grade nearest the sign and shall not extend above the top of the wall.
- C. **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.
- D. **Projections.** 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. 14.4.10. WALL SIGNS.

A. **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 a wall sign located above the window may extend above the top of the wall by a maximum of three feet.

B. Location.

1. No wall sign except a non-illuminated painted 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.

4. No wall sign shall cross the perimeter of any opening of a building, including its windows, door, and vents, at any point 24 inches or less of the exterior building face measured perpendicularly to the surface of the opening. Under no circumstances shall a sign obstruct the free operation of a door or openable window.

C. 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 a building face. 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.

D. **High Rise Signs.** Wall signs located at a height of 100 feet or more shall be limited to identification signs only. Notwithstanding the provisions of Section 14.4.4 K of this article, the sign area of these signs shall not be included in the determination of maximum sign area if:

1. No more than two identification signs are located at a height of 100 feet or more.

2. No more than one identification sign is located at height of 100 feet or more on any building face.

3. The sign area of identification signs located at a height of 100 feet or more complies with the following limitations:

Sign Height	Sign Area Limits (square feet)
100 feet or more but less than 175 feet	5 x building face width at uppermost mounted sign height
175 feet or more but less than 275 feet	6 x building face width at uppermost mounted sign height
275 feet or more but less than 400 feet	7 x building face width at uppermost mounted sign height
400 feet or more	8 x building face width at uppermost mounted sign height

4. Identification signs use channel letters or company logo.

5. Illumination from an identification sign is restricted to no greater than one foot candle above ambient light level, as measured at the property line of a lot classified in the RW1 zone or a more restrictive zone, when such property line is within 200 feet of the lot where the identification sign is located.

E. 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 wall between the parking lot and the street, a portion of the maximum sign area allowed by this article may be used on the 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 wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

SEC. 14.4.11. ILLUMINATED ARCHITECTURAL CANOPY SIGNS.

A. Area.

1. The maximum sign area of any one illuminated architectural canopy sign shall not exceed a total of 100 square feet for all the sign faces, and no single sign face shall exceed 50 square feet in area.

2. In applying the sign area limits specified by this article, only the area occupied by the message of an illuminated architectural canopy sign shall be used.

B. **Height.** An illuminated architectural canopy sign shall not extend above the top of the wall of a building.

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.

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. **Projections.** 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 building face.

SEC. 14.4.12. POLE SIGNS.

A. **Area.** The maximum sign area of any one pole sign shall not exceed a total of 200 square feet for all the sign faces, and no single sign face shall exceed 100 square feet.

B. **Height.** The maximum height of any one pole sign shall not exceed the sign area of a single sign face divided by four.

C. 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 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.

D. **Clearance.** 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. **Projections.** 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.

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 used to display the sign.

B. **Location.** A window sign shall only be located on the interior surface of a window or door.

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; 14.4.5; 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 shall not extend above or below the periphery. Cloth or banner signs or drop-roll curtains may be suspended below the exterior periphery and not closer than seven feet from the grade.

SEC. 14.4.15. TEMPORARY SIGNS.

A. **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. In addition to the sign area allowed under Section 14.4.4 K of this article, each lot shall be allowed one square foot of sign area for every linear foot of street frontage. This sign area shall only be used on temporary signs and no other signs allowed by this article. The limitation on sign area imposed by this subsection applies to all temporary signs, including temporary signs that do not require a building permit.

2. The combined sign area of all temporary signs, when placed upon the interior surface of a window and any other window signs shall not exceed a maximum of ten percent of the window area.

3. If a temporary sign displays an off-site message then the following provisions shall apply:

(a) Individual signs shall not exceed a sign area of 250 square feet.

(b) Signs may be grouped to form a maximum sign area of 250 square feet.

(c) Signs or groups of signs having an area of 250 square feet shall be separated from any other sign by at least ten feet measured horizontally.

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.

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.

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 proofed 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.
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.

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 14.4.7 of this article.

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:

$$D = S \left[1 + \frac{(B - 5)}{90} \right]$$

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. SIGNS IN A AND R ZONES.

A. General Provisions.

1. No sign shall exceed a height of six feet.
2. No interior illumination of a sign is allowed except for signs containing the address numerals and not exceeding 2 square feet in area.
3. No sign which is attached to a building shall project above the lowest portion of any roof, eave or ridge of the building.
4. 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 C above, 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 shall be permitted on each lot. Any individual awning sign or wall sign shall not exceed 20 square feet in area. No pole sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the A1 or A 2 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 shall be permitted on each lot. But any individual awning sign or wall sign shall not exceed 15 square feet in area. No pole 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 shall be permitted on each lot. But any individual awning sign or wall sign shall not exceed 20 square feet in area. No pole 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. But 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. 14.4.20. SIGN MODIFICATIONS.

A. **Height, Location and Sign Area.** The Zoning Administrator shall have the authority to grant a modification of the height, location and sign area provisions of this article, provided that no modification of 20 percent or more is granted. In making determinations on applications for a sign modification, no consideration shall be given to the content or message of the sign.

B. **Procedures.** No sign modification may be granted unless the Zoning Administrator makes all of the findings specified in this section. The procedures for considering applications for a sign modification 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.
3. That the modification 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.

SEC. 14.4.21. COMPREHENSIVE SIGN PROGRAM.

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. A comprehensive sign program is intended to further, not hinder, the purpose of this article.

B. General Provisions. A comprehensive sign program:

1. Shall not permit any sign prohibited by Section 14.4.4 C of this article; and

2. May only be submitted for existing or proposed development projects on development sites that have a minimum of five acres and at least 100,000 square feet of non-residential floor area, except that in the Greater Downtown Housing Incentive Area a development site need only have either a minimum of five acres or at least 100,000 square feet of non-residential floor area.

C. Sign Regulations. A comprehensive sign program may only include provisions that vary from the following provisions of this article:

1. **Maximum Sign Area.** The provisions set forth in Section 14.4.4 K of this article, provided that the maximum sign area on the site of a development project shall not exceed two square feet of sign area for every linear foot of street frontage and two square feet of sign area for every linear foot of building frontage.

2. **Lots with Multiple Street Frontages.** The provisions set forth in Section 14.4.4 L of this article.

3. **Maximum Number of Signs.** The provisions set forth in Section 14.4.4 M of this article.

4. **Information Signs.** The area and height provisions set forth in Section 14.4.7 of this article.

5. **Monument Signs.** The area, height and location provisions set forth in Section 14.4.8 of this article.

6. **Projecting Signs.** The area and location provisions set forth in Section 14.4.9 of this article.

7. **Identification Signs over 100 Feet in Height.** The provisions set forth in Section 14.4.10 D of this article.

8. **Illuminated Architectural Canopy Signs.** The area provisions set forth in Section 14.4.11 of this article.

9. **Pole Signs.** The area and height provisions set forth in Section 14.4.12 of this article, provided that no pole sign shall be allowed to exceed a height of 50 feet.

10. **Window Signs.** The provisions set forth in Section 14.4.13 of this article.

11. **Temporary Signs.** The time limit and area provisions set forth in Section 14.4.15 of this article, provided that the sign area of temporary signs shall not exceed two square feet of sign area for every linear foot of street frontage.

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

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 provide all of the information required by the Department, including a visual representation in color of the size, illumination, height, projection, location, street orientation and type of all the permanent and temporary signs proposed for the development project.

2. **Public Hearing and Notice.** The Director 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. **Initial Decision by the Director.** The Director's initial decision shall be supported by written findings of fact based upon written or oral statements and documents presented to him or her, which may include photographs, maps, and plans, together with the result of his or her investigations. Upon making a determination pursuant to an application for a comprehensive sign program, the Director 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 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. The Director shall also place a copy of the findings and decision in the file.

4. **Findings.** The Director of Planning, or the City Planning Commission on appeal, shall make all of the following findings in order to approve an application for a comprehensive sign program:

a. The proposed comprehensive sign program is consistent with and furthers the purpose of this article and the purpose of this section;

b. The proposed signs visually relate to each other and convey a unified design or architectural theme;

c. The proposed signs are appropriately related in size, illumination, height, projection, location and street orientation to the buildings and structures on the development site;

d. The size, illumination, height, projection, location and street orientation of the proposed signs are compatible with the buildings and structures in the surrounding area;

e. The proposed comprehensive sign program shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or create a condition that endangers the safety of persons, pedestrians or property;

f. The proposed comprehensive sign program will not create light pollution or other negative environmental effects that will be materially detrimental to the character of development in the immediate neighborhood outside the development site; and

g. The size, illumination, height, projection, location and street orientation of the proposed signs within 500 feet of a residentially zoned lot are compatible with residential uses.

5. Filing of an Appeal. Any person aggrieved by an initial decision of the Director concerning a comprehensive sign program, may appeal the decision to the City Planning Commission by filing an appeal with the Department of City Planning within 15 days of the date of mailing of the Director'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 Director. The City Planning Commission 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 Planning Commission has made a decision. Once an appeal is filed, the Director shall transmit the appeal and the Director's file to the City Planning Commission. At any time prior to the action of the City Planning Commission on the appeal, the Director shall submit any supplementary pertinent information he or she deems necessary or as the City Planning Commission may request.

6. Appellate Decision - Public Hearing and Notice. Before acting on the appeal, the City Planning Commission shall set the matter for hearing, giving 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 Director,

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.

7. Time for Appellate Decision. The City Planning Commission shall make its decision within 75 days after the expiration of the appeal period. The 75 day time limit to act on an appeal may be extended by mutual written consent of the applicant and the City Planning Commission. If the City Planning Commission fails to act within this time limit, the action of the Director on the matter shall be final.

8. Appellate Decision. The City Planning Commission 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 Director was in error or constituted an abuse of discretion. The City Planning Commission'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, the Director of Planning and the Office of Zoning Administration.

E. Approved Comprehensive Sign Program. All signs on a development site must comply with the approved comprehensive sign program. The Zoning Administrator shall not grant a sign modification pursuant to Section 14.4.20 of this article for a development site governed by an approved comprehensive sign program. A comprehensive sign program may be amended, subject to the same procedures and other provisions set forth in this section.

F. Content or Message. The Director'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.

SEC. 14.4.22. 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, provided that no structural, electrical or mechanical alterations are made to the sign, except as set forth in Section 91.6216 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. 14.4.23. 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. Declaration of Purpose. The City Council finds there is a need for alternative methods of enforcing the sign regulations. 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 administrative 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. General Provisions.

1. 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 the sign regulations. In addition, both responsible parties are individually liable to pay the civil penalties assessed pursuant to this section.

2. 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.

3. 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 all the responsible parties.

4. 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 the owner of the property on which a sign is located and the owner of the sign and sign support structure.

5. The order to comply shall cite which provisions of the sign regulations have been violated; the date and location of the violation; the action required to correct the violation; the date by which the violation must be corrected; the date from which civil penalties will accrue; the daily amount of the civil penalties; and information concerning the right of appeal, including the date by which an application to appeal the order to comply and the amount of the civil penalties must be filed.

6. Civil penalties are due and payable within 30 days of the date the Department of Building and Safety issues the order to comply.

C. Authority.

1. The Department of Building and Safety shall have the authority to assess the following civil penalties against each responsible party for the first, second, third and all subsequent violations of the sign regulations on the same lot.

SIGN AREA OF SIGN IN VIOLATION	CIVIL PENALTIES PER DAY OF VIOLATION		
	First Violation	Second Violation	Third Violation and All Subsequent Violations
Less than 150 square feet	\$2,000	\$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

EXCEPTION: Civil penalties per day of a violation of Section 14.4.19 of this article for signs of less than 20 square feet in sign area shall be \$500 for the first violation, \$1,000 for the second violation, and \$2,000 for the third and all subsequent violations on the same lot.

2. Civil penalties shall accrue until the responsible parties complete all actions required by the order to comply, including notifying the Department of Building and Safety and requesting an inspection to verify compliance.

3. Filing of an appeal with the Department of City Planning does not stop civil penalties from accruing.

4. Compliance with the actions required by the order to comply does not cancel any civil penalties that have accrued.

5. Payment of the civil penalties shall not excuse a failure to correct the violation nor shall it bar further enforcement action.

6. 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 civil penalties shall be due.

E. 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.*

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

SEC. 14.4.24. APPEAL PROCEDURES.

The procedures set forth in this section govern appeals of the administrative civil penalties assessed pursuant to Section 14.4.23 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. 14.4.25. RIGHT OF PRIVATE ACTION.

A. Any person who erects or maintains a permanent sign in violation of this article and is issued an order to comply by the Department of Building and Safety shall be liable in a civil action to the owner or occupant of real property located within 500 feet of a permanent sign for damages, as determined by the court, and may, at the discretion of the court, be awarded court costs and attorneys' fees. If an order to comply is appealed, a civil action may only be pursued if the administrative hearing officer concurs with the Department of Building and Safety that the sign regulations have been violated.

B. For purposes of this section, a "permanent sign" shall be a sign for which a permit is required under this article.

C. Remedies provided by this section and Section 14.4.23 of this article are in addition to any other legal or equitable remedies and are not intended to be exclusive.

SEC. 14.4.26. 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 fee, charge or cost incurring in enforcing the sign regulations that is collectible under Government Code Section 54988. 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.

Sec. 11. APPLICATION OF REGULATIONS TO EXISTING PROJECTS AND INITIATED OR APPLIED FOR SIGN DISTRICTS.

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 ordinance shall not apply to any discretionary land use approval set forth in Section 16.05 B 2 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.

This ordinance shall also not apply to: "SN" Sign Districts that were initiated or applied for before December 26, 2008, pursuant to Section 12.32 of the Code; "SN" Sign Districts for which precise boundaries were identified in a draft environmental impact report submitted to and accepted by the Department of City Planning before December 26, 2008; and amendments to established "SN" Sign Districts and adopted specific plans or other adopted land use ordinances that allow off-site signs or signs with digital displays, if the amendments were initiated or otherwise applied for before December 26, 2008.

Sec. 12. 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 long-standing 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. The 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.

DIAGRAM A

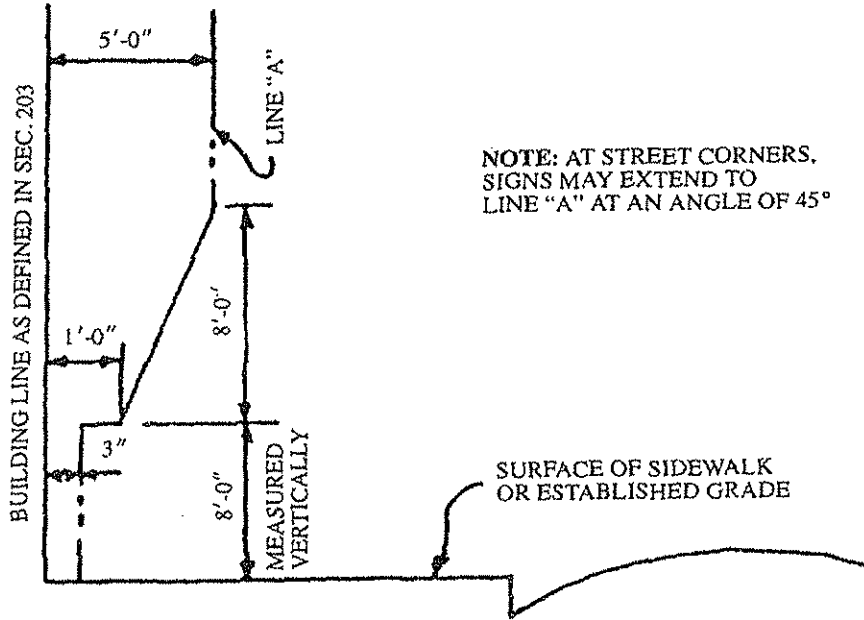
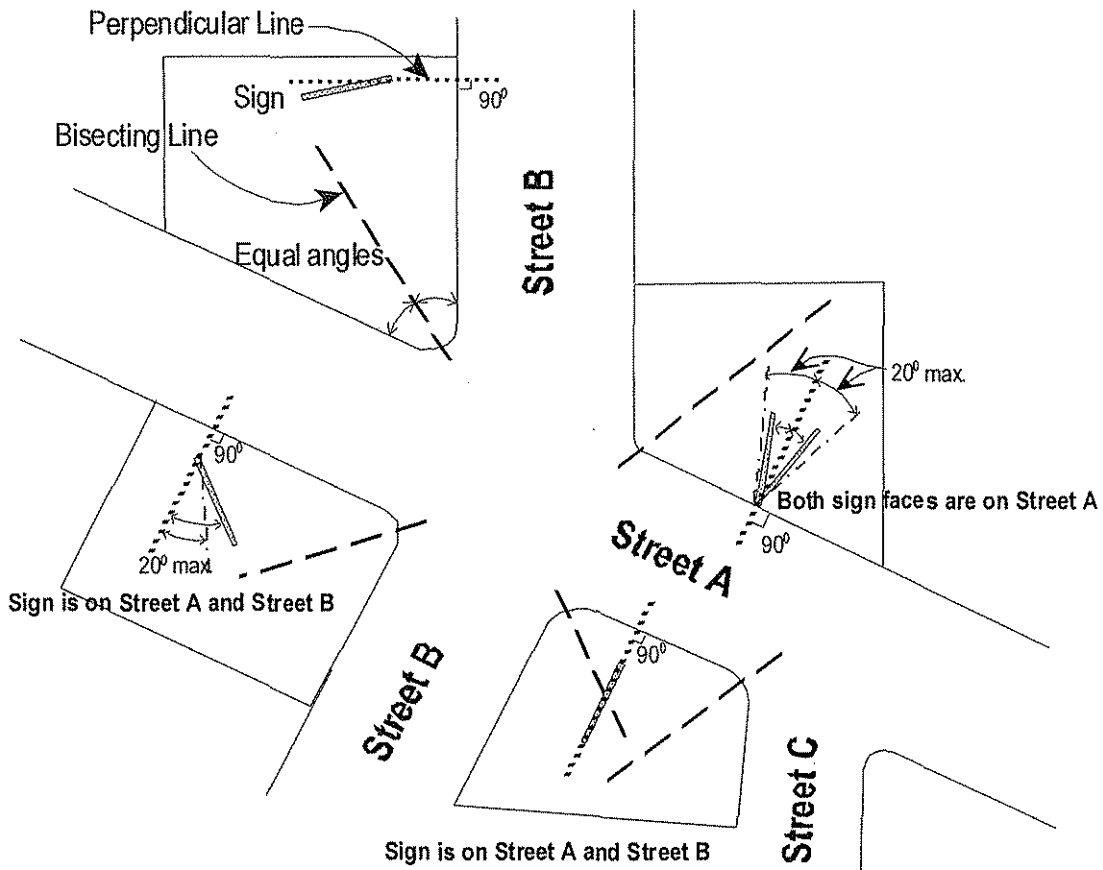


TABLE NO. B
SPACING REQUIREMENTS BETWEEN OFF-SITE SIGNS

	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.

DIAGRAM C



Sec. 13. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all its members, at its meeting of _____.

JUNE LAGMAY, City Clerk


By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By  _____
SHARON STEDORF CARDENAS
Assistant City Attorney

Date MAY 20 2009

File No(s). CF 08-2020; CPC 2009-0008

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted

May 20, 2009

See attached report.

 _____
S. Gail Goldberg
Director of Planning

DEPARTMENT OF
CITY PLANNING
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LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
ROBIN R. HUGHES
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CALIFORNIA



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MAYOR

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May 20, 2009

Council File No. 08-2020
CPC Case No. 2009-0008-CA

The Honorable Rockard J. Delgadillo
City Attorney
City Hall East, 7th Floor
200 North Main Street
Los Angeles, California 90012

Attention: Sharon Siedorf Cardenas
Assistant City Attorney

RE: Draft Ordinance Amending the Citywide Sign Regulations

Dear Mr. Delgadillo:

Transmitted is the proposed draft ordinance revising the citywide sign regulations. The proposed ordinance was prepared pursuant to a motion adopted by the City Council on July 29, 2008 (Weiss-Reyes-Garcetti-Greuel-Rosendahl-Wesson). The language contained in this proposed ordinance, as approved by the City Council's Planning and Land Use Management Committee on May 12, 2009 (Attachment 1) is substantially different from that approved by the City Planning Commission on March 26, 2009.

The proposed ordinance amends 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 establish total sign area limits for properties; establish area and height limits for individual signs; prohibit off-site signs, digital displays and roof signs; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment.

The differences between the proposed draft ordinance and that recommended by the City Planning Commission consist of the following changes and clarifications:

Changes

1. The “grandfathering” of pending Sign Districts and other special signage areas applies to ten areas rather than only two areas as recommended by the CPC. “Grandfathering” does not mean that these pending special signage areas would necessarily be approved; rather, it means that they would continue through the review process as previously defined under the existing code (including public, environmental and legislative review).
2. Sign districts cannot be established within 500 feet of an ecological reserve, or on properties abutting scenic highways.
3. Temporary signs displaying off-site messages are limited to 250 square feet of sign area, with a minimum of 10 feet of spacing between signs.
4. Temporary signs on windows can only be placed on the interior of the window.
5. For temporary signs on temporary construction walls, an identification placard must be displayed, to better enable citizens to monitor the required abatement of graffiti and nuisances.
6. Eligibility to apply for a comprehensive sign program is extended to properties in all zones, to account for uses authorized by variance or conditional use permit. Eligibility is also extended to properties with either 5 acres or 100,000 square feet of non-residential floor area, in the greater downtown area only.
7. Signs that face an interior court bounded on all sides by buildings, and that do not extend above the building walls, are not subject to the sign ordinance.

Clarifications

1. A sign district’s regulations cannot supersede the regulations of an existing specific plan.
2. Each party responsible for a sign code violation is individually liable for any civil penalties.
3. Supergraphics are to be regulated as wall signs.
4. The ordinance does not allow the full replacement of any nonconforming sign.
5. The ordinance supersedes existing settlement agreements.
6. A minor wording change clarifies the definition of an off-site sign.
7. The exception from the new regulations for previously granted entitlements includes future plan approvals specifically authorized by those entitlements.
8. Various technical clarifications, as recommended by the Department of Building and Safety, make the ordinance clearer and more easily enforceable.

ENVIRONMENTAL IMPACT

A Negative Declaration, ENV-2009-0009-ND, was published on this matter on January 15, 2008, and it was determined that this project will not have a significant effect on the environment. In response to public comment, staff recommended and the CPC directed that a supplemental environmental analysis be provided to the City Council; this analysis was published on April 6, 2009, and is provided in Attachment 2.

FINDINGS

The following findings are provided regarding the attached, proposed ordinance:

1. In accordance with Charter Section 556, that the attached, proposed ordinance is in substantial conformance with the purposes, intent and provisions of the General Plan in that it will support Goal 5A of the Citywide General Plan Framework by helping to further shape “a livable city for existing and future residents and one that is attractive to future investment,” by supporting Objective 5.5, to “enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm”; Objective 5.5.3, to “formulate and adopt building and site design standards and guidelines to raise the quality of design citywide” by protecting and enhancing neighborhood character and livability through appropriately strict time, place and manner regulations on signage; and Policy 5.8.4 to “encourage that signage be designed to be integrated with the architectural character of the buildings and convey a visually attractive character” by curbing the proliferation of intensive sign types and reducing visual clutter; and
2. in accordance with Charter Section 558 (b) (2), that the attached, proposed ordinance is directly related to the General Plan, specific plans or other plans being prepared by the Department of City Planning, in that it supports Goal 3C of the Citywide General Plan Framework by helping to protect and promote “multi-family neighborhoods that enhance the quality of life for the City’s existing and future residents” by restricting intensive sign types that can disrupt the visual environment and detract from quality of life within and near residences; and also supports General Plan Framework Policy 3.7.4, to “improve the quality of new multi-family dwelling units based on the standards in Chapter 5 (Urban Form and Neighborhood Design Chapter) of this Element” by limiting the height, area and spacing of signage citywide, including in the city’s many mixed-use areas where commercial signage can visually impact residential environments; and
3. in accordance with Charter Section 558 (b) (2), that the proposed ordinance is in substantial conformance with the public necessity, convenience, general welfare and good zoning practice in that it supports Goal 9P of the Citywide General Plan Framework by helping to “protect and preserve the nighttime environment, views, driver visibility, and otherwise minimize or prevent light pollution, light trespass, and glare” and Policy 9.40.3, to “develop regulations to ensure quality lighting to minimize or eliminate the adverse impact of lighting due to light pollution, light

trespass, and glare for façade lighting, security lighting, and advertising lighting, including billboards” by establishing a baseline citywide prohibition on digital displays, which have been shown to dangerously distract drivers and have such land use impacts as light pollution, light trespass, and excessive glare, and also by reducing the maximum allowed illumination for any sign from 3 foot candles to 2 foot candles, and by limiting the illumination of “high-rise” signs close to single family residential zones to one foot candle above ambient light level; and

4. in accordance with Charter Section 558 (b) (2), that the proposed ordinance is directly related to the General Plan, specific plans or other plans being prepared by the Department of City Planning, in that the proposed ordinance supports the Citywide General Plan Framework’s Liveable Neighborhoods Subsection (under the Land Use Section), which provides that “all neighborhoods in the City deserve to have well designed buildings and a safe, secure, and attractive public realm” by establishing appropriately restrictive standards for signage citywide that will provide both short and long-term improvements in the visual quality of the public realm.

CHARTER SECTION 559

For the foregoing reasons and as provided under the authority of Charter Section 559, City Plan Case No. 13505-A, and the City Planning Commission Resolution of August 11, 2000, I disapprove this ordinance (Attachment 1) and recommend that it not be adopted by the City Council, and find that my action conforms with all applicable portions of the General Plan.

Very truly yours,

S. GAIL GOLDBERG, AICP
Director of Planning



MICHAEL LOGRANDE
Chief Zoning Administrator

GG:VB:ML:AB:DM

Attachments:

1. Proposed Ordinance
2. Supplemental Environmental Analysis

ATTACHMENT 2

Supplemental Environmental Analysis

DEPARTMENT OF
CITY PLANNING
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AND
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CITY PLANNING COMMISSION

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April 3, 2009

Council of the City of Los Angeles
200 N. Spring Street
City Hall
Los Angeles, CA 90012

**RE: Supplemental Analysis Re: ENV-2009-0009-ND;
Comprehensive Sign Ordinance Code Amendment; Citywide**

Honorable City Council members,

This letter provides supplemental analysis pursuant to the California Environmental Quality Act ("CEQA") for the proposed comprehensive sign ordinance approved by the City Planning Commission ("CPC" or "Commission") on March 26, 2009. The code amendment project was initiated in response to Council Motion # 08-2020 (Garcetti – Greuel – Rosendahl – Weiss – Wesson Reyes), made on July 29, 2008 and referred by the Planning and Land Use Management Committee on September 9, 2008 to the Department of City Planning. In advance of the January 22, 2009 meeting of the CPC, the Department of City Planning issued a Negative Declaration (ENV-2009-0009-ND) ("ND"), which supplements the code amendment case, CPC-2009-0008-CA. Pursuant to Section 15073.5 of the State CEQA Guidelines, the Department of City Planning hereby issues the following revisions to the previously issued ND, which contained the following project description:

"A proposed ordinance amending Sections 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of the Los Angeles Municipal Code to remove the distinction between on-site and off-site signs; replace content-based sign regulations with time, place, and manner regulations; establish height, area, and spacing requirements for signs; allow minimum signage for individual premises; establish combined sign area limits; create a minimum distance requirement between residentially zoned properties and illuminated signs; create a new relief mechanism from the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment."

Subsequent to the initial publication of the above referenced ND, the proposed ordinance was heard before the CPC on January 22, February 19, February 26, March 18, and March 26, 2009, and was discussed in several meetings of an ad hoc committee of four Commissioners, appointed on February 19, 2009. In addition, Planning Department staff have heard several hours of public testimony and received hundreds of pages of public comment during the four hearings between January 22 and March 18, 2009. The discussion at these meetings, particularly specific instruction offered from the Commission and the input from public testimony,

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April 3, 2009

Council of the City of Los Angeles
200 N. Spring Street
City Hall
Los Angeles, CA 90012

**RE: Supplemental Analysis Re: ENV-2009-0009-ND;
Comprehensive Sign Ordinance Code Amendment; Citywide**

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as well as ongoing research by Planning staff have resulted in changes to the ordinance from that originally proposed. This document seeks to: (1) refine the project description to more accurately reflect the code amendments approved by the Commission on March 26, 2009; (2) analyze whether any changes to language in the proposed ordinance give rise to any potentially significant impacts under the California Environmental Quality Act ("CEQA"), and (3) supplement the original ND with further analysis based on public input and the changes to the proposed ordinance resulting there from.

Issues related to the previously published Project Description

Based on public input, the Commission decided to retain the distinction between on- and off-site signage that currently exists within the Los Angeles Municipal Code. Because of legal challenges to the regulation of sign content and difficulties with enforcement, the initial staff recommendation from the January 22nd staff report was to remove the distinction, as publically noticed in the circulated project description above. The February 19th staff report contained two alternative ordinance proposals, one removing the distinction and one retaining it. At the February 26th meeting of the CPC, the Commission moved definitively to retain the distinction between on and off-site signage. Therefore, the project description per CEQA for the proposed code amendment transmitted to the City Council should delete the words, "remove the distinction between on-site and off-site signs;". This change merely maintains the status quo, thus giving rise to no potentially significant environmental impacts.

Similarly, the January 22nd staff report and ordinance contained a provision allowing an allotment for individual premises signs not to be included in the total sign area of a given development. After reviewing the public testimony and written comments staff received at the initial hearing, this approach was removed from subsequent drafts of the proposed ordinance and staff report. Therefore, the words "allow minimum signage for individual premises;" should be deleted from the CEQA project description transmitted to the City Council. This change to the original proposed ordinance does not give rise to any potentially significant environmental impacts as explained below in the discussion of transportation and circulation considerations under CEQA.

Discussion of potential physical impacts from future development on CEQA categories identified in public comments

Between publication of the ND and approval of the proposed ordinance by CPC on March 26, 2009, Planning Department staff received several written and verbal public comments regarding the adequacy of CEQA review with respect to the following impact categories: Aesthetics, Cultural Resources, and Transportation/Circulation. Many of the comments were constructive and helpful to subsequent revisions to the proposed ordinance. As such, many concerns expressed in the public hearings contributed positively to revisions to the proposed ordinance, which was eventually approved by the CPC on March 26, 2009. As the proposed ordinance moves forward, Planning staff hereby supplements the analysis in the original ND to further address the CEQA impact areas raised by public comments:

Aesthetics:

With respect to potential aesthetic impacts on scenic vistas, the proposed code amendment project would establish regulations to be applied to signage on future developments carried out within the City of Los Angeles. The code amendment itself does not include any specific physical development. The proposed code amendment would not change existing City regulations governing building heights, nor would it change allowed land uses or development

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intensity within the City of Los Angeles. Many of the future projects to which the proposed ordinance would apply require CEQA review for requested discretionary actions, including potential signage supplemental use districts, which would include an assessment of the projects' visual impacts. Implementation of the proposed regulations through future development projects would not represent any change in how future development would affect scenic vistas. No adverse impact would result from adoption of the proposed ordinance.

Regarding scenic resources identified by CEQA, trees, rock outcroppings, and historic buildings are found throughout the City of Los Angeles. However, the proposed code amendment itself does not include any physical development that would affect these resources, and the proposed regulations would not encourage tree removal, damage to historic structures, or any increase in development intensity or distribution in the project area. No adverse impact would result from adoption of the proposed ordinance.

Also, concerning potential degradation to the existing visual character in the City of Los Angeles, the proposed code amendment would establish regulations to be applied to signage on future developments carried out within the City of Los Angeles. The proposed ordinance itself does not include any specific physical development. The proposed ordinance approved by the CPC on March 26, 2009, includes a reduction in the current maximum sign area of four square feet per linear foot of street frontage to a formula which adds a property's linear frontage to 1.5 times the existing or planned building frontage to arrive at total sign area allowed. In all cases, this formula will create a significant reduction in allowable sign area for commercial and industrial development within the City of Los Angeles. This, in turn, will result in a positive impact on the existing visual character over many years of building renovation and redevelopment.

The proposed ordinance would allow relief from the proposed citywide standards by two means. First, relief may be had through comprehensive sign programs, which would allow up to the current level of signage through a discretionary process. Second, signage supplemental use districts could allow less signage than the proposed citywide regulations, more sign area, as well as sign types otherwise prohibited in the City of Los Angeles. Comprehensive sign programs and signage supplemental use districts will be discretionary actions, subject to CEQA review, including a full assessment of a given projects' visual impacts. Potential signage supplemental use districts will require implementation of a mandatory sign reduction program in within the district or the impact area immediately surrounding the district, which will help to improve the existing visual character in sections of the city. For these reasons, no adverse impact would result from adoption of the proposed ordinance.

Finally, future development approved within the City of Los Angeles has the potential to create new sources of substantial light or glare that could adversely affect day or nighttime views. Standard mitigation measures to minimize the short-term, construction-related impacts of development activity will be applied on a project-by-project basis. The proposed regulations do not include any specific development and do not encourage more lighting or glare-generating architectural features than are allowed under existing regulations. Moreover, the proposed ordinance reduces the maximum luminosity level for illuminated sign types, including identification signs at the roof lines of buildings, from three to two foot-candles, prohibits digital billboards and LED signs citywide except in signage supplemental use districts, and outlines the process by which specific lighting standards will be implemented in potential signage supplemental use districts that may be requested within the City of Los Angeles. It remains the Planning staff's position that aesthetic impacts under the proposed ordinance would be less than significant.

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Cultural Resources:

Regarding the preservation of existing cultural and historic resources within the City of Los Angeles, Planning staff received written and oral comment from the public opposed to language within the proposed ordinance that commenters felt may restrict the restoration or modification of historic signs. The proposed ordinance does not change any regulations pertaining to existing sign rights as stipulated in Section 91.6216 in the Los Angeles Municipal Code, Building Regulations. The language proposed in the code amendment consolidates into Article 4.4, Sign Regulations, provisions that currently appear in Section 12.23, Nonconforming Building and Uses. Therefore, no changes to the City's ordinances related to historic signage are proposed in the ordinance approved by CPC on March 26, 2009. Further, regarding potential impacts to historic and cultural resources, there are no impacts per Section 21084.1 of CEQA, following the methodology outlined in the City of Los Angeles' adopted "L.A. CEQA Thresholds Guide" (2006). The rights and protections of properties with existing non-conforming signage or cultural monument-designated signage will not be impacted. Since the status quo is being maintained with regard to existing cultural resources, there is no potential for the proposed ordinance to give rise to significant environmental impacts.

Furthermore, with respect to the potential historic or cultural impacts under CEQA, the proposed code amendment involves regulatory changes in signage in conjunction with development in the City of Los Angeles and does not include any specific physical development. The proposed standards would not facilitate nor encourage new development projects, but would impose time, place, and manner restrictions on allowed signage. Regarding potential CEQA impacts of development that may occur subject to regulations in the proposed ordinance, development projects with the potential to affect historic resources would typically be subject to individual environmental review and would be subject to the City's existing policies and procedures, designed to evaluate and protect such resources. Because no construction or physical changes to existing buildings are proposed as part of the proposed ordinance, and because of the existing regulations and protections, including required CEQA review for projects with potential impacts to historic resources, adoption of the proposed code amendment would not have a potentially significant impact on historic resources in the City of Los Angeles.

Regarding other cultural resources outlined in CEQA, the proposed ordinance involves regulatory changes and does not include any specific physical development. All development projects with the potential to affect archaeological resources would be subject to existing regulations and safeguards, including CEQA review. In addition, California Health and Safety Code Section 7050.5 et seq. requires that if human remains are discovered, the Coroner shall be contacted and an investigation undertaken. If the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she must contact the Native American Heritage Commission. Potential impacts to archaeological or paleontological resources associated with developments undertaken after implementation of the proposed code amendment would not have a potentially significant impact on cultural resources in the City of Los Angeles.

Transportation/Circulation:

Several oral and written comments received from the public addressed potential impacts to transportation and circulation due to a restriction of maximum sign area and the inclusion of "wayfinding signs" within the allowable signage area limits. Although Planning staff previously referenced available United States Sign Council publications¹ to ensure the initial

¹ Publications relied on by Planning staff in this regard include: Bertucci, Andrew, "Guideline Code for Regulation of On-Premise Signs", United States Sign Council (USSC), 2001; Bertucci, Andrew, "On Premise Signs: United States Sign Council Best Practices Standards, USSC, 2003; Bertucci, Andrew, "Sign Legibility Rules of

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recommendations fell within acceptable legibility requirements, subsequent iterations of the proposed ordinance, including the version approved by CPC on March 26, 2009, defined "wayfinding signs" as "information signs" and excepted them from the sign area limits while allowing slightly larger sign area. Based on the industry publications referenced above, Planning staff believes that the current proposals on sign area limits provide sufficient area to communicate messages to passing foot and automobile traffic. Further, no wayfinding signs in the public right-of-way will be impacted. As such, Planning staff maintains that the proposed revisions will not create potentially significant impacts related to traffic and circulation.

With respect to potential increases in traffic or level of service on specific roads or intersections, no development is proposed nor would any specific development be approved by the proposed code amendment. Implementation of the proposed code amendment, which would not change the land use designations or density in the project area, would not be expected to affect traffic or circulation. Therefore, and because no development, changes in land use, or increases in allowed land use intensity are proposed as part of the proposed code amendment, project implementation would not increase traffic volumes within the City of Los Angeles. Future development projects would be subject to individual review for potential traffic impacts and those impacts would be addressed on a case-by-case basis. No adverse impacts would result.

Regarding potential impacts to air traffic, no development is proposed nor would any specific development be approved by the proposed code amendment. Therefore, no change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, would result. Building heights would not be increased, nor would projects regulated by the proposed code amendment increase airport traffic levels. No adverse impacts would result.

Concerning hazards due to design features, no sharp curves, dangerous intersections or other hazardous traffic or intersection configurations are proposed or would be facilitated by implementation of the proposed ordinance. Protections for road visibility, including visibility triangles and luminosity limits, have been maintained or enhanced in the proposed ordinance. Major changes in road engineering, alignment or intersection controls that could affect traffic safety are not proposed. Farm equipment and other incompatible vehicular or transportation uses would not be introduced or facilitated by the proposed ordinance. No adverse impacts would result.

With respect to emergency access, the circulation network would remain unchanged under the proposed regulations. Access to and from existing structures and to and through the project area would remain unchanged. Existing requirements for fire and other emergency access would continue to be applied to development as it is proposed and reviewed. No adverse impacts are anticipated.

Finally, regarding parking capacity and alternative transportation, no development is proposed nor would any specific development be approved by the proposed code amendment. Therefore, no change in parking capacity is anticipated from adoption of the proposed ordinance. Any future projects approved or developed under the revised regulations would be subject to the parking requirements of the Los Angeles Municipal Code. The proposed code amendment would not conflict with adopted policies, plans, or programs supporting alternative transportation. No adverse impact would result.

Thumb", USSC, 2006; Garvey, Phillip M., "On-Premise Signs: Determination of Parallel Sign Legibility and Letter Heights", USSC; 2006; Mandelkar, Daniel, et al; "Street Graphics and the Law.(Revised Edition); American Planning Association, Planning Advisory Service, Report No. 527, 2004; and United States Sign Council, "Computation Equations: Sign Area, Viewer Reaction, Projection Control, Letter Height; USSC, 2007. Copies of these documents are included in the ND's case file and available for public review.

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Sufficiency of Negative Declaration

The Department of City Planning, Environmental Staff Advisory Committee (ESAC) has reviewed all comments received referencing the environmental clearance for the proposed ordinance and finds that the physical nature and scale of the code amendment project has not significantly changed from the project description above. Planning further finds that the changes to the code amendment project outlined herein flow directly from comments received from the public in response to the original ND, and that the changes do not represent a "substantial revision" as defined in CEQA Guideline section 15073.5. As such, no recirculation of the ND is required.

Sincerely,

S. Gail Goldberg
Director
Department of City Planning

A handwritten signature in black ink that reads "Alan Bell". The signature is written in a cursive, flowing style.

Alan Bell
Senior City Planner
AB:TB