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September 9, 2013

The Honorable Michael N. Feuer
City Attorney
City Hall East, 7th Floor
200 North Main Street
Los Angeles, CA 90012

Attention: Kenneth T. Fong
Deputy City Attorney

RE: Citywide Sign Ordinance
Council File No: 08-2020, 11-1705 (not transmitted)
CPC File No: 2009-0008-CA (not transmitted)

Dear Mr. Feuer:

Transmitted is a proposed ordinance prepared by your office that amends the Los Angeles Municipal Code allowing for the adoption of the revised Citywide Sign Ordinance.

The language contained in the proposed ordinance is substantially different from that approved by the City Planning Commission on March 26, 2009. The most significant differences, which were made at the request of PLUM, are that the CPC-approved version included substantial new restrictions on on-site signs which the current version does not; the previous version did not include a community benefits option in lieu of required billboard reduction for Sign Districts, whereas the current draft includes a community benefits option that can substitute for up to half of the required sign reduction; and the previous version limited the number of "grandfathered" Sign District applications to two, whereas the current version includes "grandfathering" language that would include an estimated 13 Sign District applications .

ENVIRONMENTAL IMPACT

A Categorical Exemption, ENV-2009-0009-CE, was signed on this matter on May 16, 2013, and the Proposed Citywide Sign Ordinance was determined to constitute a Categorical Exemption under Class 3 and Class 11.

The proposed ordinance qualifies for a Class 3 Exemption in that the adoption and implementation of the proposed ordinance will permit “construction and location of limited numbers of new, small facilities or structures” (Section 15303). Per City of Los Angeles CEQA Guidelines, the project constitutes a Class 3 Categorical Exemption for “construction and location of limited numbers of new, small facilities or structures” (Article 3, Class 3).

The proposed ordinance qualifies for a Class 11 Exemption because the adoption and implementation of the proposed ordinance will permit “construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (a) on-premise signs...” (Section 15311). Per City of Los Angeles CEQA Guidelines, the project constitutes a Class 11 Categorical Exemption for “construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities”, where Category 1 is stated as “on-premise signs” (Article 3, Class 11).

Per CEQA Guidelines Section 15352, the passage of this ordinance by City Council is the final legislative action and constitutes an “approval” for purposes of CEQA.

FINDINGS

In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent and provisions of the General Plan; and in accordance with Charter Section 558(b)(2), the proposed ordinance (Appendix A) 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 3B of the Citywide General Plan Framework, “preservation of the City’s stable single-family residential neighborhoods” specifically by supporting Objective 3.5 to “ensure that the character and scale of stable single-family residential neighborhoods is maintained ...” by restricting off-site signs within Sign Districts from being placed near single family neighborhoods, as well as agricultural, natural and scenic areas that are often located near single family neighborhoods;

Goal 3F of the Citywide General Plan Framework, “mixed-use centers that provide jobs, entertainment, culture, and serve the region” specifically by supporting Objective 3.10, “reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles” by focusing the location of Sign Districts, and thus off-site signs, in regional centers and hubs of commerce and transport, the locations in the city where off-site signs are most complementary to and supportive of a vibrant commercial and urban character;

Goal 5A of the Citywide General Plan Framework, by helping to shape “a livable city for existing and future residents and one that is attractive to future investment,” specifically 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” by restricting eligibility for Tier 1 Sign Districts so that they are only allowed in appropriately intense hubs of commerce and transport, rather than in almost any property citywide as is currently allowed; 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 requiring the highest level of review (legislative review) for both

Tier 1 and Tier 2 Sign Districts, with required findings that specifically address design quality and aesthetics of proposed signage;

Goal 7A of the Framework Element of the General Plan, which aims to create a “vibrant economically revitalized City,” and Goal 7B, “a City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base”, in part by addressing Policy 7.2.2, to “concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations, and mixed-use corridors ... prevent[ing] commercial development from encroaching on existing residential neighborhoods” by focusing Sign Districts, and thus off-site signs, in regional centers and hubs of commerce and transport, with specific standards to ensure they are not located near single-family residential neighborhoods; and

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 specific brightness restrictions for digital signs, including digital off-site signs.

CHARTER SECTION 559

As provided under the authority of Charter Section 559 and CPC Case No. 13505-A, I find that the proposed ordinance does not conform with the March 26, 2009 action of the City Planning Commission, and I therefore disapprove the proposed ordinance and recommend that it not be adopted by the City Council.

Sincerely,

MICHAEL J. LOGRANDE
Director of Planning



ALAN BELL, AICP
Deputy Director

Attachment