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08-2020 & 11-1705

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Tue, Oct 22, 2013 at 8:09 AM

----- Forwarded message -----

From: **Judi Erickson** <judi.erickson@bizfed.org>
Date: Mon, Oct 21, 2013 at 8:17 AM
Subject: Opposition to Current Proposed Signs Ordinance
To: sharon.gin@lacity.org

Honorable LA City Council PLUM Committee Members,

On behalf of the Los Angeles County Business Federation (BizFed), representing more than 110 business organizations with more than 268,000 businesses across our region, including more than 80,000 businesses in the City of Los Angeles, we are writing to share our concerns about the Revised Sign Ordinance governing outdoor advertising, which was released Sept. 13.

Please see our attached letter for your consideration.

Sent on behalf of....

LaDonna DiCamillo, BizFed Chair, Long Beach Area Chamber
David Fleming, BizFed Founding Chair, Latham & Watkins LLP
Tracy Ratter, BizFed CEO, IMPOWER, Inc.

Judi

Judi Erickson
Advocacy/Communications
BizFed, Los Angeles County Business Federation
818.984.5080 ~ Judi.erickson@bizfed.org
bizfed.org

*A Grass Roots Alliance of Over 100 Top LA County Business Groups
Mobilizing More Than 250,000 Businesses*

—
Sharon Gin
City of Los Angeles
Office of the City Clerk
213.978.1074
Sharon.Gin@lacity.org



 **BizFed_SignOrdinanceLtr 10.18.13.pdf**
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Strengthening the Voice of Business

Chambers of Commerce
Agoura-Tek Park-Grape Valley-Calabasas
Alhambra
Arcadia
Armenian American
Bell Gardens
Beverly Hills
Burbank
Century City
Chinese Chamber LA
Claremont
Culver City
El Monte
Filipino American
Filipino American South East Corridor
Glendale
Greater Lakeview
Greater Los Angeles African American
Harbor City / Harbor Gateway
Hollywood
Irwindale
Korean American
Los Angeles Area
LAX Coastal Area
La Canada Flintridge
Long Beach Area
Los Angeles Metropolitan Hispanic
Malibu
Manhattan Beach
Montebello
Pacific Palisades
Pasadena
Pomona
Redlands Beach
Regional Black
Regional Hispanic
Regional San Gabriel Valley
Rosemead
San Pedro/Panorama
Santa Clarita Valley
Santa Monica
Seah Bay Association
Toluca Lake
Torrance Area
United Chambers San Fernando Valley
Universal City North Hollywood
Van Nuys
Victnamese American
West Hollywood
West Los Angeles
Westside Council
Wilmington
Woodland Hills-Torrance
Trade Associations and Minority Business Groups
20th Los Angeles
American Beverage Association
Antelope Valley Board of Trade
Apartment Association, CA Southern Cities
Apartment Association of Greater Los Angeles
Arcadia Association of Realtors
Asian American Business Women Association
Asian Business Association
Associated Builders and Contractors - LA/Ventura
Beverly Hills / Greater LA Association of Realtors
British American Business Council
Building Industry Association, LA / Ventura
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Burbank Association of Realtors
California Apartment Association, LA
California Contract Office Association
California Grocers Association
California Independent Bankers
California Metal Coalition
California Small Business Alliance
Carson Dominguez Employees Alliance
Central City Association
Citrus Valley Association of Realtors
Construction Industry Air Quality Coalition
Construction Industry Coalition for Water Quality
Employers Group
Entrepreneurs' Organization LA
Fixing Angelenos' Struggle in Traffic (FAST)
Future Ports
Gateway to LA
Glendale Association of Realtors
Greater Asian Business Federation
Greater LA New Car Dealers Association
Harbor Association of Industry & Commerce
Harbor Trucking Association
Hospital Association of Southern CA
Hotel Association of Los Angeles
Industry Manufacturers Council
International Warehouse Logistics Association
LA SHARCS
League of California Cities
Los Angeles County Economic Development Corp.
Los Angeles County Waste Management Association
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NAROP Southern California
National Association of Women Business Owners, LA
National Latina Business Women Association
New Majority Los Angeles
Overseas Chinese Business Exchange
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South Bay Association of Realtors
South Park Stakeholders Group
Southern California Gunmakers
Southland Regional Association of Realtors
Tri-Counties Association of Realtors
Valley Economic Alliance
Valley Economic Development Center
Valley Industry Association of Santa Clarita
Valley Industry & Commerce Association
Valley International Trade Association
West San Gabriel Valley Association of Realtors
Western States Petroleum Association

October 18, 2013

Council of the City of Los Angeles
Planning and Land Use Management (PLUM) Committee
200 North Spring Street
Los Angeles, CA 90012

RE: Opposition to Current Proposed Signs Ordinance

Honorable Members of the Planning and Land Use Management (PLUM) Committee; Councilmembers Jose Huizar, Gil Cedillo, and Mitchell Englander:

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For businesses, community organizations, and public agencies in neighborhoods across the City, outdoor signs can be important tools for advertising, marketing, public communication, and community engagement. However, while many of our members embrace these benefits, we also recognize that growth has resulted in many outdoor signs in locations that are undesirable for both residents and outdoor advertisers and signage companies. Therefore, we believe there is a need for comprehensive, clear, fair, easily understood rules, and we commend the Department of City Planning and the Planning and Land Use Management Committee (PLUM) for assembling various stakeholders to tackle this issue. As part of that process, on March 18, 2013, our BizFed working group on the subject submitted a letter outlining key principles we hope to see in any ordinance, a copy of which is attached for your reference.

We all agree enhancing the beauty of Los Angeles is tantamount to our economic development as a city, and that beautiful cities attract people and businesses. Therefore, all of our points below are established within the context that we're working together to ensure a more beautiful and attractive city and we seek to overcome the blight we've suffered through the past few decades, while surrounding cities are thriving with much higher quality urban design and more livable built environments.

While we appreciate the Department of City Planning's efforts on this matter, **we have the following serious concerns about the most recent version of the ordinance:**

1. Inadequate Community Benefits Provisions: The Revised Sign Ordinance still includes a formula that requires some takedown of existing inventory in addition to community benefits alternatives. Not all communities are the same, and there may not be relevant sign inventory that can be removed. The City's ordinance should include a clear menu of acceptable community benefit options as a stand-alone alternative to be considered in exchange for sign benefits. Examples of community benefits include sidewalk repair, landscaping amenities, the planting of street trees, parks and open

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Century City
Chinese Chamber LA
Claremont
Culver City
El Monte
Filipino American
Filipino American South East Corridor
Glendale
Greater Lakewood
Greater Los Angeles African American
Harbor City / Harbor Gateway
Hollywood
Irwindale
Korean American
Los Angeles Area
LAX Coastal Area
La Canada Flintridge
Long Beach Area
Los Angeles Metropolitan Hispanic
Malibu
Manhattan Beach
Montebello
Pacific Palisades
Pasadena
Pomona
Redondo Beach
Regional Black
Regional Hispanic
Regional San Gabriel Valley
Rossmore
San Pedro Peninsula
Santa Clarita Valley
Santa Monica
South Bay Association
Toluca Lake
Torrance Area
United Chambers San Fernando Valley
Universal City North Hollywood
Van Nuys
Vietnamese American
West Hollywood
West Los Angeles
Westside Council
Wilmington
Woodland Hills-Tarzana
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AIA Los Angeles
American Beverage Association
Antelope Valley United of Trade
Apartment Association, CA Southern Cities
Apartment Association of Greater Los Angeles
Arcadia Association of Realtors
Asian American Business Women Association
Asian Business Association
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Beverly Hills / Greater LA Association of Realtors
British American Business Council
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California Apartment Association, LA
California Contract Cities Association
California Cruisers Association
California Independent Bankers
California Metals Coalition
California Small Business Alliance
Carson Birmingham Employers Alliance
Central City Association
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Western States Petroleum Association

October 18, 2013

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It goes on to state "One of the key benefits is allowing sign companies to update their existing off-site signs and legalize aspects of an existing off-site sign that do not conform to its permit. One of the key detriments concerns the potential environmental impacts of such adjustments for off-site signs. In the course of its final environmental analysis, staff determined that the potential environmental impacts of allowing larger or relocated off-site signs would be difficult to predict and justify. This difficulty complicates the CEQA review process."

As such, "the Planning Department has determined that, on balance, the detriments of this provision outweigh its benefits, and has asked the City Attorney to remove this provision from the draft ordinance..." **Effectively superseding and overriding the ruling of the members of the PLUM committee.**

While various individual businesses may have additional concerns, we find there is broad agreement among diverse stakeholders in the business community that the items we have listed must be addressed. **Because of these concerns, we oppose the proposed ordinance as it is currently written, and we urge you to do the same.**

We look forward to continue engaging all of the relevant stakeholders to ensure a fair and comprehensive solution.


Sincerely,



LaDonna DiCamillo
BizFed Chair
Long Beach Area Chamber



David Fleming
BizFed Founding Chair
Latham & Watkins LLP



Tracy Rafter
BizFed CEO
IMPOWER, Inc.

CC:
Michael LoGrande, Director, City of Los Angeles Department of City Planning

ATTACHMENT:
BizFed Comment Letter on Billboards and Signage, March 18, 2013

- Chambers of Commerce
- Agoura-Dick Park-Conejo Valley-Calabasas
- Alhambra
- Arcadia
- Armedilla American
- Bell Gardens
- Beverly Hills
- Barbanc
- Century City
- Chinese Chamber LA
- Claremont
- Colver City
- El Monte
- Hilipino American
- Filipino American South East Corridor
- Glendale
- Greater Lakewood
- Greater Los Angeles African American
- Harbor City / Harbor Gateway
- Hollywood
- Irwindale
- Korean American
- Los Angeles Area
- LAX Coastal Area
- La Brea Flamingo
- Long Beach Area
- Los Angeles Metropolitan Hispanic
- Malibu
- Manhattan Beach
- Montebello
- Pacific Palisades
- Pasadena
- Pomona
- Redondo Beach
- Regional Black
- Regional Hispanic
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- Santa Clarita Valley
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space, facade improvements, street furniture, and similar measures designed to enhance affected neighborhoods. Council offices should have the flexibility to work with the neighborhoods they represent to use the community benefits menu to address the unique and specific needs of their respective communities in ways that are fair and equitable to outdoor advertisers and signage companies.

Failure to include such community benefit provisions undermines the ability of Council offices, community stakeholders, and outdoor advertisers to work collaboratively on mutually beneficial solutions to protect and enhance the character of City neighborhoods. Moreover, with redevelopment funds no longer available and the City budget otherwise constrained, these kinds of community benefit provisions may be the only source of funding for improvements in many neighborhoods.

2. 90 Percent of the City is Off-Limits. The Revised Sign Ordinance includes zoning provisions that make 90 percent of the City off-limits to outdoor advertising. This denies the economic, public safety, and community benefits of a thoughtful outdoor advertising policy to nearly every neighborhood in the City. Considering that neighborhoods no longer have the benefit of Community Reinvestment Areas and other critical, targeted economic development tools, we believe this is a shortsighted public policy. A comprehensive new ordinance governing signs should be used as an economic development tool throughout the city, giving businesses and neighborhoods access to private sector resources where public dollars are no longer forthcoming.

3. Onerous Penalty Provisions: The City's Revised Sign Ordinance proposes a new regulatory system that would give the Los Angeles Department of Building and Safety the authority to impose onerous administrative civil penalties for potential violations of the City's sign regulations.

Penalties would begin to accrue 16 days after issuance of a compliance order, long before a responsible party could possibly obtain judicial review, thereby creating an undue burden for the sign owner. The prohibitive daily penalties, which range from \$2,500 to \$12,000 per day for the first alleged violation, and up to \$8,000 to \$48,000 per day for subsequent violations, are vastly higher than the \$250/\$1000 daily fines the Department may impose under other sections of the Municipal Code.

For example, in the case of a single large sign (and assuming the best-case 125-day time frame to complete administrative review), the responsible party would have to risk nearly \$6,000,000 in penalties just to test the compliance order to the point of a final administrative determination. Penalties would accrue to even more catastrophic levels if the responsible party exercised its constitutional right to seek review in the courts. If judicial proceedings took even a year, penalties would rise by an additional \$17,520,000 to a total of over \$23,000,000. It bears repeating that these are penalties for a single sign.

To avoid such issues, and to ensure that a responsible party has reasonable legal grounds to challenge a compliance order and seek judicial review (per the Constitution), the Revised Sign Ordinance should provide that civil penalties should not accrue during an appeal, order to comply or assessment of civil penalties period (i.e. Tolling). This would only apply to legitimate appeals and thus would not benefit rogue operators.

4. Removal of Sign Variance and Adjustments Process: The version of the ordinance previously considered by PLUM also a provision allowing the granting of adjustments for either existing on-site or off-site signs. According to the report from the City attorney that accompanies the report on the Revised Sign Ordinance, ***"After PLUM recommended approval of the ordinance, however, the Planning Department reconsidered the benefits and the detriments of allowing adjustments for off-site signs."***