

COUNTY CLERK'S USE

## CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

DOCUMENT FILED City Clerk's Office	NE-13-054 No.	Certified by [Signature]	Date: 9-30-13
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Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY <b>City of Los Angeles Department of City Planning</b>	COUNCIL DISTRICT All
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PROJECT TITLE *Proposed Citywide Sign Ordinance	LOG REFERENCE ENV-2009-0009-CE CPC-2009-0008-CA CF 08-2020, 11-1705
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## PROJECT LOCATION

\*Citywide

## DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

\* A proposed ordinance amending Sections, 12.05, 12.06, 12.07, 12.08, 12.10.5, 12.11.5, 12.21, 12.21.1, 12.22, 12.23, 12.32, 13.11, 19.01, Article 4.4 of Chapter I and Section 91.6216 of Chapter IX of the Los Angeles Municipal Code to enact new criteria for the establishment of sign districts; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; and enact related technical corrections and other measures to control the potential impacts of signs on traffic safety and the visual environment.

## NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

\*City of Los Angeles, Lead City Agency: Department of City Planning

CONTACT PERSON *Daisy Mo	AREA CODE * 213	TELEPHONE NUMBER *978-1338	EXT.
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## EXEMPT STATUS: (Check One)

## STATE CEQA GUIDELINES

## CITY CEQA GUIDELINES

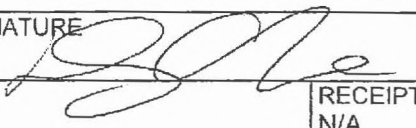
- |   |                           |                            |
|---|---------------------------|----------------------------|
| <input type="checkbox"/> MINISTERIAL                      | Sec. 15268                | Art. II, Sec. 2b           |
| <input type="checkbox"/> DECLARED EMERGENCY               | Sec. 15269                | Art. II, Sec. 2a (1)       |
| <input type="checkbox"/> EMERGENCY PROJECT                | Sec. 15269 (b) & (c)      | Art. II, Sec. 2a (2) & (3) |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 <i>et seq.</i> | Art. III, Sec. 1           |

Class 3, 11 Category \_\_\_\_\_ (City CEQA Guidelines)

- ☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Most on-site signs, and all off-site signs that could be allowed under the proposed ordinance, meet the criteria for the exemption for limited numbers of small structures (Class 3). All on-site signs meet the criteria for the exemption for on-premise signs and/or minor accessory structures (Class 11).

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE 	TITLE City Planning Associate	DATE 9/30/2013
FEE: N/A	RECEIPT NO. N/A	REC'D. BY N/A
		DATE N/A

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

\*  
NAME (PRINTED) \_\_\_\_\_

\*  
SIGNATURE \_\_\_\_\_

\*  
DATE \_\_\_\_\_

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NARRATIVE:  
ENV 2009-0009-CE**

**I. PROJECT DESCRIPTION**

A proposed ordinance amending Sections, 12.05, 12.06, 12.07, 12.08, 12.10.5, 12.11.5, 12.21, 12.21.1, 12.22, 12.23, 12.32, 13.11, 19.01, Article 4.4 of Chapter I and Section 91.6216 of Chapter IX of the Los Angeles Municipal Code to enact new criteria for the establishment of sign districts; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; and enact related technical corrections and other measures to control the potential impacts of signs on traffic safety and the visual environment.

**II. PROPOSED ORDINANCE**

The proposed ordinance amends the citywide sign regulations. The major changes proposed by the ordinance are the tightening of eligibility criteria, findings, and other requirements to establish a Sign District; the introduction of regulatory standards for digital displays; and increased penalties for violations of the sign regulations. A brief background on the proposed ordinance is below, followed by a more specific inventory of the proposed provisions of the ordinance.

Background

The City's sign regulations were initially enacted in 1986. In 2002, the City enacted citywide bans on off-site signs, supergraphic signs and mural signs, and also created a new regulatory tool, Sign Districts, which could allow exceptions to the bans in specific areas where the requirements of a Sign District could be met. These requirements included zoning (commercial or industrial, or R5 in downtown); size (1 block or 3 acres); and the required findings of Supplemental Use Districts. Exceptions were also allowed for signs specifically permitted pursuant to a specific plan, supplemental use district, development agreement or relocation agreement.

Also in 2002, the city adopted the Off-Site Sign Periodic Inspection Program (OSSPIP), to enable the Department of Building and Safety (DBS) to charge a fee to all off-site sign owners to inspect and inventory all the off-site signs in the city. Several sign companies sued. The case was ultimately resolved through a 2006 settlement agreement, which resulted in the conversion of more than 100 existing billboards throughout the city to digital displays. The settlement agreement was later invalidated by the courts and currently still remains in litigation.

At this time, the City was dealing with multiple lawsuits challenging the constitutionality of its sign bans as well as other aspects of the sign regulations. The constitutional challenges were on the grounds that the City's loose eligibility standards and findings allowed for Sign Districts to be located almost anywhere, with their approval vulnerable to subjective judgments that could infringe upon applicants' First Amendment (free speech) rights.

Community opposition to the digital conversions, and the issues raised by the lawsuits led to a call for revisions to the citywide sign regulations in 2008. The Planning Department proposed comprehensive revisions that were later put on hold pending the rulings in several relevant lawsuits against the City. Finally, in 2010, the City prevailed in the last major challenge to the City's sign bans and to completely



restore the bans. The Planning Department resumed work, in conjunction with the City Attorney's Office, on a comprehensive rewrite of the City's sign regulations, resulting in the proposed ordinance.

#### Proposed provisions

Following is an inventory of the significant provisions proposed by the ordinance. Minor changes for format and clarity are not included in this list.

- Sec. 1-9, 14; Sec. 14.4.21: Consolidates sign regulations in A and R zones, which are currently scattered throughout the Zoning Code, into one section within Article 4.4. These regulations are standardized and, in some cases, made more restrictive in terms of allowed sign size and location.
- Sec. 15, Sec. 14.4.24: The regulations on nonconforming signs have been consolidated into one section under Article 4.4.
- Sec. 18, Sec. 13.11: Enables the formation of Tier 1 and Tier 2 Sign Districts. Tier 1 Sign Districts can allow off-site signs viewable from outside the District, subject to strict eligibility criteria and other requirements. Tier 2 Sign Districts can allow off-site signs only if they are not visible from any public right of way or any property other than the subject property.
- Sec. 13.11C1-3: Restricts Tier 1 Sign District eligibility (previously allowed in any commercial or industrial zone citywide) to regional centers and hubs of commerce and transport, including LAX, the Port of Los Angeles, the greater downtown area, stadiums and zoos. The minimum size (previously 1 block or 3 acres) is increased to 15 acres or 5,000 feet of street frontage, except in downtown, where the street frontage required is 2,640 feet. The size standard was increased to prevent "spot zoning" and to ensure that Tier 1 Sign Districts are located appropriately in true District-sized centers rather than on individual properties scattered randomly throughout the city. Sign Districts also cannot be located near low-intensity zones (RW1 and more restrictive), ecological preserves, state and national parks, a River Implementation Overlay, or scenic roadways.
- Sec. 13.11D: Restricts Tier 2 Sign District eligibility to properties not zoned OS or PF, that have at least 5 acres of non-residential development or 100,000 square feet of non-residential floor area. In regional centers and the greater downtown area, the minimum standard is 3 acres of non-residential development or 50,000 square feet of non-residential floor area.
- Sec. 13.11C4, D4: Introduces stricter, more specific findings for both Tier 1 and Tier 2 Sign Districts to ensure that any approvals are consistent with relevant court rulings, are based on time, place and manner of signage display, and support the goals of aesthetic improvement and traffic safety.
- Sec. 13.11F: For Tier 1 Sign Districts, requires that, for each new square foot of new off-site signage, at least 1 square foot of existing off-site signage be removed within the Sign District or adjacent Sign Impact Area. Half of this requirement may be met by the provision of Community Benefits, which can include sidewalk widening, landscaping, streetscape improvements, public art, or other improvements to the visual environment of the Sign District or Sign Impact Area.
- Sec. 14.4.1: Establishes a Purpose section for the sign regulations.
- Sec. 14.4.2, 14.4.9: Removes the definition and prohibition of supergraphic sign and regulates them as wall signs, subject to the wall sign area limits, which effectively eliminates the possibility of creating signs large enough to be "supergraphics".
- Sec. 14.4.3: Adds an exception under the ordinance's scope for interior signs, which currently are not clearly regulated by Article 4.4. The exception is proposed for signs that are enclosed by

walls, roofs, or other features, provided that the sign face is not visible from any public right of way or any property other than the subject property. 14.4.3B: Specifies that only the sign types defined and regulated by Article 4.4 are allowed, to prevent the City from being caught off-guard in the future by new sign technologies and sign types for which it has not yet developed regulations.

- Sec. 14.4.4C, 14.4.20: Removes the ban on mural signs so that new regulations for murals can be proposed (under a separate ordinance).
- Sec. 17, 13.11F3, 14.4.4N: Establishes certain protections for historic signs and historic buildings, to ensure that the sign regulations do not impede their maintenance and rehabilitation. Where the rehabilitation of historic buildings is incentivized by off-site signage within a Sign District in the greater downtown area, sign reduction or community benefits would not be required. Also, the repair or rehabilitation of a historic sign would comply with the California Historical Building Code and the Secretary of the Interior's Standards rather than the City's general standards for work on nonconforming signs.
- Sec. 14.4.5: Removes the Hazard to Traffic section, which was considered to be essentially unenforceable by the Department of Building and Safety and Department of Transportation, and redundant with the provisions of the Freeway Exposure section, which remains in the proposed ordinance.
- Sec. 14.4.6 – 14.4.18: Maintains the existing regulations on on-site signs, except for minor updates for improved clarity or as otherwise described in this list.
- Sec. 14.4.9C: Specifies that, for safety reasons, wall signs cannot cover windows, doors or vents unless approved by the Fire Department and allowed by a Tier 1 or Tier 2 Sign District.
- Sec. 14.4.16E: Allows temporary signs on temporary construction walls to be installed in RAS zones. Uses allowed in the newer RAS zones were previously allowed in C zones, where these signs were initially allowed.
- Sec. 14.4.4M, 14.4.22, 14.4.23: Introduces specific processes for requesting deviation from the sign regulations: Sign Variances and Sign Adjustments, which parallel the existing processes of the Zone Variance and Zoning Administrator Adjustment, with specific findings for signs.
- Sec. 10, 11, 12, 13; Sec. 14.4.22: Requests that previously would have been made through a Conditional Use Permit (for signs on commercial corners, mini shopping centers and automotive uses) would now be made through a Sign Adjustment. Due to court rulings, Conditional Use Permits are no longer an acceptable method for approving signage.
- Sec. 14.4.25 and 26: Introduces new penalties for violations of the off-site sign regulations, in substantial amounts commensurate with the high value of off-site signs. The penalties vary from \$2,500 to \$48,000 per day depending on sign size and number of violations. The proposed ordinance also introduces a process for appeals of citations.
- Sec. 14.4.19: Institutes regulations for digital displays, which previously did not have specific regulations. The regulations proposed include brightness restrictions, message display time and transition time, and requirements on how brightness is to be measured.
- Sec. 20: Allows the "grandfathering" of initiated or applied for Sign Districts and Specific Plans, and approved discretionary land use applications, so that these projects can be reviewed under the current eligibility standards for Sign Districts. The application fees, findings, and required sign reduction/community benefits would still be required for these projects.
- Sec. 21, 22, 23; Sec. 19.01: Updates the applications fees associated with the various processes defined in the ordinance, to be consistent with current costs for processing these applications.

### III. EXISTING ENVIRONMENT AND REGULATIONS

## **A. Existing Environment**

### **Off-Site Signs**

There are currently four Sign Districts, in which some off-site, supergraphic and/or mural signs are allowed: the Hollywood Signage Supplemental Use District, the 15th Street/San Pedro Sign District, the Figueroa and Olympic Sign District, and the Convention and Event Center Specific Plan and Sign District. In addition, there are two specific plans, the L.A. Sports and Entertainment District (LASED) Specific Plan and the USC Specific Plan, that allow signage that is otherwise prohibited citywide.

The 2006 settlement agreements led to the conversion of 103 off-site signs to digital displays. The settlement agreement was later invalidated by the courts and currently still remains in litigation. The Department of Building and Safety's recent survey of off-site signs revealed that there are a total of 5,874 off-site signs in the city (see Attachment 1, Map of Off-Site Signs in the City of Los Angeles).

Currently staff is aware of fifteen potential Sign Districts that have been applied for or that are in the planning stages and for which an application may be submitted at some point in the future. These fifteen potential projects have been summarized on a "Grandfathering List" (see Attachment 2), so called because under the proposed ordinance, these projects would be "grandfathered" in the sense that they could apply to become Sign Districts under the current eligibility standards, but would still have to provide the required findings, sign reduction and/or community benefits, and pay the new proposed application fee. These potential new Sign Districts, if approved, would create a yet-to-be-determined amount of new off-site signs, but would also be required to remove an equal amount of existing off-site signage and/or provide a commensurate level of community benefits, in addition to meeting the stringent new proposed findings that give considerable weight to aesthetics as well as traffic safety considerations.

On the basis of having all of these proposed new measures in place, the fact that any new Sign District would have its own CEQA analysis and any required mitigation measures, and the expected impacts as set forth in the Additional Technical Analysis below, the impact of the new off-site signs under the proposed ordinance is expected to be less than significant.

### **On-Site Signs**

On-site signs are essential to the everyday functioning of cities, enabling the public to navigate streets and find businesses, stores, restaurants, factories, houses of worship, offices, parks, schools, residences and all the other uses and features that define urban areas. Certainly, it is safe to say that without on-site signs, urban life as we know it could not exist, which is why urban designers and theorists call signs "the language of cities."

Sign regulations are intended to promote effective use of this language, to ensure clarity, legibility and visibility in ways that promote the public interest. Sign regulations are deemed ineffective if they allow visual clutter, resulting in what is often called "the visual shouting match".

Since 1986, the City of Los Angeles has benefited from comprehensive, citywide signage controls. Relying on extensive input and review from both residents and industry representatives, and aided by a

Sign Advisory Committee, the City Council enacted detailed baseline regulations governing the spacing, height, number, location, type and area of signs. In some places, the Council has enacted signage regulations that are more restrictive than the citywide controls, while in still other places, less restrictive regulations have been adopted. In both cases, the locally focused regulations were intended to address community and neighborhood specific issues, concerns, and opportunities.

In Los Angeles, a city of 469 square miles, signs are allowed in every zone. The table below identifies the total number of lots in the city, by land use:

**Table 1. Total number of lots by major use category.**

Major Use Category	Number of Lots
Agriculture	34,834
Commercial	72,454
Industrial	47,320
Open Space	13,581
Parking	4,055
Public Facility	20,522
Residential	657,184
<b>Total</b>	<b>849,950</b>

Generally speaking, the number of on-site signs a property owner puts up on a lot is a function of multiple factors. These factors include the type of use and the number of office, business, residential, retail or other tenants. Compliance with local regulations is another factor, as well as corporate standards for national and formula retail establishments, and for smaller, independent businesses, individual taste and aesthetics. Finally, physical, environmental, and topographical features are also influencing variables, including the placement of buildings on a lot, distance from the street, whether a lot is a corner lot or mid-block, and variables that may reduce visibility, such as street lights, trees and shrubbery, and adjacent buildings.

With the exception of off-site signs, no comprehensive survey or inventory of the number of existing signs has ever been completed for the City of Los Angeles. A project of this magnitude, if ever undertaken, would be enormously expensive and time-consuming. Still, the following five years of sign permit data are instructive:

**Table 2. Number of sign permits issued in the past five years and yearly averages.**

Major Use Category	2008	2009	2010	2011	2012	2013	Yearly Average
Agriculture	18	14	13	10	3	12	0.7
Commercial	1200	1055	1193	1102	1242	1,158	68.8
Industrial	267	242	234	264	327	267	15.8
Open Space	4	1	2	1	0	2	0.1
Parking	167	161	159	147	211	169	10.0
Public Facility	17	8	16	4	3	10	0.6
Residential	67	84	49	63	70	67	4.0
<b>Total</b>	<b>1,740</b>	<b>1,565</b>	<b>1,666</b>	<b>1,591</b>	<b>1,856</b>	<b>1,684</b>	<b>100.0</b>



What this data tell us is that commercial property owners are, by far, the largest installer of signs, followed by industrial property owners. Though the largest number of lots in the city is residential, owners of these lots are far less likely to install signs on their property than are owners of commercial and industrial lots.

Given the largely built-out nature of Los Angeles the number of new signs projected to be installed is quite modest. Generally speaking, the greatest number of new signs is expected to be installed on land that is currently vacant. The 949,950 total lots in the city form 699,441 parcels, of which a very modest 5.2 percent are vacant (a total of only 36,458 parcels). Remodels and additions to existing structures may result in a net increase in signs, but in most instances existing structures - and thus their signs - are demolished to make way for new development. In some cases new development may actually result in a net decrease in the number of new signs. For example, a single-tenant office building may replace a multi-tenanted mini-mall.

The following table projects the City's 25-year growth in housing and employment from a baseline year of 2010 until 2035:

**Table 3. Projected number of housing units and employment, 2035.**

	2010	2035	Difference	% Change	2010-2035 Growth
Housing Units	1,413,995	1,691,690	277,695	19.6	11,110
Employment	1,805,937	1,906,800	100,863	5.6	4,030

1. Bureau of Census, 2010 Census, SF1, April 2010.

2. SCAG RTP 2012, April 2012.

During this 25-year period, housing is projected to grow at an annual rate of 0.78% and employment is projected to grow at an annual rate of 0.22%. As shown in the table below, the number of new residential signs and the number of new commercial and industrial signs can be expected to track the City's growth in housing and employment. For these projections, the projected annual growth rate for housing is applied to residential lots as well as to those zoned for public facilities and open space, since those uses are provided in response to increases in residential population. The housing growth rate is also applied to agricultural lots since The growth rate for employment is applied to lots zoned for commercial, industrial and parking uses, since those uses are generally developed in correlation with increases in employment.

**Table 4. Projected number of sign permits to be issued annually.**

	2008-2017 Yearly Aves.	Annual Growth Rate	2018	2019	2020	2021	2022
Agriculture	12	0.78%	12	12	12	12	12
Commercial	1,158	0.22%	1,167	1,176	1,185	1,195	1,204
Industrial	267	0.22%	269	271	273	275	278
Open Space	2	0.78%	2	2	2	2	2
Parking	169	0.22%	170	172	173	174	176
Public Facility	10	0.78%	10	10	10	10	10

Residential	67	0.78%	68	68	69	69	70
<b>Total</b>	<b>1,684</b>	<b>N/A</b>	<b>1,698</b>	<b>1,712</b>	<b>1,725</b>	<b>1,738</b>	<b>1,752</b>

These projections indicate a very gradual increase in the number of on-site signs citywide in the foreseeable future of the next 25 years. Under the proposed ordinance, the regulations governing those signs will change very little from the current regulations. Thus, the proposed ordinance will introduce very little change to the regulation of a very slowly increasing number of on-site signs. The overall environmental impact of the proposed ordinance in terms of on-site signage is therefore expected to be less than significant. In addition, as discussed later in this document, these less than significant impacts will fall entirely within a Categorical Exemption (Class 11(a) – on-site signs), and the vast majority of on-site signs will also fall within the Class 3 Categorical Exemption (small structures).

#### B. Existing Regulations

All things considered, the proposed ordinance is substantially more restrictive than the City's existing signage regulations. Below is a summary of the existing regulations that would be made particularly more restrictive by the proposed ordinance. By lessening the future impacts of signage in regard to these provisions, the proposed ordinance is expected to provide environmental benefits throughout the city for the foreseeable future.

Currently, Sign Districts are allowed in any commercial or industrial zones throughout the city (see Attachment 3). The allowed size of Sign Districts is only 1 block or 3 acres. The required findings are only the general findings required for all Supplemental Use Districts, with no specific findings required that pertain to signage in terms of aesthetic or traffic safety concerns or First Amendment protections. These standards generally allow for Sign District applications to be submitted and approved in a wide variety of locations throughout the city. The proposed ordinance substantially limits the areas of the city eligible to become Sign Districts (see Attachment 4), requires stricter and more sign-specific findings to establish a Sign District, and requires removal of existing off-site signage and/or provision of community benefits in order to establish a Sign District. These measures are expected to substantially lessen the environmental impacts of Sign Districts in the City of Los Angeles.

The current regulations do not impose significant penalties for violations of the sign regulations. A fee of several hundred dollars is charged by the Department of Building and Safety upon citation for code violations. This fee is mainly designed to recoup the costs of enforcement. Because off-site signs can generate daily revenues that are hundreds or thousands of times greater than these fees, there is generally insufficient financial incentive for owners of off-site signs to comply with the regulations. There have been a number of cases in the city where off-site signs remained in place long after they had been cited. In recent years, the City has turned to criminal prosecution as a means to gain compliance with its off-site sign regulations. The proposed ordinance creates significant penalties for off-site sign violations. These penalties are commensurate with the high value of off-site signs and are expected to increase code compliance and reduce the environmental impacts of illegal off-site signs throughout the city.

Currently, the LAMC contains no specific regulations for digital displays. Some of the new digital displays may be objectionably bright. Currently, there is no code provision that prevents the installation of new sign types for which regulations have not yet been developed, leaving the City vulnerable to future technologies and a potential repeat of the difficulties encountered with digital displays. The proposed

ordinance introduces up-to-date regulations for digital displays in terms of brightness limits and measurement, as well as message duration and message transition times. These new standards are expected to decrease the environmental impacts of digital displays in terms of aesthetics (light and glare) and traffic safety.

#### IV. ENVIRONMENTAL REVIEW UNDER CEQA

The initial environmental review conducted for this proposed ordinance was submitted as a Negative Declaration, most recently updated in April 2009. Since that time, a number of changes have been made to the proposed ordinance through its review before the Planning and Land Use Management (PLUM) Committee of the City Council, necessitating a new review of the environmental analysis of the ordinance as a whole. (See Attachment 5, April 2009 proposed ordinance.) Based on this updated analysis, staff has concluded that the most appropriate environmental clearance for the proposed ordinance is now a Categorical Exemption. The below analysis details the differences between the April 2009 proposal and the currently proposed ordinance, and explains why a Categorical Exemption is now the recommended CEQA clearance for this proposed ordinance.

**Table 5. Comparison of April 2009 proposed ordinance and current proposal.**

Provision	April 2009 proposal	Current proposal	Is current proposal more or less restrictive than April 2009?	Is current proposal more or less restrictive than existing regulations?
Sign District eligibility	Regional centers, downtown	Added LAX, Port, stadiums, zoos	Less	More
Sign reduction in Sign Districts	"1 for 1" required (1 sq ft of existing signage removed for each 1 sq ft of new signage)	"1 for 1" required, unless community benefits approved to substitute for half	Less	More
Sign District proximity to sensitive uses	Not next to RW1 or more restrictive zones	Added limits on proximity to parks, river, scenic roadways	More	More
Sign District findings	5 findings	6 findings (added one related to court rulings / env. impacts)	More	More
Interior vs. exterior signs	Scope of regulations is limited to exterior signs	Same, but language clarified through an exception outlined for interior signs	About the same	About the same
Digital displays	Prohibited	Allowed with specific regulations	Less	More
Comprehensive Sign Programs (CSP) / Tier 2 Sign	CSP's require Director's review. No off-site signs.	Tier 2 SD's require legislative review, tighter findings.	Some provisions more; some less	Some provisions more; some less

Provision	April 2009 proposal	Current proposal	Is current proposal more or less restrictive than April 2009?	Is current proposal more or less restrictive than existing regulations?
Districts (SD)		Off-site signs allowed for interior view only.		
Temporary signs	Can display off-site messages	Cannot display off-site messages	More	More
Roof signs	Prohibited	Allowed (revert to existing code)	Less	Same
Hazard to traffic	Included	Removed; was not enforceable	About the same	About the same
Relief from on-site sign regulations	Sign Modifications	Sign Adjustments and Sign Variances	About the same	About the same
On-site sign regulations	Max sign area, limits on number, etc	Revert to existing code	Less	About the same
"Grandfathering"	2 projects	15 projects	Less	More

There are several significant differences between the ordinance for which a Negative Declaration was proposed in April 2009 and the currently proposed ordinance. Many of the new changes have made the proposed ordinance more restrictive than in April 2009, while other changes have made the current proposal less restrictive. On balance, when these changes are considered together in terms of their potential effect on the city's environment as a whole, staff has determined that the overall impact will be less than significant, and can fit within several Categorical Exemptions.

#### Less Restrictive Provisions

Below is a discussion of the potentially significant changes that, on their surface, make the proposed ordinance **less** restrictive than the ordinance proposed in April 2009. Upon further examination, as detailed below, these provisions can be seen to have a negligible and less than significant environmental impact.

#### **Sign District Eligibility**

The areas eligible to apply for Sign Districts under the currently proposed ordinance have been expanded from the April 2009 proposal to include LAX, the Port of L.A., large stadiums and zoos. The inclusion of LAX, the Port of L.A. and large stadiums is not a significant departure from the previous proposal, since these types of developments are regional hubs of commerce that are very similar to the uses allowed within Regional Centers, which have been widely accepted as the most appropriate locations in the city for Sign Districts. It is also relevant to note again here that the current regulations allow Sign Districts in any C or M zone, and enable Specific Plans to authorize off-site signs anywhere in



the city – so the proposed ordinance still represents a considerable restriction of where off-site signs can be located in the city.

Extending Sign District eligibility to zoos will also have a negligible impact, because zoos will only be eligible if any off-site signs located there are not visible from any outside property or public right of way not on the subject property. This would prevent any off-site signs from having any impact on the surrounding neighborhood.

Section A.1 of the City of Los Angeles CEQA Thresholds Guide states that *“aesthetic impact assessment generally deals with the issue of contrast, or the degree to which elements of the environment differ visually.”* By ensuring that off-site signs will not impact the areas surrounding a Sign District located within a zoo, the ordinance ensures that there will be no contrast introduced between new signage and the existing environment surrounding the new Sign District. The proposed ordinance thus passes all the screening criteria outlined by the CEQA Thresholds Guide for aesthetics, since there will be no impact on the surrounding area. As for the area within a zoo, the impacts of any proposed signage cannot be analyzed at this time because there has not been any specific proposal. If and when a Sign District is formally requested for a zoo, the application would include specific requests and would be subject to a CEQA review specific to those requests.

In addition, the impacts of any off-site signage allowed within a zoo would be limited by several factors inherent to the property itself:

- The scale, function and pedestrian orientation of the property on which the signage is located. Unlike signs in the public right of way, which in Los Angeles are generally designed to attract the attention of high volumes of moving vehicular traffic, signs within zoos are designed to convey information to relatively slow-moving pedestrian patrons. The people walking around on the interior of zoos generally are free to walk slowly, pause and look at things, and even sit for a while. The size, brightness and visual obtrusiveness required to create signage that can attract their attention is much less than that required to attract the attention of passing vehicular traffic. Installing overly large and bright signage for pedestrian observers would be a waste of money and space, and would thus be unlikely to happen. Staff knows of no examples of interior signage in Los Angeles or any other city that has been criticized for being out of scale or otherwise incompatible with the visual environment of a property's interior. Certainly, such signage has not become a locally prominent public issue in the way that exterior off-site signage has.
- Market correction of impactful zoo/interior signage. Extending from the point made above, signs within zoos are viewed by an audience that has chosen to be on that particular property. This is in contrast to exterior signs, which are designed principally to be viewed by passing drivers whose only choice in the matter is most often that they have chosen the most expedient route to get from one point to another. If a driver finds a particular exterior sign visually impactful or unpleasant, even if the driver goes so far as to choose a different route to avoid the sign, there will be no negative financial impact on the owner of the sign. However, if a patron of a zoo finds a sign on that property to be aesthetically impactful or unpleasant, and chooses not

to return to that property, there will be a negative financial impact on the property owner as well as any tenants. If the negative visual impact of the sign is significant, the negative financial impact on the property owner/tenants will be significant. Thus, market forces will ensure a low likelihood of zoo/interior signage creating significant aesthetic impacts.

Finally, there would be no impacts on traffic safety due to any Sign District at a zoo, since the off-site signs would not be visible to passing traffic.

### Interior Signs

The currently proposed ordinance adds clarity to the existing scope of the ordinance, which states that the ordinance regulates only exterior signs. That scope, in Section 14.4.3A, was essentially the same from the existing regulations through the April 2009 proposal. Under the new proposed scope, it is possible for an off-site sign to fall under the proposed exception. To do so, the sign could not be visible from any public right of way or any property other than the subject property. For ease of reference, such a sign could be referred to as an "interior sign". As with any Sign District at a zoo, interior signs as described within this exception will create no aesthetic contrast between the new signage and the existing environment surrounding the property that has the interior sign.

As far as the environment within the property that has the interior sign, the primary potential impact of such signage would be aesthetic. The screening criteria outlined by the *CEQA Thresholds Guide* for aesthetics for the most part pertain to the "*neighborhood, community, or localized area*" which would not be impacted by interior signs. The one criterion that might pertain is the one that asks whether a project would "*develop or allow development in an existing natural open space area*". It is possible that an interior sign might be located within an open area on a particular property, although it is more difficult to imagine that the sign would be located in a large, natural open space area as the Threshold language seems to be describing. Nonetheless, for purposes of analysis, it is worthwhile to explore this possibility. The Significance Thresholds that apply to open space areas and do not pertain only to the "*neighborhood, community, or localized area*" are:

- *The amount of natural open space to be graded or developed;*
- *The degree to which proposed structures in natural open space areas would be effectively integrated into the aesthetics of the site, through appropriate design, etc*

In the case of interior signs, the type of signs that might potentially be impactful would be relatively large, bright signage or off-site signage. These types of signs typically are installed on commercial developments. The *amount of natural open space to be graded or developed* would most likely be relatively small, since the property values per square foot of commercial property is typically such that they tend to be developed in a dense manner, without a great deal of open space left that would fit the *Thresholds* description of a "*natural open space area*". The degree to which an interior sign would be effectively integrated into the aesthetics of the site would be regulated to the same degree that other aspects of the interior of a property are regulated. The City does not typically codify regulations for the interior aesthetics of a property, where such aesthetics are not visible from outside the property.

In addition, the other factors that limit the impacts of off-site signs within a zoo, as described in the section above, would also apply to interior signs. These factors include the pedestrian scale and orientation of the interior of virtually all properties, where walkways and visual information are geared

for the smaller scale of pedestrian use and viewing; and the tendency of aesthetically pleasant environments to attract customers and patrons, creating an inherent incentive toward visually appropriate interior signage that does not create negative aesthetic impacts.

Finally, interior signs would create no traffic safety impacts, since they cannot be viewed from any public right-of-way.

#### **Sign Reduction in Sign Districts**

In the currently proposed ordinance, community benefits can substitute for up to half of the required sign reduction; whereas the April 2009 proposal included no community benefit option. While this does reduce the potential for sign reduction, which can be seen as having a potential aesthetic impact, that impact is offset by the fact that all new Sign Districts must meet stringent findings that weigh heavily upon aesthetic considerations as well as traffic safety.

Those proposed findings are as follows:

- a. The area of the proposed Sign District comprises an existing or future district with a unique regional identity that serves or will serve as a regional destination or hub of commerce, culture, entertainment, or international transport; and
- b. The area of the proposed Sign District possesses a unique quality, theme or character, or zoning regulations have been established to create a unique quality, theme or character; and
- c. The proposed signs include special design or architectural attributes that support the maintenance or creation of the Sign District's unique quality, theme or character; and
- d. The proposed design or architectural attributes of the proposed signage are compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas; and
- e. If the Sign District provides an exception to the citywide ban on off-site signs or any other provision of the citywide sign regulations, the ban or other provision will continue to directly advance the purposes of aesthetics and traffic safety despite the exception; and
- f. Any aesthetic or traffic safety harm resulting from allowing signs that would otherwise be prohibited or restricted by the citywide ban on off-site signs or other provision of the citywide sign regulations is outweighed by the elimination of blight, or the improvement of aesthetics or traffic safety, resulting from establishment of the Sign District.

These new, strict and detailed findings thoroughly address any aesthetic concerns that could potentially arise from new off-site signage. These required findings would sufficiently limit the potential impact of a decreased sign reduction requirement, so that such potential impacts would be less than significant.

#### **Digital displays:**

The currently proposed ordinance introduces a number of new limits and restrictions on digital displays, which are largely unregulated in the current code, and were outright prohibited in the April 2009

proposal. The proposed ordinance thus arrives at a middle ground, where the reality of technological advancements in signage is acknowledged, but the potential aesthetic impacts of that signage are limited by substantial regulatory limits on the location, brightness, message duration, message transition, and brightness measurement standards for all digital signage. In addition, off-site digital signage regulated by the ordinance would be limited to Sign Districts.

The CEQA Thresholds Guide, Section A4 (Aesthetics - Nighttime Illumination) provides the following as an initial study checklist question:

*Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Digital displays are a potential source of substantial light or glare. However, the restrictions on their brightness and location substantially limit that light and glare to brightness levels that were field-tested by multiple City staff. Light and glare will be further limited by the proposed restriction of digital off-site signs to Sign Districts, which will only be allowed in commercially intense areas that meet the stringent proposed eligibility standards.

The CEQA Thresholds Guide further provides two screening criteria for nighttime illumination, which are addressed as follows:

- *Would the proposed project introduce light likely to increase ambient nighttime illumination levels beyond the property line of the project site?*

The proposed ordinance implements a strict two-pronged standard for digital sign brightness that limits both the luminance (brightness of the sign measured at the source of brightness) as well as illuminance (brightness of the sign measured at a point a measured distance away from the sign, measuring the amount of brightness reaching that point). The illuminance measurement, in foot-candles, is taken in relation to the ambient brightness level, and in effect measures the contribution of the sign to the ambient brightness levels in the area surrounding the sign. This measurement is proposed at a ten-fold decrease from the previous standard (from 3 foot-candles to the recommended 0.3 foot candles). In addition, there are separate standards for day and night luminance: 450 candelas per square meter during the nighttime and 7,500 candelas per square meter during the daytime. These standards were field-tested in a variety of settings and conditions on two occasions by staff from the Planning Department and Department of Building and Safety. Thus, the proposed ordinance will create a substantial limitation on brightness, which will reduce the impact of digital signs on ambient nighttime illumination to a less than significant level.

- *Does the project include lighting that would routinely spillover onto a light-sensitive land use?*

The proposed ordinance places strict limitations on proximity of Sign Districts to sensitive land uses. The ordinance would require that no off-site sign be located:

*(a) within 500 feet of an RW1 zone or a more restrictive zone; an ecological preserve, as defined by California Fish and Game Code Section 1584; a state or national park; or an adopted River Implementation Overlay; or*



*(b) along the frontage of, or on public land within five hundred feet of the center line of, a major highway or secondary highway identified as a scenic highway, scenic parkway, scenic corridor or scenic route as designated on an adopted specific plan, community plan or adopted element of the General Plan.*

These limitations were added to fully address concerns raised by community members. The proposed ordinance thus contains sufficient restrictions on light spillover to light-sensitive land uses.

### **Comprehensive Sign Programs**

In the April 2009 proposal, Comprehensive Sign Programs were proposed as a regulatory tool to allow deviations from the sign regulations in the context of signage programs for larger developments. As the proposed ordinance moved through hearings before PLUM and the City Council, the form of this regulatory tool changed to allow a greater variety of developments, including those that might incorporate off-site signage. The inclusion of off-site signs, however, is only allowed within the proposed ordinance under very limited conditions – the sign must not be visible from any property other than the subject property, nor from any public right of way. The name of this process has also been changed to a Tier 2 Sign District, and the level of review has been elevated from Director's approval to legislative review and approval before the City Planning Commission, PLUM Committee of City Council, and full City Council. In addition, all of the strict findings of a Tier 1 Sign District are also required for a Tier 2 Sign District.

Any potential impacts caused by off-site signs within Tier 2 Sign Districts would fall within the category of aesthetic impacts, and would chiefly pertain to pedestrian patrons observing the signage from within the interior of the property. This is the same matter that has been discussed at length in previous sections of this document under the headings "Sign District Eligibility" and "Interior Signs". As far as Tier 2 Sign Districts are concerned, the conclusions are the same: the potential environmental impacts of off-site signs visible only within the interior of a property would be less than significant, and would fall within the Categorical Exemption for small structures (Class 3). In addition, the six rigorous findings required for Tier 2 Sign Districts, as listed above under the heading "Sign Reduction in Sign Districts", would limit any potential aesthetic impacts.

### **"Grandfathering"**

Under the current proposal, 15 projects would be allowed to apply under the existing eligibility standards for Sign Districts (see Attachment 2); whereas in the April 2009 version, only two such applications were to be "grandfathered". Although on the surface this is a significant change, the actual potential impacts of the grandfathered projects would be reduced to a less than significant level by the strict new findings required for all Sign Districts, as well as by the required sign reduction and community benefits. The majority of the meaningful new requirements of Sign Districts that are designed to bring about aesthetic improvements in the city's visual environment would apply to the "grandfathered" projects. In actuality, the term "grandfathering" as applied to these projects is something of a misnomer, as the term usually describes a project is exempt from new regulations. For these 15 projects, all of the new regulations would apply except for the eligibility standards to apply for Sign District status. After this beginning-stage standard is satisfied, the review and approval of all of the

“grandfathered” projects would have to conform to the same requirements and standards as all new and future Sign District applications.

The new required findings, which would apply to all new as well as “grandfathered” projects, were designed to thoroughly address aesthetic impacts as well as traffic safety. These findings are listed above under the heading “Sign Reduction in Sign Districts”. As long as these findings are met, which will be a requirement of any new “grandfathered” Sign District, there will be minimal or less than significant aesthetic impacts created by the grandfathered project.

#### More restrictive provisions

In addition to the “less restrictive” provisions described above, there are several key changes to the proposed ordinance that now make it **more** restrictive than the previous version of April 2009:

#### **Sign District Proximity to Sensitive Uses**

The proposed ordinance contains provisions that specifically limit the proximity of Sign Districts so that they cannot impact sensitive uses. These uses include state and national parks, River Implementation Overlays, and a variety of scenic roadways. These provisions were added to address the concerns of community members, and make the proposed ordinance more restrictive than the version proposed in April 2009. Specifically, these provisions protect sensitive uses from the potential impacts of light and glare that might result from off-site signs being installed within a zoo, within a Tier 2 Sign District, or within the interior of any property when the sign falls within the exception for interior signs under the ordinance’s scope. The potential impacts of those new provisions are already substantially limited by strict findings, clear definitions, brightness standards and legislative review processes; and are further limited by these protections of sensitive uses.

#### **Sign District Findings**

The findings required to establish a Sign District have been expanded to take into account the latest court rulings, and also address environmental concerns. One new finding has been added since the April 2009 version, bringing the total number of findings to six. The new finding is as follows:

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

This new finding is designed to incorporate a court ruling that, in granting exceptions to the citywide ban on off-site signs, there must be enough benefit in terms of aesthetics or traffic safety to outweigh any negative impacts caused by the new signage. This finding directly addresses the principal aesthetic and traffic safety considerations of this environmental review, and provides even more meaningful support to the measures already in place within the proposed ordinance to control and limit any potential aesthetic and traffic safety impacts of off-site signage.

#### **Temporary Signs**

In the April 2009 proposal, temporary signs were allowed to be off-site signs. In reviewing and revising the ordinance before PLUM, this provision was identified as a potential loophole that could allow off-site signs to be installed relatively easily under the allowance for temporary signs. The provision was therefore changed to clarify that temporary signs cannot be off-site signs. This regulation provides further assurance that the overall potential aesthetic impacts of off-site signage throughout the city from the proposed ordinance would be minimal or less than significant.

The addition of the above, "more restrictive" provisions substantially limits any potential impacts introduced by the new provisions that are "less restrictive" than in the ordinance previously proposed in April 2009. The new limitations on proximity of Sign Districts to sensitive uses, stricter findings for Tier 1 and Tier 2 Sign Districts that mandate aesthetic and traffic safety benefits to counteract any negative impacts, and elimination of a potentially impactful loophole involving temporary signs all combine to create a significant package of regulations to ensure that the impacts from the proposed ordinance would be minimal or less than significant. As discussed throughout this document, the remaining impacts have been determined less than significant, and the inherent small size of signs enables them to fit within Categorical Exemptions for small structures (Class 3) and accessory structures/on-site signs (Class 11). Therefore, the Negative Declaration filed in April 2009 has been determined to be superseded, and the currently proposed ordinance can now be covered by a Categorical Exemption.

#### CEQA Categorical Exemptions

An analysis of those two Categorical Exemptions follows below. This analysis focuses mainly on aesthetics, which in Los Angeles is the most potentially significant environmental impact related to signage. In public hearings and input from stakeholders, aesthetic-related concerns come up more than any other concern related to the potential environmental impacts of signage. Potential traffic safety impacts have also come up, and are addressed in Paragraph P under Section V of this document, Additional Technical Analysis. The other potential impacts, which have principally to do with brightness, have not surfaced as a significant concern in public discussions about signage in Los Angeles. This may be because Los Angeles is a city that already has significant and widespread brightness resulting from widespread development throughout the city that has left relatively few open and undeveloped areas.

#### **Class 3. Small Facilities**

State CEQA Guidelines Section 15303 (Class 3) consists of *"construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure."*

City of Los Angeles Environmental Quality Act Guidelines, Article III, Class 3 consists of *"construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure."*

Most signs fall into the category of small structures. Practically all on-site signs can be classified as small structures, with the possible exception of some exceptionally large roof signs, pole signs, and high-rise wall signs. Thus, the vast majority of on-site signs would be exempt under Class 3 as small structures. For the purposes of this CEQA analysis, all on-site signs would be allowed by

the proposed ordinance in the same manner as they are currently, except in a few cases where new restrictions have been imposed. Thus, even for the larger on-site signs, there would be no new impacts created by the proposed ordinance.

The largest signs that could be allowed by the proposed ordinance would be off-site signs in the form of billboards, which could only be located in Sign Districts or as interior signs. (Off-site signs in the form of "supergraphics" would not be allowed as such under the proposed ordinance, since they would have to fit within the size limitations of wall signs.)

Billboards in Sign Districts can be considered as "*limited numbers of new, small facilities*". They are limited because, compared to the existing regulations, the proposed ordinance greatly limits where Sign Districts can be located, thus greatly limiting the numbers of billboards that can be constructed. The difference between areas currently eligible for Sign Districts and the areas proposed to be eligible is illustrated by the attached maps (Attachments 3 and 4), titled "Areas Eligible for Sign Districts (Current)" and "Areas Eligible for Sign Districts (Proposed)".

In terms of aesthetic impact, new billboards in Sign Districts can be considered to be small in the context of their surroundings. Section A.1 of the City of Los Angeles CEQA Thresholds Guide states that "*aesthetic impact assessment generally deals with the issue of contrast, or the degree to which elements of the environment differ visually.*" Sign Districts are typically characterized by a high intensity of commercial development that involves a relatively dense pattern of development and bright lighting compared to other parts of the city. To a large degree, billboards within Sign Districts tend to fit within their immediate visual context, creating a relatively low level of visual contrast.

It is important to note here that each requested Sign District must be reviewed individually to analyze any potential environmental impacts of signage – this proposed citywide ordinance would only further restrict the regulatory mechanisms currently used to establish Sign Districts. Therefore, the analysis that can be done for this ordinance is limited to the signage that can reasonably be foreseen to be built in the future. The proposed ordinance includes thorough review mechanisms for off-site signs in Sign Districts so that the specific impacts of future signage requests can be fully addressed once the details of those requests are known.

#### **Class 11. Accessory Structures**

State CEQA Guidelines Section 15311 (Class 11) consists of "*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...*"

City of Los Angeles Environmental Quality Act Guidelines, Article III, Class 11 consists of "*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*".

The proposed ordinance regulates on-site signs in largely the same way that they are currently regulated. On-site signs, which can also be described as on-premise signs, are generally considered to be accessory structures to the main structure where they are located and to which they usually refer. While the vast majority of on-site signs are covered by Classes 1 and 3,



virtually all on-site signs are covered by Class 11. The only exceptions would be any on-site signs that could not be considered to be “minor” structures. Class 11 also includes “minor” structures such as parking lots under 110 spaces and buildings with less than 15,000 square feet. In this context, it is reasonable to conclude that any on-site sign could also be considered to be a minor structure. Therefore, Class 11 covers all on-site signs.

Off-site signs are by definition not an accessory to another structure on the site, and thus would generally not be covered by Class 11.

## V. ADDITIONAL TECHNICAL ANALYSIS

Below is a consideration of all categories on the Initial Study Checklist to further demonstrate that the proposed ordinance qualifies for the categorical exemptions listed in this narrative.

### A. Aesthetics

The proposed ordinance will not result in any potentially significant adverse environmental impacts with respect to aesthetics. As discussed in the preceding analysis, any potential aesthetic impacts of off-site signage are precluded by the fact that there will be negligible visual contrast between the off-site signs and the environments in which they will be viewed. Again, Section A.1 of the City of Los Angeles CEQA Thresholds Guide states that *“aesthetic impact assessment generally deals with the issue of contrast, or the degree to which elements of the environment differ visually.”* Off-site signs in a Sign District can be expected not to contrast or differ visually to a significant extent from the Sign District in which they are located; nor will the off-site signs contrast with the surrounding area, which will be required to be a regional hub of commerce or transport. On-site signs will not create any potentially significant aesthetic impacts because their regulation will remain almost exactly the same as it is currently, with the exception of a few additional restrictions, and a few allowances for historic signs and signs on historic buildings that will serve to improve aesthetics by encouraging rehabilitation of old signs and structures.

The proposed ordinance will not result in a substantial adverse effect on scenic vistas, or substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. Scenic vistas are generally defined as panoramic public views to natural features, including views of the ocean, striking or unusual natural terrain, or unique urban or historic features. The proposed sign ordinance bans off-site signs except for those allowed within Sign Districts or that fall within the exception for interior signs under the ordinance’s scope. The areas eligible to apply to become a Sign District will for the most part be highly urbanized, and will not be close enough to the natural features or landmarks typically associated with scenic vistas to obstruct views of them. Furthermore, Tier 1 Sign Districts prohibit signs within 500 feet of any scenic highway, parkway, corridor, or route; establishing a buffer between any possible scenic views and sign locations. Any Sign District proposed for a zoo, as well as any Tier 2 Sign District will only allow signs that are not visible from a public right of way or from any property other than the subject property. As a result, Sign Districts can be expected to have little to no impact on views of or from scenic vistas.

Though new signs will individually have minimal impact to obstruct the existing view of scenic locations, the cumulative impact of sign construction within Sign Districts could have a potential impact on the scenic landscape. This effect is limited within the ordinance via the sign reduction requirements established in Subsection F of Section 13.11. The takedown ratio established requires that, at a

minimum, every square foot of sign area of a new off-site sign be offset by a reduction of more than one square foot of existing off-site sign area, within either the Sign District or the “sign impact area”, unless a Community Benefits Program has been approved for the Sign District. The Community Benefits Program includes the following measures: sidewalk widening and landscaping, undergrounding of utilities, streetscape improvements, lighting improvements, original art murals and public art installations, public parking structures to improve pedestrian centers, façade improvements, and other improvements; all of the above measures will therefore be permanent in nature and directly eliminate blight or improve aesthetics and traffic safety within Sign Districts and/or sign impact areas. The overall net square footage of sign displays within the City will therefore be reduced, while the Community Benefits Program will serve to positively impact the City’s scenic environment. The aforementioned elements within the ordinance will ensure that scenic vistas, views, landscapes, and environments will be minimally impacted.

The proposed ordinance will not result in substantially degrading the existing visual character or quality of existing and future signage sites or their surroundings. Although the proposed ordinance is citywide, the only areas whose visual character will be substantially affected can be expected to be the proposed Sign Districts. While each area has a unique context and built environment, all proposed Sign District areas will be highly urbanized with significant existing building density. Each requested Sign District will be individually reviewed at the legislative level, and the construction of each new off-site sign will be reviewed on a case-by-case basis to ensure compliance with the regulations of the Sign District and compatibility with existing visual elements at each location. The ordinance incorporates a sign reduction provision that will serve to decrease the overall square footage of existing off-site signs, limiting the visual impact of any new off-site signs while ameliorating visual blight in designated Sign Impact Areas. The Community Benefits program will not only incentivize the preservation of the existing visual landscape, but will also encourage improvements via physical infrastructure investment, which will serve to better the aesthetic environment of the area.

The proposed ordinance will also not create a significant new source of substantial light or glare which would adversely affect day or nighttime views in the area of future signage sites. The ordinance allows for construction of digital displays, which will create new sources of light on their immediate surroundings. However, all digital displays will be limited to 0.3 foot candles of illumination above ambient lighting. In addition, the luminance of any digital display will be limited to 450 candelas per square meter during the nighttime and 7,500 candelas per square meter during the daytime. There are additional regulations that govern transition of brightness at sunset and sunrise, message duration, and message transition times. These restrictions impose substantial limits on light impact, ensuring that signs in Tier 1 Sign Districts don’t substantially impact scenic vistas or the surrounding area. Signs in Tier 2 Sign Districts as well as interior signs will not be visible from the public right of way or from any property other than the subject property, which will ensure that there will be no substantial impacts caused by light or glare from these signs. Finally, all illumination, brightness and operating standards for digital displays will apply to interior signs, further limiting any potential impacts of light or glare. The light emitted by existing, non-digital off-site signs as well as by lighted on-site signs can be expected to stay the same, as the regulations limiting these light sources are not proposed to change. Thus, the impacts of all signage types regulated by the proposed ordinance can be expected to have a less than significant impact on day and nighttime views.

#### ***B. Agricultural***

The proposed ordinance will not result in any potentially significant adverse agricultural impacts. The proposed ordinance will not lead to the conversion of, nor make easier to convert, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use; as defined by the California Environmental Quality Act (CEQA). No adverse impact will result.

The adoption of the proposed code amendment will not result in, nor make easier to result in, conflict with existing zoning for agricultural use, or a Williamson Act contract; as defined by the California Environmental Quality Act (CEQA).

The adoption of the proposed code amendment will not result in, nor make easier to result in, a conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); as defined by the California Environmental Quality Act (CEQA).

The adoption of the proposed code amendment will not will not result in, nor make easier to result in, a loss of forestland or conversion of forest land to non-forest use; as defined by the California Environmental Quality Act (CEQA).

The adoption of the proposed code amendment will not involve, nor make easier to involve, other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use; as defined by the California Environmental Quality Act (CEQA).

### ***C. Air Quality***

The proposed ordinance would not conflict with or obstruct the implementation of the SCAQMD Congestion Management Plan, violate any air quality standard, contribute substantially to an existing or projected air quality violation, or create any potentially objectionable odors. There would not be cumulatively considerable net increases of any criteria pollutant for which the air basin is in non-attainment. Moreover, the proposed ordinance would not expose any sensitive receptors to substantial pollutant concentrations, nor create any odors.

The proposed ordinance does not result in any significant impacts on traffic (as impacts are close to *de minimis*), as discussed below in the Transportation/Traffic section, and therefore, air quality impacts resulting from any increase in traffic would be similarly less than significant.

### ***D. Biological Resources***

The only type of signage that could be large and bright enough to potentially impact wildlife would be off-site signs. The proposed ordinance could potentially interfere at a less than significant level with the movement or migration of native resident or migratory birds. Some studies have found that birds can be attracted to and collide with lighted structures, which can cause injury or death (See Attachment 6). Both digital and traditionally lighted billboards, which may be allowed within Sign Districts as provided for in the ordinance, could potentially be bright enough to attract and harm birds. However, with the possible exception of "grandfathered" Sign District applications in areas currently eligible to become

Sign Districts, the ordinance would restrict Sign Districts to the city's most urbanized and commercially intense areas, which are already considerably bright. The "grandfathered" Sign District applications have not yet been approved, and will still require specific environmental analysis that can include the potential impacts on birds. (The potential impacts of "Grandfathered" projects are discussed on Page 15 of this document.)

For the most part, all requested Sign Districts, whether "grandfathered" or not, will be in brightly lit commercial areas. In the context of these already bright areas, the relative brightness of a new sign can be expected to be less than significant. As a whole, Los Angeles is a city that already has significant and widespread brightness resulting from widespread development throughout the city that has left relatively few undeveloped areas. The issue of bird safety has been mentioned only a few times, and has not been a locally prominent topic of discussion in public hearings and forums regarding the proposed sign ordinance. To the extent a unique bird safety issue arises from any specific proposed new sign, that would be addressed in its separate project-specific CEQA analysis.

In addition, any new digital billboards that may be allowed within Sign Districts could only be installed if existing, traditionally lighted billboards were removed. The removal of traditionally lighted billboards would remove some of the light sources that can attract birds, and thus decrease the overall impact of sign brightness on birds. These factors, when considered together, indicate a less than significant impact on native and migratory birds.

The proposed ordinance will not create changes in conditions that could have a substantial adverse impact on any particular species identified as a candidate, sensitive, or special status species. In terms of off-site signage that could be built within Sign Districts, the proposed ordinance is a citywide enabling ordinance that cannot anticipate the unique species living in an area where a Sign District may be requested in the future; the consideration of those particular species will have to be included in the environmental review for each individual Sign District.

Other than the possible impact on birds, there are no other riparian habitats, sensitive natural communities, or federally protected wetlands that could be impacted by the proposed ordinance. The proposed ordinance would not conflict with any local policies or ordinances protecting biological resources, or with the provisions of an adopted Habitat Conservation Plan, natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### ***E. Cultural Resources***

The proposed ordinance would not cause an adverse change to historical resources as defined in State CEQA Guidelines Section 15064.5. The proposed ordinance will not result in any potentially significant adverse impact with respect to archaeological or paleontological resources, site, or unique geological feature, or any human remains. Time/place/manner restrictions contained in the proposed ordinance will further ensure that any potential adverse impacts to cultural resources would be limited to a less than significant level. The proposed ordinance also contains several provisions that protect historic signs and incentivize their rehabilitation, in keeping with the California Historical Building Code and the Secretary of the Interior's Standards.

#### ***F. Geology and Soils***



The proposed ordinance will not cause significant impacts related to geological and soil conditions. Signs attached to buildings as well as freestanding signs must be installed with a valid building permit from the Department of Building and Safety, and must conform to all applicable Building Code standards for earthquake readiness. Thus, signs are not likely to expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death involving the rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, landslides, liquefaction, or other geological hazards. The construction of signs also will not result in substantial soil erosion or loss of topsoil.

#### **G. Greenhouse Gas Emissions**

The proposed ordinance will not lead to the generation of a significant amount of greenhouse gas emissions, or conflict with an applicable plan, policy or regulation regarding greenhouse gas reduction.

The proposed ordinance may lead indirectly to the generation of a less than significant level of greenhouse gas emissions through the energy usage of digital billboards, which could be located in Sign Districts. At least one study has indicated that digital billboards can potentially use a significant amount of electricity. In addition to the energy needed to illuminate the LED lights, air conditioning systems are needed to keep the lights from overheating in hot weather. According to a 2010 study, approximate annual energy usage for a digital billboard can be from 6 to 30 times that of an average American household (see Attachment 7). The same study reported that energy usage for an average digital billboard is about 15 times that of the average household, and 23 times that of a traditionally lighted billboard.

Conversely, a 2011 study reported that energy usage of digital billboards was decreasing due to technological innovations such as automatic dimming controls and improved cooling systems (see Attachment 8). The decrease was estimated as a 40 to 60% drop from energy usage levels four years prior to the study.

In addition to this reported decrease, several others factors reduce the potential impact of digital billboard energy usage to a less than significant level. Firstly, digital billboards will be limited to Sign Districts, which will only be allowed in the most commercially intense parts of the city. A certain heightened level of energy consumption is required for the functioning of commercial centers, and can be justified in these exceptional areas as necessary to support the economic vitality of the community and the city. In addition, the brightness limits and automatic dimming requirements in the ordinance will help to curtail energy usage of any digital billboards that may be approved within future Sign Districts. Finally, the ordinance also requires that new billboards can only be constructed if existing billboards are removed. The removal of existing, traditionally lighted billboards will result in some reduction in energy consumption.

#### **H. Hazards and Hazardous Materials**

The proposed ordinance will not result in any potentially significant adverse hazards or impacts from hazardous materials. The proposed ordinance is an enabling ordinance that will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, emit hazardous emissions or handle hazardous or acutely hazardous

materials, substance, or waste within one-quarter mile of an existing or proposed school. It is highly improbable that the ordinance would result in the creation of a sign that is located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, create a significant hazard to the public or environment. The environmental review of individual sites for hazardous materials cannot be anticipated by a citywide ordinance, and will have to be considered in the review of each individual project for which signs are proposed.

### ***I. Hydrology and Water Quality***

The proposed ordinance will not result in any potentially significant adverse hydrology and water quality impacts. Even the largest off-site sign structure has a relatively small footprint, and thus any water runoff or waste discharge associated with the creation of new signs can be deemed insignificant. As such, the proposed ordinance will not result in the violation of any water quality standards or waste discharge requirements, any substantial depletion of groundwater supplies or substantial interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, or any substantial alteration of existing drainage patterns of existing or future mural sites or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site. The proposed ordinance will not result in substantially altering the existing drainage pattern of existing or future signage sites, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, otherwise substantially degrade existing water quality, place housing within a 100-year flood hazard area as mapped on a federal flood hazard Boundary or flood Insurance Rate Map or other flood hazard delineation map, or place within a 100-year flood hazard area structures which would impede or redirect flood flows. The proposed ordinance will also not result in exposing people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow.

### ***J. Land Use and Planning***

The proposed ordinance will not result in any potentially significant adverse land use and planning impacts. New Sign Districts will be created in a much more limited, objective, and thoroughly considered manner than is allowed under the current regulations. The regulation of on-site signs is not proposed to undergo any substantial changes. The proposed ordinance will not physically divide an established community, conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding mitigating an environmental effect, or conflict with any applicable habitat conservation plan or natural community conservation plan.

### ***K. Mineral Resources***

The proposed ordinance will not result in any potentially significant adverse impact to mineral resources. The proposed ordinance will not result in the loss of availability of a known mineral resource, or locally-important mineral resource recovery site delineated on a local general plan, general plan, or other land use plan. The environmental review of individual sites for mineral resources cannot be anticipated by a citywide ordinance, and will have to be considered in the review of each individual project for which signs are proposed.

***L. Noise***

The proposed ordinance will not result in any potentially significant adverse noise impacts. There are no known noise generating activities associated with the permitting of signs. Any noise levels generated by signs through their construction and maintenance can be determined to be negligible and not significant enough to result in noticeable increases to permitted CNEL levels particular to signage sites. The proposed ordinance will not result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; excessive groundborne vibration or groundborne noise levels; or a substantial permanent increase in ambient noise levels in the vicinity of the signage sites above levels existing without the signage.

***M. Population and Housing***

The proposed ordinance will not result in any potentially significant adverse population and housing impacts. The proposed ordinance will not induce substantial population growth in and around any existing or future signage site, either directly or indirectly; displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or displace substantial numbers of existing people, necessitating the construction of replacement housing elsewhere.

***N. Public Services***

The proposed ordinance will not result in any potentially significant adverse public services impacts. The proposed ordinance will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities (e.g. libraries).

***O. Recreation***

The proposed ordinance will not result in any potentially significant adverse recreational resource impacts. The proposed ordinance will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. It will not include recreational facilities, nor will it require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

***P. Transportation/Traffic***

The City's CEQA Guidelines, Section L – Transportation, provide guidelines for eight categories of potential impacts. Those categories are intersection capacity, street segment capacity, freeway capacity, neighborhood intrusion impacts, project access, transit system capacity, parking, and in-street construction impacts.

In terms of roadway or transit capacity impacts, as well as access and parking impacts, staff knows of no studies that have been done that pertain to the effect of billboards or digital billboards on quantity of vehicle trips, access or parking. Other than the potential driver distraction concerns, the potential effect

of signs on vehicle trips or other driving-related concerns has not been a prominent issue generally or in the City of Los Angeles. Since the purpose of off-site signs is, by definition, to attract attention to a use or message that pertains to a property other than the property where the sign is located, there would be no foreseeable increase in vehicle traffic at the location where the off-site sign is installed, and no impacts on parking or access to that location.

In terms of construction-related impacts, the construction of off-site signs could potentially cause minor and temporary traffic obstructions. However, the simple structure of off-site signs would require much less construction and potential traffic obstructions than with any substantial work on a building. Off-site signs are typically located on private or public land that is not within the public right of way, and in fact the proposed ordinance only regulates signs that are located completely outside of the public right of way, so there would be no direct need to obstruct a roadway or sidewalk to work on an off-site sign.

Thus, the proposed ordinance poses no potentially significant impacts within the realm of transportation and traffic, as defined by the City's CEQA Guidelines. There is, however, one transportation-related consideration that is not specifically mentioned within the CEQA Guidelines, but merits analysis on the particular issue of off-site signs. That consideration is whether billboards, and in particular digital billboards, pose a risk to driver safety by distracting drivers. This has been a contentious and controversial question, with numerous conflicting scientific studies published in the past several years (see citations below). The final results of a long-awaited study from the Federal Highway Administration, which was hoped to resolve this question, were never published; and the authors concluded only that the previous research had been inconclusive.

There are numerous studies on the potential traffic hazards associated with digital and non-digital billboards, which come to divergent conclusions. Three of the most prominent and often-cited studies are summarized below and attached to this document. A 2007 study by the Virginia Tech Transportation Institute for the Outdoor Advertising Association of America's Foundation For Outdoor Advertising Research and Education (FOARE) (see Attachment 9), used in-car cameras to observe drivers and concluded that digital billboards did not create more driver distractions than traditional billboards. In contrast, a review of studies in April 2009 by Jerry Wachtel for the American Association of State Highway and Transportation Officials concluded that digital billboards "attract drivers' eyes away from the road for extended, demonstrably unsafe periods of time" (see Attachment 10, page 182). Providing another contradiction, a series of studies performed by Tantala Associates for FOARE included a conclusion in 2009 that "digital billboards in Cuyahoga County have no statistically significant relationship with the occurrence of accidents" (see Attachment 11, page 3).

In response to the confusion and controversy surrounding the question of digital billboards and driver safety, the Federal Highway Administration (FHWA) undertook its own study, the results of which were originally expected to be published by the end of 2009 but have yet to be published. Staff has contacted the FHWA periodically over the past several years and has not received an estimated date of completion of this study, which had been widely hoped to finally answer the question as to whether digital billboards create dangerous levels of driver distraction or not. In 2009, the FHWA did publish the initial portion of the research, which included a review of existing literature, concluding that "the current body of knowledge represents an inconclusive scientific result with regard to demonstrating detrimental driver safety effects due to CEVMS exposure" (see Attachment 12). (CEVMS stands for Commercial Electronic Variable Message Signs, another term for digital billboards.)



Since the potential safety impacts of billboards have not been conclusively proven or disproven, municipalities are not left with a clear policy direction, but those that wish to err on the side of caution can develop appropriately restrictive regulations that take into account the possible safety impacts of billboards and digital billboards. The proposed ordinance has taken this approach, and incorporates measures to control digital billboards' location, brightness, message duration, and message transition – all factors that can reasonably be expected to contribute to distracting drivers. In a sense, the purpose of all signage is to attract the attention of drivers, and so the object of the regulations has been not to prevent driver distraction but to limit that distraction to a level that is consistent with the surrounding visual environment. The proposed restrictions on digital billboards have been thoroughly researched and vetted over the past several years through public hearings, discussions with other cities, field studies of brightness conducted by staff from the Planning Department and Department of Building and Safety, and voluminous written input from stakeholders, sign industry experts, and diligent community members. The resulting standards can be expected to provide adequate restriction of the factors that could potentially contribute to driver distraction and traffic safety impacts. The proposed ordinance thus is expected to cause a less than significant impact on driver safety.

#### ***Q. Utilities***

The proposed ordinance will not result in any potentially significant adverse utilities impacts. The proposed ordinance will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, require or result in the construction of new water or wastewater treatment facilities, or require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The proposed ordinance will not affect existing water supplies available to serve existing or future signage sites from existing entitlements and resources, nor will new or expanded entitlements be needed. The proposed ordinance will also not result in a determination by the wastewater treatment provider which serves or may serve existing or future signage sites that there would be adequate capacity to address any increased demand concerns. Furthermore, the proposed ordinance will not impact existing landfill capacity or fall in non-compliance with federal, state, and local statutes and regulations related to solid waste.

#### ***R. Mandatory Findings of Significance***

The proposed ordinance will not substantially degrade environmental quality, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

The proposed ordinance may have impacts that are cumulatively considerable to a less than significant degree, due to the effects of past city ordinances. Past ordinances that allowed Sign Districts on any commercially or industrially zoned property in the city led to the formation of large Sign Districts in Hollywood and Downtown L.A. (L.A. Live). Other, decades-old ordinances allowed the construction of billboards throughout the city, of which roughly 6,000 currently remain. Further, a settlement agreement between the city and several sign companies resulted in the conversion of over 100 existing billboards to digital billboards. The effects of all of these past ordinances can be seen in the current

proliferation of billboards in the city, and their attendant impacts, which are primarily aesthetic and to a lesser degree may also impact traffic safety, energy consumption, and native and migratory birds.

The proposed ordinance would enable the potential addition of traditional and digital billboards, which could add to the impacts of existing billboards to create a cumulative impact at a less than significant level. The new billboards would only be allowed in the most commercially intense locations and with strict operating standards – on brightness, message duration, message transition and automatic dimming. In addition, any new billboards could only be installed with a corresponding reduction in the number of existing billboards and also potentially the provision of community benefits geared toward the improvement of the aesthetic environment. As discussed previously in this analysis, these restrictions and requirements will reduce the potential impacts of any new billboards to less than significant levels. In particular, the sign reduction requirement will directly reduce the impacts of existing billboards, lowering the cumulative impact of billboards in the city as a whole.

The proposed code amendment could have environmental effects which may cause a less than significant impact on human beings. The potential impacts on aesthetics, traffic safety, and energy consumption could cause direct or indirect adverse effects on human beings to a less than significant level, as described previously in this analysis.

In addition, there have been health studies that report negative impacts of bright lights at nighttime, which can disrupt the circadian rhythms, melatonin production and even cancer resistance of human beings (see Attachment 13). These health risks will be mitigated by the concentration of new digital billboards in the most commercially intense parts of the city, where fewer residential units are located and existing brightness levels already serve as a deterrent to people who are sensitive to light from residing there. The proposed code amendment's operational limits on digital billboards, including brightness limits, will further reduce the risk of health impacts on nearby residents to a less than significant level.

## VI. CEQA EXCEPTIONS

The CEQA Guidelines set forth six exceptions which, if applicable, would make use of a categorical exemption improper. The exceptions are set forth at 14 California Code of Regulations Section 15300.2. For the reasons set forth in the Additional Technical Analysis section, the proposed ordinance will not have a significant effect on any of the impacts areas set forth in Appendix G of the CEQA Guidelines, and therefore none of the categorical exemption exceptions are applicable. In addition, following is further explanation of why each of the exceptions is not applicable to the proposed Amendments to the Citywide Sign Code.

1. Exception for "location". This exception states that the categorical exemptions for "Classes 3, 4, 5, 6, and 11" may be inappropriate if a project is to be located in "a particularly sensitive environment," which includes the following: "an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies."

The most likely type of adverse environmental impact upon such sensitive areas resulting from signage would be aesthetic. For example, off-site signs located in certain parts of the state Coastal Zone located within the City of Los Angeles might have a negative aesthetic impact. However, the Coastal Zone is

protected by the state Coastal Act which requires a Coastal permit for all "development" within the Coastal Zone. Because the Coastal Act is a state law it preempts the City's Municipal Code, including the City's sign regulations within that Code. Thus, the Coastal Zone is completely protected from any signs that might negatively impact that zone.

Other sensitive areas within City boundaries, such as protected wetlands, would enjoy similar statutory protection from particular signage being placed within such an area. Thus, this exception for "location" does not make the enumerated classes of Categorical Exemption inapplicable to the proposed Amendments to the Citywide Sign Ordinance.

2. Exception for Cumulative Impact. All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. Cumulative negative environmental impacts usually occur where the impacts of the same or related projects are inappropriately considered separately, thus avoiding disclosure of the total, or cumulative, impacts of the project or projects. This will not be the case with the proposed ordinance which contains a set of comprehensive, citywide sign regulations. The ordinance also contains regulations governing the creation of sign districts which will, upon passage of the proposed ordinance, generally be the only means for creating exceptions to the citywide sign regulations. Because the proposed ordinance will provide the exclusive set of regulations for signage throughout the City, and because the erection of individual signs will be subject to their own individual CEQA analysis, the Additional Technical Analysis provides sufficient analysis of any cumulative impacts from the proposed ordinance.

3. Exception for Significant Effect. An exemption cannot be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no such unusual circumstances that would trigger this exception. First, the time, place, and manner restrictions for the erection of any new signs will ensure that the proposed ordinance, by itself, would not lead to the erection of signs that exceed the scope and impact of typical small facilities and structures and accessory structures. Second, to the extent any future proposed sign may, for its own reasons, create a circumstance typically not seen in small and accessory structures, the proposed sign will be subject to its own CEQA analysis whereby these concerns would be sufficiently addressed.

Finally, when it comes to signage, there are no unusual circumstances that make businesses and sign companies wish to erect signage only at some times and not at others. The demand for signage has been remarkably consistent, which is one of the reasons why the Planning Department opted to draft the proposed ordinance to impose tighter regulations on new signage. Thus, the exception for a "significant effect on the environment due to unusual circumstances" does not apply.

4. Exception for Scenic Highways. An exemption cannot be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This exception is not applicable here because state law, including scenic corridor plans, generally prohibit signage near state scenic highways. Such state law would generally supersede any provisions of the proposed ordinance that might authorize signage along a scenic highway.

5. Exception for Hazardous Waste Sites. An exemption cannot be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. Section

65962.5 refers to hazardous waste sites and their equivalents. The reason that this exception exists is due to the fact that construction of buildings and structures, and the operation of other "projects", on such sites is more likely to release contaminants and cause other negative environmental impacts. It is not anticipated that any signs will be placed on actual sites subject to Section 65962.5. It is possible that some signs may be placed on the perimeter of such sites but such activity is not likely to cause the negative environmental impacts anticipated by this exception.

6. Exception for Historical Resources. An exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The proposed ordinance will not cause any adverse impacts upon a historical resource. To the extent that signage is allowed on a historical resource by the proposed ordinance, state and federal law will require that such signage comply with the Secretary of Interior's Standards for rehabilitation and alteration of historical resources. Construction, including the installation of signage, in compliance with the Secretary of Interior's Standards is deemed not to have an adverse impact upon the historical resource. Because the proposed ordinance will not cause any adverse impacts upon a historical resource, this exception does not apply.

#### Attachments

While it should be noted that there are numerous studies on the below topics, these attachments are provided as a relevant sampling to inform the discussions contained in this document.

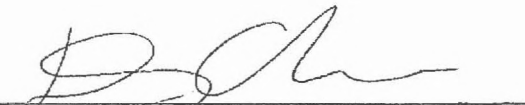
1. Map of Off-Site Signs in the City of Los Angeles
2. "Grandfathering" List of potential Sign Districts
3. Areas Eligible for Sign Districts (Current)
4. Areas Eligible for Sign Districts (Proposed)
5. April 2009 Proposed Ordinance
6. Letter regarding digital billboards and hazards to birds
7. Study on energy usage of digital billboards
8. Study: digital billboards using less energy
9. 2007 driver safety study by Virginia Tech Transportation Institute for FOARE
10. 2009 driver safety study by Jerry Wachtel for AASHTO
11. 2009 driver safety study by Tantara Associates for FOARE
12. 2009 preliminary conclusions from FHWA
13. Study on the cancer risks of night lighting

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5/30/2013

DATE



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## LAND USE FINDINGS

1. In accordance with Charter Section 556, that the 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 appropriate 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 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.

The proposed ordinance supports the Citywide General Plan Framework's Livable 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 restrictive standards for signage citywide that will provide both short and long-term improvements in the quality of the public realm.

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, and illumination and operational restrictions of,

digital displays, which have been shown to dangerously distract drivers and have such land use impacts as light pollution, light trespass, and excessive glare.

## **ENVIRONMENTAL FINDING**

On \_\_\_\_\_, a Notice of Exemption, ENV-2009-0009-CE, for a Categorical Exemption, Class 3 and 11, Article III, Section 1, City CEQA Guidelines, was approved by the City Council.

## Supplement to Categorical Exemption Narrative: ENV 2009-0009-CE

This is a supplement to the 2013 Categorical Exemption (CE) Narrative for the proposed ordinance amending the citywide sign regulations. The original analysis was completed May 30, 2013, on what was then the final iteration of a proposed ordinance. Since then, the proposed ordinance was further modified; the versions of the ordinance currently under consideration are known as Versions B and B+. This supplement will identify the substantive changes contained in Versions B and B+ from the iteration previously analyzed and will address the role those differences might play with respect to the environmental impacts of the project.

### **II. PROPOSED ORDINANCE – Update from the 2013 CE Narrative**

#### Proposed Provisions

The narrative below identifies the differences in Versions B and B+ of the ordinance from the iteration previously analyzed. Because different versions and iterations of the ordinance contain slightly different numbering, the discussion below will reference topics rather than numbered sections.

- Establishment of Tier 1 Sign Districts

In Versions B and B+, botanical gardens of a certain size are also eligible to be a Tier 1 Sign District. In addition, in Versions B and B+, the minimum size of the stadium or arena to be eligible for a Tier 1 Sign District has been reduced from 50,000 seats to 20,000 seats. Also, Version B+ exempts Sign Districts involving a stadium or arena with a seating capacity of at least 20,000 from the distancing requirements.

- Sign Reduction and Community Benefits

Version B requires sign reduction of at least two square feet of existing off-site signage for each new digital sign. Furthermore, in addition to sign reduction, Version B requires other community benefits which cannot satisfy any of the sign reduction requirement. Version B+ contains an increased sign reduction requirement of more than five square feet of existing off-site sign area for each new static off-site sign, and more than ten square feet of existing sign area if the new off-site sign has a digital display. Finally, Version B+ expands the potential sign reduction area to also include “an area with a reasonable relationship to the new signage”.

- Definitions, General Provisions – Prohibited Signs  
In Version B, for clarity supergraphics have been expressly prohibited, except when specifically permitted as part of a sign district.
- General Provisions – Brightness/Illumination  
Version B+ provides more restrictive illumination standards that are applicable to all signs, including, but not limited to, digital signs.
- Digital Displays  
Version B+ also adds limited operating hours for digital displays.
- Original Art Murals, Vintage Original Art Murals, and Public Art installations  
Versions B and B+ distinguish a mural from a sign and clarify that murals are not regulated by provisions in Sign Regulations.
- Application of Regulations  
Version B changes the “grandfathering” date from December 16, 2014 to July 10, 2015 to accommodate the Los Angeles Football Club Sign District. Version B+ changes the “grandfathering” date from December 16, 2014 to March 26, 2009 and would exclude a number of additional sign districts from the grandfathering provisions.

### **III. EXISTING ENVIRONMENT AND REGULATIONS - Update from the 2013 CE Narrative**

#### **A. Existing Environment**

There are currently 11 sign districts in place, seven more than the four referenced in the 2013 CE Narrative. The current list of sign districts include:

- 15<sup>th</sup> Street/San Pedro Sign District
- Academy of Motion Pictures and Sciences Museum Sign District
- Convention and Event Center Specific Plan and Sign District
- Encinitas Signage Supplemental Use District
- Figueroa/7<sup>th</sup> Sign District
- Figueroa/Olympic Sign District
- Historic Broadway Sign Supplemental Use District
- Hollywood Signage Supplemental Use District
- LAX Signage Supplemental Use District
- NBC/Universal/Evolution Plan/Universal City Sign District
- Warner Center 2035 Plan Signage Supplemental Use District



Also, staff is currently aware of 11 pending sign districts that have been applied for or that are in the planning stages and for which an application may be submitted at some point in the future. These 11 projects have been summarized on a "Grandfathering List" (see Attachment 2), so called because under Version B, these projects would be "grandfathered" in the sense that they could proceed towards becoming a sign district under the current Code regulations and not be subject to the standards proposed in Version B. Version B+ restricts the sign districts that would be "grandfathered" and, therefore, exempt from the new regulations to the four pending sign districts initiated prior to 2009.

The 2013 CE Narrative provided a chart showing there are 849,950 lots in the City, with only about 5.2 percent being vacant. The development climate at this time is active. Therefore, if any new vacant lots have since been created, it is safe to assume that their vacant status is temporary and that the property is being cleared for a development project.

Though there have been divisions of land since 2013, the City is largely built out, and the number of new lots created is very limited. In addition, according to the Planning Department Subdivisions Section, new lots that have been created since 2013 are predominately residential. Since the preparation of the 2013 CE Narrative, there have been no sea changes in the real estate sector to suggest that commercial and industrial properties would not remain the largest source of signage.

New data from the Bureau of the Census are not yet available, but the Southern California Association of Governments (SCAG) recently issued new projections as reflected in Tables 3A and 3B below:

**Table 3A. Projected number of housing units and employment, 2035**

	2010	2035 (revised)	Difference	% Change	Avg. Annual Growth
Housing	1,413,995	1,699,852	285,857	20.2%	11,434
Employment	1,805,937	2,104,086	298,149	16.5%	11,926

**Table 3B. Projected number of housing units and employment, 2040**

	2010	2040	Difference	% Change	Avg. Annual Growth
Housing	1,413,995	1,774,860	360,865	25.5%	12,029
Employment	1,805,937	2,169,114	363,177	20%	12,106

*The 2010 data is from the Bureau of Census, 2010 Census, SF1, April 2010. The revised 2035 and 2040 projections are from SCAG RTP 2016, April 2016.*

The projections for housing and employment growth have increased slightly for housing and more for employment. Therefore, the estimated annual growth rates of 0.78% for housing and 0.22% for employment provided in the 2013 CE Narrative for 2035 are revised to be 0.8% for housing and 0.66% for employment. During the 30-year period from 2010 to 2040, housing is projected to grow at an annual rate of 0.85%, and employment is expected to grow at an annual rate of 0.67%.

The total number of permits for signs has increased over the years. Table 2 in the 2013 CE Narrative documents the number of sign permits issued between 2008 and 2012. New data from 2013 through 2015 (Table 2A) suggests that the jump in new permits in 2012 signals an upward trend in the issuance of new sign permits. This jump appears to coincide with the economic recovery from the recession that started in 2008.

**Table 2A – Number of sign permits issued from 2008-2015**

Year	Number of Sign Permits Issued
2008	1,740
2009	1,565
2010	1,666
2011	1,591
2012	1,856
2013	1,842
2014	1,968
2015	2,146

As stated in the 2013 CE Narrative, the regulations governing signs will not change fundamentally from the current regulations, except that the standards for new off-site and digital signs would become more restrictive with respect to location and illumination. While proposed regulations would not be expected to result in a significant increase in the quantity of permits issued for new signs citywide, the proposed regulations will limit new off-site and digital signs to the more commercially-concentrated areas of the City, require the removal of existing off-site sign area in order to do so, and regulate brightness/illumination more stringently. Based on this, any signs that are permitted under the proposed ordinance would not be expected to have an impact, including to aesthetics or traffic, because of the provisions the ordinance, including both design requirements and location restrictions.

#### **IV. ENVIRONMENTAL REVIEW UNDER CEQA – Update from the 2013 CE Narrative**

While there is discussion in the 2013 CE Narrative comparing the 2013 proposed ordinance with an ordinance proposed in 2009, such discussion is for background purposes only. Neither the 2013 CE Narrative nor this Supplement relies on a comparison between proposed ordinances or a comparison of a proposed ordinance with existing regulations.

##### **CEQA Categorical Exemptions**

##### **Class 3. Small Facilities– Update from the 2013 CE Narrative**

The discussion in the 2013 CE Narrative refers to “supergraphics” as not allowed because they would have to fit within the size limitations of walls signs. While this fact remains true, “supergraphic” signs are also expressly prohibited in Version B unless they are explicitly allowed by a sign district.

None of the exceptions to exemptions in CEQA Guidelines, Section 15300.2 are found to exist, including the exception related to unusual circumstances. Signs in an urban environment such as the City of Los Angeles, located and designed as provided in the proposed ordinance, are typical and not unusual.



## **V. ADDITIONAL TECHNICAL ANALYSIS – Update from the 2013 CE Narrative**

### **A. Aesthetics**

The 2013 CE Narrative explains that the ordinance requires that every square foot of new off-site sign area be offset by a reduction of more than one square foot of existing off-site sign area within either the Sign District or the “sign impact area” unless a Community Benefits Program has been approved. Version B requires the aforementioned off-site sign area reduction, but as applicable only to new off-site static signs. For new off-site digital signs, a greater than two-to-one sign area reduction is required. Version B+ requires an even higher rate of sign reduction: more than five square feet of existing off-site sign area for a new static sign, or more than 10 square feet of existing off-site sign area if the new off-site sign has a digital display.

In Version B+, the area from which sign reduction may occur has been expanded to include “an area with a reasonable relationship to the new signage” in addition to the Sign District and the “sign impact area”. In both Versions B and B+ a Community Benefits Program is required, not optional as it was in the iteration previously analyzed, and cannot satisfy any of the sign reduction requirement. Version B+ is more restrictive in its illumination standards: Among other illumination restrictions, no sign may exceed a brightness limitation of 0.3 foot candles above ambient lighting; no sign may exceed a nighttime brightness greater than 300 candelas per square meter and a daytime brightness greater than 5,000 candelas per square meter; and digital signs may only operate between 7 a.m. and midnight. Taking the above-referenced changes into account, the conclusions made in the 2013 CE Narrative with respect to aesthetics not only remain valid but are stronger for Version B and even stronger for Version B+.



## CONCLUSION

All segments of the 2013 CE Narrative have been reviewed. Taking into account the changes in several provisions in Versions B or B+ from the iteration previously reviewed, the conclusions in the 2013 CE Narrative regarding the appropriateness of applying a Class 3 and Class 11 exemption and the determination regarding none of the exceptions to the exemptions applying remain valid.

**Attachments** – Updated from the 2013 CE Narrative

Update of “Grandfathering” List of potential Sign Districts

## PREPARED BY:

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3/21/2016  
DATE

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**"Grandfathering" of Pending Sign Districts and Specific Plans**  
**UPDATE – March 2016**

The proposed citywide sign ordinance provides for "grandfathering" of proposed sign districts if they were requested before a specific date; different versions of the ordinance contain different eligibility dates for "grandfathering". "Grandfathered" projects would be processed under existing Code provisions rather than subject to new citywide sign regulations. As of this date, there are 11 projects that are currently in process:

- **Table A:** Four proposed Sign Districts initiated by City Council motions
- **Table B:** Three requested Specific Plans requesting off-site signage
- **Table C:** Four proposed Sign Districts initiated by private property owners' applications

Following these three tables is a fourth table which summarizes 10 proposals recently adopted.

**Table A: Pending Sign Districts Initiated by City Council Motions and other City Applications**

Common Name	Location	Council District	Case File Number	Mover and Date of Motion	Status
Figueroa Corridor	East and west sides of Figueroa Street generally between Olympic and Wilshire Boulevards. Expansion of Figueroa & 7 <sup>th</sup> Sign District.	14	CF 11-0273	Councilmember Perry, 02/18/11	Funds received by City for processing
Koreatown	Bounded generally by 6 <sup>th</sup> St to the north, St. Andrews Pl to the west, Olympic Bl to the south, and Shatto Pl to the east.	10	CF 08-0936	Councilmember Wesson, 4/15/08	Referred to DCP on 4/30/08
City West	Bounded by 1 <sup>st</sup> St to the north, Boylston to the west, 3 <sup>rd</sup> to the south, and Beaudry to the east.	1	CF 08-0509	Councilmember Reyes, 3/04/08	Referred to DCP on 4/30/08
Laurel Canyon Corridor (aka NoHo West)	Bounded by the 170 to the west, Hamlin St to the north, Laurel Canyon Blvd. between Hamlin St and Erwin St, Erwin St between Laurel Canyon and Radford Av, Radford Av between Erwin St and Oxnard St, and Oxnard St to the South.	2	CF 11-1995; CPC-2015-889-ZC-SN-CU-MCUP-SPR-ZAD-ZAA	Councilmember Krekorian 11/29/2011	DEIR comment period ended Feb. 26 2016

**Table B: Areas for which a new Specific Plan is requested to incorporate off-site signage**

Common Name	Location	Council District	Case Number	Status
Boyle Heights Mixed Use Specific Plan (Wyvernwood)	2901 E. Olympic Boulevard	14	CPC-2010-851-SP	Staff is reviewing in preparation for CPC hearing (not scheduled yet)
Paramount Pictures Master Plan	5555 Melrose Avenue	13, 4	CPC-2011-2459-ZC-GPA-SP-CA	Draft EIR published on 9/10/2015
Los Angeles Football Club (LAFC)	Bounded by S. Figueroa St to the west, W. Martin Luther King Jr. Blvd to the south, S. Vermont Ave. to the east, and Exposition Blvd to the north.	9	CF-16-0613 CPC-2015-3477-SP-SN	Initiated by Councilmember Price, 7/2/2015. On PLUM Agenda for Spring 2016

**Table C: Pending Sign Districts Initiated by Private Property Owners' Applications**

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Case File Number</i>	<i>Date of Application</i>	<i>Status</i>
Metropolis	Bounded by the 110 to the west, 110 off ramp to the south, Francisco St to the east and 8 <sup>th</sup> St to the north	14	CPC-2008-4557-SN	11/10/08	Case on hold; environmental application not complete
Mid-Town Crossing	San Vicente & Pico to San Vicente & Venice	10	CPC-2008-2614-SN	6/26/08	On hold by request of applicant
City Market Center	1057 S San Pedro St , 90015	14	CPC-2013-4050-GPA-ZC-HD-SN-CU-MCUP-ZV-SPR	12/18/13	Undergoing environmental review
The Reef (aka LA Mart)	1900 S Broadway, 90007	9	CPC-2014-1771-GPA-VZC-SN-VCU-MCUP-CUX-ZV-SPR	5/19/2014	DEIR published 9/17/2015

**Previous Proposals That Have Been Adopted**

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Case Number</i>	<i>Status</i>
Figueroa and 7 <sup>th</sup> Street Sign District (Wilshire Grand)	Block bounded by Wilshire Blvd to the north, Figueroa St to the east, 7 <sup>th</sup> St to the south, and Francisco St to the west	14	CPC-2009-3416-TDR-CUB-CU-CUW-ZV-SN-DA-ZAD-SPR-GB	Approved by City Council on 3/29/11; Ordinance No. 181,637
USC Specific Plan	Jefferson Blvd and 30 <sup>th</sup> St to the north, Hill St to the east, Exposition Blvd to the south, Vermont Ave to the west	9	CF 08-2620	Adopted by the City Council on 3/20/2012
Figueroa and Olympic	Block bounded by 9 <sup>th</sup> St to the north, Flower to the east, Olympic to the south, and Figueroa to the west	14	CPC-2007-842-SN	Adopted by City Council on 7/24/12; Ordinance No. 182,200
Convention and Event Center Specific Plan and Sign District	Bounded generally by Chick Hearn Ct on the north; Figueroa St on the east; Venice Blvd on the south; and the Caltrans right of way adjacent to the 110 on the west.	9	CPC-2012-0849-VZC-SP-SN-DA; CF 11-0023	Adopted by City Council on 9/28/12; Ordinance Nos. 182,282 and 182,281
Encinitas Sign District	12775-12881 N. Encinitas Avenue	7	CPC-2011-1936-SN; CF 12-1552	Approved by City Council on 12/5/12; Ordinance No. 182,349
NBC/Universal Evolution Plan / Universal City Sign District	100 Universal City Plaza	4	CPC-2007-251-GPA-ZC-SP-SPA-CA	Approved by City Council on 2/5/13; Ordinance No. 182,436
LAX Signage SUD	Los Angeles International Airport	11	CPC-2011-1964-SN; CF 13-0285-S2	Approved by City Council on 6/17/15; Ordinance 187,737
Warner Center 2035 Plan Signage SUD	Warner Center Specific Plan Area	3	CPC-2008-3470-SP-GPA-ZC-SUD; CF 13-0197	Approved by City Council July 2, 2014
Academy of Motion Pictures Arts and Sciences Museum	6067 Wilshire Blvd.	4	CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR	Approved by City Council on 6/24/2015; Ordinance No. 183741
Historic Broadway Signage SUD	South Broadway between First and Twelfth Street	14	CF-16-0020	Approved by City Council on 1/20/2016; Ordinance No. 18405, 184056, 184057