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CITY ATTORNEY

REPORT NO. R 1 4 - 0 4 5 4
DEC 2 6 2014

REPORT RE:

**ORDINANCE ESTABLISHING THE LOS ANGELES INTERNATIONAL AIRPORT
(LAX) SIGN DISTRICT PURSUANT TO THE PROVISIONS OF
SECTION 13.11 OF THE LOS ANGELES MUNICIPAL CODE**

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

Council File No. 13-0285-S2
CPC No. CPC-2011-1964-SN; ENV-2011-1965-EIR

Honorable Members:

This Office has prepared and now transmits for your consideration, approved as to form and legality, a draft ordinance establishing the Los Angeles International Airport (LAX) Sign District pursuant to the provisions of Section 13.11 of the Los Angeles Municipal Code. The draft incorporates changes requested by the Board of Airport Commissioners at its December 4, 2014 meeting.

Summary of Ordinance Provisions

The draft ordinance would create a sign district authorizing off-site commercial advertising, including Supergraphics and Digital Displays, at the Los Angeles International Airport (LAX).

The draft ordinance is unique in that it delegates review and approval of signs within the district to the Executive Director of Los Angeles World Airports (LAWA)

instead of the Director of Planning, as is usually the case with sign districts. Additionally, the ordinance authorizes the Board of Airport Commissioners to grant adjustments from the sign district regulations, in lieu of the Area Planning Commission, which is the ordinary body that would consider adjustments from specific plan or supplemental use district regulations.

Like other sign districts authorizing off-site advertising, the proposed sign district includes a billboard sign reduction requirement. The sign district, however, would authorize LAWA to install off-site signs before complying with the billboard removal requirement. The sign reduction requirement must be satisfied within five years of the installation of off-site signs.

In addition to the sign reduction requirement, the sign district would require LAWA to make a one-time payment of \$3,750,000 into a visual blight reduction trust fund that would be administered by the Board of Airport Commissioners and used for street improvements surrounding the airport.

The current draft differs in the following respects from the draft the PLUM Committee considered at its September 9, 2014 meeting:

1. The draft provides that the total sign area permitted by the ordinance does not include existing non-conforming signs. The prior draft stated that the total sign area permitted by the ordinance did include existing non-conforming signs.
2. The draft removes a restriction in the prior draft that limited the total amount of time LAWA could display its own messaging on the Digital Display Signs in place of commercial advertisements sold to third parties.
3. The draft removes the City's ability to display emergency messages on the Digital Display Signs, leaving LAWA as the sole agency with the power to display emergency messages on such signs.
4. The draft includes other technical, non-substantive changes.

Charter Findings

Pursuant to Charter Section 559, the Director of Planning has disapproved this revised draft ordinance on behalf of the City Planning Commission due to the number of changes between the current draft and the draft the City Planning Commission approved. Should you adopt this ordinance, you may comply with the provisions of Charter Section 558 by either adopting the findings of the Director of Planning as set forth in his transmittal to the City Council or by making your own findings.

CEQA Determination

If the City Council wishes to adopt the ordinance, it must first comply with the California Environmental Quality Act (CEQA). The Director of Planning recommends that you certify that the Final Environmental Impact Report State Clearinghouse No. 2012031055 (EIR) in Case Number ENV-2011-1965-EIR has been completed in compliance with CEQA, that the EIR reflects the lead agency's independent judgment and analysis, and that the City Council considered the information in the final EIR before approving the project. The Director of Planning also recommends that you adopt the environmental findings made by the City Planning Commission in its October 10, 2013, letter of determination.

Council Rule 38 Referral

The draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety, the Department of Transportation, and the Fire Department. To date, the Department of Building and Safety has responded, and the attached draft incorporates that Department's comments.

If you have any questions regarding this matter, please contact Deputy City Attorney Michael Bostrom at (213) 978-8068. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM/MJB:zra
Transmittal