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December 4, 2012

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

Re: Proposed ordinance revising the citywide sign regulations
Council Files 08-2020, 11-0724, 11-1705, 12-1611

Honorable Members of the Planning and Land Use Management (PLUM) Committee:

This report and attached ordinance incorporate PLUM's direction following the most recent meeting on this matter on December 5, 2011. Also incorporated are the Department of City Planning's recommendations on outstanding policy issues not resolved at the last meeting, as well as recommendations from the Office of the City Attorney. Since the City Planning Commission approved the proposed ordinance on March 26, 2009, PLUM has met to consider and revise it eight times – on April 21, 2009, May 11, 2009, May 26, 2009, October 19, 2010, December 15, 2010, August 9, 2011, October 18, 2011, and December 5, 2011. This deliberative vetting process has resulted in numerous improvements to the proposed ordinance, which now contains a cohesive regulatory framework that addresses a range of vital perspectives, strengthens enforcement, allows for well-reasoned placement of off-site signs, and further protects the City from future legal challenges.

The report is organized into the following sections:

1. Items Directed by PLUM

The most recent official direction from PLUM on this matter, dated December 14, 2011, approved a number of changes discussed at the hearing, and also instructed the Department of City Planning to consider several new items. These included allowing off-site signs at City-owned facilities and parks, allowing for "cross-promotional" signs, and adding the Los Angeles Zoo and Botanical Gardens to the list of areas eligible to apply for Sign District designation under Section 13.11. PLUM's letter also contained several other directions, some of which were discussed in the previous staff report and implemented in the previously proposed draft. The other directed items, which have not yet been discussed before PLUM, are addressed in this report.

2. Items Recommended by City Attorney

Throughout the process of refining the ordinance, the Office of the City Attorney has provided advice and input that has resulted in a number of recommended changes. This section summarizes those changes recommended since the most recent PLUM hearing last December.

3. Other Technical Corrections and Refinements

After PLUM issued its direction, the Department of City Planning discovered several needed technical corrections and refinements that would improve the clarity, consistency and enforceability of the ordinance.

4. Additional Work Program

On October 10, 2012, a new motion from Councilmembers Reyes, Krekorian, and Cardenas called for the establishment of a working group to develop regulations and binding agreements regarding digital signs installed under a previous settlement agreement. The work that would be required to develop and implement this concept is addressed within the context of an additional work program.

1. Items Directed by PLUM

Signs at City-Owned Parks and Public Facilities

In its December 2011 letter, PLUM directed the Department of City Planning to consider a Motion (Council File No. 11-0724) by Councilmembers Perry and Parks, relative to permitting banners and signs at City-owned facilities and parks. This motion, introduced and referred to PLUM on May 3, 2011, directs the Planning Department, with assistance from the City Attorney, to prepare an ordinance "to permit banners and signs at city-owned facilities and city parks, and thereby exempt these signs from land use regulatory controls inasmuch as they serve a public purpose by sponsoring community interests and events."

The issue of off-site signs in City parks and facilities has been discussed at numerous hearings before PLUM. The discussions thus far have not revealed a solution, but rather have demonstrated that this is a contentious issue that will require further study and community outreach in order to develop a proposal that considers all relevant perspectives. Thus far, the only related action that PLUM has taken has been to direct that the Los Angeles Zoo and Botanical Gardens be added to the list of areas eligible to apply for a Sign District. If a similar solution may be applicable for parks, that would have to be determined through careful study and outreach, as discussed in Section 4 of this report.

The Definitions of On-Site and Off-Site Signs

At the December 2011 hearing, there was a discussion about the definitions of on-site and off-site signs, in relation to the use of "cross-promotional" signs, which would contain off-site messages used in sales promotions to draw customers to the business conducted on-site. After considering the potential wording and interpretation of changes to the definitions, the Office of the City Attorney has recommended that the proposed ordinance revert back to the existing definitions for on-site signs and off-site signs, as they are currently written in the LAMC.

Although the type of signs envisioned in the "cross-promotional" sign concept could be fairly innocuous, it would be very difficult to craft code language for such signs without creating a loophole that could allow a wider range of off-site messages than was intended. Such a

loophole could weaken the legality of the City's off-site sign ban and make the sign ordinance vulnerable to legal challenge. The existing definitions, adopted in 1986, have long been interpreted and enforced by the Department of Building and Safety, and have been upheld by the courts as sound definitions. It is in the City's best interests to retain these definitions.

Sign District Eligibility for the Zoo

In its December 2011 direction, PLUM called for the Los Angeles Zoo and Botanical Gardens to be made eligible to apply for a Sign District. The Office of the City Attorney has thus added language that extends Sign District eligibility to a zoo and botanical garden of 130 acres or greater.

Sign Advisory Committee

The discussion of this item begins on page 6 of this report, under the heading "Additional Work Program".

Sign District Size for Downtown

At PLUM's direction, the proposed ordinance reduces the minimum Sign District size for the Greater Downtown Housing Incentive Area to 2,640 linear feet, as opposed to the proposed citywide standard of 5,000 linear feet. This change is intended to account for the taller, denser development in the downtown area, where major development projects tend to have a smaller footprint and less street frontage than they would elsewhere in the city.

Updated "Grandfathering" Date.

As instructed by PLUM, the Planning Department has included in the proposed ordinance an amended "grandfathering" date of December 6, 2011. An updated list of projects that would be affected by this provision is attached to this report.

2. Items Recommended by the City Attorney's Office

Based on its review of the ordinance to date, the Office of the City Attorney has recommended the following changes.

Comprehensive Sign Programs are now Tier 2 Sign Districts.

Initially, Comprehensive Sign Programs were proposed as a mechanism for larger properties with complex signage plans to seek flexibility within the stricter standards on on-site signs, which were subsequently removed from the proposed sign ordinance at the direction of PLUM. The Comprehensive Sign Program then evolved to become a mechanism for exceptionally large properties with unique signage needs to seek permission to display off-site signs to patrons of the property, as long as those signs are not visible from the public right of way or from any property other than the subject property.

The City Attorney's Office advises that it would be preferable to consider a Comprehensive Sign Program to be a lesser version of a Sign District, where off-site signs may be allowed but only within strict limitations on visibility. As legislative exceptions to off-site sign bans, Sign Districts have been upheld by the courts. The Office of the City Attorney thus recommends re-naming the Comprehensive Sign Program as a Tier 2 Sign District, and moving these regulations under the Sign District regulations in Section 13.11. This change simplifies and shortens the proposed

ordinance, clarifies the purpose and scope of a Tier 2 Sign District, and ensures the proper level of review for the potential granting of exceptions to the city's off-site sign ban.

Since the review process for a Tier 2 Sign District would be more extensive than that required for a Comprehensive Sign Program, a revised application fee is necessary. Based on consideration of the amount of staff work required, the Department of City Planning recommends a fee of \$67,915 to request a new Tier 2 Sign District, and a fee of \$31,316 to request a change to or removal of a Tier 2 Sign District.

Contiguous parcels within a Sign District

The City Attorney's office recommends clarifying the language in Section 13.11 E, which deals with contiguous parcels in Sign Districts. This subsection requires that all parcels in a proposed sign district be "contiguous". The language is now proposed to specify that individual parcels within a proposed sign district will be considered to be contiguous so long as they are adjacent to at least one other parcel in the sign district, even if the two parcels are separated by a public street or other physical feature.

Temporary signs and off-site messages

Section 14.4.3 D has been clarified to state that temporary signs, except for temporary signs on temporary construction walls, may not display off-site messages. This is consistent with Section 14.4.15 A, and the change was made to correct the inconsistency.

Geographically specific sign regulations

The Office of the City Attorney has recommended several language changes to improve the clarity and consistency of these provisions, without changing their substance. The proposed Section 11.5.7 K is now recommended for deletion, because the essential provision of this paragraph repeats what is clearly stated in Section 14.4.4 C-9 – that off-site signs may only be allowed through a Sign District or relocation agreement pursuant to state law; rather than being allowed through a Specific Plan. Section 11.5.7 K also states that the sign regulations in a Specific Plan may be more restrictive and may not be more permissive than the citywide sign regulations. This statement is also unnecessary since the relationship between a Specific Plan's regulations and the citywide regulations are set out in the beginning paragraphs of each Specific Plan.

Section 14.4.3 F is also proposed to be deleted for the same reason – geographically specific regulations always define their own relationship to the provisions of the citywide code.

Administration of Community Benefits Programs

The previous proposal assigned the administration of Community Benefit Programs to a Business Improvement District (BID) or comparable administrative entity that would be set up for each individual Sign District. The Office of the City Attorney pointed out that a BID is a non-City entity that operates with minimal City involvement beyond registration, and that the administration of a Community Benefits Program would require greater oversight for the management and disbursement of funds for community benefits within the Sign District. The amended ordinance proposes that the City Council must designate a City Department to oversee the Community Benefit Program for each Sign District. The Community Development Department may be a good selection for this role, given their experience in overseeing similar community benefit measures for development projects.

Interior Signs

The "interior sign exception", located in Section 14.4.3 A, essentially defines what an interior sign is, to support the provision that only exterior signs are regulated by the Code. To improve clarity, this language is now proposed to be moved to Section 14.4.2, to create clear and easy to find definitions of the terms "interior sign" and "exterior sign".

Window Signs

The Office of the City Attorney recommends adding language to the definition of a window sign to clarify that a merchandise display cannot be pushed close to a window and become, in effect, an exterior commercial sign.

Administrative Civil Penalties

The Office of the City Attorney has recommended a number of changes to these provisions, to improve their clarity and completeness. One of these changes is that Section 14.4.25 B-2 has been modified to clarify the concept that the property owner and the sign owner shall both be liable for civil penalties for violations of the Sign Code.

In addition, the previously proposed Section 14.4.26 E-3 provided that if an appeal of civil penalties were withdrawn, the penalties would accrue from the date of withdrawal. This could create an incentive for responsible parties to appeal without the intent of following through on the appeal, just so that they could gain additional time to display the sign in question without accruing penalties. This oversight has been corrected in the proposed ordinance, so that penalties accrue from the date the citation is issued. As previously proposed, any penalties would be rescinded and/or refunded if the appeal is granted, and penalties would not be charged during the appeal process if the sign copy is taken down. To further clarify this provision, the language in Section 14.4.26 E-4 has also been amended.

3. Other Technical Corrections and Refinements

Brightness standards

Following last December's hearing, staff received additional input from stakeholders that questioned the necessity of the proposed brightness limits of 300 candelas/square meter at night and 4,500 candelas/square meter during the day. The question raised was whether the 0.3 foot candle standard by itself is a sufficient control on brightness. The Department of Building and Safety noted that since off-site signs began to commonly carry automatic dimming sensors that adjust brightness to 0.3 foot candles above ambient, very few sign brightness complaints have been received from the public. The proposed limit of 0.3 foot candles above ambient matches the industry standard, and represents a ten-fold decrease from the existing sign code limit of 3 foot candles above ambient.

Staff conducted several field observations of digital off-site signs, and determined that a candela/square meter standard is useful in controlling brightness, especially in cases where the ambient lighting in the surrounding area is relatively bright, and an individual sign could end up having a glaring effect if the only control is the 0.3 foot candles above ambient. An upper limit of 450 candelas/square meter would ensure that individual signs in bright areas are not allowed to be too glaring, while still being clearly visible and legible. This standard is used for signs in certain bright areas within the existing LA Sports and Entertainment District. In dimmer areas, the 0.3 foot candle standard would be the effective control, and would keep the brightness at an acceptable level that would correspond to approximately 300-400 candelas/square meter. This

refinement of the nighttime brightness limits using a combination of controls will ensure appropriate sign brightness for all ambient conditions.

For daytime brightness, staff considered input from the Department of Building and Safety that no complaints have ever been received for daytime brightness of digital signs. Still, this does not preclude the possibility that there is a level of brightness that would be too bright even for daytime viewing. In keeping with industry recommendations that have been used in other cities, the proposed standard for daytime brightness is now 7,500 candelas/square meter.

A new standard is also proposed for the position from which brightness is to be measured, based on the industry standard for conducting such measurements. Brightness would be measured directly facing the sign and from a distance proportional to the size of the sign. This would be much better than the existing code standard of measuring from the nearest residentially zoned property, which may result in a measurement taken far away from the sign, at a wide angle, through obstructions, or even behind the sign.

For ease of reference, all sign brightness standards, including the proposed measurement position formula, have been consolidated into Section 14.4.4 F. The candelas/square meter standards are now proposed to apply to all signs, not just digital displays, because it is possible for any type of illuminated sign to cause glare. Finally, all digital signs, including digital on-site signs, would be required to be equipped with a sensor to automatically adjust the sign's brightness to within 0.3 foot candles of ambient brightness levels.

Signs on Scenic Roadways in Sign Districts

Section 13.11 C.3.b has been clarified to be consistent with the Scenic Highways Guidelines in Chapter VI of the Transportation Element of the City's General Plan, which states that "off-site outdoor advertising is prohibited in the public right-of-way of, and on publicly-owned land within five hundred feet of the center line of, a Scenic Highway." This language has been incorporated into Section 13.11, except for the reference to the public right-of-way, which is not within the regulatory scope of the Zoning Code.

Original Art Murals and Public Art Installations

References to murals have been updated to be consistent with the proposed new terminology in the proposed Mural Ordinance, which refers to them as original art murals. The registration requirements spelled out in that ordinance for original art murals and public art installations are now referenced under the provisions for Community Benefits Measures in Section 13.11.

Sign Reduction / Community Benefit Exceptions for Downtown

The previous proposal set forth two exceptions within the Greater Downtown Housing Incentive Area for types of projects that would not have to provide sign reduction or community benefits. The exception for regionally regenerative major projects is now proposed to be removed because the type of project it refers to has since been granted approval for off-site sign rights through a Sign District.

4. Additional Work Program

On October 10, 2012, a motion (Council File No. 12-1611) by Councilmembers Reyes, Krekorian, and Cardenas directed the Department of City Planning to work with the Chief Legislative Analyst to convene a working group to include sign companies that were part of settlement agreements with the City, to develop legislation and draft binding agreements addressing the legality of existing digital signs that those agreements previously authorized, in

upcoming court decision that might invalidate the agreements. The motion stated that the resulting legislation should reduce the total number of signs in the City and provide substantial public benefits that would be focused on aesthetics, and that those public benefits could be provided in the form of advance payment to the City. The motion also directed that City staff conduct outreach to the seven Neighborhood Council Alliances.

The matter of allowing off-site digital signs, which the proposed ordinance would continue to prohibit citywide except in Sign Districts, would require careful consideration and community outreach. The October motion drew substantial input from the public, indicating that a significant public outreach effort would be necessary to adequately address all concerns and perspectives of community members and other stakeholders. Given the complexities of this citywide issue from both a planning and a legal perspective, the amount of work required would be substantial, and would require additional resources.

The concept of allowing certain off-site signs in exchange for the removal of other off-site signs and/or payment to the City is one that has previously been discussed and added to the work program for the proposed Sign Unit, along with numerous other motions which the City is not currently staffed to research and develop. Those motions are summarized on the attached document, "Motions to be Considered Through an Additional Work Program". This work program could be handled by a new Sign Unit, for which the Department of City Planning has sought funding on two occasions from the City Council, and has also considered a rather controversial proposal for funding from the sign industry. As of yet, a workable funding source for the Sign Unit has not been identified, and its oversight body, the Sign Advisory Committee, has likewise not been assembled.

Number and Location of Off-Site Signs

The attached map shows the number and approximate locations of the City's nearly six thousand off-site signs. This map was requested by Councilmember Huizar, and illustrates that the proliferation of off-site signs extends through most parts of the city and all Council Districts. This information on existing off-site signs, which has recently been published by the Department of Building and Safety, may be useful in implementing the "take-down" requirements for new Sign Districts.

Questions about this report may be directed to me at (213) 978-1272 or alan.bell@lacity.org, or Daisy Mo of my staff at (213) 978-1338 or daisy.mo@lacity.org.

Sincerely,



ALAN BELL, AICP
Deputy Director of Planning

Attachments:

1. Proposed Citywide Sign Ordinance
2. Map of Off-Site Signs in the City of Los Angeles
3. Updated "Grandfathering" List
4. PLUM Direction dated December 14, 2011
5. Motions to be Considered Through an Additional Work Program
6. Motion 12-1611 (Settlement Agreement Working Group)

ORDINANCE NO. _____

A proposed ordinance amending Sections 11.5.7, 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of Chapter 14 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.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

~~Section 1. Section 11.5.7 of Article 1.5 of Chapter 1 of the Los Angeles Municipal Code is amended by adding a new Subsection K to read:~~

~~**K. Sign Regulations.** A specific plan shall not permit any of the signs prohibited by Section 14.4.4 C of this Code. Any sign regulations included in a specific plan may be more restrictive and may not be more permissive than the sign regulations set forth in Article 4.4 of Chapter 1 of this Code or in Article 7 of Chapter 5 of this Code.~~

Sec. 12. Subparagraph (2) of Paragraph (a) of Subdivision 16 of Subsection A of Section 12.05 of the Los Angeles Municipal Code is deleted.

Sec. 23. Subdivision 7 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is deleted.

Sec. 34. Paragraph (c) of Subdivision 3 of Subsection B of Section 12.21.1 of the Los Angeles Municipal Code is deleted.

Sec. 45. Subparagraph (6) of Paragraph (a) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(6) Signs.

- i. ~~In addition to the requirements set forth in Article 4.4 of this chapter, no person shall erect on the lot or lots the following signs, as defined in Section 14.4.2 of this Code, unless a Sign Adjustment is obtained per Section 14.4.22 of this Code: pole signs; projecting signs; or roof signs.~~
- ii. Monument signs and information signs shall be located only within the landscape-planted areas of the lot or lots.

Sec. 56. Subparagraph (5) of Paragraph (b) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(5) **Covenant.** Prior to the issuance of a building permit or land use permit, the owner of the lot or lots shall execute and record a covenant and agreement in a form satisfactory to the Director of Planning, acknowledging that the owner shall implement each of the conditions set forth in Paragraph (b) of this subdivision, and shall not permit the establishment of any uses enumerated in Section 12.24 W 27 of this Code without first obtaining a conditional use approval. The covenant and agreement shall run with the land and be binding upon the owners, and any assignees, lessees, heirs, and successors of the owners. The City's right to enforce the covenant and agreement is in addition to any other remedy provided by law.

Sec. 6-7. Subsubparagraph (iii) of Subparagraph (1) of Paragraph (c) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

- iii. All signs proposed to be located on the site comply with Paragraph (a)(6) of this subdivision; and

Sec. 78. Subparagraph (6) of Paragraph (a) of Subdivision 28 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read:

(6) **Signs.**

- i. In addition to the requirements set forth in Article 4.4 of this chapter, no person shall erect a pole sign or projecting sign, as defined in Section 14.4.2 of this Code, on the lot or lots unless a Sign Adjustment is obtained per Section 14.4.22 of this Code.
- ii. Monument signs and information signs may only be located within the landscape-planted areas of the lot or lots.

Sec. 89. Paragraph (j) of Subdivision 20 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is deleted.

Sec. 940. Subdivision 3 of Subsection C of Section 12.23 of the Los Angeles Municipal Code is deleted.

Sec. 1044. Section 91.6216.4.3 of the Los Angeles Municipal Code is hereby amended to read:

91.6216.4.3. The alteration, repair or rehabilitation of any existing sign or sign support structure that exceeds 50 percent of the replacement cost of both

the sign and sign support structure must comply with all the requirements of this Code.

EXCEPTION: If the sign or sign support structure is a qualified historical structure, then the applicant may comply with the California Historical Building Code in lieu of Division 62 of this Code.

Sec. ~~1142~~. Section 13.11 of the Los Angeles Municipal Code is hereby amended to read:

A. Purpose. This section sets forth procedures and guidelines for the legislative creation of "SN" Sign Districts. The purpose of each the Sign District is to facilitate the creation of a unique quality, theme or character within districts that have a distinctive regional-identity and that serve as regional-destinations or hubs of commerce, culture, entertainment or international transport. The creation of a unique quality, theme or character will be supported by a design or architectural theme that is compatible with the surrounding environment. A further purpose of each the Sign District is to eliminate blight and/or improve aesthetics or traffic safety.

B. Tier 1 and Tier 2 Sign Districts. There shall be two types of Sign Districts. Tier 1 Sign Districts have a larger minimum size than Tier 2 Sign Districts and can allow off-site signs. Tier 2 Sign Districts can only allow off-site signs that are not visible from the public right of way— or any property other than the subject property.

C. Establishment of Tier 1 Sign Districts.

1. The procedures set forth in Section 12.32 S of this Code shall be followed; however, each Tier 1 Sign District shall only include properties that:

a. Are located in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial"; and also zoned C or R5; or

b. Are located in the area of the Los Angeles International Airport (LAX) Specific Plan or of the Port of Los Angeles Plan, if such plan authorizes off-site signage through a Sign District; or

c. Are located in the "Greater Downtown Housing Incentive Area," as defined in Section 12.03 of this Code; and also zoned M, C, PF, or R5; or

d. Include a stadium with a seating capacity of 50,000 or more; or

e. Include a zoo and botanical garden of 130 acres or greater.

2. Any Sign District shall contain at least 5,000 linear feet of street frontage or be 15 acres in area, except that in the Greater Downtown Housing Incentive Area, the minimum street frontage shall be 2,640 linear feet. For purposes of applying this provision, "street frontage" shall be as defined in Section 14.4.2 of this Code, and "linear feet" does not mean that all street frontage must be in one straight line.

3. Within a Sign District, no off-site sign shall 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.

4. In addition to the findings required by Section 12.32 C 2 of this Code, the findings below shall be made in establishing a Sign District. The review of an initial Sign District, or any amendment to an approved Sign District, shall not consider the content or message of any proposed signs.

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 comprise 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.

~~g.f.~~

D. Establishment of Tier 2 Sign Districts.

1. The procedures set forth in Section 12.32 S of this Code shall be followed; however, each Tier 2 Sign District shall only include properties that have are:

a. A minimum of three acres of non-residential development or at least 50,000 square feet of non-residential floor area if the site is located in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial" or is located in the "Greater Downtown Housing Incentive Area," as defined in Section 12.03 of this Code; or

b. A minimum of five acres of non-residential development or at least 100,000 square feet of non-residential floor area if the site is located in any area other than those set forth in subsection c., above.

2. A Tier 2 Sign District ~~comprehensive sign program~~ cannot be requested for property within an established Sign District or within any Specific Plan, Historic Preservation Overlay Zone, or Supplemental Use District that contains special signage regulations.

3. In a Tier 2 Sign District, off-site signs may be allowed, so long as they are consistent with the purpose of Section 13.11 of this Code and each sign face ~~and any sign illumination are~~ is not visible from any public right of way or any property other than the subject property.

4. In addition to the findings required by Section 12.32 C 2 of this Code, the findings in Section 13.11 C.4. of this Code shall be made in establishing a Tier 2 Sign District.

E. Contiguous parcels in Sign Districts. Every parcel within a Sign District must be contiguous to at least one other parcel within the Sign District, and parcels that are only separated by public streets, ways, alleys or other physical features shall still be considered contiguous. Precise boundaries are required at the time of application for or initiation of an individual district.

~~5. The total acreage in a Sign District shall include contiguous parcels of land, which may only be separated by public streets, ways, alleys or other physical features. Precise boundaries are required at the time of application for or initiation of an individual district.~~

FC. Sign Reduction and Community Benefits.

1. **Sign Reduction.** If the ordinance establishing the a Tier 1 Sign District allows off-site signs, which are otherwise prohibited by Section 14.4.4 C 9 of this Code, then the ordinance shall:

a. Identify the boundaries of a "sign impact area," which shall have at least one boundary adjacent to the Sign District.

b. Require, at a minimum, that 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 as outlined in Paragraph 2 below.

ce. Establish procedures for sign reduction credits, to include the following requirements:

(i)4- Credits for reduction of off-site sign area shall be assigned to the owner of the sign from which sign area is being reduced. Such credits are transferrable and can be used to acquire rights to establish new off-site signage within the boundaries of the Sign District.

(ii)2- Any credit for reduction of off-site sign area shall be requested by the sign owner to the Director of Planning through a Project Permit Compliance application pursuant to Section 11.5.7 C of this Code. Any application for sign reduction credit shall include a signed statement under penalty of perjury that the applicant is the sign owner.

(iii)3- Notice of the Director's determination on the Project Permit Compliance application shall be provided to the sign owner, the owner of the property on which the sign is located, and any other parties as required by Section 11.5.7 of this Code. Notice shall also be provided to the sign operator if the sign operator is identified in the application or in the off-site sign inventory maintained by the Department of Building and Safety pursuant to Section 91.6205.18.5 of Chapter 9 of this Code. Such determination shall inform the aforementioned parties of their right to appeal and contain instructions for filing an appeal.

4. (iv) Any appeal of a determination on sign reduction credits shall be filed pursuant to Paragraph 6 of Subsection C of Section 11.5.7 of this Code.

d. The sign reduction requirement established by this subsection can shall only be met through the removal ~~demolition~~ of existing, legally permitted off-site signs, including nonconforming off-site signs, in existence as of the effective date of the ordinance establishing the Sign District. The reduction in existing sign area shall be accomplished prior to issuance of a building permit for the new off-site sign. The applicant shall obtain the required demolition permits from the Department of Building and Safety prior to any demolition work.

2. Community Benefits Program. Up to one-half of the sign reduction requirement may be replaced by one or more of the Community Benefits Measures listed below, if the decision maker determines that the needs and priorities of the community will be equally or better served by such measures than by the full amount of sign reduction that would otherwise be required, and that there is a nexus between the impacts resulting from the signs allowed in the new sign district and the Community Benefits Measures. Specifically, in conjunction with an approved Community Benefits Program, the decision-maker shall require the removal of at least one square foot of existing, legally permitted off-site signage for every two square feet of new off-site signage approved. Community Benefits Measures shall be implemented within either the Sign District or the "sign impact area", ~~and shall be administered by a Business Improvement District (BID) or other administrative entity.~~ The ordinance establishing the Sign District shall designate the City Department that will oversee and administer the Community Benefits Program and set forth administrative procedures and fees.

a. Community Benefits Measures

1. Sidewalk widening and landscaping. The widening and repaving of the sidewalk and narrowing of the adjacent roadway shall include permanent public landscaping integrated into the sidewalk, the roadway median, or both.

~~4.2.~~ **Undergrounding of utilities.** ~~Such~~ The undergrounding of shall include all visible utilities within a defined area shall, ~~to include~~ electric, phone and cable wiring and the removal from view of all associated poles, boxes and other equipment.

~~4.3.~~ **Streetscape Improvements.** Such improvements shall be planned and adopted through a Streetscape Plan.

4.4. **Lighting Improvements.** Such improvements shall be planned and adopted through a Lighting District.

4.5. **Public Art/Original Art Murals and Public Art Installations. Program.** ~~The permanent installation of public art or murals shall be subject to approval by the Cultural Affairs Department.~~ Public Art Installations shall be registered pursuant to the requirements of Section 19.85.4 of the Los Angeles Administrative Code or the requirements of Section 91.107.4.6 of the Los Angeles Municipal Code. Original Art Murals shall be registered pursuant to the requirements of Section 22.119 of the Los Angeles Administrative Code.

4.6. **Public parking structures to serve pedestrian centers.** Such public parking structures must serve a significant number of commercial, employment, and/or residential destinations that are easily accessible via a short walk of 750 feet or less from the parking structure.

4.7. **Façade Improvements.** Such improvements to building facades may include repair or replacement of old or worn building surfaces, grill work, paint, and signage.

4.8. **Other Improvements.** Such improvements will be of a permanent nature and will directly eliminate blight or improve aesthetics or traffic safety within either the Sign District or the "sign impact area".

b. A Community Benefits Program shall include only those Community Benefits Measures directly attributable to the establishment of the new Sign District. No credit for community benefits shall be granted for measures already implemented or that would be implemented even if no Sign District were established.

c. In approving a Community Benefits Program, the decision-maker must find that the Community Benefits Measures in concert with the approved sign reduction requirement provide a public benefit substantially equivalent to the sign reduction requirement specified in Section 13.11 C1b above.

d. All approved Community Benefits Measures must be implemented before any sign permit may be issued for new signs allowed in conjunction with the Community Benefits Program.

3. **Exceptions for the Rehabilitation of Historic Buildings within the Greater Downtown Housing Incentive Area.** For Sign Districts located within

the Greater Downtown Housing Incentive Area, neither sign reduction nor community benefits shall be required for the types of projects described in this paragraph rehabilitation of historic buildings, where off-site sign rights are being used to incentivize blight reduction through the rehabilitation of buildings within a National Register Historic District and approved signs have been determined by the Department of City Planning's Office of Historic Resources to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. In such Sign Districts, off-site sign rights may be granted only after the completion of a rehabilitation project, as that term is defined in the ordinance that creates the Sign District. The City Council finds that because these types of projects provide a uniquely significant reduction in blight and improvement in aesthetics for the historically blighted and economically pivotal Downtown area, they inherently meet the required findings (e) and (f) enumerated in Paragraph 4 of Subsection B C of this Section without the provision of sign reduction or community benefits, as otherwise provided for in this Subsection.

~~a. **Rehabilitation of Historic Buildings.** This category shall be limited to any proposed project where off-site sign rights are being used to incentivize blight reduction through the rehabilitation of buildings within a National Register Historic District and approved signs have been determined by the City's Department of City Planning's Office of Historic Resources to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. In such Sign Districts, off-site sign rights may be granted only after the completion of a rehabilitation project, as that term is defined in the ordinance that creates the Sign District.~~

~~b. **Regionally Regenerative Major Projects.** This category shall be limited to any regionally regenerative major project proposed within the boundaries of the "Figueroa Corridor Supplemental Use District for Signs - Preliminary Concept Map" as shown in Council File 11-0273, if the major project shall provide for the construction of, addition to, or alteration of any buildings or structures which create or add 1,000,000 square feet or more of floor area, for and if the major project shall creates, substantially expands or substantially improves a municipal facility, and the City Council has determined that such facility will create substantial aesthetic and economic improvement in the surrounding area through the reduction or elimination of blight.~~

GD. **Sign Regulations.** The ordinance establishing the "SN" Sign District may be more restrictive than the sign regulations set forth in Article 4.4 of this chapter. The ordinance may also be less restrictive than Article 4.4 and, as such, may allow signs prohibited by that article. In no case, however, may such an ordinance supersede be less restrictive than Article 7 of Chapter 5 of this Code (Fire Code) or Article 1, Chapter IX of this Code (Building Code). If all or a portion of a defined geographic area is governed by both a specific plan and an "SN" Sign District, the "SN" Sign District regulations applicable to that area shall not conflict with or supersede the specific plan's

special sign regulations applicable to the same area. Only signs as defined in Section 14.4.2 of this Code may be permitted in a Sign District.

H.E. Conformance. The Department of Building and Safety shall not issue a building permit for a sign within an "SN" Sign District unless the sign conforms to the regulations set forth in the a specific ordinance establishing that "SN" Sign District ordinance.

I.F. Administration.

1. The procedures to administer an "SN" Sign District shall be the specific plan procedures set forth in Section 11.5.7 of this Code, except that the findings for a Specific Plan Exception for signage shall be the same as the findings for a Sign Variance set forth in Section 14.4.23 of this Code, the findings for a Project Permit Adjustment for signage shall be the same as the findings for a Sign Adjustment set forth in Section 14.4.22 of this Code, and the findings for Project Permit Compliance Review for signage shall be as follows:

a. All proposed signage complies with the applicable regulations of this Sign District.

b. Pursuant to the California Environmental Quality Act, the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

2. For any signage request within a Sign District as identified in Paragraph 1 of this Subsection, the following additional findings shall be used solely to condition an approval and shall not be used to deny a project:

a. All existing and proposed signs are appropriately scaled to the architectural character of all buildings and structures on the lot.

b. All existing and proposed signs result in a complementary enhancement to the architecture on the lot.

c. All existing and proposed signs result in a visually uncluttered appearance.

Sec. 1243. Article 4.4 of Chapter I of the Los Angeles Municipal Code is amended to read:

ARTICLE 4.4

SIGN REGULATIONS

Section	
14.4.1	Purpose
14.4.2	Definitions
14.4.3	Application
14.4.4	General Provisions
14.4.5	Freeway Exposure
14.4.6	Information Signs
14.4.7	Monument Signs
14.4.8	Projecting Signs
14.4.9	Wall Signs
14.4.10	Illuminated Architectural Canopy Signs
14.4.11	Pole Signs
14.4.12	Roof Signs
14.4.13	Window Signs
14.4.14	Marquee Signs
14.4.15	Temporary Signs
14.4.16	Temporary Signs on Temporary Construction Walls
14.4.17	Off-Site Signs
14.4.18	Awning Signs
14.4.19	Digital Displays
14.4.20	Vintage <u>Original Art Murals and Public Art Installations</u>
14.4.21	Signs in A and R Zones
14.4.22	Sign Adjustments
14.4.23	Sign Variances
14.4.24	Comprehensive Sign Programs
14.4.25 ²⁴	Continuation of Nonconforming Signs
14.4.26 ²⁵	Violations and Civil Penalties
14.4.27 ²⁶	Appeal Procedures
14.4.28 ²⁷	Recovery of Costs

SEC. 14.4.1. PURPOSE.

The purpose of this article is to promote public safety and welfare by regulating signs in keeping with the following objectives:

A. That the design, construction, installation, repair and maintenance of signs will not interfere with traffic safety or otherwise endanger public safety.

B. That the regulations will provide reasonable protection to the visual environment by controlling the size, height, spacing and location of signs.

C. That both the public and sign users will benefit from signs having improved legibility, readability and visibility.

D. That consideration will be given to equalizing the opportunity for messages to be displayed.

E. That adequacy of message opportunity will be available to sign users without dominating the visual appearance of the area.

F. That the regulations will conform to judicial decisions, thereby limiting further costly litigation and facilitating enforcement of these regulations.

SEC. 14.4.2. DEFINITIONS.

The definitions of the following terms shall apply to this article. Other terms used in this article shall have the meanings set forth in Section 12.03 of this Code, if defined in that section.

Aerial View Sign. A sign that is applied or placed upon the roof surface, approximately parallel with the roof plane, and intended to be viewed from the sky. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District ~~or Comprehensive Sign Program~~.

Architectural Ledge Sign. A wall sign with individual channel letters and/or a pre-fabricated image, attached to a horizontal projection forming a narrow shelf on a wall or architectural projection.

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

Bisecting Line. A line that equally divides the angle created by the projection of intersecting lot lines of a lot adjoining the street of a corner lot as illustrated in Diagram C of this article.

Building Face. The general outer surface, not including cornices, bay windows or architectural projections, of any exterior wall of a building.

Building Frontage. The projection of the exterior building walls upon the street used for street frontage, as measured perpendicular to the edge of the street. For walls that are not parallel to the street, the building frontage shall be measured along the wall that, other than open parking spaces, has direct and unimpeded access to the street.

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

Can Sign. A wall sign whose text, logos and/or symbols are placed on the plastic face of an enclosed cabinet.

Captive Balloon Sign. Any object inflated with hot air or lighter-than-air gas that is tethered to the ground or a structure. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District or Comprehensive Sign Program.

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

Digital Display. A sign face, building face, and/or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation, through the use of grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of or attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means.

Exterior Sign. A sign that is displayed on any exterior surface of a building or structure or is otherwise outdoors.

Freeway. A highway in respect to which the owners or those in possession of abutting lands have no right or easement of access to or from their abutting lands or in respect to which the owners have only limited or restricted right or easement of access, and which is declared to be a freeway, in compliance with the Streets and Highways Code of the State of California.

Hanging Sign. A wall sign with individual channel letters and/or a prefabricated image that is suspended from a horizontal architectural ledge or projection, or from the ceiling of an architectural recess.

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

Illuminated Architectural Canopy Sign. An enclosed illuminated canopy listed in accordance with the National Electrical Code that is attached to the wall of a building with the face of the sign approximately parallel to the wall and with the message integrated into its surface.

Inflatable Device. A sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method. The term inflatable device shall not include any object that contains helium, hot air or a lighter-than-air substance.

Information Sign. A sign that is limited to a message giving directions, instructions, menus, selections or address numerals.

Interior Sign. A sign that is enclosed by permanent, opaque architectural features on the project site such as building walls, freestanding walls, roofs, or overhangs, where such features may have necessary openings for ingress and egress; provided that the sign face is not visible from any public right of way or any property other than the subject property; and further provided that the sign is arranged and illuminated in a manner that will produce a light intensity of no greater than 0.3 foot candles above ambient lighting, as measured per the procedures set forth in Subdivision 3 of Subsection F of Section 14.4.4 of this Code.

Exterior Sign. A sign that is other than an interior sign.

Main Traveled Roadway of a Freeway. The portion of a freeway, including interchange roadways connecting one freeway with another, which is designed for the movement of large volumes of vehicular traffic, efficiently and safely at high speed, but not including service roadways, landscape areas, or ingress or egress ramps connecting the freeway with other streets.

Marquee Sign. A sign displayed on a roof-like structure that projects over the entrance to a building or structure.

Monument Sign. A freestanding sign that is erected directly upon the existing or artificially created grade, or that is raised no more than 12 inches from the existing or artificially created grade to the bottom of the sign, and that has a horizontal dimension equal to or greater than its vertical dimension.

Off-Site Sign. A sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where the sign is located.

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

~~— **Off-Site Sign.** A sign any portion of which is used to advertise business conducted, services rendered or goods produced or sold at a location other than the lot upon which the sign is placed.~~

~~— **On-Site Sign.** A sign that is used exclusively to advertise business conducted or services rendered or goods produced or sold on the lot upon which the sign is placed.~~

Perpendicular Line. A straight line between the point on a sign face that is closest to the street and the point where the line intersects the street lot line at a 90 degree angle, as illustrated in Diagram C of this article.

Pillar Sign. A freestanding sign that is mounted directly on the ground, consisting of rectangular sign faces or a sculptural themed shape, with a horizontal dimension that does not exceed 25 percent of the length of the vertical dimension. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District or ~~Comprehensive Sign Program~~.

Pole Sign. A freestanding sign that is erected or affixed to one or more poles or posts and that does not meet the requirements of a monument sign.

Projecting Sign. A sign, other than a wall sign, that is attached to a building and projects outward from the building with one or more sign faces approximately perpendicular to the face of the building.

Projection. The distance by which a sign extends beyond the building face.

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

Sandwich Board Sign. A portable sign consisting of two sign faces that connect at the top and extend outward at the bottom of the sign. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District or ~~Comprehensive Sign Program~~.

Sign. Any whole or part of a display board, wall, screen or object, used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public.

Sign Area. An area circumscribed by the smallest geometric shape created with a maximum of eight straight lines, which will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas and attention-attracting devices, forming an integral part of an individual message except that:

1. Wall signs having no discernible boundary shall have the areas between letters, words intended to be read together and any device intended to draw attention to the sign message included in any computation of surface area.
2. For spherical, cylindrical or other three-dimensional signs the area of the sign shall be computed from the smallest two-dimensional geometrical shape or shapes, which will best approximate the greatest actual surface area visible from any one direction.

Sign Face. The surface upon which the sign message is placed.

Sign Support Structure. A structure of any kind or character, erected, used or maintained for a sign upon which any poster, bill, printing, painting, projected image or other message may be placed.

Street Frontage. The length of a line separating a lot from one street.

Temporary Construction Wall. A wooden fence or wooden barrier that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site pursuant to Sections 3303 and 3306 of the California Building Code (CBC).

Temporary Sign. Any sign that is to be maintained for a limited duration, including paper signs and other signs that are not permanently affixed to the ground or building.

Wall Sign. A sign on the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, that has been attached to, painted on, or erected against the wall; projected onto the wall; or printed on any material which is supported and attached to the wall by an adhesive or other materials or methods.

Window. An operable or inoperable opening constructed in a wall or roof that admits light or air to an enclosure and is often framed and spanned with glass or other translucent material.

Window Sign. A sign that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the sign is visible from outside the building. The term window sign shall not include the display of merchandise in a store window facing away from that window or facing that window and at least six feet away from it.

SEC. 14.4.3. APPLICATION.

A. **Scope.** All exterior signs and sign support structures not located entirely in the public right-of-way shall conform to the requirements of this article and Article 7 of Chapter V-5 of this Code.

B. **Permissive Sign Regulations.** The sign regulations set forth in Article 4.4 of Chapter 14 of this Code are permissive. Thus, only those uses or structures expressly enumerated in Article 4.4 of Chapter 14 are allowed. Any use or structure that is not so enumerated is prohibited. This amendment clarifies the City Council's long-standing interpretation and does not change existing law.

~~**EXCEPTION:** A sign or sign support structure shall be considered interior and not exterior if it is enclosed by permanent, opaque architectural features on the project site such as building walls, freestanding walls, roofs, or overhangs, where such features may have necessary openings for ingress and egress; provided that the sign face is not visible from any public right of way or any property other than the subject property; and further provided that the sign is arranged and illuminated in a manner that will produce a light intensity of no greater than 0.3 foot-candles above ambient lighting, as measured per the procedures set forth in Subdivision 3 of Subsection F of Section 14.4.4 of this Code, at the property line of the nearest residentially zoned property; and that any digital display on the sign complies with the restrictions set forth in Section 14.4.19 of this Code.~~

~~**BC. On-Site Signs.** Information signs, monument signs, projecting signs, wall signs, illuminated architectural canopy signs, pole signs (not including pole signs permitted by Section 14.4.17 of this Code), window signs, marquee signs and awning signs may only display on-site or noncommercial messages. On-site signs must comply with the following provisions of the Code, as applicableThe following provisions of this Code, as applicable, shall apply to on-site signs: Sections 14.4.4; 14.4.5; 14.4.6; 14.4.7; 14.4.8; 14.4.9; 14.4.10; 14.4.11; 14.4.12; 14.4.13; 14.4.14; 14.4.18; 14.4.19; 14.4.20; 14.4.21; 14.4.22; 14.4.23; 14.4.24; 14.4.25; 14.4.26; 14.4.27; 14.4.28; 91.6205; 91.6207; and 91.6216.~~

~~**CD. Off-Site Signs.** Pole signs conforming to the regulations set forth in Section 14.4.18 of this Code and other legally existing non-conforming off-site wall and off-site roof signs may display off-site or noncommercial messages. Off-site signs must comply with the following provisions of the Code, as applicableThe following Sections of this Code, as applicable, shall apply to off-site signs: 14.4.4; 14.4.5; 14.4.17; 14.4.22; 14.4.24; 14.4.25; 14.4.26; 14.4.27; 14.4.28; 91.6205; 91.6206; and 91.6207.~~

~~**DE. Temporary Signs.** Temporary signs may display ~~off-site~~, only on-site or noncommercial messages, except that temporary signs on temporary construction walls may display off-site messages. The following sections of this Code, as applicable, shall apply to temporary signs: 14.4.4; 14.4.5; 14.4.15; 14.4.16; 14.4.21; 14.4.24; 14.4.25; 14.4.27; 14.4.28; 91.6205; and 91.6207.~~

~~**EF. Zones.**~~

~~1. Signs are allowed on any lot in the A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, R4 or R5 zones, provided that these signs comply with the provisions of the following sections of this Code, as applicable: 14.4.4; 14.4.5; 14.4.6; 14.4.9; 14.4.11; 14.4.15; 14.4.16; 14.4.18; 14.4.21 and 14.4.25~~14.4.24.

2. Signs are allowed on any lot in a RAS or other A or R zone where C or M uses are permitted by right; on any lot in an A or R zone where the use was permitted pursuant to Section 12.24 or Section 12.27 of this Code; and on any lot in the C, M, OS, PF or SL zones; provided that these signs comply with the requirements of the zone and with the provisions of the following sections of this Code, as applicable: 14.4.4; 14.4.5; 14.4.6; 14.4.7, 14.4.8, 14.4.9; 14.4.10, 14.4.11; 14.4.12, 14.4.13, 14.4.14; 14.4.15; 14.4.16; 14.4.18; 14.4.19; 14.4.20; and ~~14.4.25~~14.4.24.

3. Signs are allowed on any lot in the P and PB zones, provided that these signs comply with all applicable provisions of this article and Section 12.12.1 of this Code.

4. A sign located on a lot comprising two or more zones shall be regulated by the provisions of this article applicable to the zone where the sign is located.

~~F. Relationship to Other Sign Regulations or Conditions of Approval. If the provisions of this article are different from, more restrictive than or more permissive than any geographically specific regulations or conditions of approval governing signage, then the geographically specific regulation or condition of approval shall prevail and supersede the provisions of this article.~~

SEC. 14.4.4. GENERAL PROVISIONS.

A. **Authorized Signs.** Only the signs defined in and regulated by this article and no others are allowed. It shall be unlawful for any person to erect, construct, install, enlarge, alter, repair, move, remove, convert, demolish, use or maintain any sign or sign support structure, or cause or permit those actions to be done, in violation of any of the provisions of this article.

B. **Ideological and Political Signs.** No provision of this article shall prohibit an ideological, political or other noncommercial message on a sign otherwise allowed by this article.

C. **Prohibited Signs.** Signs are prohibited if they:

1. Contain obscene matters, as defined in Section 311 of the Penal Code of the State of California.

2. Contain or consist of posters, pennants, banners, ribbons, streamers, spinners, or similar devices, except as permitted by Sections 14.4.15 and 14.4.16 of this Code.

3. Contain flashing, mechanical and strobe lights in conflict with the provisions of Sections 80.08.4 and 93.0107 of this Code.

4. Are revolving and where all or any portion rotate at greater than six revolutions per minute.

5. Are tacked, pasted or otherwise temporarily affixed on the walls of buildings, barns, sheds, trees, poles, posts or fences, except as permitted by Sections 14.4.15 and 14.4.16 of this Code.

6. Are affixed to any vehicle or trailer on private property if the vehicle or trailer is not otherwise used in the business and the sole purpose of attaching the sign to the vehicle or trailer is to attract people to a place of business.

7. Emit audible sounds, odor or visible matter.

8. Use human beings, live animals, animated figures, motion pictures, or continuous motion in connection with any sign.

9. Are off-site signs, including off-site digital displays, except when off-site signs are specifically permitted pursuant to a Tier 1 or Tier 2 Sign District, ~~a Comprehensive Sign Program~~, or a relocation agreement entered into pursuant to California Business and Professions Code Section 5412. This prohibition shall also apply to alterations, enlargements or conversions to digital displays of legally existing off-site signs, except for alterations that conform to the provisions of Section 91.6216 and all other requirements of this Code.

10. Are inflatable devices.

D. Prohibited Locations.

1. No sign or sign support structure shall project into any public alley, except that a sign or sign support structure above a height of 14 feet may project no more than six inches into a public alley.

2. No sign or sign support structure shall be located less than six feet horizontally or 12 feet vertically from overhead electrical conductors, which are energized in excess of 750 volts. The term "overhead electrical conductors" as used here shall mean any electrical conductor, either bare or insulated, installed above ground, except electrical conductors that are enclosed in iron pipe or other material covering of equal strength. Arcs of six foot radius may be used to define corners of prohibition area.

3. No sign or sign support structure shall be erected in a visibility triangle as defined by Sections 12.21 C 7 and 62.200 of this Code.

4. No sign or sign support structure shall be located within two feet of the curb or edge of any roadway, as measured horizontally.

5. Under no circumstances shall a sign obstruct the free operation of a door or window, or ingress or egress through a door or window.

E. Maintenance.

1. **Appearance.** Every sign shall be maintained in a clean, safe and good working condition, including the replacement of defective parts, defaced or broken faces, lighting and other acts required for the maintenance of the sign. The display surfaces shall be kept neatly painted or posted and free of graffiti at all times.

2. **Debris Removal.** The base of any sign erected on the ground shall be kept clear of weeds, rubbish or other combustible material at all times.

3. **Abandoned Signage.** Ninety days after the cessation of a business activity, service or product, the related signs shall be removed, or the face of the signs shall be removed and replaced with blank panels or shall be painted out.

F. Sign Illumination Limitations.

1. **General Brightness Limitation.** No sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than 0.3 foot candles above ambient lighting, ~~as measured at the property line of the nearest residentially zoned property. Digital displays shall also be subject to the brightness limitations of Section 14.4.19 of this Code.~~

2. **Digital Displays.** All off-site digital displays shall be equipped with a sensor or other device that automatically adjusts the brightness of the display according to changes in ambient lighting to comply with the general brightness limitation of 0.3 foot candles above ambient lighting, ~~as specified in Section 14.4.4 F of this Code.~~ In addition, the maximum brightness of any digital display shall not exceed ~~300~~ 450 candelas per square meter during the nighttime and ~~4,500~~ 7,500 candelas per square meter during the daytime. Digital displays shall transition smoothly at a consistent rate from the permitted daytime brightness to the permitted nighttime brightness levels, beginning at 45 minutes prior to sunset and concluding 45 minutes after sunset.

3. **Measurement.** Sign brightness shall be measured at an angle that is within six degrees of perpendicular to the sign face, and from a distance as defined by the following formula:

$$\text{Measurement Distance (in feet)} = \frac{\sqrt{\text{Display Area} \times 100}}{1}$$

where Display Area is the area of the sign display, in square feet.

Measurements shall be performed by a testing agency approved by the Department of Building and Safety, and submitted by the owner of the sign when requested by that Department.

G. Combination Signs. A sign, which is subject to more than one classification, shall meet the requirements for the classification to which each portion is subject.

H. Flag Lots. For purposes of this article, flag lots containing less than 50 feet of street frontage shall be allotted 50 feet of street frontage for the purpose of determining the type of sign permitted and for the allowable sign area.

I. Street Address Numbers. No sign shall be maintained on any property unless the street address of the property is maintained in accordance with the provisions of Section 63.113 of this Code.

J. Sign Permit Priority Status.

1. To maintain location, area, frontage, or spacing status, signs must be installed within six months of issuance of a building permit or prior to expiration of any permit extension granted by the Department of Building and Safety.

2. Where more than one permit has been issued and the effect of those permits when considered together results in a violation of this article, all permits except the permit with the earlier date and time of issuance shall be invalid.

K. Lots With Multiple Street Frontages. If a lot is a corner lot or other lot with two or more street frontages then the following regulations shall apply:

1. A freestanding sign shall be considered to be located along a particular street if the sign and its support structure are located entirely on the side of the bisecting line closest to that street, and the sign face is placed at the same angle as the perpendicular line or at an angle not to exceed 20 degrees from either side of the perpendicular line as shown on Diagram C of this article.

2. On a through lot, a freestanding sign shall be considered to be located along a particular street if the sign and its support structure are located entirely on that half of the lot closest to the lot line adjoining that street.

L. Sign Height. The height of all signs permitted by this article shall be measured as the distance in a straight vertical line from the top of the sign to the sidewalk grade or edge of roadway grade nearest the sign. No sign may be located at a height that exceeds the height limit above grade established by any land use ordinance, including the height limit established for the underlying zone or height district.

M. Relief. Notwithstanding the provisions of Sections 12.24, 12.27, 12.28 or any other section of this Code, no relief from the sign regulations set forth in this article shall

be granted, except as provided by Sections 14.4.22, and 14.4.23 and ~~14.4.24~~ of this Code.

EXCEPTION: Relief for on-site signs for which plans are submitted pursuant to the procedures set forth in Sections 12.24 M and 12.27 U of this Code may be approved, and a building permit may be issued, provided that the conditional use permit or variance was granted before the effective date of this ordinance, is still valid, and specifically authorized on-site signs or otherwise provided relief from the sign regulations.

N. Replacement of Signs on Historic Buildings. Signs on historic buildings may be reconstructed or re-created if the Department of City Planning's Office of Historic Resources determines that sufficient photographic documentation or a building permit has been submitted to prove that a historic sign once existed at that location, and that the reconstructed or re-created sign will enhance the historic nature of the building or historic district and comply with the Secretary of the Interior's Standards. For the purposes of this section, a "historic building" shall be defined as a building that is a City-designated Historic-Cultural Monument, is listed in or formally determined eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, or is a Contributor in an established Historic Preservation Overlay Zone. Signs reconstructed or re-created pursuant to this provision shall retain any applicable non-conforming rights.

O. Off-Site Signs in City Parks and Facilities. Notwithstanding any other language to the contrary in this Code, ~~including to include Section 14.4.3 A and Section 14.4.24 D,~~ no off-site sign shall be allowed in any park or other facility owned by the City of Los Angeles unless such sign is allowed within a Tier 1 Sign District established pursuant to Section 13.11 of this Code.

SEC. 14.4.5. FREEWAY EXPOSURE.

A. New Signs. No person shall erect, construct, install, paint, maintain, and no building or electrical permit shall be issued for, any sign or sign support structure within 2,000 feet of a freeway unless the Department of Building and Safety has first determined that the sign will not be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp. However, at the termination of an off-ramp, any wall sign located along the front line may be viewed primarily from the off-ramp.

The phrase "**viewed primarily from**" shall mean that the message may be seen with reasonable clarity for a greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off-ramp than by a person traveling on the street adjacent to the sign.

B. Exemption. The wall signs specified in Subdivisions 1 and 2 below are exempt from the limitation of Subsection A above. These signs shall not have moving parts or any arrangement of lights that create the illusion of movement.

1. Identification signs identifying the building where the sign is located, providing the area of the sign is not more than 50 square feet or is not larger than five percent of the area of the side of the building, which faces primarily to the freeway, whichever is greater; and

2. Wall signs on which the advertising is limited to the name of any person, firm or corporation occupying the building, or the type of business, services rendered, or the name of any product manufactured or sold on the premises. The total area of all wall signs on a building permitted in this subdivision shall not exceed 100 square feet. Any one sign shall not exceed 50 square feet in area.

C. **Existing Signs.** Within three years of the opening of a freeway to public travel, all signs that existed prior to the opening of the freeway and that are in conflict with the provisions of this section and/or Section 14.4.5 of this Code shall be removed, or shall be rearranged or relocated so as to eliminate any conflict with the provisions of this section and/or Section 14.4.5 of this Code.

The Department of Building and Safety and the Department of Transportation shall determine whether or not the sign or sign support structure is in conflict with the provisions of this section and/or Section 14.4.5 of this Code. If it is determined that any sign or sign support structure is in conflict with any of the provisions of this section and/or Section 14.4.5 of this Code, then the permittee and/or other responsible person shall be advised and shall remove, rearrange or relocate the sign or sign support structure within this three-year period.

SEC. 14.4.6. INFORMATION SIGNS.

A. **Area.** Information signs shall not exceed 25 square feet in area.

B. **Height.** No information sign shall exceed a height of six feet six inches.

SEC. 14.4.7. MONUMENT SIGNS.

A. **Area.**

1. The sign area of monument signs shall not exceed 1.5 square feet per foot of street frontage on which the signs are located nor a maximum of 75 square feet for the sign face visible to the same direction of traffic.

2. The combined sign area of monument signs, projecting signs, wall signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

B. Height. Monument signs shall be limited to a maximum overall height of eight feet above sidewalk grade or edge of roadway grade nearest the sign.

C. Location. Monument signs shall be located at least 7.5 feet from interior lot lines and at least 15 feet from any other monument sign, projecting sign or pole sign. The location of monument signs shall not interfere or present a hazard to pedestrian or vehicular traffic.

D. Shape. Monument signs shall have a horizontal dimension equal to or greater than their vertical dimension.

E. Projection. Monument signs shall not project over the roof of a building or over the building line.

SEC. 14.4.8. PROJECTING SIGNS.

A. Permitted. Projecting signs shall not be permitted on a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a projecting sign for each 200 feet of street frontage or fraction thereof. Projecting signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. Area.

1. The sign area of projecting signs visible to the same direction of traffic shall not exceed 25 square feet plus 1.5 square feet for each foot of street frontage on which the signs are located, up to a maximum sign area of 300 square feet for one face and 600 square feet on all faces combined. Any projecting sign located at the street corner of a corner lot may use the greater street frontage in computing area limitations.

2. The combined sign area of projecting signs, wall signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

C. Height. A projecting sign shall not be located lower than eight feet above sidewalk grade or edge of roadway grade nearest the sign and shall not extend above the top of the wall.

D. Location.

1. A projecting sign shall be located at least 7.5 feet from any interior lot line.

2. A projecting sign shall be located at least 15 feet from any other projecting sign, monument sign or pole sign.

3. The plane of the sign face of a projecting sign shall be within 15 degrees of being perpendicular to the face of the building, except at the corner of the building.

E. Projection. A projecting sign may project over the building line, but shall not extend beyond the limits shown in Diagram A of this article. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel with the building line. In no event, may a projecting sign project more than eight feet from the face of a building.

EXCEPTION: For projecting signs located above a 16-foot height and on a lot having a street frontage greater than 50 feet, projections over the building line may vary linearly from five feet at 50 feet to eight feet at 100 feet of street frontage.

SEC. 14.4.9. WALL SIGNS.

A. Area.

1. For a single-story building, the total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

2. For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.

3. For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.

4. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

B. Height. A wall sign shall not extend above the top of the wall of the building.

EXCEPTION: Where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.

C. Location.

1. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.

2. Wall signs installed on a wall that faces the rear lot line and that is located within 30 feet of property that is zoned R-3 or more restrictive shall not be illuminated.

3. No wall sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents, unless the Fire Department determines that the sign would not create a hazardous condition and the sign is approved through a Tier 1 or Tier 2 Sign District or Comprehensive Sign Program.

4. No wall sign shall cross the perimeter of any opening of a building, including its windows, doors, and vents, at any point 24 inches or less of the exterior building face measured perpendicularly to the surface of the opening; unless the Fire Department determines that the sign would not create a hazardous condition and the sign is approved through a Tier 1 or Tier 2 Sign District or Comprehensive Sign Program.

D. Projection.

1. No wall sign shall have a projection over any public street, other public property or building line greater than that permitted in Diagram A of this article.

2. No wall sign shall project more than 24 inches from the face of the building. If any message is placed on the edge of a wall sign, then that portion of the wall sign shall be regulated as a projecting sign.

E. High Rise Signs. Any wall signs located over 100 feet above grade shall be used as identification signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Notwithstanding the provisions of Subsection A above, the area of these signs may constitute up to five percent of the area of the wall where the signs are attached and may be in addition to the area permitted in Subsection A above.

F. Parking Lots. Notwithstanding the provisions of Section 14.4.4 C 5 of this Code-article, where a parking lot exists between a wall sign and the street, and there is a fence or freestanding wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the fence or freestanding wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the fence or freestanding wall between two feet six inches and three feet six inches in height above the finished grade at the base of the fence or freestanding wall generally facing the street.

SEC. 14.4.10. ILLUMINATED ARCHITECTURAL CANOPY SIGNS.

A. Area.

1. The area of illuminated architectural canopy signs shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.
2. In applying sign area limits, only the area occupied by the message of the illuminated architectural canopy signs will be used.
3. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.
4. The combined sign area of illuminated architectural canopy signs, projecting signs, monument signs, wall signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

B. Height. An illuminated architectural canopy sign shall not extend above the top of the wall of the building on which it is located.

C. Clearance. Illuminated architectural canopy signs shall have a minimum clearance of eight feet above the sidewalk grade or edge of roadway grade nearest the sign and shall not be located closer than two feet from the curb of any roadway, as measured horizontally.

D. Emergency Personnel Access. Illuminated architectural canopy signs shall not occupy a four-foot distance along the exterior wall at one corner of the building's street frontage and an additional four-foot distance along every 50 feet of the building frontage.

E. Illumination. The sign shall be internally illuminated so as to illuminate the canopy and the exterior wall below. The illuminated architectural canopy sign shall bear the electric sign label of an approved testing agency with a re-inspection service.

F. Projection. Illuminated architectural canopy signs may project over a building line. However, in no event may an illuminated architectural canopy sign project more than three feet from the face of the building.

SEC. 14.4.11. POLE SIGNS.

A. Permitted. Pole signs shall not be permitted on that portion of a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a pole sign for each 200 feet of street frontage or fraction thereof. Pole signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. Area.

1. Pole sign area visible to the same direction of traffic shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

2. The maximum area of any one pole sign shall not exceed 400 square feet for one face and 800 square feet on all faces combined.

3. Any pole sign that is located at the street corner of a corner lot may use the greater street frontage for area limitations.

4. The combined sign area of pole signs, projecting signs, monument signs, illuminated architectural canopy signs, wall signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

C. Height. Height shall be measured from the nearest sidewalk or edge of roadway grade to the top of the sign. The overall height limitation shall be determined by street frontage as follows:

1. 25 feet for lots having 50 feet of street frontage;
2. 35 feet for lots having more than 50 feet and less than 100 feet of street frontage; and
3. 42 feet for lots having at least 100 feet of street frontage.

Any pole sign that is located at the street corner of a corner lot may use the greater street frontage for determining height limitations. In no event shall a sign exceed the height specified for the height district in which the sign is located.

D. Location.

1. Pole signs shall be located at least ten feet from interior lot lines; however, on corner lots and flag lots, pole signs may be located no less than five feet from interior lot lines.

2. A pole sign shall be located at least 15 feet from any other pole sign, projecting sign or monument sign.

3. Pole signs shall be located so as not to interfere or present a hazard to pedestrian or vehicular traffic.

4. Notwithstanding the requirements of Subsection F of this Section, where the lower part of a pole sign is less than eight feet above sidewalk grade or the edge of roadway grade nearest the sign, the sign shall extend to grade or shall be installed in a planter that extends beyond the edges of the sign and sign support structure and that is a minimum of 18 inches in height.

E. Projection. A pole sign may project over a building line, but shall not extend beyond the limits shown in Diagram A of this article. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel to the building line.

F. Other Requirements. A maximum of two poles shall be permitted for any pole sign. The maximum cross-sectional dimension of a pole shall not exceed ten percent of the overall height of the sign.

SEC. 14.4.12. ROOF SIGNS.

A. Permitted. Roof signs shall be permitted only when placed directly upon a roof that slopes downward toward and extends to or over the top of an exterior wall. Roof signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. Area.

1. Roof sign area shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

2. The maximum area of any one roof sign shall not exceed 300 square feet.

3. The combined area of roof signs, illuminated architectural canopy signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage on which the signs are located, plus one square foot for each foot of building frontage along the same street.

4. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

C. Height. The top of the roof sign shall be located at least two feet below the ridge of the roof.

D. Location.

1. Roof signs shall be located at least ten feet from interior lot lines.

2. Roof signs shall be located at least two feet from the edge of the roof.

3. The plane of the sign face of a roof sign shall be approximately parallel to the face of the building.

SEC. 14.4.13. WINDOW SIGNS.

A. Area. The total area of all window signs shall not exceed ten percent of the area of the window.

B. Combined Area. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage on which the signs are located.

SEC. 14.4.14. MARQUEE SIGNS.

A. General Requirements. Marquee signs shall comply with the requirements set forth in Sections 14.4.3 A; 14.4.4 B; 91.3106, 91.3106.1, 91.6205; and 91.6207 of this Code.

B. Location. Signs shall not be attached to any portion of the marquee except on the periphery. Wall signs on the periphery of a marquee shall not extend above or below the periphery of the marquee. Signs shall not be extended above nor suspended below the exterior periphery of a marquee sign.

SEC. 14.4.15. TEMPORARY SIGNS.

A. **General Requirements.** No temporary sign shall also be an off-site sign, except for temporary signs on temporary construction walls.

B. **Permit Required.** Notwithstanding any other provision of this Code ~~article~~, a building permit shall be required for a temporary sign, pennant, banner, ribbon, streamer or spinner. The permit application shall specify the dates being requested for authorized installation and the proposed location.

EXCEPTION: Pursuant to Section 91.6201.2.1ca of this Code, no building permit shall be required for a temporary sign, pennant, banner, ribbon streamer or spinner that contains a political, ideological or other noncommercial message, or that, pursuant to Section 91.101.5 of this Code, contains less than 20 square feet of sign area.

BC. **Area.**

1. The combined sign area of temporary signs shall not exceed two square feet for each foot of street frontage on which the signs are located.

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

CD. **Time Limit.** Temporary signs shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days from ~~of~~ the date of removal of the previous sign. The installation of temporary signs shall not exceed a total of 90 days in any calendar year.

EXCEPTION: Temporary signs that do not require a building permit may be installed for a period of greater than 30 days, provided that such signs shall not exceed a total of 90 days in any calendar year.

DE. **Location.** Temporary signs may be allowed on fences, on the interior surface of windows and doors, and at any location where any permanent sign of any type is allowed by this article. Pennants, ribbons, streamers or spinners are allowed between light standards on private property.

EF. **Construction.** Temporary signs may contain or consist of posters, pennants, ribbons, streamers or spinners. Temporary signs may be made of paper or any other material. If the temporary sign is made of cloth, it shall be flame retardant when the aggregate area exceeds 100 square feet. Every temporary sign shall be supported and attached with stranded cable of 1/16-inch minimum diameter or by other methods as approved by the Department of Building and Safety.

SEC. 14.4.16. TEMPORARY SIGNS ON TEMPORARY CONSTRUCTION WALLS.

A. Permit Required. A building permit shall be required for a temporary sign on a temporary construction wall. Temporary signs on temporary construction walls shall comply with the construction requirements of Section 14.4.15 E of this Code-article. For purposes of this Section 14.4.16~~section~~, the term "applicant" shall mean the owner of the sign company or, if there is no sign company, the owner of the property.

B. Area. Notwithstanding the provisions of Section 14.4.15 B 1 and 2 of this Code-article, signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots pursuant to the terms of this section shall not extend above the top of the wall or fence and shall comply with the following:

1. The combined sign area of temporary signs shall not exceed eight square feet for each foot of street frontage on which the signs are located.
2. Individual signs shall not exceed a sign area of 250 square feet.
3. Signs may be grouped to form a maximum sign area of 250 square feet.
4. Signs or groups of signs having an area of 250 square feet shall be separated from any other sign on the temporary construction walls and/or solid wood fences surrounding vacant lots by at least ten feet measured horizontally, except that information signs governed by paragraph 8 of subsection F of this section may be placed within such ten-foot spaces.

C. Time Limit. Notwithstanding the provisions of Section 14.4.15 C of this Code, signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots pursuant to the terms of this section shall be allowed to remain for as long as the building permits associated with the construction site remain in effect or for a period of two years, whichever is less. Building permits for signs on solid wood fences surrounding vacant lots, which are not construction sites, shall be issued for a time period not to exceed one year. The Department of Building and Safety shall grant a new building permit for a period equal to the original building permit term upon the receipt of (i) an application for a new building permit, (ii) the payment of the building permit fee and (iii) a written statement from the Director of the Office of Community Beautification consenting to the new building permit.

D. Height. Signs may only be placed to a maximum height of eight feet.

E. Location. Temporary signs placed on the exterior surfaces of any temporary construction walls, and/or solid wood fences surrounding vacant lots are limited to lots located in the C or M zones.

F. Special Requirements for Signs on Temporary Construction Walls, and/or Solid Wood Fences Surrounding Vacant Lots.

1. Review by the Office of Community Beautification. At any time after the issuance of a building permit under this section and upon request of the Council district office of the Council district in which the site or lot is located, the Office of Community Beautification of the Department of Public Works (Office of Community Beautification) shall investigate an area consisting of a 500-foot radius around the permitted site or lot to determine whether there exists a public nuisance due to the presence of graffiti and/or posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property.

If the Office of Community Beautification cannot establish that the area constitutes a public nuisance because of the presence of graffiti, posters/handbills and any other illegal postings on public property within a 500-foot radius around the permitted site or lot, then the Office of Community Beautification shall expand the radius around the site or lot in 250-foot increments, up to a maximum radius of 1500-feet. If the Office of Community Beautification finds the existence of a public nuisance on public property within the expanded radius area beyond the original 500 foot radius, then it shall require the applicant to abate the public nuisance in the expanded radius area in accordance with Subdivision 3, below.

2. Notification of Locations for Placement of Signs. Within ten days after the issuance of the building permit, the applicant shall provide written notification to the Office of Community Beautification and the Council district office of the Council district in which the construction site or vacant lot is located. The notification shall contain the name and address of the applicant and the property address where the signs will be placed. The notification to the Office of Community Beautification shall include a copy of the applicant's contract with the property owner to post signs at the specified location.

3. Nuisance Abatement. It shall be the applicant's responsibility to clean and maintain free from graffiti public property and rights-of-way within an area consisting of a 500-foot radius or any expanded radius required by the Office of Community Beautification around the permitted site or lot. The applicant shall patrol the abatement area every 24 hours to search for graffiti and remove any graffiti within 24 hours of its discovery. The removal of graffiti shall include, but not be limited to, spray paint on walls, poles, and fences on public property. In addition, the applicant shall also be responsible for removing any posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property. At the time of graffiti removal, the applicant shall also remove any trash, debris or rubbish from the public sidewalks within the abatement area around the permitted site. The Office of Community Beautification shall enforce the provisions of this subsection.

4. Permit Revocation. Any building permit issued pursuant to this section may be revoked by the Department of Building and Safety for any of the following reasons, provided a written and signed notification of the applicant's

failure to comply with the following Paragraphs (a), (d), (e) or (f) of this subsection is sent to the Department of Building and Safety by the Director of the Office of Community Beautification:

(a) Failure by the applicant to maintain the temporary construction wall and/or solid wood fence surrounding a vacant lot free from graffiti.

(b) Failure by the applicant to comply with the terms of the permit.

(c) Failure by the applicant to maintain the bond required in Subsection A of this section.

(d) Failure by the applicant to eradicate graffiti within a 500-foot radius or any expanded radius required by the Office of Community Beautification of the temporary construction wall, and/or solid wood fence surrounding a vacant lot within 24 hours of receiving notification of the presence of graffiti from the Office of Community Beautification or the Council staff in the Council district in which the construction site or vacant lot is located.

(e) Failure by the applicant to remove posters/handbills placed on light poles, utility poles, bus stops and any other illegal postings on public property within a 500-foot radius or any expanded radius required by the Office of Community Beautification of the temporary construction wall, and/or solid wood fence surrounding a vacant lot, within 24 hours of receiving notification of the presence of posters/handbills or other illegal postings from the Office of Community Beautification or the Council staff in the Council district in which the construction site or vacant lot is located.

(f) Failure by the applicant, at the time of graffiti removal, to remove trash, debris or rubbish from the public sidewalks within the abatement area around the permitted site.

5. Removal of Signs. If the Department of Building and Safety revokes the building permit allowing signs on temporary construction walls, and/or solid wood fences surrounding vacant lots, then any signs placed on the temporary construction walls and/or solid wood fences surrounding vacant lots shall be removed by the applicant within 72 hours after receipt of written notification.

6. Public Nuisance. Any signs remaining on temporary construction walls, and/or solid wood fences surrounding vacant lots after the building permit is revoked are deemed to be a public nuisance that can be abated by utilizing the procedure contained in Section 91.8904, *et seq.*, of this Code.

7. Office of Community Beautification. The Office of Community Beautification is hereby designated the authorized representative of the City for

the purpose of enforcing and implementing the provisions of Sections 91.8904.1.2 and 91.8307 of this Code to remove the nuisances described in this Section 14.4.16.

8. **Information Sign.** Each temporary construction wall and/or solid wood fence surrounding vacant lots shall display an information sign that identifies the date the wall was erected or permitted, the address and telephone number of the person responsible for maintaining the property, and the address and telephone number of the Office of Community Beautification. If the Office of Community Beautification maintains a graffiti hotline then this telephone number shall also be displayed on the information sign. The information sign shall conform with the requirements of Section 14.4.6 of this Code, and may be located within the ten-foot spaces between signs on the temporary construction wall or solid wood fence.

SEC. 14.4.17. OFF-SITE SIGNS.

A. **Area.** The sign area of a single sign face shall not exceed 800 square feet.

B. **Height.**

1. The height to the top of the off-site sign shall be limited to a maximum of 42 feet above the sidewalk grade or edge of roadway grade nearest the sign, except that a sign that is more than 80 percent above a roof of a building may extend to the top of the sign a maximum of 30 feet above the surface of the roof under the sign.

2. In no event shall the height to the top of the off-site sign exceed a height greater than the height allowed by the height district, specific plan, or zone in which the sign is located, or by any applicable land use ordinance, or a height of 60 feet above the sidewalk grade or edge of roadway grade nearest the sign, whichever is more restrictive.

3. The bottom of the off-site sign shall be at least eight feet above the sidewalk grade or edge of roadway grade nearest the sign.

C. **Location.**

1. No portion of an off-site sign with a sign area greater than 80 square feet shall be placed within 200 feet of a residentially zoned lot, which is located on the same side of the same street as the lot on which the sign is placed. However, where a lot has two or more street frontages, a sign may be located on that street frontage, which is not on the same street as the residentially zoned lot; provided the sign and sign support structure are placed in that half of the lot that is the farthest from the street frontage on which the residentially zoned lot is located.

2. No portion of an off-site sign or sign support structure shall be located in that half of a lot located farthest from the street frontage when residentially zoned property is located to the rear of that street frontage.

3. Off-site signs are not permitted along that portion of a lot having a street frontage of less than 50 feet.

4. No more than four off-site signs shall be located at the intersection of two or more streets when the off-site signs are located within 150 feet of the intersection of two street frontages.

5. An off-site sign face shall not be located within one foot of an interior lot line.

D. Frontage Determination on Lots with Lot Lines Adjoining More Than One Street.

1. An off-site sign shall be considered to be on a single street for purposes of Subsections C and E of this section if the sign and its support structure are located entirely on the side of the bisecting line closest to that street and the sign face is placed at the same angle as the perpendicular line or at an angle not to exceed 20 degrees from either side of the perpendicular line as shown on Diagram C of this article.

2. An off-site sign located on a through lot shall be located on a single street if the sign and its support structure are located entirely on that half of the lot closest to the lot line adjoining that street.

Any off-site sign not in conformance with either Subdivision 1 or 2 above shall be considered to be located on more than one street frontage.

E. Spacing.

1. An off-site sign, which is either single-faced or parallel double-faced, shall be spaced as specified in Table No. B of this article from any other existing or previously permitted off-site sign, which is single-faced or parallel double-faced. If an off-site sign is located within a California Department of Transportation jurisdiction area, then the spacing rules set forth in Section 5408 of the Business and Professions Code must be followed, but spacing shall not be less than what this article requires.

2. For any double-faced off-site sign, the spacing requirements shall be based on the area of the largest sign face.

3. For double-faced off-site signs whose faces are not parallel, the spacing between any proposed, permitted or existing off-site sign shall be determined by the following formula:

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

WHERE:

D = required spacing between signs, in feet.

S = sign spacing determined from Table No. B, below, in feet.

B = widest edge separation of sign faces in feet.

4. Spacing shall be measured between off-site signs that are located on the same side of the same street. Spacing shall be measured from a line that is perpendicular to the building line and that passes through a point on the building line that is closest to the nearest sign face edge. Spacing shall be measured along the center line of the street.

F. Double-faced Off-Site Signs.

1. Off-site signs may be either single or double-faced.

2. For double-faced off-site signs whose faces are parallel, the distance between sign faces shall not exceed six feet.

3. For double-faced off-site signs whose faces are not parallel, the distance between sign faces at their widest point shall not exceed 35 feet. The separation of sign faces at their closest point shall not exceed six feet. In no event shall the angle between sign faces exceed 37 degrees.

G. Projection. Off-site signs shall not project beyond the building line.

H. Covering. The backs of off-site signs exposed to public view shall be covered with a finished surface or material and shall be properly maintained.

I. Other Requirements.

1. A maximum of two poles shall be permitted for any off-site sign. The maximum cross-sectional dimension of a pole shall not exceed ten percent of the overall height of the sign.

2. Off-site sign supports shall be structurally independent of a building.

3. Sign support structures must be located directly under the sign face as viewed from the front of the sign. The maximum horizontal distance between the center of the sign support structure and the sign face shall not exceed ten feet.

SEC. 14.4.18. AWNING SIGNS.

No awning sign shall be placed on any portion of an awning except the valance. The sign area is limited to a maximum of 12 inches in height on the portion of the valance that is parallel to the building face, and only when the awning complies with all applicable provisions of Section 3202 of the California Building Code and Section 91.3202.3.1 of this Code. Awning signs are not permitted on awnings with a valance above a height of 14 feet as measured from the nearest sidewalk or edge of roadway grade to the top of the valance.

SEC. 14.4.19. DIGITAL DISPLAYS.

1. Digital displays with changing messages shall observe a minimum duration of 8 seconds for each message. The message must remain static between transitions.

2. Digital displays with changing messages shall utilize either an instant transition between messages, or a fading transition with a transition time between messages of not less than 1 second and not more than 2 seconds. At no time shall a digital display go blank during a transition.

3. Based on new or updated information and studies, the City Council reserves the right to amend the standards set forth in this Section, and the illumination standards for digital displays set forth in Subsection F of Section 14.4.4 of this Article, in order to mitigate impacts on the visual environment on residential or other properties, to reduce driver distractions or other hazards to traffic, or to otherwise protect and promote the public health, safety and welfare. Further, the City Council reserves the right to apply these amended standards to existing digital displays.

SEC. 14.4.20. VINTAGE ORIGINAL ART MURALS AND PUBLIC ART INSTALLATIONS.

This section is reserved for future regulations on vintage original art murals and public art installations.

SEC. 14.4.21. SIGNS IN A AND R ZONES.

A. General Provisions.

1. No freestanding sign shall exceed a height of six feet.

2. No sign which is attached to a building shall project above the lowest portion of any roof, eave or ridge of the building.

3. A sign may be single-faced or double-faced and may be located in any required front yard, side yard, rear yard, passageway or other required open space.

4. No sign shall contain any flashing, moving, or digital display.

B. Temporary Signs. Temporary signs shall be allowed in the A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, R4 or R5 zones, subject to the following regulations:

1. The sign area of all temporary signs on a lot shall be less than 20 square feet for all the sign faces.

2. Temporary signs shall comply with the time limit specified in Section 14.4.15 of this Code.

C. Permanent Signs. Permanent signs shall be allowed in the zones and subject to the provisions listed below:

1. **A1 and A2 Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 20 square feet in area. No individual pole sign or monument sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the A1 or A2 zones shall not exceed 30 square feet in area for all the sign faces.

2. **RA, RE, RS, R1, RU, RZ, RW1, R2 and RW2 Zones.** One wall sign not to exceed two square feet in area shall be allowed on each lot.

3. **RD Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 15 square feet in area. No individual pole sign or monument sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the RD zones shall not exceed 20 square feet in area for all the sign faces.

4. **R3, R4, and R5 Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 20 square feet in area. No individual pole sign or monument sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the R3, R4, or R5 zones shall not exceed 30 square feet in area for all the sign faces.

5. **RMP Zone.** Any number of awning signs or wall signs shall be permitted on each lot. No individual awning sign or wall sign shall exceed 10 square feet in area. The sign area of all permanent signs on a lot in the RMP zone shall not exceed 15 square feet in area for all the sign faces.

SEC. 14.4.22. SIGN ADJUSTMENTS.

A. **Authority.** The Zoning Administrator shall have the authority to grant an adjustment of the provisions of this article pertaining to height, location, sign area of an individual sign, shape, projection, and clearance of signs; time limit of temporary signs; and sign type for commercial corners and mini-shopping centers. Any request for an adjustment pertaining to height or sign area of an individual sign is limited to an increase of 20 percent beyond what is otherwise permitted by this Code.

B. **Procedures.** No Sign Adjustment may be granted unless the Zoning Administrator makes all of the findings specified in this section. In making determinations on applications for a Sign Adjustment, no consideration shall be given to the content or message of the sign. The procedures for considering applications for a Sign Adjustment shall be the same as the procedures for Adjustments set forth in Section 12.28 of this Code, except that the findings for approval shall be as follows:

1. that site characteristics or existing improvements make strict adherence to the sign regulations impractical or infeasible; and
2. that the requested signage shall be 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 comprise other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas.

C. **Plan Approvals.** The procedures for considering an application for a plan approval for a Sign Adjustment shall be the same as the procedures for variances set forth in Section 12.27 U of this Code, except that the findings for approval shall be the findings set forth under subsection B of this Section.

D. **Off-Site Signs.** A Sign Adjustment for an off-site sign may be granted to approve an existing sign that was constructed under a valid building permit, but that no longer complies with that permit. Deviations from the existing permit may not exceed 20% of the sign area or height as allowed by the permit. Deviations from location shall stipulate that the sign is located on the same lot for which the permit was issued, and that the lot is not zoned for residential use. A Sign Adjustment shall not be granted to approve a condition that City records demonstrate was created after April 30, 2002. A Sign Adjustment shall also not be used to authorize the addition of or conversion to a digital display for any off-site sign.

SEC. 14.4.23. SIGN VARIANCES.

A. **Authority.** The Zoning Administrator shall have the authority to grant a variance in the provisions of this article pertaining to height, location, sign area of an individual sign, location of combined sign area, shape, projection, clearance, time limit of temporary signs, sign type, and number of signs. No Sign Variance shall allow any sign prohibited by Section 14.4.4 C of this Code.

B. **Procedures.** No Sign Variance may be granted unless the Zoning Administrator makes all of the findings specified in this Section 14.4.23. In making determinations on applications for a Sign Variance, no consideration shall be given to the content or message of the sign. The procedures for considering applications for a Sign Variance shall be the same as the procedures for Variances set forth in Section 12.27 of this Code, except that the findings for approval shall be as follows:

1. that the strict application of the sign regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the sign regulations;

2. that there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity; and

3. that the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

4. That the requested signage shall be 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 comprise other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas.

C. **Plan Approvals.** The procedures for considering an application for a plan approval for a Sign Variance shall be the same as the procedures for variances set forth in Section 12.27 U of this Code, except that the findings for approval shall be the findings set forth under Subsection B of this Section 14.4.23.

SEC. 14.4.24. COMPREHENSIVE SIGN PROGRAMS.

A. **Purpose.** A comprehensive sign program is intended to integrate the design of signs with the design of a development project's buildings and structures, in order to create a unified design or architectural theme. A further purpose of a comprehensive

sign program is to define common sign regulations for multi-tenant development projects and to meet the special sign requirements of uses with a need for flexible and innovative sign regulations, including museums and other cultural institutions, universities and college campuses, automotive dealerships, and stadiums and other sporting facilities. A comprehensive sign program is intended to create clear and attractive signs while complementing and protecting the character of surrounding areas by limiting visual clutter through appropriate regulation of the number, type, location, height, illumination, and orientation to and distance from the nearest street of the signs that the comprehensive sign program allows.

B. Eligibility.

1. An application for a comprehensive sign program may only be submitted for existing or proposed development projects on development sites that meet either of the following size criteria:

a. A minimum of three acres of non-residential development or at least 50,000 square feet of non-residential floor area if the site is located in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial" or is located in the "Greater Downtown Housing Incentive Area," as defined in Section 12.03 of this Code; or

b. A minimum of five acres of non-residential development or at least 100,000 square feet of non-residential floor area if the site is located in any other area.

2. A comprehensive sign program cannot be requested for property within an established Sign District or within the area of any Specific Plan, Historic Preservation Overlay Zone, or Supplemental Use District where such Plan, Zone or District that contains special signage regulations.

C. Sign Regulations. A comprehensive sign program may include provisions that vary from Sections 14.4.6, 14.4.7, 14.4.8, 14.4.9 (except 14.4.9 C3 and C4), 14.4.10, 14.4.11, 14.4.12, 14.4.13, 14.4.14, 14.4.15, 14.4.16, 14.4.18, 14.4.19, 14.4.20, and 14.4.21 of this Article; except any provisions limiting combined sign area; and including provisions governing the location of combined sign area. A comprehensive sign program may only authorize sign types defined in this article. The number, type, location, height, illumination, and orientation to and distance from the nearest street of all proposed permanent and temporary signs must be identified in the approved comprehensive sign program. In addition, the approved comprehensive sign program must identify the number of days each temporary sign will remain in one location.

D. Prohibited Signs. A comprehensive sign program may not include any signs prohibited by Section 14.4.4 C of this Code, except that off-site signs may be allowed, so long as they are consistent with the purpose of this section and the sign face and any sign illumination are is not visible from any public right of way or any property other than the subject property.

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

1. **Application.** An application for a comprehensive sign program shall be filed at a public office of the Department of City Planning, on a form provided by the Department, and accompanied by applicable fees. The application must identify,

~~through a visual representation in color, the number, type, location, height, illumination, and orientation to and distance from the nearest street of all proposed permanent and temporary signs. In addition, the application must identify the number of days each temporary sign will remain in one location and how and to what extent all proposed signs vary from the provisions of this article. The application must also demonstrate, through architectural elevation drawings or other visual representation, that no requested off-site signs face or sign illumination will be visible from any public right-of-way or any property other than the subject property.~~

~~2. **Public Hearing and Notice.** The City Planning Commission shall set the matter for a public hearing, following the procedures for providing notice of the time, place and purpose of the hearing as set forth in Section 12.24 D of this Code.~~

~~3. **Initial Decision by the City Planning Commission.** The City Planning Commission's initial decision shall be supported by written findings of fact based upon written or oral statements and documents presented to the Commission, which may include photographs, maps, and plans, together with the result of staff investigations. Upon making a determination pursuant to an application for a comprehensive sign program, the City Planning Commission shall transmit a copy of the written findings and decision to the applicant, the Department of Building and Safety, owners of all properties within 100 feet of the boundary of the subject property, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, and to all persons who have filed written requests for this notice with the Department of City Planning, and the applicable Certified Neighborhood Council. The City Planning Commission shall also place a copy of the findings and decision in the file.~~

~~4. **Content or Message.** The City Planning Commission's review of an initial comprehensive sign program, or an amendment to an approved comprehensive sign program, shall not consider the content or message of the proposed signs.~~

~~5. **Findings.** The City Planning Commission, or the City Council on appeal, shall make all of the below findings in order to approve an application for a comprehensive sign program. For the purposes of these findings, "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; and the "surrounding environment" shall comprise other nearby signs, other elements of street and site furniture, and adjacent properties.~~

~~a. The proposed signs are compatible with each other and with the overall design or architectural theme of the project;~~

~~b. The proposed signs are compatible with the buildings and structures on the development site and with the surrounding environment;~~

~~c. Any proposed signs within 500 feet of a residentially zoned lot are compatible with residential uses; and~~

~~d. No proposed off-site sign or sign illumination will be visible from any public right-of-way or any property other than the subject property.~~

~~6. **Filing of an Appeal.** Any person aggrieved by an initial decision of the City Planning Commission concerning a comprehensive sign program may appeal the decision to the City Council by filing an appeal with the Department of City Planning~~

~~within 15 days of the date of mailing of the City Planning Commission's decision. The appeal shall be filed at a public office of the Department of City Planning, on a form provided by the Department, and shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the City Planning Commission. The City Council shall not consider any appeal not filed within the 15-day period. The filing of an appeal stays proceedings in the matter until the City Council has made a decision. Once an appeal is filed, the City Planning Commission shall transmit the appeal and the file to the City Council. At any time prior to the action of the City Council on the appeal, the City Planning Commission shall submit any supplementary pertinent information it deems necessary or as the City Council may request.~~

~~7. **Appellate Decision – Public Hearing and Notice.** Before acting on the appeal, the City Council shall set the matter for hearing. The Department shall give notice by mail of the time, place and purpose of the hearing to the appellant, to the applicant, to the owner or owners of the property involved, to the City Planning Commission, and to any interested party who has requested in writing to be so notified. The notice shall be mailed at least 24 days prior to the hearing.~~

~~8. **Time for Appellate Decision.** The City Council shall make its decision within 75 days after the expiration of the appeal period. The 75 day time limit to act on an appeal may be extended by mutual written consent of the applicant and the City Council. If the City Council fails to act within this time limit, the action of the City Planning Commission shall be final.~~

~~9. **Appellate Decision.** The City Council may reverse or modify the ruling or decision appealed from only upon making written findings setting forth specifically the manner in which the action of the City Planning Commission was in error or constituted an abuse of discretion. The City Council's decision shall be based solely on the record and evidence and testimony introduced at the hearing. Upon making a decision, a copy of the findings and decision shall forthwith be placed on file in the Department of City Planning, and copies of the decision shall be sent to the applicant, the appellant, the Department of Building and Safety, and the Director of Planning.~~

~~10. **Compliance with an Approved Comprehensive Sign Program.** The Department of Building and Safety shall not issue a sign permit for a sign on any site subject to a comprehensive sign program unless it complies with the applicable comprehensive sign program, as determined by the Director of Planning.~~

~~11. **Plan Approvals.** The procedures for considering an application for a plan approval for a comprehensive sign program shall be the same as the procedures set forth in Section 12.24 M of this Code, except that the findings for approval shall be the findings set forth under Paragraph 6 of Subsection E of Section 14.4.24 of this Code.~~

SEC. 14.4.2524. CONTINUATION OF NONCONFORMING SIGNS.

Any existing sign that lawfully existed at the time the regulations with which it does not conform became effective may be continued, repaired and rehabilitated, including changes or replacement of copy and necessary structural, electrical and mechanical alterations to be conducted as set forth in Section 91.6216 of this Code. If the sign or sign support structure is a qualified historical structure, then the applicant

may comply with the applicable provisions of the California Historical Building Code in lieu of Division 62 of this Code. The replacement of nonconforming signs is allowed as permitted by Section 16.03 or Section 12.23 A 4 of this Code, or when the work is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition.

SEC. 14.4.2625. VIOLATIONS AND ADMINISTRATIVE CIVIL PENALTIES.

~~This section governs violations of the sign regulations set forth in this article and violations of any other sign regulations established by ordinance. It also governs the assessment of administrative civil penalties.~~

A. Purpose. This Section 14.4.25 of this Code applies only to the sign regulations set forth in article 4.4 of Chapter I4 and in article 8 of Chapter IX9 of this Code and to violations of any other sign regulations established by ordinance. The City Council finds there is a need for alternative methods of enforcing all provisions of this Code pertaining to signage. The City Council further finds that the assessment of additional civil administrative penalties for violations of these sign regulations is a necessary alternative method for gaining compliance with the sign regulations. The assessment of the assessment of civil penalties established in this article is in addition to any other administrative or judicial remedies established by law which may be pursued to address violations of the sign regulations; however, the method for assessing civil penalties established by this Section 14.4.25 shall only be used to assess only the civil penalties established in this Section 14.4.25 article may be assessed under this article.

B. Authority and General Provisions.

1. The Department of Building and Safety shall have the authority to issue orders to comply and assess penalties against any and all responsible parties for violations of any provisions of this Code pertaining to signage.

2. The owner of the property on which a sign is located and the owner of the sign and sign support structure are both responsible parties for complying with all provisions of this Code pertaining to signage. In addition, both the owner of the property and the owner of the sign/sign support structure are responsible parties are individually jointly and severally liable for to pay the civil penalties assessed pursuant to this section.

3. Violations of the sign regulations are deemed continuing violations and each day that a violation continues is deemed to be a new and separate offense.

4. Whenever the Department of Building and Safety determines that a violation of the sign regulations has occurred or continues to exist, the Department of Building and Safety may issue a written order to comply to each of the responsible parties.

5. The order to comply shall be mailed via U.S. first class mail to each responsible party.

6. Penalties shall begin to accrue on the 16th day after the effective date shown on the order to comply, unless the violation is corrected or the sign copy is removed before midnight on the 15th day after the effective date.

7. The amount of penalties shall follow the chart in Subsection C below. These penalty amounts shall be in addition to any other fees required by Chapter IX of this Code.

8. After correcting the violation or removing the sign copy, the responsible party must contact the representative of the Department of Building and Safety who issued the order to comply, to request a re-inspection. Any penalties assessed will cease to accrue starting on the day that the Department of Building and Safety determines through its re-inspection that the violation has been corrected or that the sign copy has been removed.

9. If the Department of Building and Safety rescinds an order to comply, the violation shall be considered corrected and no penalties shall be due.

~~10. All other matters pertaining to the issuance of orders to comply and assessment of penalties for sign code violations, to include the processing of appeals, shall be as regulated by Chapter IX of this Code.~~

~~10. Nothing in this Section _____ shall interfere with the authority of the City Attorney to bypass the administrative procedures in this Section _____ and file an enforcement action in civil or criminal court seeking to enforce any violation of this Section _____.~~

4. **C. Amount of Penalties.**

1. The amount of administrative civil penalties for off-site signs are as set forth in the following table:

SIGN AREA OF OFF-SITE SIGN IN VIOLATION	CIVIL PENALTIES PER DAY OF VIOLATION		
	First Violation	Second Violation	Third Violation and All Subsequent Violations
Less than 150 square feet	\$2,500	\$4,000	\$8,000
150 to less than 300 square feet	\$4,000	\$8,000	\$16,000
300 to less than 450 square feet	\$6,000	\$12,000	\$24,000

450 to less than 600 square feet	\$8,000	\$16,000	\$32,000
600 to less than 750 square feet	\$10,000	\$20,000	\$40,000
750 or more square feet	\$12,000	\$24,000	\$48,000

2. The amount of administrative civil penalties for on-site or noncommercial signs of any size shall be the same as the general civil penalty defined in Section 11.00 L of this Code, for the first and all subsequent violations.

3. For signs of less than 20 square feet in sign area, civil penalties per day for a violation of Section 14.4.21 of this Code article for signs of less than 20 square feet in sign area shall be \$500 per day of violation for the first and all subsequent violations.

D. Collection.

1. If the civil penalties are not paid in a timely manner, the City Council may order that the civil penalties be specially assessed against the real property on which the violating sign found in violation is located. If the City Council orders that the civil penalties be specially assessed against the real property on which the violating sign found in violation is located, it shall confirm the assessment, and the assessment may be collected at the same time and in the same manner as ordinary real property taxes are collected. The assessment shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary real property taxes. All laws applicable to the levy, collection, and enforcement of real property taxes are applicable to the special assessment.

2. The City Council may also cause a notice of lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of the real property, set forth the last known address of the record owner or possessor, the date on which the civil penalties were imposed, a description of the real property subject to the lien, and the amount of the penalty.

3. Any unpaid civil penalties may also be collected in accordance with the procedures set forth in Los Angeles Administrative Code Section 5.181 *et seq.*

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

SEC. 14.4.2726. APPEALS OF ADMINISTRATIVE CIVIL PENALTIES.

The procedures set forth in this section govern appeals of the administrative civil penalties assessed pursuant to Section ~~14.4.26~~ 14.4.25 of this Code article. Such appeals shall be reviewed and determined by the Director of Planning, who is granted authority to handle such appeals, including any aspects of an appeal involving

ordinances or laws relating to the construction, alteration, repair or demolition of signs or sign structures. Further, such appeals and shall not require review by the Board of Building and Safety Commissioners as would otherwise be required by Section 91.105.5.5 of Chapter 9 of this Code.

A. Filing of Appeals.

1. An appeal of civil penalties must be filed within 15 days of the effective date shown on the order to comply issued to the responsible party by the Department of Building and Safety. An appeal may only be filed by a responsible party.

2. The appeal must be filed at a public counter of the Department of City Planning, on a form provided by the Department of City Planning, and accompanied by the applicable fees. The appeal shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the Department of Building and Safety. The appeal shall be accompanied by a copy of the order to comply and any other relevant correspondence between the Department of Building and Safety and the responsible party. The submittal of the appeal shall follow the Mailing Procedures as published by the Department of City Planning, to include mailing recipients as specified in Paragraph 1 of Subsection D of this Section.

3. Upon the filing of any appeal made pursuant to this Section, the Department of City Planning shall provide a copy of the appeal to the Department of Building and Safety. The Department of Building and Safety shall provide to the Department of City Planning a written report addressing the assertions contained in the appeal and any other relevant information.

4. The Director of Planning shall assign the review of the appeal to an Administrative Hearing Officer. An Administrative Hearing Officer shall be a qualified employee of the Department of City Planning or other person whom the Director of Planning has deemed qualified to hear the appeal. The appellant may opt to apply for an expedited appeal review by paying the fees required to cover the cost of expedited review.

5. The City Attorney, upon the request of the Director of Planning, may assign a deputy or assistant city attorney to attend any hearing, and to give advice on any and all legal matters pertaining to the proceeding.

B. Filing Fees.

1. The fee to file an appeal under this Section 14.4.26 for standard appeal review shall be as specified in Table 4-A of Section 98.0403.2 of this Code.

2. The fees to file ~~for~~ an appeal ~~for expedited appeal review~~ shall be as specified in Section 19.01 B 3 of this Code.

3. If the responsible party withdraws its appeal of civil penalties, any portion of the fee not expended to process the hearing and review of the appeal shall be refunded.

C. Expedited Appeal Review. A hearing for an expedited appeal shall be scheduled no later than 30 days upon filing of the appeal.

D. Notification and Hearing Procedures.

1. The Department of City Planning shall ensure that notice is sent by mail of the date, time and location of the hearing to the appellant, all responsible parties, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, the applicable Certified Neighborhood Council, and to all persons known to the Department of City Planning to have an interest in the matter. The notices shall be mailed at least 25 days prior to the hearing and shall contain instructions for the submittal of comments in writing.

2. Any comments on the appeal must be received in writing, and shall be made available to members of the public upon request.

3. No less than 20 days before the hearing, the responsible party shall post notice of the hearing in a conspicuous location on the premises where the sign or sign structure that is the subject of the appeal is located.

4. The proceedings of the hearing shall be recorded by an audio recorder.

E. Decision

1. The Administrative Hearing Officer may overturn or modify, in whole or in part, the order to comply, and may reduce the amount of the civil penalties. The decision of the Administrative Hearing Officer shall be based solely on the record and evidence that relates to whether or not the responsible party violated the sign regulations and whether the Department of Building and Safety erred or abused its discretion as well as testimony introduced at the hearing. In making his or her decision, the Administrative Hearing Officer may consider the seriousness of the violation, previous violations, the number of days the violation has occurred, and good faith efforts taken by the responsible party to correct prior violations. The Administrative Hearing Officer, as part of the determination, shall make a finding regarding whether the matter may have a Citywide impact, as described in Subdivision 4 of Section 12.26 K of this Code.

2. If the Administrative Hearing Officer overturns the order to comply, the case shall be abated and all accrued penalties shall be rescinded. If penalties have been paid, the penalties shall be refunded.

3. If the responsible party withdraws its appeal of civil penalties prior to the hearing, civil penalties shall accrue from the date the ~~responsible party withdraws its appeal~~citation was issued until the violation is corrected.

4. If the Administrative Hearing Officer upholds the civil penalties, the responsible party shall correct the violation(s) (or remove the sign copy in its entirety) within 15 days of the date the decision is mailed to the responsible party, or within another time period as determined by the Administrative Hearing Officer. If the violation(s) are not corrected, or the sign copy removed in its entirety (and no sign copy is installed) within this 15-day 15-day period, or other period as determined by the Administrative Hearing Officer, penalties shall begin accruing after the end of the period on the 16th day pursuant to Section 14.4.25 B6 of this Code. But if the responsible party removes the sign copy in its entirety at any time (and does not install any sign copy) during the period no penalties shall accrue during the period. After the end of the period, the penalties shall resume until the violation is corrected (or the sign copy is removed in its entirety). ~~If the sign copy has been removed pursuant to Section 14.4.26 14.4.25 B 6, the accrual of civil penalties shall resume beginning 15 days after the date the decision is mailed to the responsible parties, unless the violation is corrected before that time.~~

5. The decision of the Administrative Hearing Officer shall be in writing. A copy of the decision shall be provided to the appellant, all responsible parties, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, the applicable Certified Neighborhood Council, all persons who have filed written requests for this notice with the Department of City Planning, and all persons known to have an interest in the matter.

6. The decision of the Administrative Hearing Officer may be appealed following the procedures set forth in Subdivisions 6 through 10 of Section 12.26 K of this Code. The City Planning Commission or the Area Planning Commission is granted authority to handle such appeals, including any aspects of an appeal involving ordinances or laws relating to the construction, alteration, repair or demolition of signs or sign structures.

SEC. 14.4.2827. RECOVERY OF COSTS.

Pursuant to the procedures and authority found in Los Angeles Administrative Code Section 7.35.3, any City department shall be entitled to recover any fee, charge or cost incurring in enforcing the sign regulations that is collectible under Government Code Section 54988. Collectible fees, charges or costs shall include permit fees, fines,

late charges, interest and costs incurred in performing inspections and otherwise enforcing the sign regulations.

Sec. 1344. APPLICATION OF REGULATIONS TO EXISTING PROJECTS AND INITIATED OR APPLIED FOR SIGN DISTRICTS AND SPECIFIC PLANS.

This ordinance amends Article 4.4 and related provisions of the Los Angeles Municipal Code to enact new requirements and provisions regulating signs. This ordinance also amends Section 13.11 of the Code to enact new findings and other criteria for the establishment of "SN" Sign Districts. This Section sets forth the rules for application of this ordinance to discretionary land use approvals and initiated or applied for Sign Districts and specific plans.

Discretionary Land Use Approvals.

This ordinance shall not apply to any discretionary land use approval set forth in Section 16.05 B 2 or Section 11.5.7 of the Los Angeles Municipal Code granted prior to the effective date of this ordinance, provided the approval is still valid and specifically allowed signs or otherwise granted relief from the sign regulations. In particular, this ordinance shall not supersede any of the provisions set forth in the approval related to signs, nor shall it supersede any of the procedures set forth in Chapter I of the Los Angeles Municipal Code that authorize a decision-maker to modify the provisions set forth in the approval related to signs.

Initiated or Applied for Sign Districts.

Any initiated or applied for Sign District shall be subject to the Sign District regulations in this Code as of ~~August 9, 2011~~ December 6, 2011, rather than to the subsequently updated regulations. Notwithstanding the foregoing, in order to approve such a Sign District, the following shall apply: (1) findings (e) and (f) of Paragraph 4 of Subsection B of Section 13.11 of this Code must be made; (2) to support those findings, the requirements of Subsection C of Section 13.11 must be met; and (3) the applicant for the Sign District must pay an application fee calculated pursuant to this Code in effect on ~~August 9, 2011~~ December 6, 2011, that covers all of the staff time to review the proposed Sign District.

An "initiated or applied for Sign District" is one which was not approved before ~~August 9, 2011~~ December 6, 2011 but was initiated or applied for before this date, pursuant to Section 12.32 of this Code; or any Sign District for which geographically defined boundaries were identified in a notice of preparation or an environmental impact report issued by the Department of City Planning before ~~August 9, 2011~~ December 6, 2011. The term "initiated" shall refer to any proposed Sign District for which a motion was introduced by a City Councilmember or Councilmembers and referred to the Department of City Planning.

After an initiated or applied for Sign District is adopted, any proposed amendments that would allow signs prohibited by Section 14.4.4 C of this Code shall be subject to the Sign District provisions in this Code at the time such amendments are proposed.

Initiated or Applied for Specific Plans.

Within any initiated or applied for specific plan, any regulations governing signage shall be removed from the proposed specific plan and set forth in a proposed Sign District. The proposed Sign District shall be reviewed concurrently with the specific plan, shall not require an application fee, may be allowed in any zone, and shall be subject to the regulations governing specific plans in this Code as of ~~August 9, 2011~~ December 6, 2011, rather than the regulations governing Sign Districts. Notwithstanding the foregoing, in order to approve the Sign District, the findings (e) and (f) of Paragraph 4 of Subsection B of Section 13.11 of this Code must be made. In order to support such findings, the requirements of Subsection C of Section 13.11 must be met.

An "initiated or applied for specific plan" is one which was not approved before ~~August 9, 2011~~ December 6, 2011 but was initiated or applied for before this date, pursuant to Section 12.32 of this Code; or any specific plan for which geographically defined boundaries were identified in a notice of preparation or an environmental impact report issued by the Department of City Planning before ~~August 9, 2011~~ December 6, 2011. The term "initiated" shall refer to any proposed Sign District for which a motion was introduced by a City Councilmember or Councilmembers and referred to the Department of City Planning.

After an initiated or applied for specific plan is adopted and a Sign District is adopted as provided above, any proposed amendments to the Sign District shall be subject to the Sign District provisions in this Code at the time such amendments are proposed.

Sec. 1445. Subsection B of Section 19.01 of the Los Angeles Municipal Code is amended to read:

B. Appeal Fees.

1. Except as expressly provided in Subdivisions 2 and 3 below, the following fees shall be charged and collected with the filing of all appeals.

a. A fee equal to 85 percent of the underlying application or \$13,277 for first level appeal and \$11,211 for additional level appeals, whichever is less when the appeal is made by the applicant.

b. A fee of \$89.00 in the case of an appeal by a person, other than the applicant, claiming to be aggrieved.

2. An appeal filed pursuant to Section 12.26 K.2. of this Code, shall be accompanied by a filing fee as specified in Table 4-A of Section 98.0403.2 of the Code, to be collected by the Department. An appeal filed pursuant to Section 12.26 K.6. of this Code shall be charged a fee in accordance with Subdivision 1., above.

3. Expedited Sign Appeal. An appeal filed pursuant to Section 14.4.27-14.4.26 C of this Code shall be accompanied by an initial filing fee of \$3,000. Any additional costs to the City for human and physical resources necessary to process the appeal in an expedited fashion shall be charged to the appellant.

Sec. 15. Subsection A of Section 19.01 of the Los Angeles Municipal Code is amended to read:

<u>Type of Application</u>	<u>Fee (1)</u>
<u>Zone Change - Single Family and Multi-Family dwelling up to 49 units</u> (Section 12.32)	<u>\$11,734 (2)</u>
<u>Zone Change - Single Family and Multi-Family dwelling - additional fee for each 50 units over 49</u> (Section 12.32)	<u>\$5,747 (2)</u>
<u>Zone Change - Non-residential less than and including 49,999 square feet</u> (Section 12.32)	<u>\$11,737</u>
<u>Zone Change - Non-residential 50,000 square feet and greater</u> (Section 12.32)	<u>\$16,440</u>
<u>Clarification of Q Classifications or D Limitations - each</u> (Section 12.32 H.)	<u>\$4,428</u>
<u>Land Use Determinations by City Planning Commission</u> (Section 12.24.1)	<u>\$11,060</u>
<u>Amendment of Council's Instructions involving (T) Tentative Classifications</u> (Section 12.32)	<u>\$4,264</u>
<u>Height District Change</u> (Section 12.32)	<u>\$11,123</u>
<u>Supplemental Use District: Change or Removal including, but not limited to, O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, NSO and Tier 1 SN Districts</u> (Section 12.32 S.)	<u>\$67,915</u>
<u>Supplemental Use District: Establishment including, but not limited to, O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, NSO and Tier 1 SN Districts</u> (Section 12.32 S.)	<u>\$134,608</u>
<u>Tier 2 Sign District – Establishment</u> (Section 13.11 D)	<u>\$67,915</u>
<u>Tier 2 Sign District - Change or Removal</u> (Section 13.11 D)	<u>\$31,316</u>
<u>Conditions of Approval for Oil Drilling</u>	<u>\$7,650</u>

(Section 13.01 H.)	
<u>Zone Boundary Line Adjustment</u> (Section 12.30 H.)	<u>\$5,473</u>
<u>Building Line - Establishment, Change or Removal</u> (Section 12.32)	<u>\$8,833</u>
<u>Surface Mining Permits</u> (Section 13.03)	<u>\$2,640</u>

Sec. ~~164516~~. Subsection G of Section 19.01 of the Los Angeles Municipal Code is amended to read:

———**G. Sign Applications.**

[FILING FEE]

Type of Application	Fee
Comprehensive Sign Program (Section 14.4.24)	\$31,316
Amendment of Comprehensive Sign Program (Section 14.4.24)	\$5,748
Sign Variance (Section 14.4.23)	\$6,448
Sign Adjustment (Section 14.4.22)	\$5,370
Plan Approval – Sign Variance (Section 14.4.23 C)	\$5,754
Plan Approval – Sign Adjustment (Section 14.4.22 C)	\$5,754

Sec. ~~164717~~. **STATEMENT OF INTENT.**

This ordinance amends Article 4.4 of Chapter 1 of the Los Angeles Municipal Code to clarify that the sign regulations are permissive. This ordinance affirms the Council's intent that a use or structure is only allowed if the codes and ordinances of the City of Los Angeles expressly allow it. Any use or structure that is not regulated by these codes and ordinances is prohibited. This amendment clarifies the Council's long-standing interpretation and does not change existing law.

In addition, when supergraphic signs, extremely large wall signs, first appeared they were regulated as either wall signs or temporary signs. In 2002, the Council added a definition to the Code for supergraphic signs and enacted a ban. This ordinance

deletes the definition of supergraphic signs. It is the intent of Council in enacting this ordinance's new provisions to again require that supergraphic signs comply with the provisions of wall signs or temporary signs.

In addition to the above, Council's enactment of this ordinance is an exercise of the City's police powers and, therefore, its provisions shall apply to all signs citywide regardless of any provisions to the contrary set forth in any settlement agreement entered into prior to the effective date of this ordinance.

DIAGRAM A

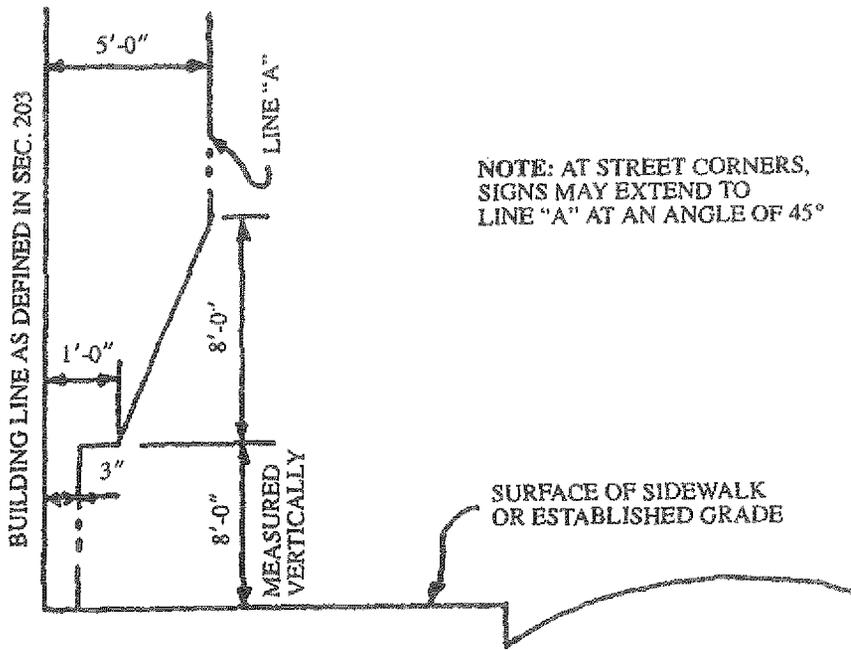
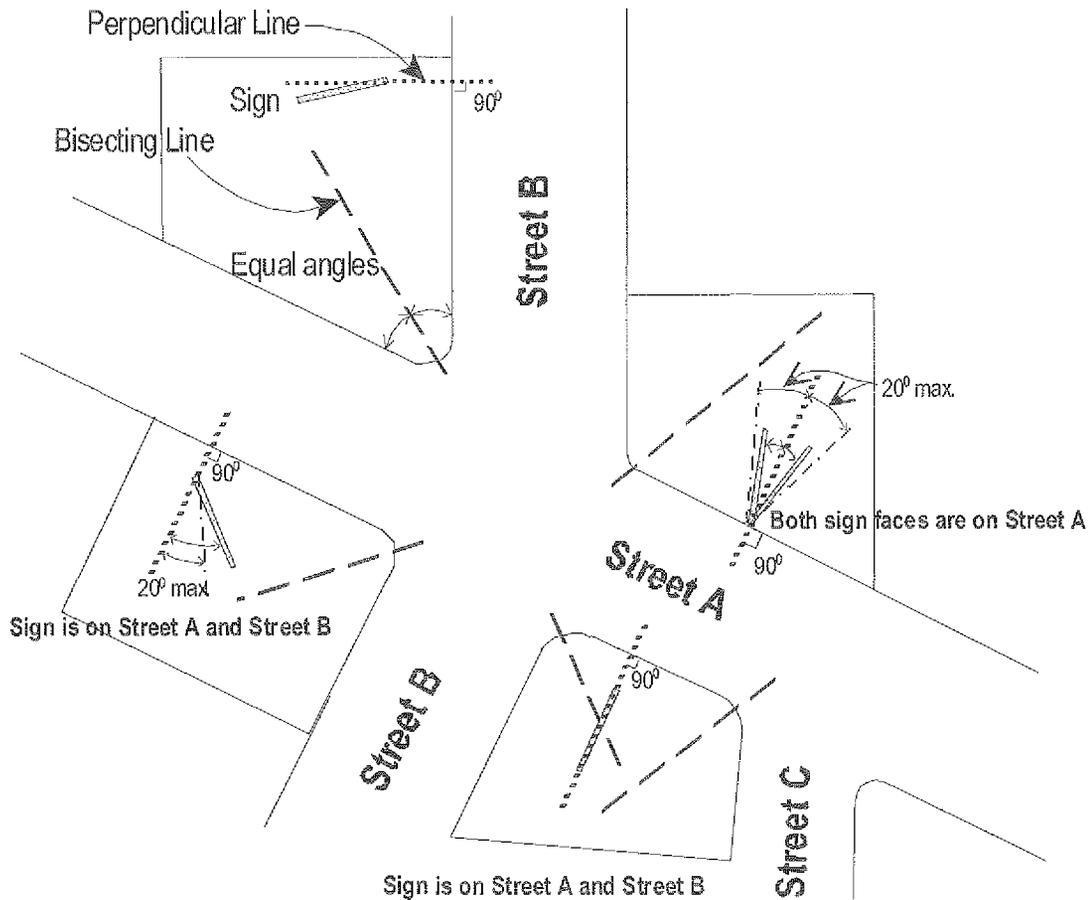


TABLE NO. B
SPACING REQUIREMENTS BETWEEN OFF-SITE SIGNS

	Sign Area	PROPOSED SIGN		
		Less than 80 sq. ft.	80 sq. ft. to 300 sq. ft.	Greater than 300 sq. ft.
Existing or Permitted Sign	Less than 80 sq. ft.	100 ft.	100 ft.	200 ft.
	80 sq. ft. to 300 sq. ft.	100 ft.	300 ft.	300 ft.
	Greater than 300 sq. ft.	200 ft.	300 ft.	600 ft.

DIAGRAM C



Sec. 4718. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles at its meeting of _____.

JUNE LAGMAY, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

CARMEN E. TRUTANICH, City Attorney

Pursuant to Charter Section 559, I disapprove this ordinance on behalf of the City Planning Commission and recommend that it be adopted

September/December , 2012

By _____
KENNETH T. FONG
Deputy City Attorney

See attached report.

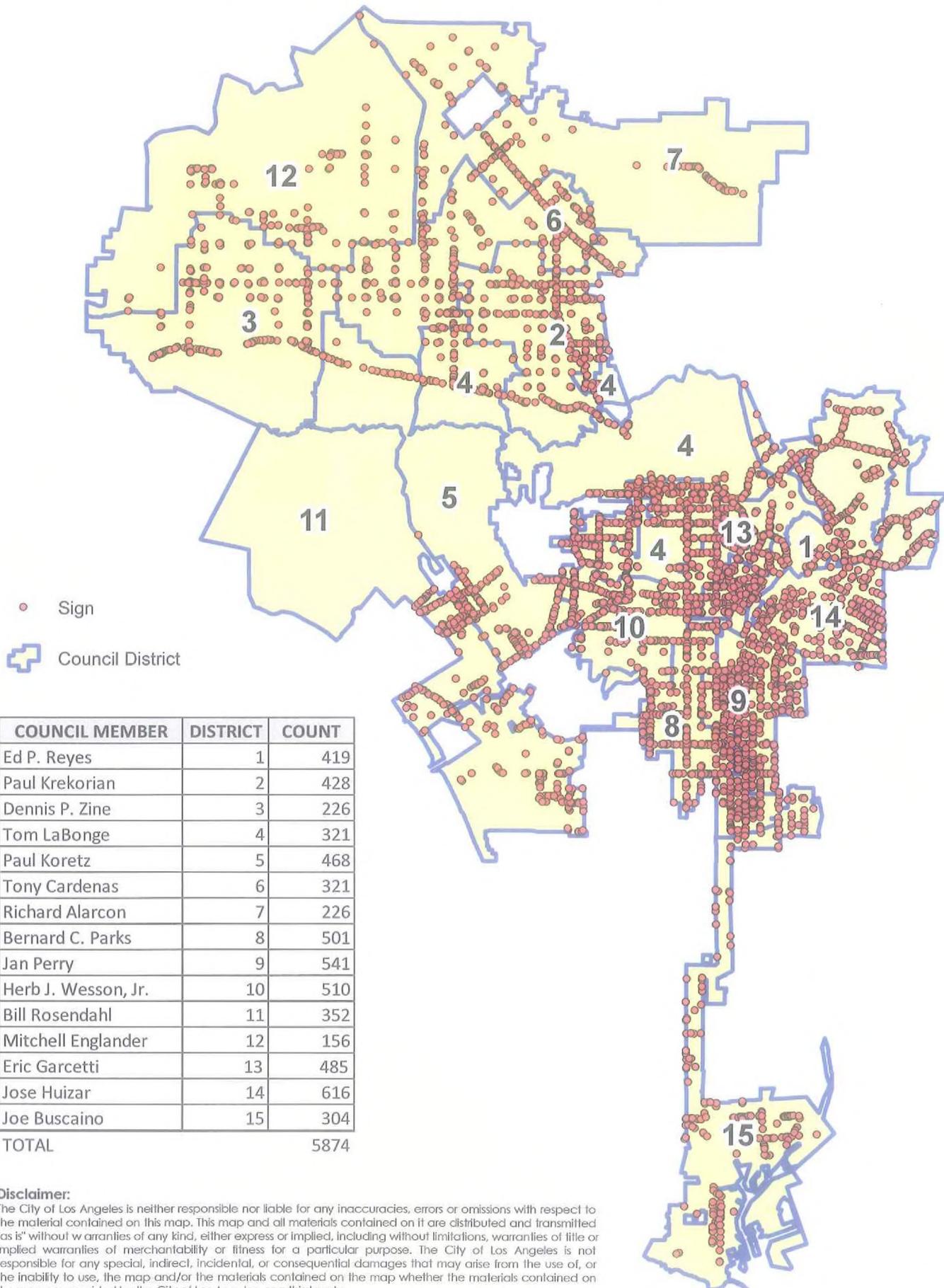
Date _____

Michael LoGrande
Director of Planning

File No(s). _____

(M:\Real Property and Land Use\Land Use\Kenneth Fong\Citywide Sign Ordinance 2011\City Attorney Drafts\12.4.12
24Red-lined Ordinance for PLUM 12.11.12)

Off-Site Signs in the City of Los Angeles



**“Grandfathering” of Pending Sign Districts and
Specific Plans – DEC. 2012 UPDATE –**

Currently there are 14 pending Sign Districts or Specific Plans where special sign allowances would allow sign types prohibited by the proposed sign ordinance. These areas would be impacted by the new sign ordinance unless they are “grandfathered” as defined in Section 13 of the proposed sign ordinance, or allowed to continue through the review and hearing process under the existing eligibility standards of Sign Districts. These 14 proposed projects consist of:

- **Table A:** Six proposed Sign Districts initiated by City Council motions
- **Table B:** Two requested Specific Plans which would allow off-site signage
- **Table C:** Three amendments to existing Specific Plans or special ordinances to modify signage
- **Table D:** Three proposed Sign Districts initiated by private property owners' applications

Following these four tables is a fifth table which summarizes proposals listed on previous “grandfathering” lists, which have since been adopted.

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

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Case File Number</i>	<i>Mover and Date of Motion</i>	<i>Status</i>
Figueroa Corridor	East and west sides of Figueroa Street generally between Olympic and Wilshire Boulevards.	9	CF 11-0273	Councilmember Perry, 02/18/11	Pending with Planning Department
Koreatown	Bounded generally by 6 th 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 st St to the north, Boylston to the west, 3 rd 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	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	Councilmember Krekorian 11/29/2011	Referred to DCP on 12/06/2011
LAX SUD	Los Angeles International Airport	11	CPC-2011-1964-SN	8/2/2011	Draft EIR released on 10/12/12, until 11/26/12
Roxford & Encinitas	12775-12881 N. Encinitas Avenue	7	CPC-2011-1936-SN; CF 12-1442	Initiated by CPC 7/29/11	Adopted by CPC on 8/23/12; Referred to PLUM

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

Common Name	Location	Council District	Case Number	Status
Boyle Heights Mixed Use (Wyvernwood)	2901 E. Olympic Boulevard, 90023	14	CPC-2010-851-SP	Case Filed on 4/6/10
NBC/Universal Evolution Plan	100 -100 UNIVERSAL CITY PZ, 91608	4	CPC-2007-251-GPA-ZC-SP	Approved by CPC and referred to PLUM on 11/19/12

Table C: Areas that have an existing Specific Plan or special ordinance that is requested to be amended to change the signage allowed

Common Name	Location	Council District	Existing Ordinance	Case Number	Status
Convention Center Modernization and Farmers Field Event Center	Bounded generally by 9 th St to the north, Flower St to the east, Venice Blvd to the south, and the 110 to the west	9	No. 172,465	CPC-2008-3374-SP	Notice of preparation issued by DCP in May 2011
Warner Center Specific Plan	Warner Center	3	No. 168,873 (et. seq.)	CPC-2008-3470-SP-GPA-ZC-SUD	CPC Hearing on 11/29/12
Central City West Specific Plan	1111 James M. Wood	1	No. 166,703	CF 08-1225	File Expired on 9/16/11

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

Common Name	Location	Council District	Case File Number	Date of Application	Status
NBC Universal	West side of Lankershim between the 101 & Valley Hear Dr; both sides of Campo De Cahuenga between the 101 & Lankershim	4	CPC-2008-3512-GPA-ZC-HD-BL-SN-CUB-CUW-CU-ZAD-SPR	8/22/08	Approved by CPC on 10/25/12, referred to City Council
Metropolis	Bounded by the 110 to the west, 110 offramp to the south, Francisco St to the east and 8 th St to the north	9	CPC-2008-4557-SN	11/10/08	Case on Hold (EIR 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

Proposals on Previous "Grandfathering" Lists That Have Since Been Adopted

Common Name	Location	Council District	Case Number	Status
USC Specific Plan	Greater Downtown Los Angeles area, including the community surrounding the University of Southern California (USC)	8, 9	CF#08-2620	Adopted by the City Council on 3/20/2012
Figueroa and Olympic	Block bounded by 9 th St to the north, Flower to the east, Olympic to the south, and Figueroa to the west	9	CPC-2007-842-SN	Adopted by City Council on 7/24/12; Ordinance No. 182200

**CITY OF LOS ANGELES
CALIFORNIA**

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

When making inquiries relative to
this matter, please refer to the
Council File No. 08-2020, 11-1705

www.cityclerk.lacity.org

December 14, 2011

Michael LoGrande
Director of Planning

Honorable Carmen A. Trutanich, City Attorney

At its meeting held on December 5, 2011, the Planning and Land Use Management (PLUM) Committee considered reports from the Department of City Planning and City Administrative Officer and revised proposed ordinance relative to amending Los Angeles Municipal Code (LAMC) Sections 11.5.7, 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of Chapter 1 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, and related matters.

The Committee took the following actions:

1. Approved the Planning Department draft sign ordinance and requested the City Attorney to prepare the sign ordinance as to form and legality.
2. Approved the recommendation contained in the City Administrative Officer report dated December 1, 2011 and requested the City Attorney to add the Los Angeles Zoo and Botanical Gardens to the list of areas eligible to apply for sign district designation under LAMC Section 13.11.
3. Approved the Planning Department recommendations contained in the reports dated July 22, 2011 and October 5, 2011.
4. Approved the Planning Department recommendations and proposed draft ordinance contained in the report dated November 21, 2011 along with the additional recommendations below:
 - a. Amend LAMC Section 13.11 B-3 to allow properties that include a stadium with a seating capacity of 50,000 or more to be eligible for Sign Districts.

- b. Amend LAMC Section 13.11 B-3 to improve the limitations on off-site signs near scenic highways and low-density residential zones and to add limits on off-site signs near state or national parks or River Implementation Overlays.
 - c. Amend LAMC Section 14.4.3 F to specify that geographically specific regulations supercede Article 4.4 if there is a conflict.
 - d. Amend LAMC Section 14.4.24 B to state that a Comprehensive Sign Program may not be requested for property within a Historic Preservation Overlay Zone.
 - e. Establish a Sign Advisory Committee to advise the proposed Sign Unit staff, consultants, the City Planning Commission and the City Council on matters related to the Sign Unit's work, and instruct the Planning Department to both prepare a list of potential members that would represent diverse stakeholder viewpoints and submit the list to the PLUM Committee for review and consideration.
 - f. Reduction of minimum Sign Unit District size for Downtown Los Angeles to 2,640 linear feet.
 - g. Limit brightness standards under the interior sign exception to 0.3 foot-candles as measured from the nearest residentially zoned property.
 - h. Establish December 6, 2011 as the grandfathering date.
5. Instructed the Planning Department, with the assistance of the City Attorney, to report and/or provide recommendations on the following:
- a. Motion (Perry – Parks) recommendation relative to permitting banners and signs at City-owned facilities and parks. (Council file No. 11-0724)
 - b. Cross promotion matter addressed in Councilmember Perry's letter dated December 5, 2011. (Council file Nos. 08-2020 and 11-1705)
 - c. Request made by Councilmember Krekorian to change the on and off-site sign definitions to:
 - 1) Off-site sign – A sign where any portion of which is used solely to advertise business conducted, services rendered or goods produced or sold at a location other than the lot upon which the sign is placed.
 - 2) On-site sign – A sign that is used exclusively to advertise business conducted or services rendered or goods produced or sold on the lot upon which the sign is placed, which may include references to business conducted, services rendered or goods produced or sold at a location other than the property upon which the sign is placed provided that those references serve to promote business conducted or services rendered or goods produced or sold on the lot upon which the sign is placed.

Please prepare as a response as requested by the PLUM Committee. When this matter is scheduled for Committee consideration, your attendance, or that of your designee, is respectfully requested.

Sincerely,

Sharon Gin, Committee Clerk
Planning and Land Use Management Committee
213.978.1074
Sharon.Gin@lacity.org

082020_120511.doc

An Equal Employment Opportunity – Affirmative Action Employer

Motions to be Considered Through an Additional Work Program

The below chart summarizes previous City Council motions on the sign ordinance which resources are not currently in place to study and develop.

Number	Council District (Mover)	Date	Council File #	Topic of Motion
1	4	05/26/09	08-2020 (13G)	Sign Districts – greater downtown area only
2	4	05/26/09	08-2020 (13H)	Grandfather 2 pending Sign Districts only
3	6	05/26/09	08-2020 (13K)	Limit wall sign area to 300 sq ft per wall
4	2	05/26/09	08-2020-S1	On-site sign inspection / fee program
5	6	07/08/09	08-2020-S3	Arts fee / arts messages
6	7	07/15/09	Verbal and 08-2020-S4	Citywide billboard trade program
7	9	10/23/09	08-2020-S5	Exception from ban – substantial work
8	13	11/03/09	09-2717	Re-permitting and modernization
9	5	11/24/09	09-2855	On-site digital signs ICO for CD 5
10	1	12/9/09	08-2020-S6	Billboard reduction/relocation and revenue generation
11	9, 8	5/3/11	11-0724	Off-site signs in parks
12	1, 2	10/10/12	12-1611	Settlement agreement working group

12-16-11
Rep 08 1573 52

MOTION

OCT 10 2012

Despite recent efforts to clarify the City's sign regulations, the state of off-site digital signs in the City is unsettled. The City is currently in litigation over settlement agreements that resolved prior litigation over the City's sign regulations. Pursuant to settlement agreements with the City, certain sign companies previously agreed to take down a percentage of their total billboard inventory in the City and to apply for permits to modernize a limited number of traditional signs to digital. These agreements did not provide for a revenue component whereby the companies would provide revenue to the City in connection with their operation of digital signs. Thereafter, some sign take-downs were completed, a number of traditional signs were modernized pursuant to Department of Building and Safety permits, and other permit applications were filed without permits being issued.

Another sign company sued the City in 2008 challenging one of the City's settlement agreements. That litigation, *Summit Media, LLC v. City of Los Angeles* (Case No. B220198), is pending in the Court of Appeal and creates uncertainty over the status of existing signs modernized pursuant to City permits, signs that were in the process of modernization, as well as other modernizations contemplated by the settlement agreements. The City could potentially face legal and financial risks as a result, and potential disputes related to the settlement agreements could impact City resources regardless of how the court rules. Oral argument is now scheduled for this matter at the Court of Appeals on October 30, 2012.

Meanwhile, the City's budget crisis has worsened and the City is challenged to find revenue for community benefits and basic services. The City does not receive any revenue from existing digital signs, and the City has not yet taken advantage of opportunities for public benefits presented by digital signs.

It is critical that the City act now – before any Court of Appeal ruling could affirm the validity of the prior settlement agreements – and create a framework for the City to obtain public benefits from sign companies and to allow fewer total digital conversions than the number addressed by the City's existing settlement agreements. Regardless of the outcome of *Summit Media*, the City faces potential further litigation and financial liabilities, and the City should create a viable framework through legislation to deal with existing digital signs, digital signs that were in process or otherwise contemplated by the settlement agreements, and other potential sign modernizations that could provide opportunities to reduce the number of signs in the City or fund vital City services.

Such an ordinance could generate significant revenue for the City each year and help ensure that the City is able to continue delivering vital services. The City could also avoid substantial potential liabilities and conserve valuable City resources by addressing the status of digital signs, and reduce the total number of signs in the City. Such potential legislation should be carefully reviewed in the open and include guidelines that protect residential neighborhoods.

01/11/12



I THEREFORE MOVE that the City Council instruct the Planning Department and the Chief Legislative Analyst to immediately convene a working group that includes sign companies that have settlement agreements with the City and that are interested in resolving potential legal disputes about those agreements through a framework providing public benefits to the City in connection with digital signs and reducing the number of signs in the City. Within thirty days, the working group, working closely with the Planning Department and the Chief Legislative Analyst, is to provide the Budget & Finance Committee with draft legislation and draft binding agreements that would address digital sign issues and extinguish the City's potential liabilities in relation to the settlement agreements. Such legislation should create a process to reduce the total number of signs in the City and provide substantial public benefits focused on aesthetics. It should also resolve issues relating to the legality of modernization permits and applications, address the legality of existing digital signs pursuant to criteria to be recommended by the working group, and address other potential issues involving digital sign modernizations. Consideration should be given to an advance contribution of public benefits that allows for significant payments to the City within one year of passage in order to assist with the City's current, pressing budget shortfall and meet the service needs of the people of Los Angeles.

I FURTHER MOVE that a closed session be scheduled with the City Attorney's office to discuss matters related to the *Summit Media* Case in light of the upcoming Oral arguments on October 30, 2012.

PRESENTED BY:



ED REYES

Councilmember, 1st District



PAUL KREKORIAN

Councilmember, 2nd District

SECONDED BY:



TONY CARDENAS

Councilmember, 6th District

ORIGINAL

MOTION

I MOVE that the motion on today's agenda pertaining to billboards, Item #10 (CF 12-1611) BE AMENDED to append the following to the motion:

I FURTHER MOVE that, upon the completion of the working group's deliberations, the Chief Legislative Analyst work with the Department of Neighborhood Empowerment to provide a notification to all of the City's Neighborhood Councils of any legislation or agreements proposed by the working group.

I FURTHER MOVE that no legislation or agreement proposed by the working group shall become binding unless they have been heard in both the Planning and Land Use Management and the Budget and Finance Committees.

I FURTHER MOVE that no legislation or agreement proposed by the working group shall become binding unless they have been considered and approved in a regular meeting of the Council and should not be scheduled as an item on a special agenda.

Presented by: Paul Krekorian
PAUL KREKORIAN
Councilmember, 2nd District

Seconded by: [Signature]

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OCT 16 2012

AMENDING MOTION

I HEREBY MOVE that Council APPROVE the following recommendations (Item No. 1, Council file No. 12-1611) relative to convening a working group to address digital sign issues and extinguish the City's potential liabilities in relation to settlement agreements:

1. AMEND the first two sentences of Recommendation No. 1 of Motion (Reyes – Krekorian – Cardenas) to read as follows:

"INSTRUCT the Planning Department and the Chief Legislative Analyst (CLA) to immediately begin working to resolve potential legal disputes with billboard advertising companies that have settlement agreements with the City and other outdoor advertising companies through a framework providing public benefits to the City in connection with digital signs and reducing the number of signs in the City. Within 30 days, the Planning Department and CLA are to provide the Budget and Finance Committee with draft legislation and draft binding agreements that would address digital sign issues and extinguish the City's potential liabilities in relation to the settlement agreements."

2. AMEND Motion 10A (Krekorian – Reyes) to read as follows:

"I FURTHER MOVE that, upon completion of City staff's consideration, the Chief Legislative Analyst work with the Department of Neighborhood Empowerment to provide a notification to all of the City's neighborhood Councils of any legislation or agreements proposed by staff.

I FURTHER MOVE that City staff outreach to the seven Neighborhood Council alliances.

I FURTHER MOVE that no legislation or agreement proposed by City staff shall become binding unless they have been heard in the Planning and Land Use Management, Budget and Finance, and Education and Neighborhoods Committees.

I FURTHER MOVE that no legislation or agreement proposed by City staff shall become binding unless they have been considered and approved in a regular meeting of the Council and should not be scheduled as an item on a special agenda."

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
ED P. REYES
Councilmember, 1st District

October 16, 2012

CF 12-1611