

Your **PLANNING AND LAND USE MANAGEMENT, MAJORITY REPORT** Committee

reports as follows:

NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE MAJORITY REPORT relative to proposed amendments to certain sections of the Los Angeles Municipal Code to establish total sign area limits for properties; establish area and height limits for individual signs; prohibit off-site signs, digital displays and roof signs; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment.

Recommendations for Council action, pursuant to Motion (Weiss - Reyes - Garcetti, et. al):

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 08-2020 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Negative Declaration [ENV 2009-0009 ND].
2. APPROVE the proposed Sign Ordinance as recommended by the City Planning Commission (CPC) on March 26, 2009.
3. APPROVE the Chief Zoning Administrator's recommendations, contained in a report May 6, 2009, and attached to Council file No. 08-2020, relative to revisions and clarifications to the Sign Ordinance, as recommended by the CPC, on March 26, 2009.
4. APPROVE Attachment 4 of the May 6, 2009, Chief Zoning Administrator's Report as to the "grandfathering" of pending Sign Districts, as shown in the attachment to the Committee report.
5. REQUEST the City Attorney to prepare the final draft Ordinance amending Sections 11.5.7, 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of Chapter 1 of the Los Angeles Municipal Code to establish total sign area limits for properties; establish area and height limits for individual signs; prohibit off-site signs, digital displays and roof signs; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment. The final draft of the Ordinance should include the following revisions:
 - a. No Signage Supplemental Use District (SUD) should abut a designated scenic highway.

- b. Amend the language in Section 14.4.21 (Comprehensive Sign Program), Subsection B.2. of the proposed Ordinance as approved by the CPC, to read:

A Comprehensive Sign Program:

"may only be submitted for existing or proposed development projects on development of sites that have a "minimum of 5 acres OR 100,000 square feet." The option of acres or square feet is to apply to the downtown center only.

- c. Amend the definition of an off-site sign, to clarify the distinction between off-site and on-site signs.
 - d. Allow signage "plan approvals" to be requested if they were specifically allowed under previously approved variances or conditional use permits.
6. REQUEST the City Attorney to amend the Statement of Intent to include language that bans second faced off-site signs and trivision off-site signs as provided for under existing settlements.
 7. DIRECT the Planning Department and the City Attorney to report back on the following questions related to the grandfathering of the pending applications for SUDs:
 - a. Will the city's new ordinance be vulnerable to more litigation and would the processing of those applications be deemed arbitrary and subject to unfettered discretion?
 - b. Can the Council require that all pending SUD applications be required to take down signage elsewhere in the city?
 - c. What is the rationale for including more SUD applications than the CPC proposed?
 8. DIRECT the Planning Department and Department of Building and Safety to create standards to reduce the brightness and illumination, control amount of flashing, and limit hours of operation to mitigate impacts on adjacent communities and promote traffic safety.
 9. DIRECT the Department of Building and Safety, City Attorney and Planning Department to report back on the following questions:
 - a. What are options for Council to deal with repermitting rights granted under the settlement?
 - b. What are implications of extending the rights to repermit to all companies in the market?
What is the impact on the visual environment?
How many existing signs could potentially be made taller or larger?
 - c. What would the impact be on revoking the repermitting rights granted under the settlement?
Would it lead to widespread litigation? Would it lead to a take signs of signs that were illegally operated and erected? Would it require the modification of existing signs?
 10. DIRECT the Planning Department to craft a clearer distinction between terms "exterior" signs and "interior" signs, which are not intended to be regulated by this ordinance.
 11. REQUEST the Planning Department to report back on the section of the Ordinance relative to marquee signs and to clarify whether allowing cloth hanging from a marquee sign (which may be viewed as clutter) should also be amended.

12. REQUEST the Planning Department to report back on whether the proposed Ordinance would create obstacles to restoring, replacing, replicating or adding additional historic signage on nominated or designated historic cultural landmarks, or within recognized historic districts.
13. REQUEST the Planning Department to report back on whether the City could allow more temporary signage for new or substantially rehabilitated buildings.

Fiscal Impact Statement: None submitted by the City Planning Department. Neither the Chief Legislative Analyst nor the City Administrative Officer has completed a financial analysis of this report.

Community Impact Statement: Yes

General Comment: Greater Griffith Park Neighborhood Council
For Proposal: Westside Neighborhood Council
Against Proposal: Studio City Neighborhood Council

Summary:

At a public hearing held on May 12, 2009 (continued from April 21, 2009), the Planning and Land Use Management (PLUM) Committee considered a Negative Declaration, reports from City Planning Commission (CPC), Chief Zoning Administrator and proposed Ordinance relative to amending Sections 11.5.7, 12.05, 12.21, 12.22, 12.23, 13.11 and Articles 4.4 and 9 of Chapter 1 of the Los Angeles Municipal Code. The proposed Ordinance will establish total sign area limits for properties; establish area and height limits for individual signs; prohibit off-site signs, digital displays and roof signs; create new relief provisions for certain deviations from the sign regulations; establish administrative civil penalties for violations of the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment.

Staff from the Planning Department described in detail the proposed Ordinance approved by the CPC, the revisions and clarifications provided in the Zoning Administrator's report dated May 6, 2009. Staff further responded in this same report, to the question previously posed by the PLUM Committee at the April 21, 2009 hearing. In addition, Planning staff reported that due to the notice and publishing requirements of the Sign Fee Ordinance, amendments related to Article 9 of Chapter 1 would be presented at a later date.

During the public hearings on April 21, 2009, and May 12, 2009, many speakers, including representatives of the City's Neighborhood Councils, business organizations, labor unions, and others offered testimony regarding the ordinance. Many speakers offered testimony in support and in opposition to the Ordinance, with suggested amendments. Some issues addressed at the hearing related to time, place and manner as related to the sign ordinance. Testimony at the hearing addressed several concerns including, but not limited to the following issues:

1. the physical and visual impacts such as light, flashing and glare from digital or other signs;
2. regulation of supergraphic signs;
3. potential impacts of signs in the public right-of-way;
4. potential impacts related to traffic safety and circulation;
5. request for a distinct and clear definition of "off-site" and "on-site" signs;
6. how the proposed ordinance would impact on small businesses in the City, and historical properties;
7. how, and if the proposed ordinance would impact mural signs;

8. time restrictions for proposed for temporary signs;
9. the impact of the proposed sign ordinance on industry and entertainment venues (e.g. Universal Studios and Dodger Stadium);
10. the "grandfathering" of pending sign districts initiated or applied for before December 26, 2008 (the Interim Control Ordinance [ICO] effective date); and
11. enforcement and civil penalty issues.

In addressing enforcement issues, the General Manager of the Department of Building and Safety (LADBS) continued to request for a clear definition of off-site and on-site signs. In addition, the General Manager of the LADBS provided a report to the Committee relative to funds already received by the Department as part of the Off-Sign Periodic Inspection Program. He reported that Off-Sign Periodic Inspection Program funds were received by the Department as a result of legal settlement agreements. The General Manager of LADBS Staff recommended that additional money proposed in the Administrative Civil penalties section of the ordinance, should be used to pay for additional resources and building inspectors for enforcement. In addition, LADBS staff suggested that this issue should be evaluated as part of a one-year review after the ordinance has passed.

After careful review of the documents on the file and of the testimony provided at the hearing, two of the PLUM Committee members, Chair, Councilmember Ed P. Reyes, and Councilmember Jose Huizar (the Majority), provided recommendations to Council, as noted in the recommendations portion of this Committee report. The third member of the PLUM Committee, Councilmember Jack Weiss, concurred with the Majority Committee recommendations, but withheld his approval of Attachment 4 regarding the "grandfathering" of pending sign districts initiated or applied for before December 26, 2008. Councilmember Weiss instructed and wanted answers to the following questions, prior to approval of the grandfathering provisions related to sign districts:

- a. Will the city's new ordinance be vulnerable to more litigation and would the processing of those applications be deemed arbitrary and subject to unfettered discretion?
- b. Can the Council require that all pending SUD applications be required to take down signage elsewhere in the city?
- c. What is the rationale for including more SUD applications than the CPC proposed?

The PLUM Committee Majority Report recommendations are hereby transmitted to Council for consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
WEISS:	NO

BG:
Citywide
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Attachment: Attachment No. 4 of Zoning Administrator's report dated May 6, 2009

NOT OFFICIAL UNTIL COUNCIL ACTS

ATTACHMENT 4

Pending Sign Districts and Special Signage Areas

At the PLUM hearing on April 21, 2009, Councilmember Reyes introduced a potential revision (item #20) as follows:

Discuss the inclusion of "grandfathered sign districts". What was recommended in the original ordinance that was sent to CPC? Ask to include in current ordinance.

The Planning Department's recommendation of February 19, 2009 was that any sign district initiated or applied for before Dec. 26, 2008 (the ICO's effective date) would be "grandfathered". "Grandfathering" does not mean that each sign district would necessarily be approved, but does mean that each pending application would be allowed to continue through the review process under the existing sign regulations. Staff's initial recommendation included seven pending sign districts: five that were initiated by private property owners' applications, and two initiated by the City Council.

The City Planning Commission approved the grandfathering of only those requested sign districts that the CPC had already approved, as of March 26, 2009 (the date the CPC approved the proposed sign ordinance). These two requested sign districts were the Figueroa and Olympic Sign District (approved by CPC on 12/11/2008), and the Seward addition to the Hollywood Sign District (approved by CPC on 2/24/2009).

In addition to the five pending sign districts initiated by private property owners' applications and two pending sign districts initiated by City Council motions, there are also three other areas that could potentially be "grandfathered". Two are areas for which an existing specific plan or special ordinance is requested to be amended to change the signage allowed. In addition, the Department of City Planning has received a Draft Environmental Impact Report (DEIR) proposing precise boundaries for a project containing special signage. If all ten of these pending actions were to be grandfathered, then the "grandfathering" list would include all of the areas summarized in the below tables. These areas have reached the stages of review as specified below, prior to the effective date of the ICO (Dec. 26, 2008).

Five Pending Sign Districts Initiated by Private Property Owners' Applications:

Common Name	Location	Council District	Case #	Date of Application	Status
Metro 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	Pending review by Planning Department
Metropolis	Bounded by the 110 to the west, 110 offramp to the south, Francisco St to the east, and 8th St to the North	9	CPC-2008-4557-SN	11/10/08	Pending review by Planning Department

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Case #</i>	<i>Date of Application</i>	<i>Status</i>
Mid-Town Crossing	San Vicente & Pico to San Vicente & Venice	10	CPC-2008-2614-SN	6/26/08	CPC hearing on 5/14/09
Figueroa and Olympic	Block bounded by 9th St to the north, Flower to the east, Olympic to the south, and Figueroa to the west	9	CPC-2007-842-SN	2/16/07	CPC approved on 12/11/08; PLUM approved on 2/10/09; awaiting CCL hearing
Seward addition to Hollywood Sign Dist.	West side of Seward bounded by Romaine to the north & Barton to the south	4	CPC-2008-756-VZC-VCU-CU-CUB-ZV-ZAA-SPR	2/27/08	Approved in part by CPC on 02/24/09; awaiting CCL hearing

Two Pending Sign Districts Initiated by City Council Motions:

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Council File #</i>	<i>Mover and Date of Motion</i>	<i>Status</i>
City West	Bounded by 1st St to the north, Boylston to the west, 3rd St to the south, and Beaudry to the east	1	CF# 08-0509	Councilmember Reyes, 3/04/08	Pending with Planning Department
Koreatown	Bounded generally by 6th 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	Pending with Planning Department

Two areas that have an existing Specific Plan or special ordinance that is requested to be amended to change the signage allowed:

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Signage Allowed by</i>	<i>Case Number</i>	<i>Status</i>
Coliseum	3911 S. Figueroa St. and 3843 S. Grand Ave.	8	Coliseum District Specific Plan	CPC-2006-3082-SP-DA	Approved by CPC on 3/12/09
Convention Center	Bounded generally by 9 th St to the north, Flower St to the east, Venice Bl to the south, and the 110 to the west	9	Ordinance No. 172465	CPC-2008-3374	To be heard by hearing officer on 5/29/09 (tentative)

One area for which the City has received a Draft Environmental Impact Report (EIR) proposing precise boundaries for a project containing special signage:

<i>Common Name</i>	<i>Location</i>	<i>Council District</i>	<i>Case Number</i>	<i>Date Received</i>	<i>Status</i>
Panorama Place	14665 W. Roscoe Blvd.	7	ENV-2006-2133-EIR	9/05/08	Staff is processing Final EIR

If all of the preceding areas were to be "grandfathered", then Section 12 of the sign ordinance would need to be amended to include the following language:

"This ordinance shall also not apply to:

'SN' Sign Districts that have not been established, but were initiated or applied for before December 26, 2008, pursuant to Section 12.32 of the Code;

'SN' Sign Districts that have not been established, but for which precise boundaries were identified in a draft environmental impact report submitted to and accepted by the Department of City Planning before December 26, 2008; and

amendments to established 'SN' Sign Districts and adopted specific plans or other adopted land use ordinances that allow off-site signs or signs with digital displays, if the amendments were initiated or otherwise applied for, before December 26, 2008."