



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT

CITY PLANNING COMMISSION

DATE: May 25, 2017
TIME: after 8:30 a.m.*
PLACE: Van Nuys City Hall
Council Chamber, 2nd Floor
14410 Sylvan Street,
Van Nuys, CA 91401

CASE NO: CPC-2017-455-CA
COUNCIL FILE: N/A
CEQA: Not a Project under CEQA,
ENV-2017-591-CE
LOCATION: Citywide
COUNCIL DISTRICT: All
PLAN AREAS: All

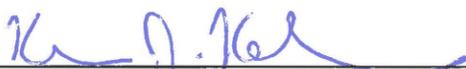
PUBLIC HEARING HELD ON: March 8, 2017

SUMMARY: A proposed ordinance (Appendix A) adding a preamble to Article 4.4 and amending Sections 14.4.2, 14.4.4 and 14.4.17 of the Los Angeles Municipal Code (LAMC) to clarify regulations regarding temporary signs on temporary construction walls and on solid wood fences surrounding vacant lots.

RECOMMENDED ACTIONS:

1. Find the proposed ordinance is not a Project pursuant to CEQA Guidelines, and that if it were a project, it would be exempted under Categorical Exemption Class 8;
2. Adopt the staff report as the Commission report on the subject;
3. Approve and Recommend that the City Council adopt the proposed ordinance (Appendix A); and
4. Approve and Recommend that the City Council adopt the Findings (Appendix B).

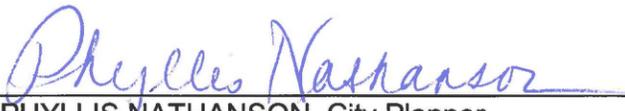
VINCENT P. BERTONI, AICP
Director of Planning



KEVIN KELLER, AICP, Deputy Director



THOMAS ROTHMANN, Principal City Planner



PHYLLIS NATHANSON, City Planner
(213) 978-1474



YILU, City Planning Associate
(213) 978-1287

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communication may be mailed to the Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213/978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at 213/978-1300.

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Summary

The Department has prepared a proposed ordinance (Appendix A) to clarify regulations pertaining to temporary signs located on temporary construction walls and on wood fences surrounding vacant lots. The regulations were initially established as part of the Department of Public Works Graffiti Removal Program to provide an incentive for graffiti abatement by allowing temporary signs in exchange for maintaining the subject property and public property within the surrounding area free of graffiti and trash. However, in recent years ambiguity in the regulations has resulted in the occasional abuse of this program.

The key components of the proposed ordinance are:

1. Clarifies that a permit for a temporary sign on a temporary construction wall can only be issued when:
 - a. There is a separate valid permit authorizing construction work;
 - b. At least a portion of the temporary construction wall is required for public safety; and
 - c. There is no operating business on the lot or lots on which the building undergoing authorized construction is situated.
2. Clarifies that if construction work is suspended, discontinued or abandoned for 6 months, the temporary sign permit becomes invalid.

Initiation and Background

In January 2017, the Director of Planning initiated the preparation of an ordinance to clarify regulations pertaining to temporary signs on temporary construction walls and on wood fences surrounding vacant lots in order to reduce non-compliance and facilitate enforcement of the regulations.

Current regulations allow temporary signs, with limitations as to sign area, size, height, spacing and duration, to be placed on temporary construction walls and on solid wood fences surrounding vacant lots in commercial or industrial zones in exchange for maintaining the subject property and public property within the surrounding area free of graffiti and trash. The regulations are a component of the Department of Public Works, Office of Community Beautification's Graffiti Removal Program, which was initiated to address the growing concerns regarding graffiti on public property. The temporary sign/graffiti removal provisions started as a pilot program in Council District 10; the program was subsequently expanded to other Council districts. The current provisions, applicable citywide, were added to the Zoning Code in 2007.

Under the temporary sign/graffiti removal program, which is enforced by the Office of Community Beautification (OCB), the applicant is required to patrol a specified abatement area every 24 hours to search for and remove any graffiti and trash within 24 hours of its

discovery. Permits issued under this program may be revoked by the Department of Building and Safety (LADBS) for the applicant's failure to comply with the regulations.

Anticipated revenue generated from temporary signs has served as an incentive for property owners to violate the existing Code provisions. As a result, complaints have been made to LADBS in recent years regarding illegal temporary signs on temporary construction walls throughout the City.

Common violations include:

- There is no authorized construction on site;
- Construction walls are not required for the construction work underway;
- Authorized construction work is delayed, prolonged, or not pursued;
- The permit authorizing the construction work is no longer valid; or
- There is no valid permit for the temporary sign.

To reduce violations, the Department of City Planning issued a memorandum in October 2016 to clarify that temporary signs on temporary construction walls are only permitted when there is no operating business on the site and the construction wall or barrier is required by LADBS for public safety.

Construction walls are only required to protect pedestrians from construction activity. The determination as to whether a construction wall is required is based on the height of the construction and the distance between the construction activity and the lot line, as shown in the following LAMC table:

PROTECTION OF PEDESTRIANS

| Height of Construction | Distance from Construction to Lot Line | Type of Protection Required |
|------------------------|--|-----------------------------|
| 8 feet or less | Less than 5 feet | Construction railings |
| | 5 feet or more | None |
| More than 8 feet | Less than 5 feet | Barrier and covered walkway |
| | 5 feet or more, but not more than one-fourth the height of construction | Barrier and covered walkway |
| | 5 feet or more, but between one-fourth and one-half the height of construction | Barrier |
| | 5 feet or more, but exceeding one-half the height of construction | None |

(Source: LAMC Section 91.3306)

Although temporary construction walls may be required by LADBS for public safety, the authorization of temporary signs on such walls is a policy matter, and is intended to keep vacant property and property without an operating business clean and graffiti free. Prohibiting a temporary sign on a temporary construction wall when the business on-site is in operation mitigates abuse of this program, given that property maintenance is already required. Though the responsibility to keep a property clean and free of graffiti exists whether or not a business is operating, it is recognized that a property with no operating

business is more difficult to monitor and keep clear. The subject program provides an added incentive to achieve the desired result of maintaining the vicinity clear of graffiti and trash.

To promote public art, West Hollywood has a mural program that allows murals to be placed on temporary construction walls. The building/property owner is responsible for maintaining the mural and any cost associated with its maintenance, repair or removal. Additionally, Department of Cultural Affairs (DCA) maintains the City's mural program, which limits the height, form, illumination and location of murals. The DCA program also requires the mural to remain at a location for at least two years.

Proposed Ordinance

The proposed ordinance (Appendix A) clarifies current provisions and addresses ambiguities regarding regulations pertaining to temporary signs on temporary construction walls or on solid wood fences surrounding vacant lots.

The proposed modifications are as follows:

1. Revised Definition of Temporary Construction Wall

The definition of temporary construction wall has been revised to clarify that the wall must be a solid barrier and that it may be of wood or of a material similar to wood.

The reference to a provision in the California Building Code, which details under what circumstances a construction wall is required, was eliminated because construction walls are permitted to be erected whether or not they are required. For example, a property owner may elect to use a temporary construction wall for security reasons. Furthermore, temporary construction walls are neither required nor regulated in the Zoning Code.

2. Exemption from Off-site Sign Prohibition

The proposed ordinance clarifies that temporary signs on temporary construction walls or on solid fences surrounding vacant lots are exempt from the citywide ban on off-site signs. Most temporary signs are off-site signs.

3. Active Construction Site

The proposed ordinance clarifies that a valid separate permit for construction work on the same site is required in order for a temporary sign permit to be issued. The ordinance also clarifies that if the construction work is suspended, discontinued or abandoned for 180 days, the temporary sign permit will become invalid. This provision reinforces that there must be legitimate construction work planned for the site and that it must proceed and be carried out in a timely manner in order for the site to be used for a temporary sign.

4. Required Temporary Construction Wall

The proposed ordinance clarifies that at least a portion of the temporary construction wall must be required for pedestrian safety pursuant to the LAMC to allow the installation of temporary signs.

An applicant may extend the temporary construction wall around the entire site for purposes other than pedestrian protection, such as security. The temporary sign can be located on any part of the temporary construction wall as long as at least part of the construction wall is required and there is no operating business on site.

5. No Operating Business

The proposed ordinance clarifies that a temporary sign on a temporary construction wall, of which at least a portion is required for public safety, is only allowed if there is no operating business on the lot or lots on which the building undergoing authorized construction is situated:

- **One building on one or more lots.** If there is a building undergoing authorized construction, whether that building is on one lot or multiple lots, no business in that building can be operating if the intent is to mount a temporary sign on a temporary construction wall.
- **One lot with one or more buildings or businesses.** If there are multiple buildings or businesses on one lot, regardless of whether one or all of them are undergoing authorized construction, no business in any of those buildings or on that lot can be operating.

This clarification will alleviate any ambiguity as to under what circumstances a temporary sign is allowed and will serve to both reduce violations and facilitate enforcement of the regulations. Businesses that are in operation maintain an on-site presence by which to monitor graffiti and trash. Though the responsibility for keeping property clean exists even if there is no operating business, the vigilance required is more difficult to maintain. Thus, properties with no operating business are more at risk for graffiti and trash and are the target of the subject program.

6. Criteria of Office of Community Beautification's Consent

The proposed ordinance clarifies that the consent from the Office of Community Beautification's (OCB) to re-issue a building permit can only be based on its assessment of the existence of a public nuisance, defined as the presence of graffiti, posters/handbills and any other illegal postings, as well as trash and weeds on public property.

7. Removal of Temporary Signs

The proposed ordinance clarifies that the temporary sign must be removed by the end of the time limit of its permit. Furthermore, if a permit for a temporary sign expires or is revoked due to the expiration or revocation of the associated construction permit

on the same site, the temporary sign must be removed within 10 days of the mailing date of a written notification sent by LADBS. The current Code language requires that the sign must be removed within 72 hours after the written notice is received, which presents an enforcement challenge because it is difficult to know or prove exactly when an operator receives a notice.

8. Sign Material

The proposed ordinance clarifies that temporary signs on temporary construction walls or on solid wood fences surrounding vacant lots must be made of paper, vinyl, or other similar material.

Public Outreach and Participation

An initial draft of the proposed ordinance was released for public review on February 22, 2017. Notice of the availability of the draft and the staff hearing was posted on the Department of City Planning website and emailed to a list of persons and organizations that had previously expressed interest in the ordinance. A public hearing was held on March 8, 2017. A total of 14 individuals signed in, and two individuals provided verbal testimony. The Department received 11 written comments, including both letters and emails. Overall, comments on the draft were positive and in support of the ordinance. However, there were some comments that took issue with specific provisions.

One of the issues raised was whether temporary signs should be allowed on solid wood fences surrounding vacant lots. Opponents stated that solid wood fences surrounding vacant lots create visual blight and attract graffiti, while a simple chain-link fence does not. Proponents stated that chain link fences with fence screens also attract graffiti; the program helps maintain the vacant lot in a clean condition and provides additional revenue to help develop the vacant lot in the future.

Currently, the Zoning Code only regulates fence height but does not require, provide for, or restrict fencing around commercially and industrially zoned property whether it is vacant or not. The temporary sign regulations merely stipulate that temporary signs may only be mounted on construction walls or solid wood fences. Furthermore, the purpose of the proposed ordinance is to clarify the existing provisions. Therefore, no change to the ordinance was made relative to this issue.

Another comment expressed opposition to the prohibition on operating businesses, arguing that this provision is not mentioned in the existing regulations. The proposed ordinance specifies that no temporary sign will be permitted if there is an operating business on the site. This has been the practice of the LADBS, based on the October 2016 memorandum, in order to reduce abuse of the regulations and facilitate enforcement. There have been numerous instances of temporary construction walls being erected for the main purpose of mounting off-site signs, where there is little or no construction taking place, or there is construction not requiring pedestrian protection. Prohibiting property with an operating business from having temporary signs on

construction walls provides a disincentive to erect unnecessary temporary construction walls and further safeguards against abuse.

Further, a property with a business remaining open during construction has an on-site presence, with personnel who can monitor graffiti and trash. Though the responsibility to keep a property clean and free of graffiti exists whether or not a business is operating, it is more difficult to monitor a property with no operating business. The purpose of the subject program is to provide a means by which to abate the nuisance of graffiti on vulnerable properties, which would not include a property with an operating business. Therefore, no temporary sign should be allowed on a temporary construction wall where there is an operating business.

Other comments suggested that the sign operator should post its contact information on the temporary sign so the public could more easily report graffiti in the surrounding area to the operator. The Office of Community Beautification (OCB), which is the enforcement agency for the subject Program, has communicated that it prefers to have complaints related to graffiti reported directly to its office in order to facilitate tracking and monitoring graffiti removal. The OCB has no means to track and resolve complaints that go directly to the operator.

Another comment suggested allowing temporary signs on permanent buildings or walls that have ongoing graffiti nuisance problems or on permanent walls surrounding buildings housing nonprofit entities in order to provide a revenue stream to help support their work. These suggestions were considered but not incorporated into the ordinance because they were beyond the scope of the project.

Conclusion

As part of the Graffiti Removal Program, the temporary sign program that allows temporary signs on temporary construction walls or on solid wood fences surrounding vacant lot in exchange for graffiti abatement, was established to provide an incentive to clean up construction sites and/or vacant lots and their surrounding areas and maintain them free of graffiti and trash. The purpose of the proposed ordinance is to clarify existing regulations to address the growing concern of illegal temporary signs throughout the City.

The proposed ordinance more clearly describes under what conditions temporary signs are allowed on temporary construction walls and on solid fences surrounding vacant lots. It is the intent that the clarification of the provisions will facilitate better compliance with the regulations and more effective enforcement when the regulations are violated.

Appendices

- A. Proposed Ordinance
- B. Findings
- C. Environmental

ORDINANCE NO. _____

An ordinance adding a preamble to Article 4.4 and amending Sections 14.4.2, 14.4.4 and 14.4.17 of the Los Angeles Municipal Code (LAMC) pertaining to sign regulations to clarify limitations regarding temporary signs on temporary construction walls and on solid wood fences surrounding vacant lots.

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

Section 1. A paragraph is added at the beginning of Article 4.4 of the Los Angeles Municipal Code to read:

The regulations in this article do not apply to signs located primarily within a public right-of-way.

Sec. 2. The entry for Section 14.4.17 within the list of sections appearing at the beginning of Article 4.4 is amended to read:

14.4.17 Temporary Signs on Temporary Construction Walls and on Solid Wood Fences Surrounding Vacant Lots.

Sec. 3. The following definition in Section 14.4.2 is amended to read:

Temporary Construction Wall. A temporary solid wooden fence or wooden barrier of wood or similar material that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site ~~pursuant to Section 3303 of the California Building Code (CBC).~~

Sec. 4. Subdivision 11 of Subsection B of Section 14.4.4 of the Los Angeles Municipal Code is amended to read:

11. Are off-site signs, including off-site digital displays, except when off-site signs are specifically permitted pursuant to 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.

EXCEPTIONS: This prohibition shall not apply to off-site signs, including off-site digital displays, that are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development

agreement, or non-digital off-site signs that are authorized by a valid building permit for a Temporary Sign on Temporary Construction Walls at active construction sites or on fences of solid wood or similar material surrounding vacant lots pursuant to Section 14.4.17.

~~This exception shall become operative only to the extent that Subdivision 11. is deemed constitutional upon the reversal of the trial court decision in the case of World Wide Rush, LLC v. City of Los Angeles, United States District Court Case No. CV 07-238 ABC.~~

~~In addition, notwithstanding the provisions of Section 12.26 A.3. of this Code, this prohibition shall not apply to any building permit issued prior to the effective date of this ordinance if the Department of Building and Safety determines that both substantial liabilities have been incurred, and substantial work has been performed on-site, in accordance with the terms of that permit pursuant to Section 91.106.4.3.1 of this Code.~~

Sec. 5. The heading of Section 14.4.17 is amended to read:

SEC. 14.4.17. TEMPORARY SIGNS ON TEMPORARY CONSTRUCTION WALLS AND ON SOLID WOOD FENCES SURROUNDING VACANT LOTS.

Sec. 6. Subsection A of Section 14.4.17 of the Los Angeles Municipal Code is amended to read:

A. Permit Required. A valid building permit issued by the Department of Building and Safety (LADBS) shall be required to place and maintain for a temporary sign Temporary Sign on a temporary construction wall Temporary Construction Wall, as defined in Section 14.4.2 of this Code, or on a fence of solid wood or similar material surrounding a vacant lot. Temporary signs on temporary construction walls shall comply with the construction requirements of Section 14.4.16 E. A permit for a Temporary Sign on a Temporary Construction Wall shall be issued only if 1) there is a separate valid permit from LADBS authorizing construction work on the lot or lots, 2) at least a portion of Temporary Construction Wall is required pursuant to Section 91.3306 of the Los Angeles Municipal Code, and 3) there is no operating business on the lot or lots on which the building undergoing authorized construction is situated. If, after the permit is issued, a business on the lot or lots, which was not operating at the time of permit issuance begins operating, the Department of Building and Safety may revoke the permit.

If Department of Building and Safety records indicate that a permit was previously issued for a Temporary Sign on the site pursuant to this Section, the Department may re-issue a new building permit only if the Director of the Office of Community Beautification consents to the new building permit in a written statement. The Office of Community Beautification's consent shall be based solely on its assessment as to whether a public nuisance exists based on the presence of graffiti.

posters/handbills and any other illegal postings, as well as trash, debris, rubbish and weeds on public property pursuant to the review described in Subsection G of this Section.

~~For purposes of this section, the term “applicant” shall mean the owner of the sign company or, if there is no sign company, the owner of the property.~~

Sec. 7. Subsection C of Section 14.4.17 of the Los Angeles Municipal Code is amended to read:

C. Time Limit. ~~Notwithstanding the provisions of Section 14.4.16 C.1. and 2. of this Code, a building permit for a Temporary Sign placed on a Temporary Construction Wall 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 valid for two years, or for as long as the construction work, under a separate valid permit, requiring a barrier pursuant to Section 91.3306 of Los Angeles Municipal Code, continues, building permits associated with the construction site remain in effect or for a period of two years, whichever is less.~~

~~If the construction work authorized by the separate construction permit has not commenced by the 180th day following the permit issuance date, or work has been suspended, discontinued or abandoned for a continuous period of 180 days, the permit for the Temporary Sign shall be expired. If the separate construction permit is revoked, the permit for the Temporary Sign shall be revoked.~~

~~Building permits~~~~A building permit for a Temporary sSigns on a solid wood fences of solid wood or similar material surrounding a vacant lot s, which are not construction sites, shall be issued for a time period~~remain valid for ~~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.~~

Sec. 8. Subsection F of Section 14.4.17 of the Los Angeles Municipal Code is renumbered Subsection G:

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

Sec. 9. New Subsection F is added to Section 14.4.17 of the Los Angeles Municipal Code:

F. Construction. Temporary Signs on Temporary Construction Walls or on fences of solid wood or similar material surrounding vacant lots shall be made of paper, vinyl, or other similar material.

Sec. 10. Subdivision 1 of Subsection G of Section 14.4.17 of the Los Angeles Municipal Code is amended to read:

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, as well as trash, debris, rubbish and weeds 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, as well as trash, debris, rubbish and weeds 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.

Sec. 11. Subdivision 3 of Subsection G of Section 14.4.17 of the Los Angeles Municipal Code is amended to read:

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, or weeds from the public sidewalks within the abatement area around the permitted site. The Office of Community Beautification shall enforce the provisions of this subsection. The applicant shall comply with the administrative policies and procedures set by the Office of Community Beautification.

Sec. 12. Subdivision 5 of Subsection G of Section 14.4.17 of the Los Angeles Municipal Code is amended to read:

5. **Removal of Signs.** The applicant must remove the Temporary Signs authorized by this Section by the date the sign permit becomes invalid due to its time limit. If the Department of Building and Safety revokes the building permit allowing a Temporary Signs signs on temporary construction walls on a Temporary Construction Wall, and/or a fence of solid wood fences or similar material surrounding a vacant lots expires or is revoked, a written notice of the revocation or expiration shall be sent to the applicant and /or property owner. then anyThe Temporary signs Sign placed on the temporary construction walls and/or solid wood fences surrounding vacant lots shallmust be removed by the applicant within ~~72 hours~~10 days of the mailing date of the ~~after receipt of written notification.~~

Sec. 13. Paragraph (f) of Subdivision 4 of Subsection G of Section 14.4.17 of the Los Angeles Municipal Code is amended to read:

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

Sec. 14. The City Clerk shall certify....

Appendix B: Findings

LAND USE FINDINGS

In accordance with Charter Section 556, the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent and provisions of the General Plan in that it supports the Citywide General Plan Framework's Liveable Neighborhoods subsection (under the Urban Form and Neighborhood Design Section), which provides that "all neighborhoods in the City deserve to have well designed buildings and a safe secure, and attractive public realm". The proposed ordinance also supports Goal 5A of the Citywide General Plan Framework by helping to further shape "a livable city for existing and future residents and one that is attractive to future investment"; and it is in line with objective 5.5, to "enhance the liveability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm". The ordinance substantially advances a legitimate public interest in that it engages the private sector to help clean public space and maintain it free of graffiti and trash through the Graffiti Removal Program, therefore it protects the integrity of the neighborhood and improve the aesthetics of the public space.

In accordance with Charter Section 558 (b)(2), the proposed ordinance will be in conformance with public necessity, convenience, general welfare and good zoning practice because the ordinance clarifies existing provisions in the Zoning Code pertaining to temporary signs on temporary construction walls, and on solid fences surrounding vacant lots. This clarification is necessary for the implementation of good zoning practice and to reduce misinterpretation of the Code provisions.

ENVIRONMENTAL FINDINGS

Pursuant to CEQA Guidelines, Sections 15060(c)(2) and 15378(a), it has been determined that the proposed ordinance is not considered a "Project" under CEQA because it does not have the potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment.

If the project is determined to be a "Project" under CEQA, it meets the requirements of the Class 8 Categorical Exemption pursuant to CEQA Guidelines, Section 15308. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

| | | |
|--|---|-------------------------------------|
| COUNTY CLERK'S USE | CITY OF LOS ANGELES OFFICE OF THE CITY CLERK 200 NORTH SPRING STREET, ROOM 360 LOS ANGELES, CALIFORNIA 90012 CALIFORNIA ENVIRONMENTAL QUALITY ACT <h2 style="margin: 0;">NOTICE OF EXEMPTION</h2> (California Environmental Quality Act Section 15062) | CITY CLERK'S USE |
| Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days. | | |
| LEAD CITY AGENCY City of Los Angeles Department of City Planning | | COUNCIL DISTRICT All |
| PROJECT TITLE CPC-2017-455-CA | | LOG REFERENCE ENV 2017-591-CE |
| PROJECT LOCATION Citywide | | |
| DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: A proposed ordinance adding a preamble to Article 4.4 and amending Sections 14.4.2, 14.4.4 and 14.4.17 of the Los Angeles Municipal Code (LAMC) to clarify regulations regarding temporary signs on temporary construction walls and on solid wood fences surrounding vacant lots. | | |
| NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY: | | |
| CONTACT PERSON Yi Lu | AREA CODE (213) | TELEPHONE NUMBER EXT. 978-1287 |
| EXEMPT STATUS: (Check One) | | |
| | STATE CEQA GUIDELINES | CITY CEQA GUIDELINES |
| MINISTERIAL | Sec. 15268 | Art. II, Sec. 2b |
| DECLARED EMERGENCY | Sec. 15269 | Art. II, Sec. 2a (1) |
| EMERGENCY PROJECT | Sec. 15269 (b) & (c) | Art. II, Sec. 2a (2) & (3) |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 <i>et seq.</i> | Art. III, Sec. 1 |
| Class <u>8</u> (City CEQA Guidelines) | | |
| OTHER | (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.) | |
| JUSTIFICATION FOR PROJECT EXEMPTION: The project is a Code amendment which clarifies provisions in Los Angeles Municipal Code (LAMC) pertaining to signs without changing the substance of the regulations. Pursuant to CEQA Guidelines, Sections 15060(c)(2) and 15378(a), the proposed Code amendment is not considered a "Project" under CEQA because it does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. However, the project also meets the requirements of the Class 8 Categorical Exemption pursuant to CEQA Guidelines, Section 15308. Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. This project is initiated by the Director of City Planning to provide clarity and guidance to the general public as to how the Code applies to temporary signs on construction walls and fences surrounding vacant lots. It aims to protect the integrity of the neighborhood and improve the aesthetics of the environment. Therefore, the project is not considered a "Project" under CEQA; it is also exempted from CEQA under Class 8 Categorical Exemption if it were a project. | | |
| SIGNATURE | TITLE City Planning Associate | DATE 5/12/2017 |