



Los Angeles City Planning Commission

200 North Spring Street, Room 272, City Hall, Los Angeles, CA 90012
www.cityofla.org/PLN/index.htm

Determination Mailing Date: April 6, 2009

Planning and Land Use Management Committee
Council of the City of Los Angeles
City Hall, Room 395
Los Angeles, CA 90012

ATTN: Barbara Greaves, Legislative Assistant

CITY PLAN CASE NO. 2009-0008-CA

Transmitted herewith is a proposed ordinance 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 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.

On March 26, 2009, the City Planning Commission (CPC) approved the proposed ordinance (Appendix C) and recommended its adoption by the City Council, with specific amendments. The amendments, as listed below, have been incorporated into the ordinance being transmitted:

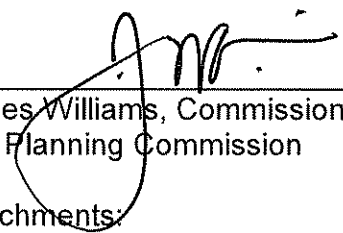
1. Roof signs are prohibited, except in Sign Districts.
2. Comprehensive Sign Programs require a public hearing, with notification to owners and occupants within a 500 foot radius; and are only available to development sites with a minimum of 5 acres in addition to 100,000 square feet of non-residential floor area. A new finding is added to ensure compatibility of proposed signs with residential uses within 500 feet. Per existing procedure, Neighborhood Councils will be notified and receive a copy of any applications within the Neighborhood Council area.
3. Appeals of Administrative Civil Penalties require 24 days notice of the hearing, with notification to owners and occupants within a 500 foot radius. Per existing procedure, Neighborhood Councils will be notified and receive a copy of any appeal applications within the Neighborhood Council area.
4. Right of Private Action is limited to owners and occupants within a 500 foot radius of an illegal sign.
5. Sign Districts require mandatory sign reduction, so that every square foot of new digital or off-site signage requires the removal of more than one square foot of lawfully permitted off-site signage within the Sign District or an adjacent "sign impact area". The community beautification finding is eliminated. Relief from Sign District regulations is limited to a maximum 20% deviation. A new finding is added to ensure that Sign Districts further the goals, objectives and policies of the urban form and neighborhood design chapter of the General Plan Framework.
6. Only those proposed Sign Districts approved by the CPC as of March 26, 2009 will be

- "grandfathered". The new ordinance will apply to all other proposed Sign Districts.
7. Sign Districts may be established for the purpose of prohibiting all new off-site signs.
 8. One of the purposes of a Sign District is to apply to areas that have unique entertainment or cultural attributes.
 9. A statement of intent is added to clarify that the ordinance's prohibition on digital displays applies regardless of any settlement agreements to the contrary.
 10. Other CPC recommendations separate from the ordinance:
 - If the City Attorney so advises, the CPC recommends that the City Council include provisions in the ordinance to revoke business licenses of sign companies that repeatedly violate the sign regulations or do not pay penalties.
 - Within six months of the ordinance's adoption, the CPC intends to adopt detailed guidelines for the review of Sign District applications.
 - Within one year of the ordinance's adoption, the Planning Department will convene a task force to review the impacts of the ordinance and recommend any necessary changes.

The City Planning Commission also adopted the initial and supplemental staff reports (dated January 22, February 19, and March 18, 2009) as its reports on the subject; adopted the attached findings; directed the Planning Department to provide additional explanation and supplemental information to the City Council prior to its consideration or approval of the CEQA clearance for the sign ordinance; and recommended approval of the Planning Department's report on mural art to the City Council.

This action was taken by the following vote:

Moved: Burton
Seconded: Lara
Ayes: Freer, Cardoso, Hughes, Roschen
Noes: Kezios, Montanez, Woo
Vote: 6-3



James Williams, Commission Executive Assistant I
City Planning Commission

Attachments:

1. Motion # 08-2020
2. Background and Summary of Ordinance
3. Areas Eligible to Apply for Sign District Designation
4. Findings
5. Sign Ordinance Fees
6. Report on Mural Art
7. Supplemental Analysis for Environmental Negative Declaration
8. Ordinance (Appendix C)

cc: Notification List
Sharon Siedorf-Cardenas, Office of the City Attorney

JUL 29 2008

MOTION

The City of Los Angeles has adopted multiple ordinances to regulate freestanding billboards and other advertising signage in the City. In addition to a moratorium on billboards, the City of Los Angeles prohibits, with few exceptions, "supergraphic signs" made of paint or film applied directly to buildings and small signs that may be freestanding.

Enforcement against unlawful signs has been delayed due to pending and anticipated litigation against the City of Los Angeles. Recent legal rulings may undermine the long-term viability of the moratorium.

To address issues raised in recent legal rulings, the City of Los Angeles should amend its sign ordinances to ensure consistency with constitutional law and other applicable laws.

I THEREFORE MOVE that the Planning Department, in consultation with the Department of Building and Safety and the City Attorney, revise the sign ordinance to toughen and create easily enforceable time / place / manner restrictions citywide to protect neighborhoods. The revised ordinances also must provide clear criteria related to land use designations for sign districts.

CO-PRESENTED BY:

Jack Weiss
Councilmember Jack Weiss
5th District

Eric Garcetti
Councilmember Eric Garcetti
13th District

Wendy Greuel
Councilmember Wendy Greuel
2nd District

Bill Rosendahl
Councilmember Bill Rosendahl
11th District

Herb Wesson
Councilmember Herb Wesson
10th District

08-2020

SECONDED BY:

Earl P. Reyes

July 29, 2008

ATZ
OLD CF 97-130

ATTACHMENT 2

Background and Summary of Ordinance

BACKGROUND

The proposed revisions to the citywide sign ordinance have been developed on a shortened timeline, but with much input and involvement from the public. The impetus for this comprehensive revision came from City Council Motion #08-2020 (Weiss – Garcetti – Greuel – Rosendahl – Wesson – Reyes):

That the Planning Department, in consultation with the Department of Building and Safety and the City Attorney, revise the sign ordinance to toughen and create easily enforceable time / place / manner restrictions citywide to protect neighborhoods. The revised ordinances also must provide clear criteria related to land use designations for sign districts.

Currently, an Interim Control Ordinance (ICO) is in effect, temporarily prohibiting new off-site signs, digital off-site signs, and supergraphics. The ICO was adopted on December 26, 2008, for a duration of 90 days with two possible extensions of 45 days each. The first extension has been adopted, which will expire on May 10, 2009. If the second and final extension is adopted, the final expiration date of the ICO will be June 24, 2009.

Outreach

Due to the accelerated timeline imposed by the ICO, opportunities for outreach were not as plentiful as is the Planning Department's usual practice. Nonetheless, staff was able to receive and consider a great deal of public input during the development of the proposed ordinance, including numerous public comments at four City Planning Commission hearings on January 22, February 19, February 26, and March 18, 2009. Early in the ordinance writing process, on Dec. 30, 2008, the Planning Department hosted a public information meeting to discuss and receive feedback on the general direction of the developing ordinance. In addition, staff received numerous letters and e-mails containing perspectives from all sides of the issues. Toward the latter part of the CPC hearing process, staff was able to meet with groups that would be particularly affected by the proposed ordinance. These groups included Neighborhood Councils, civic and professional organizations, nonprofit advocacy groups, developers, sign companies, and the motion picture industry.

SUMMARY OF ORDINANCE

A Three-Tiered System

The proposed ordinance sets forth a comprehensive system of sign regulation that is streamlined, flexible, and perhaps most importantly, enforceable. The ordinance envisions the city's sign regulations as a three-tiered system:

1. The first and broadest tier consists of stricter baseline citywide sign standards, including the prohibition of off-site signs, digital signs, and roof signs. Enforcement is also strengthened, with substantial penalties to deter violations of the sign regulations.
2. The second tier, the Comprehensive Sign Program, allows projects with a minimum of 100,000 square feet of non-residential floor area and 5 acres of land area to be eligible for increases in some sign limits, without allowing prohibited sign types (off-site signs, digital displays, and roof signs). Increases are generally limited to the current baseline limits.
3. The third and narrowest tier consists of Sign Districts. Whereas currently Sign Districts can be established in all commercial and manufacturing zones, the ordinance narrows Sign District eligibility to only those areas designated through the community planning process for regional center and regional commercial land use, or designated in the General Plan Framework as the downtown center. There are also minimum size criteria, strict findings to be made, and a limitation that Sign Districts cannot be located adjacent to single-family neighborhoods.

Tier 1: Baseline Citywide Standards

- *Prohibited sign types: Off-site signs, digital displays, and roof signs.* Off-site signs and digital displays are generally the most visually intensive and distracting sign types. They are frequently out of scale and context with the surrounding neighborhood. Because they are so effective at attracting attention, they generate great profit and tend to proliferate. Roof signs are also a very visible and easily obtrusive sign type. These signs may be appropriate in the small minority of neighborhoods planned for the most commercially intense development, but they are not compatible with the needs and plans of the city as a whole.
- *On-Site Signage Limits: Total Sign Area Ratio of 2.5:1.* The proposed sign area ratio is designed to keep signage proportional to the size of both the lot and the building. A property is allowed 1 square foot of sign area per linear foot of street frontage, plus 1.5 square feet of sign area per linear foot of building frontage (for a total ratio of approximately 2.5:1). The available sign area for a property can be used for any kind of on-site sign, including wall signs, pole signs, and window signs. The 2.5:1 ratio provides a good balance in that it is generous and flexible enough to support and stimulate business, yet restrictive enough to prevent the proliferation of sign clutter and obtrusive sign types. This ratio compares favorably with the limits of large cities such as New York, Chicago, and Boston. The ratio of 2.5:1 is also very close to the sign area limits of nearby business-friendly cities that compete with Los Angeles for business, and that generally have attractive visual environments.
- *Wall signs:* Not allowed to cover windows, doors or vents. Wall signs, along with all other on-site signs, are limited by the total sign area ratio of approximately 2.5:1. These restrictions will prevent supergraphics, which generally exist at sign area ratios above 4:1 and frequently cover windows.

- *Supergraphics*: Restricted as wall signs (see above).
- *Pole signs*: Allowed up to 25 feet tall with 200 square feet of sign area.
- *High-rise signs*: Allowed for building identification only, with sign area limits proportional to building height and width.
- *Murals*: Current ban removed, allowing murals to be regulated as wall signs for the time being. Further allowances/regulations for murals will be considered under a separate ordinance.
- *Penalties*: The proposed penalties for violations of the sign regulations vary from \$2,000 to \$48,000 per day, depending on sign size and number of violations. These penalties can be appealed, and all owners and occupants within 500 feet of the property cited will be notified at least 24 days in advance of the appeal hearing. Per existing procedure, Neighborhood Councils will also be notified and receive a copy of any appeal applications within the Neighborhood Council area.
- *Right of private action*: This provision enables owners and occupants within 500' of an illegal sign to initiate civil action against the parties responsible for the sign.

Tier 2: Comprehensive Sign Programs

Comprehensive Sign Programs are intended to allow flexibility for major projects with unique signage needs, and to enable the City to review all the on-site signage for a development site to ensure compatibility with the surrounding area. The key provisions of Comprehensive Sign Programs are listed below:

- Available only for projects with over 100,000 square feet of non-residential floor area, and at least 5 acres of land area.
- Restricted to on-site signage only.
- Cannot allow prohibited sign types (off-site signs, digital displays, roof signs).
- Can allow slightly larger signage, but only up to the current maximum sign area ratio of 4:1.
- Mandatory public hearing, with notification to all owners and occupants within 500 feet.

Summary of Required Findings: The findings required to approve a Comprehensive Sign Program ensure that the signage granted adheres to a unified design or architectural theme, and that the signage is compatible with the development site and the surrounding area. The findings also require that the signage cannot cause hazards to vehicles, persons or property, or create light pollution or other negative environmental effects. Finally, the findings require that signage within 500 feet of residential zones must be compatible with residential uses.

Tier 3: Sign Districts

Our City is composed of diverse communities, neighborhoods and uses. Visually intensive signage is not appropriate in most of the City; however, certain unique commercial centers may warrant special consideration for signage that complements the area's character. The proposed ordinance does not designate which areas of the city should become Sign Districts. Rather, it sets out strict eligibility criteria for Sign District applications. Any applications will then require in-depth review by the Planning Department, City Planning Commission, and City Council, and will include extensive public hearings and environmental review.

Whereas Sign Districts can currently be requested on any commercial or industrially zoned property (about 14% of the City), this ordinance limits Sign Districts to only that 1% of the City that has been planned for the most intense commercial development. These areas have been designated through deliberative, community-based plan updates as regional centers, regional commercial areas and the downtown center. Further eligibility restrictions, requirements and considerations of Sign Districts are as follows:

- Minimum size is 5,000 feet of street frontage or 15 acres.
- Requested Sign Districts cannot be adjacent to single-family neighborhoods.
- Sign reduction is mandatory. For each square foot of new off-site or digital signage, more than one square foot of existing, lawfully permitted off-site signage must be taken down, within the Sign District or within an adjacent "sign impact area".
- Exceptions and adjustments from the unique standards of each Sign District are limited to a maximum deviation of 20% beyond those standards.
- Sign Districts can be either more or less restrictive than the baseline citywide sign standards. Thus, it is possible to establish a Sign District that prohibits all new off-site signage within its boundaries.
- One of the purposes of a Sign District is to facilitate the creation of a sense of place in areas that have a unique quality, theme or character; especially areas that have unique entertainment or cultural attributes.

Summary of Required Findings: The findings required to approve a Sign District ensure that the District has a unique quality, theme or character, and that the signage will have a unified design or architectural theme that enhances that unique quality, theme or character. The findings further require that the signage cannot create hazards to vehicles, persons or property; or create light pollution or other negative environmental effects. Finally, Sign Districts are required to further the goals, objectives and policies of the urban form and neighborhood design chapter of the Framework Element of the General Plan.

Pending Projects and Requested Sign Districts

In the interest of fairness to requested Sign Districts that have already been approved by the City Planning Commission as of March 26, 2009, the ordinance allows those approved Sign Districts to conform to the existing Sign District provisions. The "grandfathered" Sign Districts are as follows:

- Figueroa and Olympic Sign District (approved by CPC on 12/11/08)
- Seward Addition to the Hollywood Sign District (approved by CPC on 2/24/09)

All other requested Sign Districts are to be subject to the new sign ordinance. The requested Sign Districts to be subject to the new ordinance are as follows:

- Metro Universal (Case No. CPC-2008-3512 GPA-ZC-HD-BL-SN-CUB-CUW-CU-ZAD-SPR)
- Metropolis (Case No. CPC-2008-4557-SN)
- Mid-Town Crossing (Case No. CPC-2008-2614-SN)
- City West (CF# 08-0509)
- Koreatown (CF# 08-0936)

In the further interest of fairness to pending projects that have already received a discretionary land use approval prior to the effective date of the new sign ordinance, the ordinance allows those approvals to stand as granted.

Clarification on Settlements and Digital Displays

The ordinance contains a statement of intent (page C-48) that this ordinance's prohibition against new digital displays shall apply regardless of any settlement agreements to the contrary.

OTHER CPC RECOMMENDATIONS SEPARATE FROM THE ORDINANCE

Revocation of Business Licenses

If the City Attorney so advises, the City Planning Commission recommends that the City Council include in the new sign ordinance a provision allowing the City to revoke the business licenses of sign companies that repeatedly violate the sign regulations or do not pay their assessed civil penalties.

Sign District Guidelines

The City Planning Commission, within six months of the adoption of the new sign ordinance, intends to adopt detailed guidelines for the review of proposed Sign Districts.

One-Year Review

The City Planning Commission has directed that within one year after the new sign ordinance goes into effect, the Director of Planning shall convene a task force to review the impact of the new ordinance. The review will determine if there have been any unintended consequences; propose any necessary amendments to the sign ordinance; review the feasibility of allowing digital on-site signs; and review the feasibility of requiring billboard registration with the Department of Building & Safety.

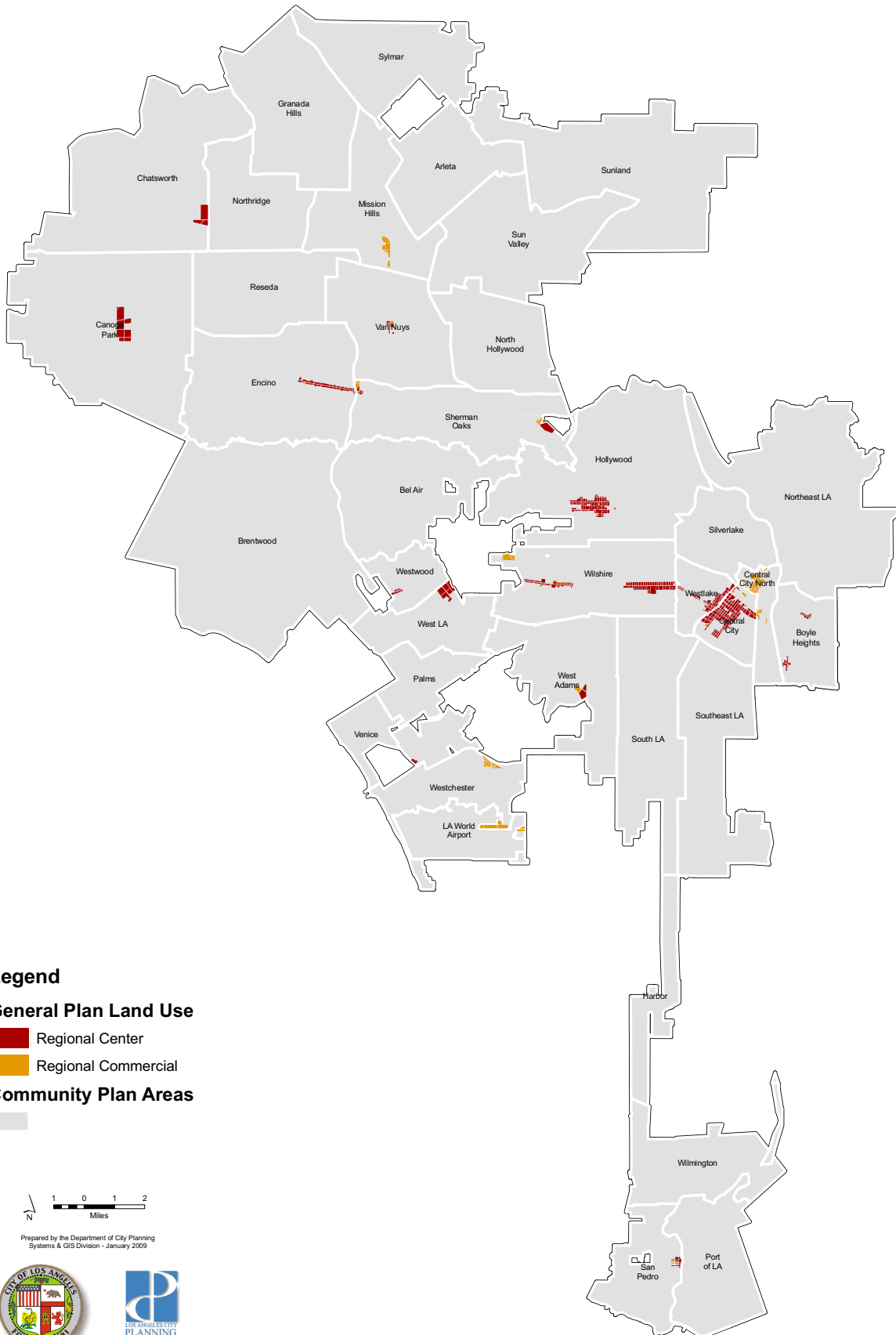
ATTACHMENT 3

List of areas eligible to apply for Sign District designation

****NOTE:** These areas are not being designated as Sign Districts. These areas meet the land use designation criteria for eligibility to apply for Sign District designation. Sign District applications are subject to all other requirements, findings, environmental impact analysis, public hearings and legislative review, as required by the proposed sign ordinance. Land use designations are developed with substantial public input through the community plan update process. Regional Center, Regional Commercial and Downtown Center are the most commercially intense land use designations.

Region	Common name	Nearby street intersection	Land use designation
San Fernando Valley	Warner Center	Topanga Canyon BI and Victory BI	Regional Center
	Northridge Fashion Center	Nordhoff St and Tampa Ave	Regional Center
	Panorama City	Van Nuys BI and Roscoe BI	Regional Commercial
	Van Nuys	Victory BI and Van Nuys BI	Regional Center, Regional Commercial
	Encino to Sherman Oaks Galleria	I-405 and Ventura BI (within Ventura BI CDO)	Regional Center, Regional Commercial
	Universal City	US-101 and Lankershim BI	Regional Center, Regional Commercial
West/Coastal Los Angeles	Westwood	Westwood BI and Wilshire BI	Regional Center
	Century City	Wilshire BI and Ave of the Stars	Regional Center
	Promenade at Howard Hughes Center	I-405 and Sepulveda BI	Regional Commercial
	Century BI @ LAX	Century BI and Aviation BI	Regional Commercial
	San Pedro	Harbor BI and 6 th Street	Regional Center, Regional Commercial
	Ballona Wetlands (formerly Playa Vista Phase III)	Lincoln BI and Culter BI	Regional Center
South Los Angeles	Baldwin Hills / Crenshaw Plaza	Crenshaw BI and M.L.K. Jr. BI	Regional Center, Regional Commercial
Metro Los Angeles	Boyle Heights I	Cesar Chavez Ave and Soto St	Regional Center
	Boyle Heights II	Olympic BI and Soto St	Regional Center
	Beverly Center and Cedars-Sinai	San Vicente BI and Beverly BI	Regional Commercial
	Miracle Mile	Wilshire BI between San Vicente BI and La Brea	Regional Center, Regional Commercial
	Koreatown & Westlake	Wilshire BI from Wilton PI to Park View St	Regional Center
	City West	110 freeway and Wilshire BI	Regional Center
	Central City North (Chinatown)	110 freeway and US-101	Regional Commercial
	Central City (Downtown)	110 freeway and US-101	Regional Center, Regional Commercial, Downtown Center


Areas Eligible for Sign Districts (proposed)



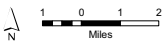
Legend

General Plan Land Use

 Regional Center

 Regional Commercial

Community Plan Areas






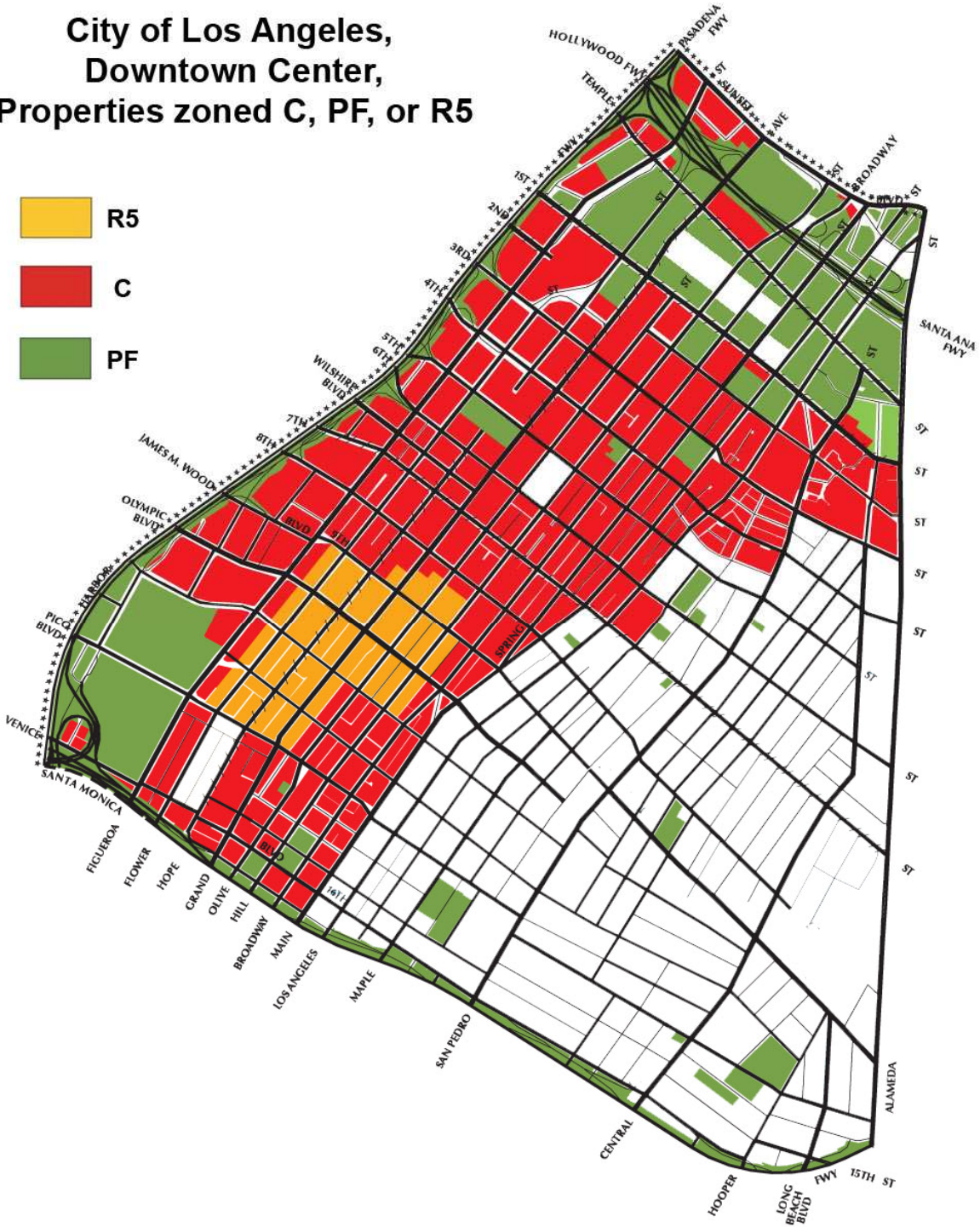
Prepared by the Department of City Planning
Systems & GIS Division - January 2009



The below areas in the Downtown Center are also eligible to apply for Sign District designation.

**City of Los Angeles,
Downtown Center,
Properties zoned C, PF, or R5**

-  R5
-  C
-  PF



ATTACHMENT 4

LAND USE FINDINGS

1. In accordance with Charter Section 556, that the proposed ordinance (Appendix C) is in substantial conformance with the purposes, intent and provisions of the General Plan in that it will support Goal 5A of the Citywide General Plan Framework by helping to further shape “a livable city for existing and future residents and one that is attractive to future investment,” by supporting Objective 5.5, to “enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm”; Objective 5.5.3, to “formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide” by protecting and enhancing neighborhood character and livability through appropriately strict time, place and manner regulations on signage; and Policy 5.8.4 to “encourage that signage be designed to be integrated with the architectural character of the buildings and convey a visually attractive character” by curbing the proliferation of intensive sign types and reducing visual clutter; and
2. in accordance with Charter Section 558 (b) (2), that the proposed ordinance (Appendix C) is directly related to the General Plan, specific plans or other plans being prepared by the Department of City Planning, in that it supports Goal 3C of the Citywide General Plan Framework by helping to protect and promote “multi-family neighborhoods that enhance the quality of life for the City's existing and future residents” by restricting intensive sign types that can disrupt the visual environment and detract from quality of life within and near residences; and also supports General Plan Framework Policy 3.7.4, to “improve the quality of new multi-family dwelling units based on the standards in Chapter 5 (Urban Form and Neighborhood Design Chapter) of this Element” by limiting the height, area and spacing of signage citywide, including in the city’s many mixed-use areas where commercial signage can visually impact residential environments; and
3. in accordance with Charter Section 558 (b) (2), that the proposed ordinance (Appendix C) is in substantial conformance with the public necessity, convenience, general welfare and good zoning practice in that it supports Goal 9P of the Citywide General Plan Framework by helping to “protect and preserve the nighttime environment, views, driver visibility, and otherwise minimize or prevent light pollution, light trespass, and glare” and Policy 9.40.3, to “develop regulations to ensure quality lighting to minimize or eliminate the adverse impact of lighting due to light pollution, light trespass, and glare for façade lighting, security lighting, and advertising lighting, including billboards” by establishing a baseline citywide prohibition on digital displays, which have been shown to dangerously distract drivers and have such land use impacts as light pollution, light trespass, and excessive glare; and
4. in accordance with Charter Section 558 (b) (2), that the proposed ordinance (Appendix C) is directly related to the General Plan, specific plans or other plans being prepared by the Department of City Planning, in that the proposed ordinance supports the Citywide General Plan Framework’s Liveable Neighborhoods Subsection (under the Land Use Section), which provides that “all neighborhoods in the City deserve to have well

designed buildings and a safe, secure, and attractive public realm” by establishing restrictive standards for signage citywide that will provide both short and long-term improvements in the quality of the public realm.

ENVIRONMENTAL FINDING

A Negative Declaration, ENV-2008-0009-ND, was published on this matter on January 15, 2008, and it was determined that this project will not have a significant effect on the environment (see Attachment 7).

ATTACHMENT 5

Sign Ordinance Fees

As part of the revised sign ordinance, a new Subsection Y shall be added to Section 19.01 of Article 9 of Chapter 1 of the Los Angeles Municipal Code that sets forth fees for processes defined in the sign ordinance. The section shall read as follows:

1. The filing fee for a sign modification pursuant to Section 14.4.19 of this Code shall be \$3,867.
2. The filing fee for a comprehensive sign program pursuant to Section 14.4.20 of this Code shall be \$10,000.
3. The filing fee to amend a comprehensive sign program pursuant to Section 14.4.4.20 of this Code shall be \$5,754.
4. The fee to file an appeal of the Department of Building and Safety's order to comply pursuant to Section 14.4.22 of this Code shall be \$6,688.

In determining the fee amounts, staff took into account the goal of the Department to achieve full cost recovery in case processing. As a result of a comprehensive fee study conducted by Matrix Consulting Group (Matrix) in 2009, staff was able to identify per-unit costs for fee related services. The study's cost-based analytical approach follows best management practices and ensures fees that are fair, equitable, and represent the estimated and reasonable costs of services as required by the Government Code. The methodology employed a widely known and accepted "bottom up" approach to cost analysis, where time spent per unit of fee activity is determined for each position within the Department of City Planning. Matrix calculated the final total cost per unit covering direct personnel costs at 71%; budgeted non-salary expenditures at 8%; and citywide overhead costs at 21%.

To determine the recommended sign ordinance fees, staff identified current applications with comparable procedures to those anticipated for the sign regulation procedures, and made the assumption that the fees charged for the new sign procedures should be comparable. The time estimates determined in Matrix's comprehensive fee study for the selected comparable processes are as follows:

Sign Modification: The proposed fee of \$3,867 for a sign modification is based on Matrix's recommended fee for a slight modification.

Comprehensive Sign Program: The proposed fee of \$10,000 for a comprehensive sign program is based on Matrix's recommended fee for a zone change or a subdivision case. A zone change requires input from the Public Counter, Urban Design Unit, and Community Planning Bureau staff, as would a Comprehensive Sign Program. Based on this and other factors, staff determined that the comprehensive sign program process is most comparable to the existing procedure for a zone change or a subdivision case.

Amendment to a Comprehensive Sign Program: The fee of \$5,754 to file an amendment to a sign program is based on Matrix's recommended fee for a plan approval. The current process requires input from the Public Counter and Office of Zoning Administration staff, as would an amendment to a Comprehensive Sign Program. Based on this and other factors, staff determined that the process for an amendment to a comprehensive sign program is most comparable to the existing procedure for a plan approval.

Appeal of Code Violation Citation: The fee of \$6,688 to file an appeal of the Department of Building and Safety's order to comply of this Code is based on Matrix's recommended fee for other appeals of Building and Safety orders. This appeal requires input from the Public Counter and the Office of Zoning Administration staff. Staff determined that the process for an appeal of an order to comply is most comparable to the existing procedures for other appeals of Building and Safety orders.

The Matrix study included a survey of selected fees for seven comparable cities: Portland OR; San Jose, CA; Oakland, CA; San Francisco, CA; Dallas, TX; Denver CO; and Seattle WA. The proposed fees for Los Angeles, based on full cost recovery, in almost all instances, are higher than any of the cities surveyed. The study also compared the proposed fees for Los Angeles to local and more competitive jurisdictions: Glendale, Burbank, Pasadena, Santa Clarita, Long Beach and Los Angeles County. The fees proposed for Los Angeles are sometimes higher and sometimes lower than those for the chosen cities, but on average are higher.

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November 7, 2008

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

Council of the City of Los Angeles
Arts, Parks, Health and Aging Committee
200 North Spring Street
Los Angeles, CA 90012

Re: Report on Fine Art Murals
Council Files 08-0515 (LaBonge, Huizar), 08-0530 (Huizar, LaBonge), 08-0530-
S1 (Huizar, LaBonge), and 08-1233 (LaBonge, Huizar)

Honorable Members of the Planning and Land Use Management Committee
Honorable Members of the Arts, Parks, Health and Aging Committee

Introduction

On April 17, 2002, the City Council adopted Ordinance No. 174,517, amending the City's Sign Code to prohibit the erection of supergraphic and mural signs, except when they are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement. The definition of mural sign also includes Fine Art Murals. On March 5, 2008, Council requested a report with recommendations relative to the feasibility of establishing a process which would permit the installation of Fine Arts Murals on private property.

In response to these requests, the Department of City Planning has undertaken extensive research on the practices of other jurisdictions, and on First Amendment considerations. The Department recommends that the City consider the model of Portland, Oregon, which allows Fine Art Murals on easements on private property which are donated to the City. The City, in its role as owner or patron of art, has greater leeway to distinguish based on content than when the City is acting in a regulatory capacity.

Background

On March 5, 2008, Councilman LaBonge introduced a motion (CF 08-0515), seconded by Councilman Huizar, requesting a report with recommendations relative to the feasibility of establishing a process which would permit the installation of Fine Art Murals on private property. On March 5, 2008, Councilman Huizar introduced a motion, (CF 08-0530) seconded by Councilman LaBonge, requesting the Department of Building and Safety and the Planning Department to notify the Department of Cultural Affairs and the appropriate Council Office when a property owner has been cited for a violation and is being requested to remove a mural from private property. On March 25, 2008, Councilman Huizar introduced a motion (CF 08-0530-S1), seconded by Councilman LaBonge, requesting that the Department of Building and Safety and the Planning Department cease from issuing citations or notices to comply for murals signs until the City has established a permitting process for fine art murals on private property. On May 14, 2008, Councilman LaBonge introduced a motion (CF 08-1233), seconded by Councilman Huizar, requesting that that the Planning Department, with the assistance of the Department of Cultural Affairs, the Department of Building and Safety, the City Attorney, and the Chief Legislative Analyst, first define what a fine art mural is and to draft an ordinance that addresses the City's need to facilitate new murals and preserve existing murals.

Murals are an integral part of cultural expression in the City. Throughout the City, murals have been created by artists from diverse artistic backgrounds and traditions. Often, murals illustrate important social and cultural issues in the community in which they are created. Indeed, Los Angeles has been called "the mural capital of the world."

The creation and maintenance of murals on private property is governed by the City's sign regulations, which are a part of the City's Zoning Code. These regulations prohibit new murals, except when permitted by a specific plan, an overlay zone, or as part of a development agreement. In most cases, new murals cannot be created, and the validity of existing murals is called into question. As a result, emerging artists are denied the opportunity to create important new works of art, and the City's treasure of existing murals is slowly being lost.

Currently, the City is working to restore its murals and protect them from destruction and vandalism. The City has recently undertaken efforts to ensure that processes are in place to protect and preserve murals. While the City is addressing protection of murals on public property, it is equally as important to extend efforts to address issues facing murals on private property, especially considering that the majority of murals in the City are painted on private property.

There has been a significant increase in the issuance of citations relative to murals that are painted on private property. The citations ultimately result in the murals being removed from private property in order to comply with the Sign Code for mural signs or advertisements. Since many of the murals are painted in response to the occurrence of graffiti on walls, their removal ultimately encourages further graffiti vandalism. It is

important that these murals be protected until the City formally adopts procedures, as recommended in this report, for permitting murals on private property.

The bottom line is that the City's current sign regulations are not up to the challenge of facilitating the creation of new murals or the preservation of existing ones. Instead, a new law is needed.

Discussion

The City cannot regulate signage on the basis of content, due to First Amendment to the Constitution considerations. Thus, the concept of regulation of time, place and manner was explored as a basis of regulation of Fine Art Murals. It quickly became apparent, however, that such a regulation would have the effect of limiting the artistic product, and would not be acceptable to the stakeholders in the Fine Art Murals community. Further, a time, place and manner regulation, being content-neutral, would also allow such signs as supergraphics, and murals containing commercial messages, and lead to the proliferation of further advertising blight.

Staff investigated approaches taken by other jurisdictions in regulating Fine Art Murals. The most promising was that taken by the City of Portland, Oregon, which faced the same challenges as Los Angeles in the regulation of Fine Art Murals. In 1998, the largest owner of billboards in Portland, AK Media, filed a lawsuit against the city claiming that by exempting murals from its sign regulations, the city was discriminating against advertising in favor of murals. This was alleged to violate the free speech provisions of both the Oregon and United States Constitutions. The Multnomah County Circuit Court ruled in AK Media's favor, finding that the city had made an unconstitutional distinction between two types of speech, and was therefore regulating speech based on content.

Upon appeal, the Court of Appeals of Oregon held that it was without jurisdiction, and remanded the case to the Multnomah County Circuit Court. In *Clear Channel Outdoor v. City of Portland*, the court held that "there are many ways in which the City promotes art and other activities which could presumably include mural art. And, at least for purposes of the federal Constitution, the law of 'limited public forum' permits a governmental entity to discriminate reasonably in the purposes for which a forum of the entity's creation can be used—including prohibiting altogether whole categories of 'speech'—as long as the process retains viewpoint neutrality and does not run afoul of some other forbidden basis of discrimination such as religion."

Thus, there is authority under the First Amendment suggesting that when the government is acting as a patron of art, or is displaying art in publicly owned places, there is greater (but not unfettered) leeway to distinguish based on content than when the government is acting in a regulatory capacity. Following this reasoning, the City of Portland exempted all public art, including public art murals, from its Sign Code, and in its proprietary capacity, displays art in spaces it either already owns or which are donated to it for that purpose. With regard to its public art collection, including public art

murals, Portland acts as a patron of arts, not as a regulator. It's Sign Code remain unchanged, and all expression previously available under the Sign Code remains available. The Sign Code exempts only public art (that is, art funded by the City/Public Art Trust Fund and owned by the City) in public locations (in/on publicly owned buildings or spaces or in/on easements donated to the City). This distinguishes this exemption from the blanket exemption for murals previously held to be unconstitutional since it was based upon content.

The Regional Arts and Culture Council (RACC) already administered an existing public art program that was expanded to include public art murals. New murals are reviewed by the Public Art Advisory Committee (PAAC), a standing RACC committee that is responsible for overseeing the City's Public Art Program. Committee members include artists, arts advocates and professionals as well as a representative from the City's Design Commission. The program provides funding for murals that reflect a diversity in style and media and encourages artists from diverse backgrounds and range of experience to apply.

Building owners who wish to donate wall space to the public for a RACC-approved public art mural may do so by granting an Art Easement for placement of a public art mural on their building to the City of Portland. Easements are for five or more years. The City can accept or decline any easements for public art murals which are offered to it. Public Art Easements are managed by the City's property manager, as with other publicly owned property. Real estate attorneys, lenders and real estate developers in Portland have provided assurances that the public Art Easement, which allows for termination in select circumstances, should not pose a barrier to securing loans or to sale or transfer of affected properties.

The RACC public art approval criteria to be used in evaluating public art murals include artistic quality, originality, context, permanence, diversity, feasibility, scale and community support. The public art selection process evaluates the artistic quality and originality of proposed murals. It also promotes murals that are aesthetically pleasing, creative and unique additions to Portland's neighborhoods. Like other works of public art administered by the RACC, public art murals are owned by the public. Public art murals are placed on wall space that is either already owned by the public (such as on the walls of publicly owned buildings) or on wall space that is dedicated to the public through a public Art Easement.

The RACC reviews proposals for public art murals pursuant to the criteria mentioned above. Such reviews are conducted by the PAAC, which includes representatives from the Design Commission, as well as artists and arts patrons. Public notice of proposed public art murals is given to representatives of the community who are interested in or may be affected by the public art. These representatives can include neighborhood and business associations, adjoining neighbors, as well as the Landmarks Commission if the public art is proposed in areas of historical significance. Members of the public have an opportunity to review and comment on proposed murals.

Murals approved through this program become part of the City's public art collection for as long as the Art Easement remains in effect. The number of Public Art Murals awarded funding is dependent on the funds available and the number of applicants submitting each year. If a mural project does not request public funding, the applicant must still go through the Mural Approval Process. Thus, in addition to the process of publicly funding murals, Portland can accept "donated" murals through an Art Easement into its public art collection.

Existing Murals

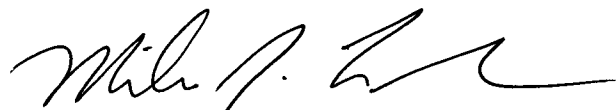
Murals created prior to the City's ban on billboards are, presumably, legal, although now non-conforming, provided that they complied with all relevant portions of the Sign Code in effect at the time that they were created. They therefore will be unaffected by any changes in the City's regulations. Murals created while the billboard ban was in effect are, presumably, not legal. They can become part of an easement in favor of the City on the building on which they are painted, and go through the existing process of approval by the Cultural Affairs Commission.

Recommendation

Staff recommends that the Planning Department, in conjunction with the City Attorney and the Department of Cultural Affairs, be instructed to prepare a citywide ordinance that amends, where necessary, the Zoning Code and the Administrative Code to adapt the Portland model for regulating Fine Art Murals to the City of Los Angeles. The advantage of the "Portland process" is that it avoids regulating Fine Art Murals based upon content, or upon time, place and manner. The City becomes an owner or patron of murals, and so has greater latitude in dealing with them than if the City were regulating them as if they were signs.

For further information, please contact Alan Bell at (213) 978-1322 or Michael O'Brien at (213) 978-1346.

Sincerely,



MICHAEL J. LOGRANDE
Chief Zoning Administrator

ML:AB:MOB

cc: Olga Garay, Department of Cultural Affairs
Hector Buitrago, Department of Building and Safety

Attachment: Portland Public Art Mural Program Guidelines and Application

Public Art M U R A L P r o g r a m

guidelines + application

July 1, 2008 - June 30, 2009



REGIONAL ARTS & CULTURE COUNCIL

108 NW 9th Avenue, Suite 300, Portland, OR 97209-3318
Tel: 503.823.5111 | Fax: 503.823.5432 | TDD# 503.823.6868
Email: info@racc.org | www.racc.org

Public Art Mural Guidelines

BACKGROUND

The Public Art Murals Program is a City of Portland program administered by the Regional Arts & Culture Council (RACC) as part of its Public Art Program. New murals are reviewed by the Public Art Advisory Committee (PAAC), a standing RACC committee that is responsible for overseeing the City's Public Art Program. Committee members include artists, arts advocates and professionals as well as a representative from the City's Design Commission. The program provides funding for murals that reflect a diversity in style and media and encourages artists from diverse backgrounds and range of experience to apply. Murals approved through this program become part of the City's public art collection for as long as the Art Easement (see attached form) remains in effect.

ELIGIBILITY AND FUNDING CRITERIA

Eligibility Criteria

Any individual/organization intending to create a mural on an exterior wall that is visible from the public right-of-way, larger than 200 square feet and within the boundaries of the City of Portland must apply for approval through the Public Art Mural Program. If the mural will be 200 sq ft or smaller, the applicant has the option of applying for a sign permit through the City of Portland's Permit Office, 1900 SW 4th. Not-for-profit organizations may be eligible for a waiver of the sign fee. Sign permits can be downloaded at www.portlandonline.com/bds.

Applicants to the Public Art Mural Program may be:

1. An individual artist or a group of artists (eligible for up to \$10,000 in matching funds); or
2. Students enrolled in an art program at a degree-granting institution (eligible for up to \$2,500 in matching funds); or
3. A building owner (NOTE: A building owner is required to sign an Art Easement form with the City, agreeing to keep and maintain the mural on the approved site for no less than five years); or
4. A "not-for-profit" organization. This includes registered neighborhood associations, citizen-based groups and organizations with IRS 501(c)(3) status. However, IRS 501(c)(3) status is not required. The definition of a "not-for-profit organization" is an organization whose primary purpose is to serve and to provide general benefit to the public and the organization's or group's net earnings are not distributed to those who control it.

Public art murals will not be approved on historic landmarks or in historic districts until RACC and the Landmarks Commission agree upon a review process that best serves the public's interest in these unique structures and areas. For links to maps of historic districts in Portland, go to <http://www.portlandonline.com/planning/index.cfm?c=30429>. If a building is a "contributing structure" within an historical district, a mural may not be painted on it.

Funding Criteria

The number of Public Art Murals awarded funding is dependent on the funds available and the number of applicants submitting each year. Applicants/artists may only be funded one time only between the application deadlines of June 1, 2008 and June 3, 2009.

If a mural project does not request public funding, the applicant must still go through the Mural Approval Process outlined on page 3 but does not have to submit a budget.

RACC Info

Applicants are required to meet with RACC staff prior to submitting an application.

Contact:

Peggy Kendellen
Public Art Manager
503.823.4196
pkendellen@racc.org

Deadlines Wednesdays

August 6, 2008

(for review in September)

February 4, 2009

(for review in March)

May 6, 2009

(for review in June)

June 3, 2009

(for review in July)

Review Criteria

artistic merit

concept and execution-

Demonstrated strength of artist's concept and craftsmanship as well as originality of proposed mural

scale - Appropriateness of scale to the wall upon which mural will be painted/attached and/or to the surrounding neighborhood

context - Architectural, geographical, socio-cultural and/or historical relevance to site

community support

General support/advocacy from building owner/user, surrounding neighborhood, adjacent businesses, and arts community

feasibility

Demonstrated ability to complete the proposed mural on time and within budget

Mural Requirements

media

Appropriate media proposed to ensure mural's longevity and durability

structural and surface stability

Commitment to repair mural surface as necessary before painting and to use acceptable graffiti/UV coating on finished mural that provides resistance to vandalism and weather

signed easement form from building owner

Commitment to keep the mural unchanged for minimum of 5 years and to maintain mural during that time

public accessibility, safety and lighting

Compliance with city codes for safety, accessibility and lighting

Funding Criteria (continued)

1. Public art murals may be:
 - a. partially funded with public funds and one-to-one matching with private funds either through in-kind or cash donations; or
 - b. funded in full by an individual/organization who negotiates with the artist.
2. Funds will be awarded based on review criteria.
3. Applicants requesting funds must match the RACC grant request with a one-to-one match of cash or a combination of cash and in-kind contributions. This one-to-one match must be reflected on the application budget page. .
4. Items not eligible for funding through this program include food, purchase of equipment, or staff positions.

MURAL APPROVAL PROCESS

1. **Meet with public art staff** for initial review of imagery, location, funding and building owner's approval.
2. **Submit Public Art Mural Application.** Answer all applicable questions in the application. Supplementary materials must include 15 copies of color rendering of proposed mural, digital images of site and physical surroundings, a project timeline, and other materials as agreed upon with RACC.
3. **Present the mural proposal to RACC's Public Art Advisory Committee** (see meeting schedule on page 2). Meeting notice is sent to applicable neighborhood groups identified for regular notification by the City. Following the presentation, a decision is made based upon adopted review criteria for public art murals (see sidebar). RACC Board reviews/ approves recommendations for funding prior to applicant receiving a contract. If proposal is not approved, applicant may return to the PAAC for approval after addressing recommendations.

After mural is approved by RACC:

4. **Building owner provides a notarized signed Art Easement agreement** which is then signed by the City of Portland and filed with Multnomah County.
5. *If receiving public funding, applicant signs agreement with RACC to receive payments. If not receiving public funding, RACC sends applicant official notification of approval to proceed.*
6. **Artist signs form agreeing to terms of Art Easement agreement and waiver of rights under the federal Visual Artist Rights Act** that would interfere with the performance of any rights under the Art Easement agreement.
7. **Artist begins mural.**
8. **Applicant notifies RACC public art staff, and Diana Lee Holuka, City Property Manager**, at 503-823-6932, of completion of mural.
9. **Applicant provides RACC with digital images** of completed mural for RACC's on-line gallery of the Public Art Mural Program.

application

Public Art Mural Program

Applicants must submit fifteen copies of completed application on 8.5" x 11" white paper.
Application must be either typed (10 point or larger font) or printed clearly.

CONTACT INFORMATION

Lead Artist's Name

Applicant's Name (if different from artist)

Applicant's Mailing Address

City/State/Zipcode

Home Phone

Cell Phone

Email

Website

Funds requested from RACC (refer to funding criteria on p. 2) \$ _____

Proposed mural location (street address/intersection) _____

Project start date: _____ Proposed completion date: _____

**Mail/deliver application to: Public Art Mural Program
Regional Arts & Culture Council
108 NW 9th, Suite 300
Portland, OR 97209**

FOR OFFICE USE ONLY

Application Received (month/day/year) _____

Presented to Public Art Advisory Committee (month/day/year) _____

Deferred

Approved

Not Approved

required supplementary materials

- **Resumé** of each artist involved in project
- **6 digital images** that highlight artist's original work and best illustrates mural experience
- **15 copies of an image of building within its neighborhood context including the wall** on which mural will be painted
- **15 copies of one color image of proposed mural**
- **Letter of support from building owner** including commitment to sign Art Easement Agreement
- **History of sponsoring organization** (if applicable) including brief narrative, date established and community served
- **Letter(s) of support from community and/or surrounding businesses** (optional)

1. Briefly describe the proposed mural and its relation to the building, the surrounding neighborhood and the community served by the business/agency where the wall is located.

2. Describe the wall and site where the mural will be located, including size of mural in relation to actual wall size, street/intersection, direction mural will face, physical condition of wall (cracks, leaks, concrete, wood, etc.), and public accessibility.

Applicants are encouraged to ensure the best display conditions for a mural and to avoid locations having unavoidable clutter that would obstruct the mural (e.g., dumpsters). If the wall is not in good condition, additional time and money will be needed to prepare the surface.

3. Briefly describe artist's experience working in large scale and collaboratively with community groups (if applicable).

4. Briefly describe reason(s) for requesting Public Art Mural Funds.

5. Explain which expenses will be covered by Public Art Mural funds.

project budget

mark contributions as Confirmed (C) or Projected (P)

	EXPENSES	CONTRIBUTIONS (incl. cash, in-kind)
Lead Artist Fee	\$ _____	_____
Assistant(s) Fee(s)	\$ _____	_____
	\$ _____	_____
Supplies/Materials	\$ _____	_____
Documentation (cost of photographing artwork)	\$ _____	_____
Equipment rental (scaffolding, ladders, etc.)	\$ _____	_____
Liability insurance	\$ _____	_____
Space rental (if applicable)	\$ _____	_____
Transportation	\$ _____	_____
Installation (if applicable)	\$ _____	_____
Other related costs (please list)	\$ _____	_____

CASH CONTRIBUTIONS:

Foundation	_____	\$ _____
Business/Corporation	_____	\$ _____
Individuals	_____	\$ _____
Fundraisers	_____	\$ _____

TOTAL PROJECT EXPENSES	\$ _____
TOTAL CONTRIBUTIONS	\$ _____
FUNDS REQUESTED	\$ _____

After recording return to:
City of Portland
Bureau of General Services
Property Acquisition & Services Manager
1120 SW 5th Avenue, Room 1204
Portland OR 97204

ART EASEMENT

THIS AGREEMENT, effective on _____(month/day/year), is between _____ (“Grantor”), and the City of Portland, an Oregon municipal corporation (“City”).

RECITALS

A. The City has adopted a program for the placement of art in and on public and private locations throughout the City of Portland. The Regional Arts and Culture Council administers the City’s art program.

B. Grantor owns the property legally described in Exhibit A (attached hereto and incorporated herein) and is willing to make said property available to the City for the placement of public art, as defined in Portland City Code section 5.74.020c. (hereinafter, “Artwork”). Said Artwork is described in Exhibit B, attached hereto and incorporated herein.

IN CONSIDERATION of the mutual promises and performances set forth below, the parties agree as follows:

1. Grant of Easement. Grantor conveys, grants and warrants to the City, its successors and assigns, an easement for the purpose of installing, maintaining, operating and exhibiting the Artwork described in Exhibit B on and in the real property described in Exhibit A, including any building and structure thereon (“property”). The location of the Artwork shall be as approved by the Regional Art and Culture Council.

2. Term of Easement. This easement shall be for a period of five (5) years from the date of execution. Unless terminated as provided in section 3, below, the easement shall automatically renew thereafter, and shall remain in full force and effect unless and until terminated.

3. Termination.

- a) At the expiration of the five year easement period, the easement may be terminated by either party upon 30 days written notice to the other party. Grantor expressly agrees and warrants that upon expiration, the Artwork shall be removed and the Property restored to its prior condition. Such removal shall occur within 30 days of the termination of the easement, unless this period is extended in writing by the City.
- b) Within the initial five year easement term or at any time thereafter, the easement may be terminated by Grantor with the City’s consent in writing upon Grantor’s showing of any of the following: i) that the property is to be sold and the buyer requires removal of the easement as a condition of the purchase and sale; or ii) that the property is to be refinanced and the lender requires removal of the easement as a condition of the refinancing; or iii) that the property is to be substantially remodeled or altered in a way that precludes continued maintenance of the Artwork; or iv) that circumstances have materially changed and the continued existence of the easement or maintenance of the Artwork substantially impedes Grantor’s reasonable use and enjoyment of the Property. The City shall not unreasonably withhold consent to termination upon Grantor’s satisfactory demonstration of any of the foregoing conditions of termination.
- c) The City may terminate the easement at any time at its sole discretion upon 30 days written notice to Grantor, should Grantor fail to substantially perform Grantor’s obligations under Section 4, below. Should the City elect to exercise this right of termination, Grantor expressly agrees and warrants that the Artwork shall be removed and the Property restored to its prior condition. Such removal shall occur within 30 days of the termination of the easement, unless this period is extended in writing by the City.

4. Maintenance and Removal of Artwork. Grantor shall be responsible for maintaining and if necessary repairing the Artwork described in Exhibit B during the existence of the easement. The City may remove the Artwork from the property if, in the sole judgment of the City, the Artwork is being excessively damaged, and Grantor fails or refuses to maintain or repair the Artwork after 30 days written notice from the City requesting Grantor to do so. If the City removes the Artwork from the property, the City will restore the property to its original condition. Alternatively, at the City's sole discretion, the City may enter upon the property to maintain or repair the Artwork if Grantor has failed to do so after 30 days written notice from the City that the Artwork requires maintenance or repair.

5. Right of Entry. The City shall have the right to enter the property described in Exhibit A during normal business hours, and at all other times with advance approval of the Grantor, for any and all of the purposes described in this agreement.

6. Binding Effect. The easement granted in this agreement shall run with the land and be binding upon and inure to the benefit of the Grantor and the City, and their respective successors or assigns, and any person or entity acquiring any right, title, or interest in the property.

7. Contractual Relationships. Assignment. This agreement does not constitute either party as the agent or legal representative of the other for any purpose whatsoever. The parties are not granted any express or implied right or authority to assume or create any obligation or responsibility on behalf of the other or to bind the other in any manner whatsoever. The parties shall not assign this agreement without the prior written consent of the other.

8. Notice. Notice shall be made to the following addresses, unless otherwise provided for in writing:

City of Portland

Grantor

City of Portland - Bureau of General Services
Property Acquisition & Services Manager
1120 SW 5th Avenue, Room 1204
Portland OR 97204

AND

Portland City Attorney's Office
1220 SW 5th Avenue, Room 430
Portland OR 97229

9. Amendments. The parties expressly reserve the right to modify this agreement, from time to time, by mutual agreement. No modification or amendment of the provisions of this agreement shall be effective unless in writing and signed by authorized representatives of the parties.

10. Remedies. The parties acknowledge that breaches of this Agreement will effect substantial harm to the public interest which harm is difficult or impossible to prove as actual damages in an action hereunder. The parties agree that the prevailing party in an action for the breach of this agreement shall be entitled to a) liquidated damages in an amount of \$2500 per material breach; b) specific performance of the terms of this agreement, and each of them; c) reasonable attorney's fees; and d) any other remedies available at law or in equity. The rights under this agreement are cumulative. The failure to exercise on any occasion any right shall not operate to forfeit the right on another occasion. The use of one remedy shall not be taken to exclude or waive the right to use another.

11. Invalidity of Particular Provisions. Should any term, provision, condition or other portion of this agreement or the application thereof be held to be inoperative, invalid or unenforceable, the remainder of this agreement or the application of the term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby and shall continue in full force and effect.

12. No Waiver. No waiver of full performance by any party shall be construed, or operate, as a waiver of any subsequent default or breach of any of the terms, covenants or conditions of this agreement.

13. Term. This agreement may be terminated upon delivery of a letter of termination executed by any party, provided that any such letter shall provided for a 180 day period for the Artwork to be removed.

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
—
CITY PLANNING COMMISSION

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
ROBIN R. HUGHES
FR. SPENCER T. KEZIOS
RICARDO LARA
CINDY MONTAÑEZ
MICHAEL K. WOO
—
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES

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INFORMATION
(213) 978-1270
www.planning.lacity.org

April 3, 2009

Council of the City of Los Angeles
200 N. Spring Street
City Hall
Los Angeles, CA 90012

**RE: Supplemental Analysis Re: ENV-2009-0009-ND;
Comprehensive Sign Ordinance Code Amendment; Citywide**

Honorable City Council members,

This letter provides supplemental analysis pursuant to the California Environmental Quality Act ("CEQA") for the proposed comprehensive sign ordinance approved by the City Planning Commission ("CPC" or "Commission") on March 26, 2009. The code amendment project was initiated in response to Council Motion # 08-2020 (Garcetti – Greuel – Rosendahl – Weiss – Wesson Reyes), made on July 29, 2008 and referred by the Planning and Land Use Management Committee on September 9, 2008 to the Department of City Planning. In advance of the January 22, 2009 meeting of the CPC, the Department of City Planning issued a Negative Declaration (ENV-2009-0009-ND) ("ND"), which supplements the code amendment case, CPC-2009-0008-CA. Pursuant to Section 15073.5 of the State CEQA Guidelines, the Department of City Planning hereby issues the following revisions to the previously issued ND, which contained the following project description:

“A proposed ordinance amending Sections 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of the Los Angeles Municipal Code to remove the distinction between on-site and off-site signs; replace content-based sign regulations with time, place, and manner regulations; establish height, area, and spacing requirements for signs; allow minimum signage for individual premises; establish combined sign area limits; create a minimum distance requirement between residentially zoned properties and illuminated signs; create a new relief mechanism from 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.”

Subsequent to the initial publication of the above referenced ND, the proposed ordinance was heard before the CPC on January 22, February 19, February 26, March 18, and March 26, 2009, and was discussed in several meetings of an ad hoc committee of four Commissioners, appointed on February 19, 2009. In addition, Planning Department staff have heard several hours of public testimony and received hundreds of pages of public comment during the four hearings between January 22 and March 18, 2009. The discussion at these meetings, particularly specific instruction offered from the Commission and the input from public testimony,

as well as ongoing research by Planning staff have resulted in changes to the ordinance from that originally proposed. This document seeks to: (1) refine the project description to more accurately reflect the code amendments approved by the Commission on March 26, 2009; (2) analyze whether any changes to language in the proposed ordinance give rise to any potentially significant impacts under the California Environmental Quality Act ("CEQA"), and (3) supplement the original ND with further analysis based on public input and the changes to the proposed ordinance resulting there from.

Issues related to the previously published Project Description

Based on public input, the Commission decided to retain the distinction between on- and off-site signage that currently exists within the Los Angeles Municipal Code. Because of legal challenges to the regulation of sign content and difficulties with enforcement, the initial staff recommendation from the January 22nd staff report was to remove the distinction, as publically noticed in the circulated project description above. The February 19th staff report contained two alternative ordinance proposals, one removing the distinction and one retaining it. At the February 26th meeting of the CPC, the Commission moved definitively to retain the distinction between on and off-site signage. Therefore, the project description per CEQA for the proposed code amendment transmitted to the City Council should delete the words, "remove the distinction between on-site and off-site signs;". This change merely maintains the status quo, thus giving rise to no potentially significant environmental impacts.

Similarly, the January 22nd staff report and ordinance contained a provision allowing an allotment for individual premises signs not to be included in the total sign area of a given development. After reviewing the public testimony and written comments staff received at the initial hearing, this approach was removed from subsequent drafts of the proposed ordinance and staff report. Therefore, the words "allow minimum signage for individual premises;" should be deleted from the CEQA project description transmitted to the City Council. This change to the original proposed ordinance does not give rise to any potentially significant environmental impacts as explained below in the discussion of transportation and circulation considerations under CEQA.

Discussion of potential physical impacts from future development on CEQA categories identified in public comments

Between publication of the ND and approval of the proposed ordinance by CPC on March 26, 2009, Planning Department staff received several written and verbal public comments regarding the adequacy of CEQA review with respect to the following impact categories: Aesthetics, Cultural Resources, and Transportation/Circulation. Many of the comments were constructive and helpful to subsequent revisions to the proposed ordinance. As such, many concerns expressed in the public hearings contributed positively to revisions to the proposed ordinance, which was eventually approved by the CPC on March 26, 2009. As the proposed ordinance moves forward, Planning staff hereby supplements the analysis in the original ND to further address the CEQA impact areas raised by public comments:

Aesthetics:

With respect to potential aesthetic impacts on scenic vistas, the proposed code amendment project would establish regulations to be applied to signage on future developments carried out within the City of Los Angeles. The code amendment itself does not include any specific physical development. The proposed code amendment would not change existing City regulations governing building heights, nor would it change allowed land uses or development

intensity within the City of Los Angeles. Many of the future projects to which the proposed ordinance would apply require CEQA review for requested discretionary actions, including potential signage supplemental use districts, which would include an assessment of the projects' visual impacts. Implementation of the proposed regulations through future development projects would not represent any change in how future development would affect scenic vistas. No adverse impact would result from adoption of the proposed ordinance.

Regarding scenic resources identified by CEQA, trees, rock outcroppings, and historic buildings are found throughout the City of Los Angeles. However, the proposed code amendment itself does not include any physical development that would affect these resources, and the proposed regulations would not encourage tree removal, damage to historic structures, or any increase in development intensity or distribution in the project area. No adverse impact would result from adoption of the proposed ordinance.

Also, concerning potential degradation to the existing visual character in the City of Los Angeles, the proposed code amendment would establish regulations to be applied to signage on future developments carried out within the City of Los Angeles. The proposed ordinance itself does not include any specific physical development. The proposed ordinance approved by the CPC on March 26, 2009, includes a reduction in the current maximum sign area of four square feet per linear foot of street frontage to a formula which adds a property's linear frontage to 1.5 times the existing or planned building frontage to arrive at total sign area allowed. In all cases, this formula will create a significant reduction in allowable sign area for commercial and industrial development within the City of Los Angeles. This, in turn, will result in a positive impact on the existing visual character over many years of building renovation and redevelopment.

The proposed ordinance would allow relief from the proposed citywide standards by two means. First, relief may be had through comprehensive sign programs, which would allow up to the current level of signage through a discretionary process. Second, signage supplemental use districts could allow less signage than the proposed citywide regulations, more sign area, as well as sign types otherwise prohibited in the City of Los Angeles. Comprehensive sign programs and signage supplemental use districts will be discretionary actions, subject to CEQA review, including a full assessment of a given projects' visual impacts. Potential signage supplemental use districts will require implementation of a mandatory sign reduction program in within the district or the impact area immediately surrounding the district, which will help to improve the existing visual character in sections of the city. For these reasons, no adverse impact would result from adoption of the proposed ordinance.

Finally, future development approved within the City of Los Angeles has the potential to create new sources of substantial light or glare that could adversely affect day or nighttime views. Standard mitigation measures to minimize the short-term, construction-related impacts of development activity will be applied on a project-by-project basis. The proposed regulations do not include any specific development and do not encourage more lighting or glare-generating architectural features than are allowed under existing regulations. Moreover, the proposed ordinance reduces the maximum luminosity level for illuminated sign types, including identification signs at the roof lines of buildings, from three to two foot-candles, prohibits digital billboards and LED signs citywide except in signage supplemental use districts, and outlines the process by which specific lighting standards will be implemented in potential signage supplemental use districts that may be requested within the City of Los Angeles. It remains the Planning staff's position that aesthetic impacts under the proposed ordinance would be less than significant.

Cultural Resources:

Regarding the preservation of existing cultural and historic resources within the City of Los Angeles, Planning staff received written and oral comment from the public opposed to language within the proposed ordinance that commenters felt may restrict the restoration or modification of historic signs. The proposed ordinance does not change any regulations pertaining to existing sign rights as stipulated in Section 91.6216 in the Los Angeles Municipal Code, Building Regulations. The language proposed in the code amendment consolidates into Article 4.4, Sign Regulations, provisions that currently appear in Section 12.23, Nonconforming Building and Uses. Therefore, no changes to the City's ordinances related to historic signage are proposed in the ordinance approved by CPC on March 26, 2009. Further, regarding potential impacts to historic and cultural resources, there are no impacts per Section 21084.1 of CEQA, following the methodology outlined in the City of Los Angeles' adopted "L.A. CEQA Thresholds Guide" (2006). The rights and protections of properties with existing non-conforming signage or cultural monument-designated signage will not be impacted. Since the status quo is being maintained with regard to existing cultural resources, there is no potential for the proposed ordinance to give rise to significant environmental impacts.

Furthermore, with respect to the potential historic or cultural impacts under CEQA, the proposed code amendment involves regulatory changes in signage in conjunction with development in the City of Los Angeles and does not include any specific physical development. The proposed standards would not facilitate nor encourage new development projects, but would impose time, place, and manner restrictions on allowed signage. Regarding potential CEQA impacts of development that may occur subject to regulations in the proposed ordinance, development projects with the potential to affect historic resources would typically be subject to individual environmental review and would be subject to the City's existing policies and procedures, designed to evaluate and protect such resources. Because no construction or physical changes to existing buildings are proposed as part of the proposed ordinance, and because of the existing regulations and protections, including required CEQA review for projects with potential impacts to historic resources, adoption of the proposed code amendment would not have a potentially significant impact on historic resources in the City of Los Angeles.

Regarding other cultural resources outlined in CEQA, the proposed ordinance involves regulatory changes and does not include any specific physical development. All development projects with the potential to affect archaeological resources would be subject to existing regulations and safeguards, including CEQA review. In addition, California Health and Safety Code Section 7050.5 et seq. requires that if human remains are discovered, the Coroner shall be contacted and an investigation undertaken. If the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she must contact the Native American Heritage Commission. Potential impacts to archaeological or paleontological resources associated with developments undertaken after implementation of the proposed code amendment would not have a potentially significant impact on cultural resources in the City of Los Angeles.

Transportation/Circulation:

Several oral and written comments received from the public addressed potential impacts to transportation and circulation due to a restriction of maximum sign area and the inclusion of "wayfinding signs" within the allowable signage area limits. Although Planning staff previously referenced available United States Sign Council publications¹ to ensure the initial

¹ Publications relied on by Planning staff in this regard include: Bertucci, Andrew, "Guideline Code for Regulation of On-Premise Signs", United States Sign Council (USSC), 2001; Bertucci, Andrew, "On Premise Signs: United States Sign Council Best Practices Standards, USSC, 2003; Bertucci, Andrew, "Sign Legibility Rules of

recommendations fell within acceptable legibility requirements, subsequent iterations of the proposed ordinance, including the version approved by CPC on March 26, 2009, defined "wayfinding signs" as "information signs" and excepted them from the sign area limits while allowing slightly larger sign area. Based on the industry publications referenced above, Planning staff believes that the current proposals on sign area limits provide sufficient area to communicate messages to passing foot and automobile traffic. Further, no wayfinding signs in the public right-of-way will be impacted. As such, Planning staff maintains that the proposed revisions will not create potentially significant impacts related to traffic and circulation.

With respect to potential increases in traffic or level of service on specific roads or intersections, no development is proposed nor would any specific development be approved by the proposed code amendment. Implementation of the proposed code amendment, which would not change the land use designations or density in the project area, would not be expected to affect traffic or circulation. Therefore, and because no development, changes in land use, or increases in allowed land use intensity are proposed as part of the proposed code amendment, project implementation would not increase traffic volumes within the City of Los Angeles. Future development projects would be subject to individual review for potential traffic impacts and those impacts would be addressed on a case-by-case basis. No adverse impacts would result.

Regarding potential impacts to air traffic, no development is proposed nor would any specific development be approved by the proposed code amendment. Therefore, no change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks, would result. Building heights would not be increased, nor would projects regulated by the proposed code amendment increase airport traffic levels. No adverse impacts would result.

Concerning hazards due to design features, no sharp curves, dangerous intersections or other hazardous traffic or intersection configurations are proposed or would be facilitated by implementation of the proposed ordinance. Protections for road visibility, including visibility triangles and luminosity limits, have been maintained or enhanced in the proposed ordinance. Major changes in road engineering, alignment or intersection controls that could affect traffic safety are not proposed. Farm equipment and other incompatible vehicular or transportation uses would not be introduced or facilitated by the proposed ordinance. No adverse impacts would result.

With respect to emergency access, the circulation network would remain unchanged under the proposed regulations. Access to and from existing structures and to and through the project area would remain unchanged. Existing requirements for fire and other emergency access would continue to be applied to development as it is proposed and reviewed. No adverse impacts are anticipated.

Finally, regarding parking capacity and alternative transportation, no development is proposed nor would any specific development be approved by the proposed code amendment. Therefore, no change in parking capacity is anticipated from adoption of the proposed ordinance. Any future projects approved or developed under the revised regulations would be subject to the parking requirements of the Los Angeles Municipal Code. The proposed code amendment would not conflict with adopted policies, plans, or programs supporting alternative transportation. No adverse impact would result.

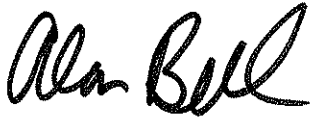
Thumb", USSC, 2006; Garvey, Phillip M., "On-Premise Signs: Determination of Parallel Sign Legibility and Letter Heights", USSC, 2006; Mandelkar, Daniel, et al; "Street Graphics and the Law.(Revised Edition); American Planning Association, Planning Advisory Service, Report No. 527, 2004; and United States Sign Council, "Computation Equations: Sign Area, Viewer Reaction, Projection Control, Letter Height; USSC, 2007. Copies of these documents are included in the ND's case file and available for public review.

Sufficiency of Negative Declaration

The Department of City Planning, Environmental Staff Advisory Committee (ESAC) has reviewed all comments received referencing the environmental clearance for the proposed ordinance and finds that the physical nature and scale of the code amendment project has not significantly changed from the project description above. Planning further finds that the changes to the code amendment project outlined herein flow directly from comments received from the public in response to the original ND, and that the changes do not represent a "substantial revision" as defined in CEQA Guideline section 15073.5. As such, no recirculation of the ND is required.

Sincerely,

S. Gail Goldberg
Director
Department of City Planning

A handwritten signature in black ink that reads "Alan Bell". The signature is written in a cursive, flowing style.

Alan Bell
Senior City Planner
AB:TB

Approved by the City Planning Commission on March 26, 2009

APPENDIX C

ORDINANCE NO. _____

A proposed ordinance 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 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 PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. 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	Hazard to Traffic
14.4.6	Freeway Exposure
14.4.7	Information Signs
14.4.8	Monument Signs
14.4.9	Projecting Signs
14.4.10	Wall Signs
14.4.11	Illuminated Architectural Canopy Signs
14.4.12	Pole Signs
14.4.13	Roof Signs
14.4.14	<u>13</u> Window Signs
14.4.15	<u>14</u> Marquee Signs
14.4.16	<u>15</u> Temporary Signs
14.4.17	<u>16</u> Temporary Signs on Temporary Construction Walls
14.4.18	<u>17</u> Off-Site Signs
14.4.19	<u>18</u> Awning Signs
14.4.20	Mural Signs
<u>14.4.19</u>	<u>Signs in A and R Zones</u>
<u>14.4.20</u>	<u>Sign Modifications</u>
<u>14.4.21</u>	<u>Comprehensive Sign Programs</u>
<u>14.4.22</u>	<u>Continuation of Nonconforming Signs</u>

<u>14.4.23</u>	<u>Administrative Civil Penalties</u>
<u>14.4.24</u>	<u>Right of Private Action</u>
<u>14.4.25</u>	<u>Recovery of Costs</u>

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.

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.

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

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.

Face of 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 building walls upon the street used for street frontage.

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

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

Digital Display. A sign face that displays still images, scrolling images or moving images, including video and animation, through a series of grid lights, including cathode ray, light emitting diode display, plasma screen, liquid crystal display, fiber optic, or other electronic media or technology, and that may be changed remotely through electronic means.

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.

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.

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 rooflike 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.

~~**Mural Sign.** A sign that is painted on or applied to and made integral with a wall, the written message of which does not exceed three percent of the total area of the sign.~~

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.

~~**Off-Site Sign Structure.** A structure of any kind or character, erected, used or maintained for an off-site sign or signs upon which any poster, bill, printing, painting, projected image or other advertisement may be placed.~~

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

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.

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 line.

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

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.

~~3. Sign support structures are excluded if neutral in color.~~

~~4. "Time and Temperature" sign copy is excluded from computation of sign area if the copy is less than 56 square feet in area.~~

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.

~~**Supergraphic Sign.** A sign, consisting of an image projected onto a wall or printed on vinyl, mesh or other material with or without written text, supported and attached to a wall by an adhesive and/or by using stranded cable and eye bolts and/or other materials or methods, and which does not comply with the following provisions of this Code: Sections 14.4.10; 14.4.16, 14.4.17; 14.4.18; and/or 14.4.20.~~

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 Section 3303 and 3306 of the California Building Code. (CBC).

Temporary Sign. Any sign that is to be maintained for a limited duration, ~~not to exceed 30 days~~, including paper signs and other signs that are not permanently affixed to the ground or building.

~~**Wall Sign.** Any sign attached to, painted on or erected against 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.~~

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 approved in Chapter 62 of the Los Angeles Municipal Code, which is supported and attached to the wall by an adhesive or other materials or methods.

Wall. An upright structure serving to enclose, divide or protect an area.

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. Any ~~A~~ sign except for a supergraphic 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.

SEC. 14.4.3. APPLICATION.

A. **Scope.** All exterior signs and sign support structures shall conform to the requirements of this article and all other applicable provisions of this Code. ~~except that the provisions of Sections 14.4.4 E and G; 14.4.4 I; 14.4.5; 14.4.6; 14.4.12; 14.4.18; 91.6205.2; and 91.6216 of this Code shall not apply to the relocation of signs or sign support structures that existed on January 17, 1993, that were erected or are maintained by the Los Angeles Memorial Coliseum Commission (Commission) on property owned or controlled, in whole or in part, by the Commission.~~

B. **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 article), window signs, marquee signs and awning signs may only display on-site or noncommercial messages. The following provisions of this Code, as applicable, shall apply to on-site signs: Sections 14.4.4 A; 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; 14.4.19-18; 14.4.19; 14.4.20; 14.4.21; 14.4.22; 14.4.23; 14.4.24; 14.4.25; 91.6205; 91.6207; and 91.6216.

C. **Off-Site Signs.** Pole signs conforming to the regulations set forth in Section 14.4.17 of this article may display off-site or noncommercial messages. The following provisions of this Code, as applicable, shall apply to off-site signs: Sections 14.4.4 A; 14.4.5; 14.4.6; 14.4.18; 14.4.22; 14.4.23; 14.4.24; 14.4.25; 91.6205; 91.6206; and 91.6207.

D. **Temporary Signs.** The following provisions of this Code, Temporary signs may display off-site, on-site or noncommercial messages. The provisions of the following sections of this Code, as applicable, shall apply to temporary on-site and off-site signs: Sections 14.4.4 A; 14.4.5; 14.4.6; 14.4.16; 14.4.17; 14.4.19; 14.4.21; 14.4.23; 14.4.24; 14.4.25; 91.6205; and 91.6207.

E. Zones.

1. Signs are permitted 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 article, as applicable: Sections 14.4.1; 14.4.2; 14.4.3; 14.4.4; 14.4.5; 14.4.6; 14.4.7; 14.4.10; 14.4.12; 14.4.15; 14.4.16; 14.4.18; 14.4.19; 14.4.20; 14.4.22; 14.4.23; 14.4.24; and 14.4.25.

2. Signs are permitted 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, P, PB, PF or SL zones; provided that these signs comply with the provisions of every section of this article except Section 14.4.19, as applicable.

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

~~E. F. **Mural Signs.** The following provisions of this Code, as applicable, shall apply to mural signs: Section 14.4.4 A; 14.4.5; 14.4.6; 14.4.20; 91.6205; and 91.6207.~~
Relationship to Other Provisions of this Code. If the provisions of this article conflict with any other provisions of this Code related to signs, then this article shall govern.

SEC. 14.4.4. GENERAL PROVISIONS.

A. Permitted 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 permitted 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, or spinners, except as permitted by Sections 14.4.16 15 and 14.4.17 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 14.4.16 15 and 14.4.17 16 of this Code.

6. are affixed to any vehicle or trailer on private property if the vehicle or trailer is not intended to be 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, digital displays, or continuous motion slide projectors in connection with any sign.

~~9. are supergraphic signs, except when supergraphic signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement.~~

~~10. are mural signs, except when mural signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement.~~

~~11. 9. Are off-site signs, except when off-site signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district, an approved development agreement, or a relocation agreement entered into pursuant to California Business and Professions Code Section 5412. This prohibition shall also apply to alterations or enlargements of legally existing off-site signs, except for alterations or enlargements specifically permitted by Section 91.6216 of this Code.~~

~~12. 10. are inflatable devices. except when inflatable devices are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement.~~

11. Are roof signs.

C. 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.

D. 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 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.

E. F. Sign Illumination Limitations. No sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than ~~three~~ two foot candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.

F. 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.

G. 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.

H. 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.

I. 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. Maximum Sign Area. The maximum sign area allowed on a lot shall be one square foot of sign area for every linear foot of street frontage and 1.5 square feet of sign area for every linear foot of building frontage. This sign area may be located anywhere on

the building or the lot or aggregated on one sign or multiple signs, provided that each individual sign complies with all applicable provisions of this article.

EXCEPTION: Temporary signs and information signs shall not be subject to the maximum sign area limitation imposed by this subsection.

L. Lots with Multiple Street Frontages.

1. If a lot is a corner lot or other lot with two or more street frontages, no more than two-thirds of the maximum sign area allowed under Subsection K above shall be located along any one street frontage.

2. 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.

3. 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.

M. Maximum Number of Signs. Each lot shall be subject to a maximum number of monument signs, projecting signs, and pole signs based on street frontage, as shown in the chart below. There is no maximum number of information signs, wall signs, illuminated architectural canopy signs, window signs, marquee signs, and awning signs permitted on a lot.

<u>Street frontage of lot</u>	<u>Permitted monument signs</u>	<u>Permitted pole signs</u>	<u>Permitted projecting signs</u>	<u>Total permitted freestanding signs and projecting signs</u>
<u>0- less than 50 feet</u>	<u>None</u>	<u>None</u>	<u>1</u>	<u>1</u>
<u>50 to less than 100 feet</u>	<u>None</u>	<u>None</u>	<u>1</u>	<u>1</u>
<u>100 to less than 200 feet</u>	<u>1</u>	<u>None</u>	<u>2</u>	<u>2</u>
<u>200 to less than 400 feet</u>	<u>2</u>	<u>None</u>	<u>3</u>	<u>4</u>
<u>400 to less than 600 feet</u>	<u>3</u>	<u>1</u>	<u>4</u>	<u>7</u>
<u>600 to less than 800 feet</u>	<u>4</u>	<u>1</u>	<u>5</u>	<u>9</u>
<u>800 to less than 1000 feet</u>	<u>5</u>	<u>1</u>	<u>6</u>	<u>11</u>
<u>1000 or more feet</u>	<u>5</u>	<u>1</u>	<u>6</u>	<u>11</u>

N. 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 established by any land use ordinance, including the height limit established for the underlying zone or height district.

O. **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 14.4.20 and 14.4.21 of this article.

SEC. 14.4.5. HAZARD TO TRAFFIC.

A. **Prohibition.** No sign or sign support structure shall be erected, constructed, painted or maintained, and no permit shall be issued, if the sign or sign support structure, because of its location, size, nature or type, constitutes a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or which creates a condition that endangers the safety of persons or property.

B. **Hazard Referral.** The Department of Building and Safety shall refer the following to the Department of Transportation for hazard evaluation and determination prior to the issuance of a building permit:

1. All permit applications for signs that will be visible from and are located within 500 feet of the main traveled roadway of a freeway; and
2. All other permit applications and any signs that are determined by the Department of Building and Safety to have a potential for hazard.

C. **Hazard Determination.** The Department of Transportation shall return to the Department of Building and Safety each application so referred to it, together with a written statement of its determination, within 120 days of the date of referral by the Department of Building and Safety, or within an extended period of time as mutually agreed upon by the permit applicant and the Department of Transportation. Failure of the Department of Transportation to return the application and a hazard determination to the Department of Building and Safety shall be deemed a finding by the Department of Transportation of no hazard, and the Department of Transportation shall then approve the permit application. If the Department of Transportation determines that the sign or sign support structure will constitute a hazard, the Department of Building and Safety shall deny the application for permit.

D. **Appeal.** An appeal of the determination of the Department of Transportation's hazard determination may be filed by the permit applicant with the Board of Transportation Commissioners within 15 days of the date the determination is issued. Any appeal so filed pursuant to this subsection stays proceedings in the matter. The Board must act within 75 days of the date the appeal is filed. The decision of the Board of Transportation Commissioners may not be further appealed, subject to Charter Section 245.

E. **Procedures.** The Department of Transportation shall prepare and make available to the public procedures for administering the provisions of this section.

SEC. 14.4.6. FREEWAY EXPOSURE. No person shall erect, construct, install, or maintain any sign or sign support structure within 660 feet of a freeway unless the sign conforms to the requirements of California Business and Professions Code Sections 5403, 5404, 5405, 5406, 5408, 5440, 5440.1, 5442.11 and 5442.13.

~~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. 14.4.7. INFORMATION SIGNS.

~~A. **Area.** Information signs shall not exceed 25 square feet in area. The maximum area of any one information sign shall not exceed a total of 25 square feet for all the sign faces.~~

~~B. **Height.** Information signs shall be limited to a maximum overall height of six feet six inches above the sidewalk grade or edge of roadway grade nearest the sign. No information sign shall exceed a height of six feet six inches.~~

SEC. 14.4.8. MONUMENT SIGNS.

~~A. **Area.** The maximum sign area of any one monument sign shall not exceed a total of 60 square feet for all the sign faces.~~

~~1. The sign area of monument signs shall not exceed 1.5 square feet per foot of street frontage 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.~~

~~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. No monument sign shall exceed a height of eight feet.~~

~~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. 14.4.9. PROJECTING SIGNS.

~~A. **Permitted.** Projecting 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 projecting sign for each 200 feet or fraction of that area of street frontage, if the street frontage does not contain an existing projecting sign or a pole sign.~~

~~B. A. Area. The maximum sign area of any one projecting sign shall not exceed a total of 50 square feet for all the sign faces.~~

~~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 up to a maximum sign area of 300 square feet. 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.~~

~~C. B. 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. Clearance. Projecting signs shall have a minimum clearance of eight feet above the sidewalk grade or edge of roadway grade nearest the sign and shall not extend above the top of the wall.~~

~~D. C. 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. D. Projections. 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. 14.4.10. WALL SIGNS.

~~A. Area.~~

~~1. The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage for a single-story building.~~

~~2. For buildings more than one story in height, the combined 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, plus one square foot for each foot of building frontage.~~

~~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.~~

~~B. A. 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 a wall sign located above the window~~ may extend above the top of the wall by a maximum of three feet.

~~G. B. Location.~~

~~1. No wall sign except a non-illuminated painted 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.~~

~~4. No wall sign shall cross the perimeter of any opening of a building, including its windows, door, and vents, at any point within 24 inches of the building face.~~

~~D. C. 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 a building face. ~~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. D. High Rise Identification Signs Above 100 Feet in Height. Any wall signs located over 100 feet above grade Notwithstanding the provisions of Section 14.4.4 K of this article, shall be used as the sign area of identification signs only located at a height of 100 feet or more shall not be included in a lot's maximum sign area if:

~~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.~~

1. No more than two identification signs are located at a height of 100 feet or more.

2. No more than one identification sign is located at height of 100 feet or more on any building face.

3. The sign area of identification signs located at a height of 100 feet or more complies with the following limitations:

<u>Sign Height</u>	<u>Sign Area Limits</u> (square feet)
<u>100 feet or more but less than 175 feet</u>	<u>5 x building face width at uppermost mounted sign height</u>
<u>175 feet or more but less than 275 feet</u>	<u>6 x building face width at uppermost mounted sign height</u>
<u>275 feet or more but less than 400 feet</u>	<u>7 x building face width at uppermost mounted sign height</u>
<u>400 feet or more</u>	<u>8 x building face width at uppermost mounted sign height</u>

4. Identification signs use channel letters.

5. Illumination from an identification sign is restricted to no greater than one foot candle above ambient light level, as measured at the property line of a lot classified in the RW1 zone or a more restrictive zone, when such property line is within 200 feet of the lot where the identification sign is located.

F. E. Parking Lots. Notwithstanding the provisions of Section 14.4.4 C 5 of this article, where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section article may be used on the 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 wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

SEC. 14.4.11. 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, plus one square foot for each foot of building frontage. The maximum sign area of any one illuminated architectural canopy sign shall not exceed a total of 50 square feet for all the sign faces.~~

2. In applying the sign area limits specified by this article, only the area occupied by the message of ~~the~~ an 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, plus one square foot for each foot of building frontage.~~

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.~~

B. **Height.** An illuminated architectural canopy sign shall not extend above the top of the wall of a building.

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.

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. **Projections.** 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 building face. ~~the face of the building.~~

SEC. 14.4.12. 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 or fraction of that area of street frontage, if the street frontage does not contain an existing pole sign or projecting sign.~~

B. A. Area. The maximum sign area of any one pole sign shall not exceed a total of 200 square feet for all the sign faces, and no single sign face shall exceed 100 square feet.

~~1. Sign area visible to the same direction of traffic shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.~~

~~2. The maximum area of any one pole sign shall not exceed 400 square feet.~~

~~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.~~

B. Height. The maximum height of any one pole sign shall not exceed the maximum sign area permitted for a single sign face divided by four.

~~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. C. 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 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.~~

D. Clearance. ~~4. 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. Projections. 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. 14.4.13. 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.~~

~~B. Area.~~

~~1. Sign area shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.~~

~~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, plus one square foot for each foot of building frontage.~~

~~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.~~

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. 14.4.44~~13~~. WINDOW SIGNS.

~~A. **Area.** The total area of all window signs shall not exceed ten percent of the area of the window used to display the sign.~~

~~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.~~

SEC. 14.4.45~~14~~. MARQUEE SIGNS.

A. **General Requirements.** Marquee signs shall comply with the requirements set forth in Section ~~3102~~ 3106 of the ~~CBC~~ Los Angeles Building Code and the following provisions of this Code: Sections 14.4.3 A; 14.4.4 A B; 14.4.5; 14.4.6; 91.6205; and 91.6207.

B. **Location.** Signs shall not be attached to any portion of the marquee except on the periphery. Wall signs on the periphery shall not extend above or below the periphery. Cloth or banner signs or drop-roll curtains may be suspended below the exterior periphery and ~~extend within seven feet of the grade~~ not closer than seven feet from the grade.

SEC. 14.4.46 15. TEMPORARY SIGNS.

A. **Permit Required.** Notwithstanding any other provision of this article, a building permit shall be required for a temporary sign, pennant, banner, ribbon, streamer or spinner. ~~other than one that contains a political, ideological or other noncommercial message.~~ The permit application shall specify the dates being requested for authorized installation and the proposed location.

EXCEPTION: Pursuant to Section 91.6201.2.1a 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.

B. Area.

1. ~~The combined sign area of temporary signs shall not exceed two square feet for each foot of street frontage.~~ In addition to the sign area allowed under Section 14.4.4-K of this article, each lot shall be allowed one square foot of sign area for every linear foot of street frontage. This sign area shall only be used on temporary signs and no other signs allowed by this article. The limitation on sign area imposed by this subsection applies to all temporary signs, including temporary signs that do not require a building permit.

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

C. Time Limit.

~~1. Temporary signs that require a permit shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days 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.~~

~~2. Temporary signs that do not require a permit shall be removed within 30 days of the date of installation of the sign.~~

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.

D. Location. Temporary signs, including those that do not require a building permit, may be tacked, pasted or otherwise temporarily affixed to windows and/or on the walls of buildings, barns, sheds or fences.

E. 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 proofed when the aggregate area exceeds 100 square feet. Every temporary cloth 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. 14.4.17 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 14.4.16 15 E. 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.

B. Area. Notwithstanding the provisions of Section 14.4.16 15 B 1 and 2 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 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.

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.

C. **Time Limit.** Notwithstanding the provisions of Section 14.4.16 ~~15 C 1 and 2~~ 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 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 the 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.

SEC. 14.4.48 17. OFF-SITE SIGNS.

A. **Area.** The sign area of a single 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 ~~that height specified for the height district~~ 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 Sections 14.14.18 A and 14.14.18 D of this Code 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:

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

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. 14.4.1918. 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 Sections 91.3202 and 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. 14.4.20 MURAL SIGNS.~~

~~Approval for mural signs shall be obtained from the Cultural Heritage Commission. The placement, height, and overall area of a mural sign shall be as approved by the Cultural Heritage Commission. In making its determination, the Cultural Heritage Commission shall find that the proposed sign does not conflict with the purposes and objectives set forth in Section 14.4.1 of this Code.~~

SEC. 14.4.19. SIGNS IN A AND R ZONES.

A. General Provisions.

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

2. No interior illumination of a sign is allowed.

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

4. 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.

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 not exceed six square feet for all the sign faces.

2. Temporary signs related to the occasional sale of used and hand made goods cannot be erected more than two days prior to the sale and shall be removed by sunset of the day of the sale.

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 shall be permitted on each lot. Any individual awning sign or wall sign shall not exceed twenty square feet in area. No pole sign shall exceed nine square feet in area. The sign area of all permanent signs on a lot in the A1 or A 2 zones shall not exceed thirty 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 shall be permitted on each lot. But any individual awning sign or wall sign shall not exceed fifteen square feet in area. No pole 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 twenty 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 shall be permitted on each lot. But any individual awning sign or wall sign shall not exceed twenty square feet in area. No pole 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 thirty 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. But no individual awning sign or wall sign shall exceed ten square feet in area. The sign area of all permanent signs on a lot in the RMP zone shall not exceed fifteen square feet in area for all the sign faces.

SEC. 14.4.20. SIGN MODIFICATIONS.

A. Height, Location and Sign Area. The Zoning Administrator shall have the authority to grant a modification of the height, location and sign area provisions of this article, provided that no modification of 20 percent or more is granted. In making determinations on applications for a sign modification, no consideration shall be given to the content message of the sign.

B. Procedures. No sign modification may be granted unless the Zoning Administrator makes all of the findings specified in this section. The procedures for

considering applications for a sign modification 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.

3. that the modification 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.

SEC. 14.4.21. COMPREHENSIVE SIGN PROGRAM.

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. A comprehensive sign program is intended to further, not hinder, the purpose of this article.

B. **General Provisions.** A comprehensive sign program:

1. shall not permit any sign prohibited by Section 14.4.4 C of this article; and

2. may only be submitted for existing or proposed development projects on development sites that have a minimum of five acres and at least 100,000 square feet of non-residential floor area; and

3. shall only be approved for development projects located in the C, M, PF or R5 zones.

C. **Sign Regulations.** A comprehensive sign program may only include provisions that vary from the following provisions of this article:

1. **Maximum Sign Area.** The provisions set forth in Section 14.4.4 K of this article, provided that the maximum sign area on the site of a development project shall not exceed two square feet of sign area for every linear foot of street frontage and two square feet of sign area for every linear foot of building frontage.

2. **Lots with Multiple Street Frontages.** The provisions set forth in Section 14.4.4 L of this article.

3. **Maximum Number of Signs.** The provisions set forth in Section 14.4.4 M of this article.

4. **Information Signs.** The area and height provisions set forth in Section 14.4.7 of this article.

5. **Monument Signs.** The area, height and location provisions set forth in Section 14.4.8 of this article.

6. **Projecting Signs.** The area and location provisions set forth in Section 14.4.9 of this article.

7. **Identification Signs over 100 Feet in Height.** The provisions set forth in Section 14.4.10 D of this article.

8. **Illuminated Architectural Canopy Signs.** The area provisions set forth in Section 14.4.11 of this article.

9. **Pole Signs.** The area and height provisions set forth in Section 14.4.12 of this article, provided that no pole sign shall be allowed to exceed a height of 50 feet.

10. **Window Signs.** The provisions set forth in Section 14.4.13 of this article.

11. **Temporary Signs.** The time limit and area provisions set forth in Section 14.4.15 of this article, provided that the sign area of temporary signs shall not exceed two square feet of sign area for every linear foot of street frontage.

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

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 provide all of the information required by the Department, including a visual representation in color of the size, illumination, height, projection, location, street orientation and type of all the permanent and temporary signs proposed for the development project.

2. **Public Hearing and Notice.** The Director 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 12.27 C of this Code.

3. **Initial Decision by the Director.** The Director's initial decision shall be supported by written findings of fact based upon written or oral statements and documents presented to him or her, which may include photographs, maps, and plans, together with the result of his or her investigations. Upon making a determination pursuant to an application for a comprehensive sign program, the Director 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. The Director shall also place a copy of the findings and decision in the file.

4. **Findings.** The Director of Planning, or the City Planning Commission on appeal, must make all of the following findings in order to approve an application for a comprehensive sign program:

a. The proposed comprehensive sign program is consistent with and furthers the purpose of this article and the purpose of this section;

b. The proposed signs visually relate to each other and convey a unified design or architectural theme;

c. The proposed signs are appropriately related in size, illumination, height, projection, location and street orientation to the buildings and structures on the development site;

d. The size, illumination, height, projection, location and street orientation of the proposed signs are compatible with the buildings and structures in the surrounding area;

e. The proposed comprehensive sign program shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or create a condition that endangers the safety of persons, pedestrians or property; and

f. The proposed comprehensive sign program will not create light pollution or other negative environmental effects that will be materially detrimental to the character of development in the immediate neighborhood outside the development site.

g. The size, illumination, height, projection, location and street orientation of the proposed signs within 500 feet of a residentially zoned lot are compatible with residential uses.

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

within 15 days of the date of mailing of the Director'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 Director. The City Planning Commission 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 Planning Commission has made a decision. Once an appeal is filed, the Director shall transmit the appeal and the Director's file to the City Planning Commission. At any time prior to the action of the City Planning Commission on the appeal, the Director shall submit any supplementary pertinent information he or she deems necessary or as the City Planning Commission may request.

6. **Appellate Decision - Public Hearing and Notice.** Before acting on the appeal, the City Planning Commission shall set the matter for hearing, giving 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 Director, 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.

7. **Time for Appellate Decision.** The City Planning Commission 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 Planning Commission. If the City Planning Commission fails to act within this time limit, the action of the Director on the matter shall be final.

8. **Appellate Decision.** The City Planning Commission 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 Director was in error or constituted an abuse of discretion. 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, the Director of Planning and the Office of Zoning Administration.

E. **Compliance.** All signs on a development site must comply with the approved comprehensive sign program.

F. **Amendment.** A comprehensive sign program may be amended, subject to the same procedures and other provisions set forth in this section.

G. **Content Message.** The review of an initial comprehensive sign program, or an amendment to an approved comprehensive sign program, shall not consider the content message of the proposed signs.

SEC. 14.4.22. 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, provided that no structural, electrical or mechanical alterations are made to the sign, except as set forth in Section 91.6216 of this Code.

SEC. 14.4.23. ADMINISTRATIVE CIVIL PENALTIES.

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

A. Declaration of Purpose.

The City Council finds there is a need for alternative methods of enforcing the sign regulations. The City Council further finds that the assessment of civil penalties for violations of the sign regulations is a necessary alternative method for gaining compliance with the sign regulations. The administrative 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.

B. General Provisions.

1. 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 the sign regulations.

2. 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.

3. 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 all the responsible parties.

4. The order to comply shall be posted in a conspicuous location on the premises where the violation has occurred and mailed via U.S. first class mail to the owner of the property on which a sign is located and the owner of the sign and sign support structure.

5. The order to comply shall cite which provisions of the sign regulations have been violated; the date and location of the violation; the action required to correct the violation; the date by which the violation must be corrected; the date from which civil penalties will accrue; the daily amount of the civil penalties; and information concerning the right of appeal, including the date by which an application to appeal the order to comply and the amount of the civil penalties must be filed.

6. Civil penalties are due and payable within 30 days of the date the Department of Building and Safety issues the order to comply.

C. Authority.

1. The Department of Building and Safety shall have the authority to assess the following civil penalties against each responsible party for the first, second, third and all subsequent violations of the sign regulations on the same lot.

<u>SIGN AREA OF SIGN IN VIOLATION</u>	<u>CIVIL PENALTY PER DAY OF VIOLATION</u>		
	<u>First Violation</u>	<u>Second Violation</u>	<u>Third Violation and All Subsequent Violations</u>
<u>Less than 150 square feet</u>	<u>\$2,000</u>	<u>\$4,000</u>	<u>\$8,000</u>
<u>150 to less than 300 square feet</u>	<u>\$4,000</u>	<u>\$8,000</u>	<u>\$16,000</u>
<u>300 to less than 450 square feet</u>	<u>\$6,000</u>	<u>\$12,000</u>	<u>\$24,000</u>
<u>450 to less than 600 square feet</u>	<u>\$8,000</u>	<u>\$16,000</u>	<u>\$32,000</u>
<u>600 to less than 750 square feet</u>	<u>\$10,000</u>	<u>\$20,000</u>	<u>\$40,000</u>
<u>750 or more square feet</u>	<u>\$12,000</u>	<u>\$24,000</u>	<u>\$48,000</u>

EXCEPTION: The civil penalty per day of a violation of Section 14.4.19 of this article for signs of less than 20 square feet in sign area shall be \$500 for the first violation, \$1,000 for the second violation, and \$2,000 for the third and all subsequent violations on the same lot.

2. Civil penalties shall accrue until the responsible parties complete all actions required by the order to comply and pay all of the civil penalties due.

3. Filing of an appeal with the Department of City Planning does not stop civil penalties from accruing.

4. Compliance with the actions required by the order to comply does not cancel any civil penalties that have accrued.

5. Payment of the civil penalty shall not excuse a failure to correct the violation nor shall it bar further enforcement action.

6. If the Department of Building and Safety or the administrative hearing officer rescinds an order to comply, the violation shall be considered corrected and no civil penalties shall be due.

D. Appeals.

1. Any appeal of an order to comply or the civil penalties must be filed within 15 days of the date the order to comply is mailed to the responsible party by the Department of Building and Safety.

2. An appeal may only be filed by a responsible party.

3. The appeal must be filed at a public office of the Department of City Planning, on a form provided by the Department of City Planning, and accompanied by applicable fees. The appeal must 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.

E. Public Hearings.

1. The Chief Zoning Administrator shall appoint one or more administrative hearing officers to hear appeals filed pursuant to this section. The administrative hearing officer shall exercise all the powers and duties to conduct hearings and make decisions pursuant to this article.

2. The Chief Zoning Administrator 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 12.27 C of this Code.

3. The Chief Zoning Administrator may grant continuances; however, when an administrative hearing officer has been appointed, no continuances may be granted, except by him or her, and only for good cause shown, so long as the matter remains before him or her.

4. The administrative hearing officer shall proceed with reasonable dispatch to conclude any matter being heard. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

5. All oral testimony shall be upon oath or affirmation. The administrative hearing officer shall have the authority to administer oaths and to allow cross-examination of witnesses.

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

F. Evidence.

The administrative hearing officer shall only consider 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.

G. Rights of Parties.

Each party shall have the right to represent himself or herself, or to be represented by an attorney or other person of his or her choice; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence presented against him or her.

H. Decision.

1. The administrative hearing officer may reverse or modify, in whole or in part, the order to comply. The administrative hearing officer may also reduce the amount of the civil penalties. The administrative hearing officer's decision shall be based solely on the record and evidence and 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.

2. The decision of the administrative hearing officer shall be in writing. A copy of the decision shall be provided to the owner of the property on which the sign and support structure is located, the owner of the sign and sign support structure, 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 and to all persons who have filed written requests for this notice with the Office of Zoning Administration. The administrative hearing officer shall also place a copy of the findings and decision in the file.

3. The administrative hearing officer may establish dates by which the civil penalties must be paid.

4. The decision of the administrative hearing officer is final and may not be appealed.

I. Collection.

1. If the civil penalty is not paid in a timely manner, the City Council may order that the civil penalty be specially assessed against the real property on which the sign found in violation is located. If the City Council orders that the civil penalty be specially assessed against the real property on which the 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 penalty was imposed, a description of the real property subject to the lien, and the amount of the penalty.

3. The Office of Finance shall refer to a collection agency civil penalties that the owner of the sign and sign support structure has not paid in a timely manner.

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

SEC. 14.4.24. RIGHT OF PRIVATE ACTION.

A. Any person who erects or maintains a permanent sign in violation of this article and is issued an order to comply by the Department of Building and Safety shall be liable in a civil action to the owner or occupant of real property located within 500 feet of a permanent sign for damages, as determined by the court, and may, at the discretion of the court, be awarded court costs and attorneys' fees. If an order to comply is appealed, a civil action may only be pursued if the administrative hearing officer concurs with the Department of Building and Safety that the sign regulations have been violated.

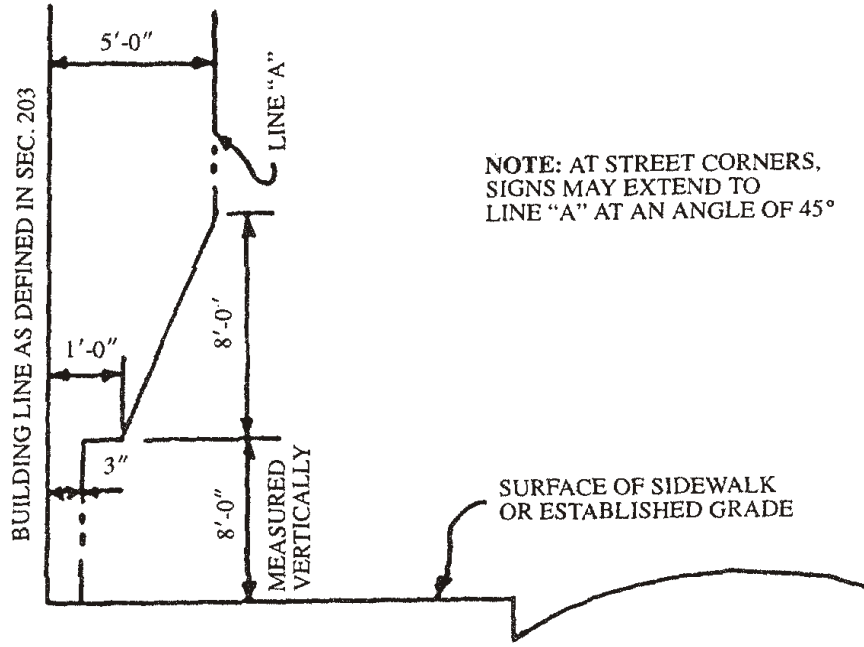
B. For purposes of this section, a "permanent sign" shall be a sign for which a permit is required under this article.

C. Remedies provided by this section and Section 14.4.23 of this article are in addition to any other legal or equitable remedies and are not intended to be exclusive.

SEC. 14.4.25. 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.

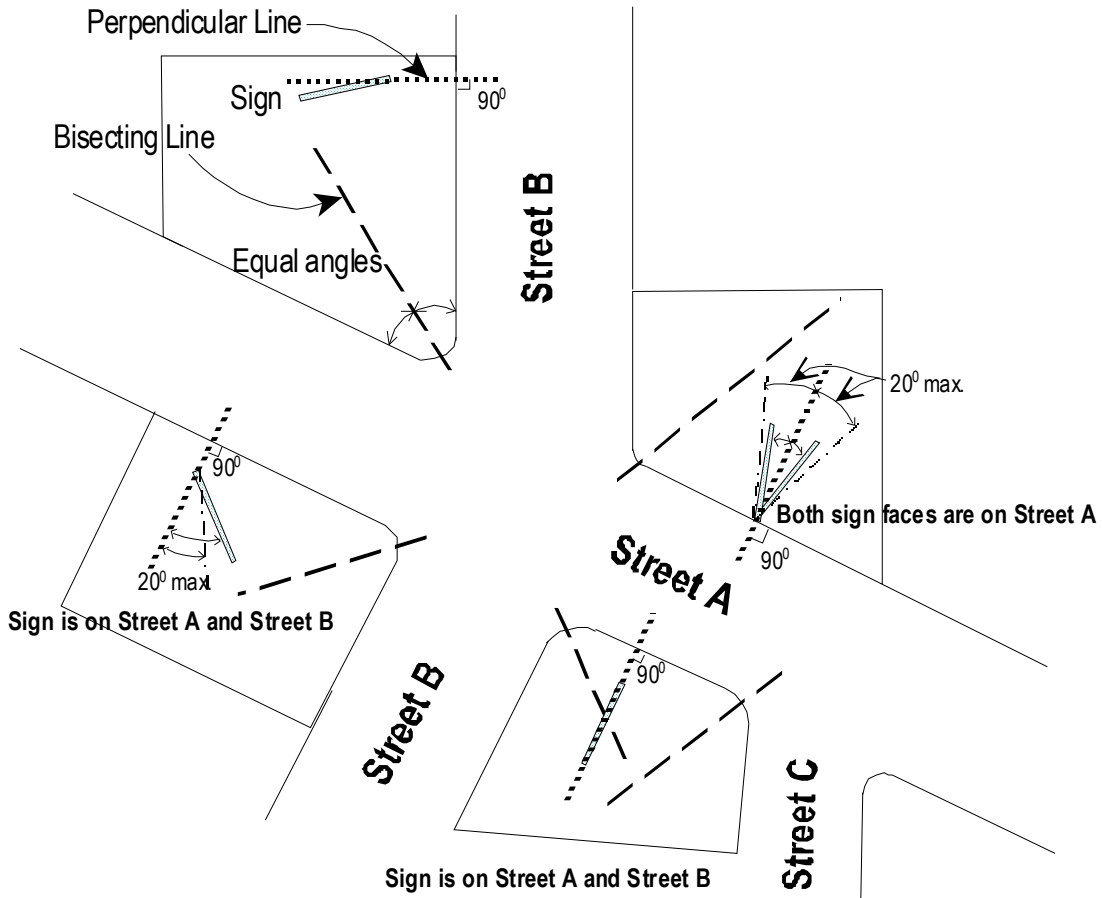
DIAGRAM A



**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. 2. A new Subsection K shall be added to Section 11.5.7 of Article 1.5 of Chapter 1 of the Los Angeles Municipal Code 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 must 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.

Sec. 3. Subparagraph (2) of Paragraph (a) of Subdivision 16 of Subsection A of Section 12.05 of the Los Angeles Municipal Code is hereby deleted:

~~(2) Notwithstanding Section 12.21 A 7 of this Code, signs and window or outside displays in connection with the home occupation are prohibited.~~

Sec. 4. Subdivision 7 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is hereby deleted:

~~7. No nameplate, sign or advertising matter of any kind shall be placed or maintained on any lot in any zone except in accordance with the following regulations:~~

~~(a) All nameplates, signs and advertising matter on a lot in an "A" or "R" Zone shall pertain to a permitted use (except that no signs shall be permitted to identify a home occupation) or indicate the name of the occupant and shall be located on the same lot with that use;~~

~~(b) No nameplate, sign or advertising matter, which is attached to a building on a lot in an "A" or "R" Zone, may project above the roof ridge or parapet wall (whichever is the higher) of the building;~~

~~(c) No illuminated nameplate, identification sign or advertising matter, which is permitted by this subdivision, may be of the flashing, moving or animated type;~~

~~(d) There may be only one unlighted nameplate for each dwelling unit on a lot in an "A" or "R" Zone indicating the name of the occupant, (except that no signs shall be permitted to identify a home occupation), and no nameplate may exceed three square feet in area in an "A" Zone, nor exceed one and one half square feet in area in an "R" Zone;~~

~~(e) There may be one or more unlighted signs pertaining to the sale of farm products raised or produced on the premises, but the total area of all these signs shall not exceed 20 square feet on any lot in an "A" Zone, nor exceed 12 feet on any lot in an "R" Zone;~~

~~(f) There may be one or more unlighted signs pertaining to the prospective rental or sale of the property, but the total area of all these signs shall not~~

~~exceed 20 square feet on any lot in an "A" Zone, nor exceed 12 square feet on any lot in an "R" Zone;~~

~~(g) There may be one identification sign for each farm, ranch, estate or building other than a dwelling in an "A" Zone, but that identification sign may not exceed 20 square feet in area;~~

~~(h) There may be one or more signs identifying the buildings or permitted use (except that no signs shall be permitted to identify a home occupation) on any lot in any "R" Zone, but no one sign may have a surface area which exceeds 20 square feet, nor shall the total surface area of all these signs exceed 30 square feet;~~

~~(i) There may be one church bulletin board, not exceeding 18 square feet in area, on any lot in any "A" or "R" Zone;~~

~~(j) There may be one or more signs, warning against trespassing, on any lot in an "A" Zone, but no one sign shall exceed three square feet in area.~~

~~(k) **Temporary Subdivision Directional Signs.** Notwithstanding any other provision of this article, a Zoning Administrator may approve the use of any property in an "A" or "R" Zone for the erection and maintenance of temporary unlighted subdivision directional signs, which are neither reflective nor fluorescent, if he or she finds that the location of the signs is proper in relation to uses of adjacent property and that the use will not be materially detrimental to the property of other persons located in that vicinity. This approval shall be subject to the following regulations:-~~

~~(1) An application shall be filed in the Office of Zoning Administration upon a form and accompanied by the data and information as has been prescribed by the Office. Each application shall be consented to and acknowledged by the owner or lessee of each parcel of property upon which a sign is to erected. Only one application need be filed for all temporary, unlighted, subdivision directional signs relating to a single subdivision separately numbered and recorded by the Los Angeles County Recorder. The manner of installation and conditions regulating number, size and type of signs shall be determined and approved by a Zoning Administrator. To the extent possible, he or she shall make available a list or explanation of those installation features and conditions that are usually required.~~

~~(2) An approval to erect and maintain signs pursuant to this paragraph shall be valid for one year. If, after one year, 3/4 of the dwelling units or lots have not been sold or leased for the first time, approval for retaining the directional signs for not more than an additional one-year period may be granted by a Zoning Administrator.~~

~~(3) No sign erected pursuant to this paragraph shall exceed 12 square feet in area.~~

~~(4) One temporary, unlighted, subdivision directional sign may be approved for location adjacent to each street which constitutes a separate and distinct direction on the route from a major or secondary highway to a subdivision site. Where there are two or more major or secondary highways from which there are routes to a subdivision site, signs may be approved only along two routes.~~

~~(5) The erection and maintenance of temporary, unlighted, subdivision directional signs may be approved only on vacant property; however, if a Zoning Administrator determines that vacant property is not available in locations where provisions for travel directions are essential, he or she may approve developed property for the location of signs.~~

~~(6) Signs may not be located within the public right of way of any highway, street, alley, or on any other public right-of-way.~~

~~(7) All signs permitted by this paragraph shall be removed within five days after the expiration of the authorized time period. Each application shall contain a statement signed by the applicant, the owner of the signs, and the owner or lessee of the property upon which the signs are to be placed, agreeing that if the signs are not removed as required above, they may be confiscated, removed and destroyed by the City without further notice. Prior to the erection of any signs authorized pursuant to any single application, the applicant shall deposit \$100 with the Department of Building and Safety for the purposes of defraying any expense incurred by the City in the removal of the signs. This money shall be refunded on the expiration of the prescribed time period if all of the signs have been removed by the applicant, the owner of the signs, or the owner and the lessee of the property where the signs are placed.~~

~~(8) Any sign erected pursuant to these regulations may be used only for the purpose of providing necessary travel direction to a subdivision development located in the City of Los Angeles, and must include the name of the owner, the City Planning Department file number, and the expiration date of the approval period. The sign may contain the name of the land development project to which it pertains, including a characteristic trademark or other identifying insignia. The content of each sign shall be subject to approval by a Zoning Administrator.~~

~~(9) The approval of temporary subdivision directional signs pursuant to these regulations does not release the applicant from the responsibilities of complying with any provisions of the Los Angeles Municipal Code pertaining to building permit requirements or any other provisions of the Code regulating signs.~~

~~(10) **Appeals.** Appeals from a determination by a Zoning Administrator may be taken to the Area Planning Commission in the manner prescribed in Section 12.24 I.~~

~~(l) **Off-site signs.** No off-site sign shall be allowed in any zone, except when off-site signs are specifically permitted pursuant to a legally adopted specific plan,~~

~~supplemental use district, an approved development agreement, or a relocation agreement entered into pursuant to California Business and Professions Code Section 412. Further, legally permitted existing signs shall not be altered or enlarged.~~

Sec. 5. 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 Division 62 of this Code, no person shall erect on the lot or lots the following signs, as defined in Section 91.6203 of this Code without first obtaining a conditional use permit: 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. 6. Subparagraph (5) of paragraph (b) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is hereby 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 erection of any of the signs enumerated in Paragraph (a)(6) of this subdivision or 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. 7. Section (iii) of Subparagraph (1) of paragraph (c) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is hereby deleted:

~~(iii) no sign identified in Paragraph (a)(6) of this subdivision shall be erected on the site; and~~

Sec. 8. Paragraph (j) of Subdivision 20 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is hereby deleted:

~~(j) Name plates, signs, and advertising matter, as permitted by this article, may be located in any required front yard, side yard, rear yard, passageway or other open space; provided that the total area of all identification signs in any required yard, shall not exceed 12 square feet, and any sign appertaining to the sale of farm products raised or produced on the premises shall be located at least ten feet from any side lot line.~~

Sec. 9. Subdivision 3 of Subsection C of Section 12.23 of the Los Angeles Municipal Code is hereby deleted:

~~3. Continuation of Signs. Any existing nonconforming sign, as defined in Section 91.6203 of this Code, may be continued, provided that no structural, electrical or mechanical alterations are made to the sign except as permitted in Section 91.6206 of this Code.~~

Sec. 10. Section 13.11 of the Los Angeles Municipal Code is hereby amended as follows:

A. Purpose. ~~This section sets forth procedures, guidelines and standards for the establishment of "SN" Sign Districts in areas of the City, the unique characteristics of which can be enhanced by the imposition of special sign regulations designed to enhance the theme or unique qualities of that district, or which eliminate blight through a sign reduction program. This section sets forth procedures, guidelines and standards for the establishment of "SN" Sign Districts. The purpose of the "SN" Sign District is to facilitate the creation of a sense of place in areas of the City that have a unique quality, theme or character through special sign regulations that convey a unified design or architectural theme, especially those areas of the City that have unique entertainment or cultural attributes. A further purpose of the "SN" Sign District is to improve the visual environment of the City through sign reduction.~~

B. Establishment of Districts. ~~The procedures set forth in Section 12.32 S shall be followed, however each "SN" Sign District shall include only properties in the C or M Zones, except that R5 Zone properties may be included in a "SN" Sign District provided that the R5 zoned lot is located within an area designated on an adopted community plan as a "Regional Center," "Regional Commercial," or "High Intensity Commercial," or within any redevelopment project area. No "SN" Sign District shall contain less than one block or three acres in area, whichever is the smaller. The total acreage in the district shall include contiguous parcels of land which may only be separated by public streets, ways or alleys, or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for or initiation of an individual district.~~

1. The procedures set forth in Section 12.32 S shall be followed, however each "SN" Sign District shall only include properties located in a C, PF, or R5 zone:

(a) in the "Downtown Center," as designated on the Framework Element of the General Plan; or

(b) in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial".

2. No "SN" Sign District shall contain less than 5,000 linear feet of street frontage or 15 acres in area, whichever is the smaller. For purposes of applying this provision, "street frontage" shall be as defined in Section 14.4.2 of this Code.

3. The boundaries of an "SN" Sign District shall not abut an RW1 zone or a more restrictive zone.

4. In addition to the findings required by Section 12.32 C 2 of this Code, the following findings shall be made in establishing an "SN" Sign District:

(a) The area of the proposed "SN" Sign District has a unique quality, theme or character; and

(b) The proposed special sign regulations convey a unified design or architectural theme that will enhance the unique quality, theme or character of the proposed "SN" Sign District; and

(c) The proposed special sign regulations shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or create a condition that endangers the safety of persons, pedestrians or property; and

(d) The proposed special sign regulations will not create light pollution or other negative environmental effects that will be materially detrimental to the character of development in the immediate neighborhood outside the proposed district; and

(e) The proposed special sign regulations will further the applicable goals, objectives and policies of the urban form and neighborhood design chapter of the Framework Element of the General Plan.

5. The total acreage in an "SN" Sign District shall include contiguous parcels of land which may only be separated by public streets, ways or alleys, or other physical features, or as set forth in the rules approved by the Director of Planning. At the time of application for or initiation of an individual district precise boundaries are required.

C. **Sign Reduction.** If the ordinance establishing the "SN" Sign District allows off-site signs, as otherwise prohibited by Section 14.4.4 C 9 of this Code, or sign faces with digital displays, as otherwise prohibited by Section 14.4.4 C 8 of this Code, then the ordinance must also:

1. Identify the precise boundaries of a "sign impact area" adjacent to the "SN" Sign District. Properties to be included in the "sign impact area" shall be those properties most likely to be impacted by the proposed new off-site signs or new sign faces with digital displays.

2. Require, at a minimum, that every square foot of sign area of a new off-site sign or a new sign face with a digital display must be offset by a reduction of more than one square foot of existing sign area, within either the “SN” Sign District or the “sign impact area.”

The sign reduction requirement established by this subsection shall only be met through the demolition of existing, legally permitted off-site signs, including nonconforming off-site signs. The reduction in existing sign area must be accomplished prior to issuance of a building permit for the new off-site sign or new sign face with a digital display. The applicant must provide evidence satisfactory to the Department of Building and Safety that the demolition of the required off-site sign area has been accomplished.

~~**C. Development Regulations.** The Department of Building and Safety shall not issue a building permit for a sign within a “SN” Sign District unless the sign conforms to the regulations set forth in a specific “SN” Sign District ordinance. The development regulations for each “SN” Sign District shall be determined at the time the district is established, except that definitions shall conform with those found in Section 91.6203 of this Code, if defined in that section. The sign regulations shall enhance the character of the district by addressing the location, number, square footage, height, light illumination, hours of illumination, sign reduction program, duration of signs, design and types of signs permitted, as well as other characteristics, and can include murals, supergraphics, and other on-site and off-site signs. However, the regulations for a “SN” Sign District cannot supersede the regulations of an Historic Preservation Overlay District, a legally-adopted specific plan, supplemental use district or zoning regulation needed to implement the provisions of an approved development agreement.~~

D. Sign Regulations. The ordinance establishing the “SN” Sign District may allow signs prohibited by Section 14.4.4 C of this Code. In addition, the sign regulations set forth in a specific “SN” Sign District ordinance may be less restrictive or more restrictive than the sign regulations set forth in Article 4.4 of Chapter 1 of this Code. “SN” Sign Districts that prohibit new off-site signs may be established.

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

F. Procedures. The procedures to administer an “SN” Sign District shall be the specific plan procedures set forth in Section 11.5.7 of this Code. Notwithstanding these procedures, a modification of the district’s height, location and sign area provisions shall be limited to less than 20 percent. This limitation shall apply to project permit adjustments granted pursuant to Section 11.5.7 E of this Code and exceptions granted pursuant to Section 11.5.7 F of this Code.

Sec. 11. A new Subsection Y shall be added to Section 19.01 of Article 9 of Chapter 1 of the Los Angeles Municipal Code to read:

Y. SIGN REGULATIONS FEES.

1. The filing fee for a sign modification pursuant to Section 14.4.20 of this Code shall be \$3,867. The appeal fee shall be 85 percent of the filing fee.

2. The filing fee for a comprehensive sign program pursuant to Section 14.4.21 of this Code shall be \$10,000. The appeal fee shall be 85 percent of the filing fee.

3. The filing fee to amend a comprehensive sign program pursuant to Section 14.4.4.21 of this Code shall be \$5,756. The appeal fee shall be 85 percent of the filing fee.

4. The fee to file an appeal of the Department of Building and Safety's order to comply pursuant to Section 14.4.23 of this Code shall be \$6,688.

Sec. 12. APPLICATION OF REGULATIONS TO EXISTING PROJECTS AND INITIATED OR APPLIED FOR SIGN DISTRICTS.

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 ordinance shall not apply to any project that had received a discretionary land use approval prior to the effective date of this ordinance, and such approval specifically permitted signs, or granted a variance, adjustment or other exception from the sign regulations. A "discretionary land use approval" shall only refer to a grant of privileges by a Zoning Administrator, the Director of Planning, the City Planning Commission, an Area Planning Commission, or an appellate body on appeal, and such privileges had not expired as of the effective date of this ordinance.

This ordinance shall also not apply to "SN" Sign Districts that have not been established, but that the City Planning Commission had approved on or before March 26, 2009, pursuant to Section 12.32 of the Code.

Sec. 13. 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.

Sec. 14. DIGITAL DISPLAYS.

It is a further intent of this Council that this ordinance's prohibition against new digital displays shall also apply to the conversion of an existing sign face to a new digital display, regardless if a settlement agreement would otherwise allow such a conversion.

Sec. 15. The City Clerk shall certify that ...