



DEPARTMENT OF CITY PLANNING
 SUPPLEMENTAL RECOMMENDATION REPORT



CITY PLANNING COMMISSION

DATE: October 22, 2015
TIME: After 8:30 a.m.
PLACE: Van Nuys City Hall
 Council Chamber, 2nd Floor
 14410 Sylvan Street
 Van Nuys, CA 91401

PROJECT: CPC-2015-3059-CA
CEQA: ENV 2009-0009-CE
RELATED CASES: CPC-2009-0008-CA,
 CF 08-2020, CF 11-0724, CF 11-1705,
 CF 12-1611
COUNCIL DISTRICT: All
PLAN AREA: All

SUMMARY: Continuation from September 24, 2015, discussion and action on proposed changes to the citywide sign regulations, including changes set forth in Version B and Version A, any additional modifications to such drafts, and reactivation of delegation of authority to the Director to act on behalf of the City Planning Commission on the above Council File numbers.

RECOMMENDED ACTIONS:

1. **Determine** whether to approve or disapprove Version B of the sign ordinance.
2. **Determine** whether any provisions of Version B should be modified or added.
3. **Direct** staff to draft a supplemental ordinance incorporating the four items (Version A) added by the Planning and Land Use Management Committee on June 30, 2015 that were not previously vetted by the City Planning Commission.
4. **Direct** staff to draft an ordinance allowing digital or non-digital off-site signs outside of sign districts.
5. **Redelegate** the authority to the Director to act on behalf of the City Planning Commission on the above Council File numbers.
6. **Approve** Categorical Exemption ENV 2009-0009-CE.

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

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SUMMARY

At its September 24, 2015 meeting, the City Planning Commission (CPC) held a hearing and took public testimony in considering the Planning and Land Use Management (PLUM) Committee's Version A and Version B of new proposed sign regulations. The City Planning Commission also discussed the option of allowing digital signs outside of sign districts, a concept not included in either Version A or B. The meeting concluded with the City Planning Commission directing Planning staff to conduct further research on specific issues and report back on October 22, 2015 with additional information. This staff report summarizes the issues considered or raised at the September 24, 2015 meeting and provides responses to the various inquiries made by the City Planning Commission at that meeting.

INTRODUCTION

The City is in the process of establishing new sign regulations. On March 26, 2009, the City Planning Commission (CPC) approved a proposed sign ordinance. The approved ordinance was submitted to the Planning and Land Use Management (PLUM) Committee of the City Council for further consideration and recommendation. On June 30, 2015, PLUM settled on a set of final revisions to the proposed ordinance. The revisions included items the CPC had previously considered as well as four items it had not. The City's Charter requires that before the City Council can adopt any land use ordinance, the CPC must first consider the matter. For that reason the PLUM Committee created two versions of the revised sign ordinance: Version B, containing revisions on items previously considered by the CPC, and Version A, containing all of Version B plus the four additional items not previously vetted by the City Planning Commission. Version B was transmitted to the City Attorney for review prior to its consideration for adoption by the City Council. The PLUM Committee directed the Department to bring Version A to the CPC for review and recommendation, as well as the concept of allowing off-site and digital signs outside of sign districts. The City Planning Commission decided to review and take action, not only on the new provisions from Version A, but also on Version B in its entirety. The Commission met on September 24, 2015, taking public testimony and reviewing the PLUM Committee's proposed ordinance.

A key component of the 2009 CPC ordinance and the PLUM ordinances (Versions A and B) is the concept that off-site and digital signs are prohibited, except that they may be allowed in a sign district. The "sign district" component of the proposed ordinances is enabling legislation, which provides the basic rules for establishing sign districts in the future. Any proposed sign district would then be required to go through a separate process of approval, for which there would be environmental review, one or more public hearings, and a separate ordinance containing specific requirements and standards applicable exclusively to that particular sign district.

Summary of CPC Meeting, September 24, 2015

Public Testimony and Letters

Following a presentation by staff, the City Planning Commission heard public testimony approximately 30 individuals. In addition, the Commission received more than 100 letters on or before the hearing date. Respondents represented a broad range of constituents, including staff representing five City Council Districts (2, 4, 5, 11, and 13), business owners and associations, nonprofit organizations, neighborhood groups, advertising industry representatives, organized labor representatives, and interested individuals. The following is a summary of the main points made:

Opposition:

- Against amnesty for unpermitted signs and signs in violation of their permit
- Opposed to “grandfathering” sign districts in process
- Opposed to all digital signs
- Opposed to all digital signs outside of sign districts
- Digital signs should only be allowed on-site
- Digital signs should be kept away from residences & freeways
- Digital signs are distracting to drivers
- Digital brightness should be toned down
- Increase required take-down ratio; 4:1 or higher, such as 8:1
- Community benefits should not be allowed in lieu of take-down requirements
- No new billboards
- Take down all existing billboards
- Billboards have altered LA landscape for the worse
- Review all changes in the proposed ordinance since 2009
- Some communities do not have an inventory of signs to remove
- Eligibility for sign districts is too restrictive
- Eligibility for sign districts is too lenient
- Penalties are too onerous
- Establish strong penalties for violations
- Grandfathering provision should be corrected to clarify that grandfathered sign district applications would not be subject to take-down requirements
- No to the additional provisions found in Version A; stick with Version B
- Remove vulgar, offensive billboards
- Violations of permits should be enforced
- Establish citywide cap
- No Conditional Use Permit process; too politicizing
- No relocation of nonconforming signs
- Eliminate Tier 2 Sign Districts
- Digital signs are not energy efficient
- Not following Department’s “Public Participation Policy”, insufficient time to review

Support:

- In favor of reasonable regulations
- Proposed regulations include requirement to take down existing signs and provide community benefits

- Majority of local residents accept traditional and digital billboards as part of the landscape
- Nonprofit organizations benefit from exposure and donations from outdoor advertising industry
- Outdoor advertising supports small businesses
- Digital signs provide alerts and emergency messaging
- Digital signs can bring revenue to the City
- Digital signs are the future of outdoor advertising
- Billboards provide more affordable advertising
- Digital technology facilitates keeping advertisements current and up-to-date
- Studies show that digital billboards do not distract drivers or create hazards
- Outdoor advertising provides employment to building trades
- Unpermitted signs are mischaracterized as illegal
- Amnesty should be for both unpermitted signs and signs in violation of their permits
- Restore use of existing digital signs
- Digital signs should be allowed outside of sign districts
- Any proposal to allow digital signs outside sign districts should be developed unhurried, with input from, and be fair to, all stakeholders
- Take-down credit should be given for sign removal anywhere in the City

Summary of Specific Proposals from City Councilmembers:

Councilmember Krekorian (District 2), letter dated September 23, 2015:

- No digital off-site signs outside of sign districts, except on selected City-owned property
- Establish process for neighborhood input on placement; environmental study to mitigate impacts
- Greater than 4:1 sign-area reduction ratio for off-site digital signs outside sign districts; sign removal should be within an appropriate radius of the new sign to ensure the community that gets the new digital sign gets relief from removal of existing static signs
- Community benefits for neighborhoods impacted by the new signs
- Citywide cap on signs outside of sign districts, including a 50 percent cap on market share for any one company
- Geographic standards to prevent any one neighborhood or community from an over-concentration of signs

Councilmember O'Farrell (District 13), letter dated September 25, 2015:

- Expand the Version A provision allowing digital display signs on historic facades to also include roofs

City Planning Commission Discussion

Following public testimony, the City Planning Commission closed public comments.

President Ambroz led the Commission's discussion on the following topics:

- **Amnesty** – No conclusion reached.
- **Grandfathering sign districts** – Interest in capping date at March 26, 2009, but requested more information from staff about the status of sign districts approved by the CPC on or before that date.

- **Enforcement** - Input provided by Frank Bush of the Department of Building and Safety. No conclusion reached, but Commission expressed frustration over current regulations not being enforced.
- **Conditional use permit process for off-site signs outside sign districts** – General consensus that off-site signs should not be allowed.
- **Take-down ratio** – Interest in raising take-down ratio to between 4:1 and 8:1 for digital and 2:1 for static, but no conclusion reached. Requested staff to provide take-down ratios from other cities.
- **Relocation of signs on site** – Generally not interested in allowing, but concerned that an applicant may face hardship that justifies on-site relocation. Requested more information from staff.
- **Community benefits** – Want benefits to be meaningful, on-menu. Interested in spreading community benefits beyond the subject sign district for equity purposes and also avoiding signs from being too concentrated in any one neighborhood or community. Requested more information from staff regarding requirements pursuant to the Hollywood Signage Supplemental Use District cities' requirements of community benefits, and reforms to parks and recreation fees.
- **Tier 1 and Tier 2 Sign Districts** – Expressed that digital signs in Tier 2 Sign Districts should not be visible from above not from a public right-of-way. Requested staff to provide local examples of what could be Tier 1 or Tier 2 Sign Districts.
- **Freeway exposure** – Requested additional information from staff regarding current Zoning Code and State regulations.
- **Digital Brightness** – Interest in lowering brightness from the levels currently proposed. Requested more information from staff regarding other cities, particularly West Hollywood, as to limits and compliance checks.
- **Digital displays on historic facades** – Interest in using the Historic Broadway Sign District as a model and including roofs pursuant to request from Council District 13. Requested more information from staff regarding Historic Broadway Sign provisions.
- **Citywide cap** – Interest in idea but would like ideas as to how to arrive at appropriate cap number. Seeking input from staff.
- **On-site digital signs outside sign districts** – General consensus to not allow.
- **Miscellaneous:**
 - Establish limits to hours of operation, like the Historic Broadway Sign District
 - Prevent topping-off of trees that obscure billboard messages
 - Allow only signs with a permit to count against take-down requirement
 - Address light pollution from above
 - Study other cities use of private digital signs for alerts and emergencies

Staff was directed to report back on the questions posed to them. The meeting was continued to October 22, 2015.

REPORT BACK TO CITY PLANNING COMMISSION

Summary of Selected Sign Provisions in Other Cities

At the meeting, the CPC requested staff to obtain information about specific regulations in other cities. However, staff was able to obtain information, provided in an attached table (Attachment I), which may be of interest and use to the Commission on the following cities:

- Boston
- Chicago
- Denver
- Irwindale
- Long Beach
- New York
- San Antonio
- San Jose
- Santa Clarita
- Seattle
- West Hollywood

More sign reduction requirements, also included in the attached table, in the following cities was provided by an outside source and has not been independently validated by Planning Department staff:

- Atlanta
- Cleveland
- Dallas
- El Paso
- Fontana, CA
- Jacksonville, FL
- Orlando
- Miami
- Milwaukee
- Minneapolis
- Sacramento
- Savannah
- Victorville, CA

The following is a brief summary of conclusions drawn:

Sign reduction requirements. Review of the data indicates that sign reduction requirements range from 2:1 to 8:1, with some large cities, such as Atlanta, Boston, Chicago, and New York requiring no sign reduction. Irwindale requires sign reduction in a development agreement. Long Beach appears to have the most aggressive sign reduction program, requiring sign reduction of between 4:1 to 8:1 (based on square-footage) depending on whether the new sign is new, converted, expanded or existing, or converted with an expansion. After a one-year digital sign pilot program, San

Antonio now has 13 digital signs; they are currently under a moratorium and not allowing any more, even though their citywide cap is 15.

Community benefits. Most cities surveyed did not require community benefits. West Hollywood is an exception, requiring digital signs to display public art for time intervals determined by a conditional use permit. A fee, based on the value of the sign, is also exacted, the revenues from which go to the Sunset Business Improvement District and the city's general fund. In Irwindale, a development agreement for a new sign is required to provide a public benefit.

Digital standards. A maximum of 0.3 foot candles above ambient lighting, eight second minimum message, 500 candelas at night, and automatic dimming are common standards. Most standards prohibit movement in various forms, including blinking, flashing, strobing, or shimmering lights, scrolling text/images, and video. San Antonio stands apart with a limit of 0.2 foot candles for on-site signs; Seattle is different in limiting message changes to seven per minute. San Antonio and Santa Clarita limit daytime light to 7,000 and 7,500 candelas per square meter, respectively; the other cities surveyed do not have daytime limits.

Public messaging. Boston and Chicago require at least 10 percent of digital time on publicly-owned land be set aside for public messaging; the other cities surveyed have no such requirement.

Citywide caps. Most cities surveyed did not have a citywide cap. The exceptions were Long Beach (number of signs in 2014) and San Antonio (15, no explanation provided for number).

Grandfathering

The City Planning Commission discussed revising the grandfathering date from "sign districts initiated prior to December 16, 2014" (as modified in the 2015 PLUM ordinance) back to "sign districts approved by the City Planning Commission prior to March 26, 2009" (as set forth in the 2009 CPC ordinance). The Commission requested staff to report back as to whether any of the sign districts approved by the CPC prior to March 26, 2009 are still awaiting adoption. Staff reviewed the list of proposed sign districts and found that none were in that category.

There are four sign districts initiated in 2008 but not processed. Two of these (**Koreatown** and **City West**) do not have case numbers; another (**Mid-Town Crossing**) has a case number but is on hold pursuant to the applicant's request. The fourth (**Metropolis**) is listed below.

The following proposed sign districts or specific plans with signage provisions are in various stages of being processed:

- **Metropolis** - building is under construction. Representatives have shown staff a proposed sign plan and are contemplating an EIR addendum for the sign district.
- **Figueroa Corridor** – proposed as expansion to Figueroa and Seventh Sign District (Wilshire Grand Tower) generally along Figueroa Street between Olympic

and Wilshire Boulevards. Funding from development agreement received by City to assist processing the proposed expansion.

- **Laurel Canyon Corridor (NoHo West)** – generally Laurel Plaza shopping center, Laurel Canyon Boulevard between Hamlin and Erwin Streets, Erwin Street between Laurel Canyon Boulevard and Radford Avenue, Radford Avenue between Erwin Street. Draft EIR in preparation.
- **Boyle Heights Mixed Use (Wyvernwood) Specific Plan** – 2901 E. Olympic Boulevard. Staff is preparing to present to City Planning Commission.
- **Paramount Pictures Master Plan** – 5555 Melrose Avenue. Draft EIR published September 10, 2015.
- **City Market Center** – 1057 S. San Pedro Street. Draft EIR in preparation.
- **LA Mart** - 1900 S. Broadway. Draft EIR published September 17, 2015.

In addition, at its June 30, 2015 meeting, PLUM instructed the City Attorney to modify language in Version B to allow sign districts containing qualifying stadiums/arenas to locate off-site signs in locations that otherwise would be prohibited, in order to accommodate anticipated needs of the new major league soccer stadium for the new Los Angeles Football Club (LAFC). This could be accomplished by either adding the LAFC to the list of “grandfathered” sign districts or revising the language in Version B to exempt qualifying stadiums from the provisions that would prohibit its location.

[On-Site Relocation of Off-Site Signs](#)

At the last meeting, the Commission asked staff to investigate as to whether there were ever circumstances that could justify allowing a non-conforming off-site sign to be relocated within the same site. Planning staff conferred with staff in the Department of Building and Safety to see if they had come across such a situation. Their response was that if there is a health or safety problem, an order to comply is issued, and the applicant is allowed to make changes in a sign in order to comply. Repairs or upgrades to roofs do not generally require removal or relocation of signs. Department of Building and Safety staff had not experienced situations where the inability to move a non-conforming sign resulted in an undue hardship to an applicant. The only situation staff could think of was if a public roadway/freeway must be widened, owners of property in the path, including non-conforming signs, would have to be compensated for property taken. It would save public money if the sign could be relocated instead of condemned.

[Community Benefits](#)

At the last meeting, the Commission asked staff to report back on community benefits – if they are required by other cities, how to address equity issues by avoiding an over-concentration of signs, and spreading benefits beyond the community in which the sign is located. Also, a suggestion was made to look to the recent reforms being proposed to the parks and recreation dedication and fees.

The 2009 CPC ordinance did not require applicants to provide any community benefits in exchange for authorization of new off-site signs. The community benefits requirement was introduced in the 2015 PLUM ordinance for Tier 1 Sign Districts. A prior version of the PLUM ordinance allowed the provision of community benefits to satisfy up to one-half

of the sign reduction required for an off-site. However, the current version of the PLUM ordinance, both Versions B and A, require the provision of community benefits in addition to sign reduction; no relief in sign reduction is afforded as a result of providing community benefits.

In addition, the 2015 PLUM ordinance requires that community benefits must “directly eliminate blight or improve aesthetics or traffic safety...” A menu of community benefits is provided:

- i. Sidewalk Widening and Landscaping
- ii. Undergrounding of Utilities
- iii. Streetscape Improvements
- iv. Lighting Improvements
- v. Original Art Murals and Public Art Installations
- vi. Public Parking Structures to Served Pedestrian Centers
- vii. Façade Improvements
- viii. Other improvements of a permanent nature that directly eliminate blight or improve aesthetics or traffic safety.

The required community benefits must be implemented within either the sign district or the “sign impact area”. The “sign impact area” will be defined by the ordinance establishing the sign district but required to have at least one boundary adjacent to the sign district.

The idea of spreading benefits out beyond the sign district and its impact area is contrary to the legal requirement for a nexus between an exaction and the impact of an entitlement. Establishing any nexus between the community benefits and the new sign would be very difficult if all or a portion of the required community benefits were either allowed or required to be proved outside the sign district or the “sign impact area”.

The reform to the parks and recreation dedication and fees proposes to expand the radius around a development project within which the collected fees can be spent or park land provided. The size of the radius is commensurate with the type of park:

- Neighborhood – within 1 mile radius
- Community – within a 5 mile radius
- Regional – within a 15 mile radius

The radii are predetermined and based on the typical service area of the listed park types. Use of predetermined radii may not be appropriate for community benefits to improve the aesthetics or traffic safety within or in the vicinity of a sign district. Clearly a “sign impact area” is dependent upon the details and location of the particular sign district – not as easily determined as a park service area.

As for preventing an over-concentration of sign districts in any one community or neighborhood, it should be understood that the sign regulation ordinance merely establishes the rules by which sign districts can be established. Each new sign district will start as a proposal presented to the Commission and then to the City Council. It is completely within the jurisdiction of either to review the facts of the proposal and decide on a case-by-case basis whether a proposed sign district is desirable and in the public

interest at the proposed location. Clearly, if an over-concentration of sign districts exists, either the Commission or the Council may elect to deny the requested proposal.

Community benefits are generally not required in other cities, except if negotiated through a relocation or development agreement. West Hollywood is a notable exception, where digital displays are required to display art, the duration of which is determined by a conditional use permit. West Hollywood also requires the payment of a fee, based on the value of the digital sign, to be paid to the Sunset Business Improvement District and to the city's general fund.

Examples of Tier 1 and Tier 2 Sign Districts

At the last meeting, the City Planning Commission asked Planning staff to provide examples of potential Tier 1 and Tier 2 Sign Districts.

Generally, a Tier 1 Sign District is for property designated as a Regional Center or Regional Commercial and also zoned C or R5; in the Greater Downtown Housing Incentive Area and zoned C, M, or R5; at Los Angeles International Airport or the Port of Los Angeles; a project with a stadium of at least 20,000 seats, or a zoo or botanical garden of at least 60 acres. Tier 1 Sign Districts must also contain at least 5,000 linear feet of street frontage or be at least 15 acres in area, except that in the Greater Downtown Housing Incentive Area, the minimum street frontage is 2,640 feet. Tier 1 Sign Districts can allow digital and off-site signs.

The following are examples of Tier 1 Sign District-type developments:

- **Warner Center 2035 Plan Sign District**
- **Los Angeles Sports and Entertainment District Specific Plan (LA Live/Convention Center)**
- **Historic Broadway Sign District**
- **Hollywood Signage Supplemental Use District**
- **Los Angeles Zoo**
- **Northridge Fashion Square**
- **Baldwin Hills Crenshaw Plaza**
- **Chinatown**

Generally, a Tier 2 Sign District is for property not zoned OS or PF. Properties designated Regional Center or Regional Commercial or in the Greater Downtown Housing Incentive Area must contain at least 3 acres of non-residential development or 50,000 square feet of non-residential floor area. Properties not designated Regional Center or Regional Commercial and not in the Greater Downtown Housing Incentive Area must contain at least 5 acres of non-residential development or 100,000 square feet of non-residential floor area. Tier 2 Sign Districts cannot be within an established Sign District or within any Specific Plan, Historic Preservation Overlay Zone, or Supplemental Use District that contains sign regulations. Tier 2 Sign Districts can allow digital signs and off-site signs not visible from any public right-of-way or any other property.

The following are examples of Tier 2 Sign District-type developments:

- **Kaiser Permanente Los Angeles Medical Center** – Major medical center on approximately 15 acres of land. Would not qualify as for a Tier 1 Sign District because it is located on property designated as Community Commercial.
- **Figueroa and Seventh Sign District (Wilshire Grand Tower)** – 73-story, 2.4 million square-foot mixed use project. Would not qualify for a Tier 1 Sign District because it is too small in area or linear feet of street frontage.
- **Museum Square** – 13-story, 253,962 square-foot commercial building. Would not qualify for a Tier 1 Sign District because it is too small in area or linear street frontage.
- **The Original Farmers Market/The Grove** – Major commercial center on more than 15 acres of land. Would not qualify for a Tier 1 Sign District because it is located on property designated as Community Commercial.

Freeway Exposure

Current Zoning Code. The current Zoning Code regulations regarding freeway exposure of signage read as follows:

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.*

Exemption. *The wall signs specified in Subdivisions 1. and 2. below are exempt from the limitation 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.

2009 CPC Ordinance. The 2009 CPC ordinance deleted the current freeway exposure provisions, referencing instead relevant provisions in the State's Business and Professions Code, which are generally less restrictive. The relevant section of the 2009 CPC Ordinance replaced the above-cited text with the following [Sections of the California Business and Professions Code are attached (Attachment II)]:

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.

It should be noted that signs must comply with State provisions, whether or not they are referenced in the City's Zoning Code. However, the State regulations may have been inserted into 2009 CPC ordinance as a courtesy notice to applicants.

Staff speculates that the rationale for the CPC's elimination of the current ban on freeway exposure may have been because it concluded that there was no need for additional regulation since off-site signs are banned.

PLUM Ordinance. The current PLUM ordinance regulations regarding freeway exposure propose no material changes to the provisions in the current Zoning Code. Previous staff working on sign regulations may have decided to reinstate the current ban on freeway exposure in response to community sentiment.

[Digital Displays Provisions in Historic Broadway Sign Supplemental Use District](#)

At the September 24, 2015 meeting, the CPC asked staff to detail the digital display provisions of the proposed Historic Broadway Sign Supplemental Use District (SUD) because of interest indicated in using the provisions as a model for the citywide regulations. The proposed Historic Broadway Sign SUD (Attachment III) was approved by the CPC on August 13, 2015; the provisions have not yet been adopted by the City Council.

The proposed Historic Broadway Sign SUD prohibits electronic/digital signs, except for marquee on specific buildings.

The illumination standards applicable to all signs in the Historic Broadway Sign SUD are summarized as follows:

- A. Illuminated signs must be designed to minimize light travel onto walls of residential uses and windows of commercial buildings.
- B. Brightness limit of 300 candelas per square meter at night and 5,000 candelas per square meter during the day.
- C. Brightness of neon, neon-like, or LED elements are required to be dimmable and on a timer.
- D. Use of highly reflective materials, such as mirrored glass, is prohibited.
- E. The maximum total lumen output of any sign cannot exceed 20 lumens per square foot.

- F. Light emitting diodes – maximum horizontal beam spread of 165 degrees and maximum vertical beam spread of 65 degrees. All light emitting diodes must be oriented downwards toward the street rather than towards the sky.
- G. Marquee digital signs are required to make a smooth transition at a consistent rate, between the permitted daytime to nighttime brightness beginning 45 minutes prior to sunset and concluding 45 minutes after sunset.
- H. Illumination testing – required prior to the initial operation and again 12 months after the sign becomes operational, the applicant is required to test the sign and prove compliance with the regulations by submitting a copy of the results and certification from a Department of Building and Safety-approved testing agency.

The following is the proposed testing protocol:

1. In order to determine whether the illumination complies with Article 4.4 of the Zoning Code and the requirements of this Ordinance, a representative testing site shall be established on or next to those light sensitive receptors, as defined by the City's CEQA Guidelines, which have the greatest exposure to signage lighting on each of the four facades of the Project. A light meter mounted to a tripod at eye level, facing the Project buildings, shall be calibrated and measurements taken to determine ambient light levels with the sign on. An opaque object shall be used to block out the view of the sign and the building from the light meter at a distance of at least four (4) feet away from the tripod. A reading shall then be taken to determine the ambient light levels with the sign off. The difference between the two measurements shall be the amount of light the sign casts onto the sensitive receptor. Alternatively, the applicant may measure light levels by using the same tripod and same light meter, but by turning the signage on and off.

2. The illumination and intensity levels of all Digital Displays and Integral Digital Displays shall also be metered from a minimum of four perspectives (i.e., a perspective metering each facade) using the Candela as unit of measurement, and shall indicate conformance with the standards of this Ordinance.

3. In addition, if, as a result of a complaint, LADBS has cause to believe the Project's signage lighting is not in compliance with the Code or this Ordinance, LADBS may request, at the expense of the applicant or its successor, that the testing protocol outlined in this section be implemented to determine compliance. If the testing reveals that the signage is not in compliance with the Code, this Ordinance, or mitigation measures set forth in the Environmental Clearance that the City certified for this Ordinance, the applicant or its successor shall adjust the signage to bring it into compliance immediately or pay penalties per LAMC Section 11.2.04(a)3.

Digital signs are also subject to the following:

1. *Be limited to existing or recreated marquee signs associated with the:*
 - a. *Million Dollar Theater*
 - b. *Roxie Theater*
 - c. *Cameo Theater*
 - d. *Arcade Theater*
 - e. *Los Angeles Theater*
 - f. *Palace Theater*
 - g. *The State Theater*
 - h. *Globe Theater*
 - i. *Tower Theater*
 - j. *Rialto Theater*
 - k. *Orpheum Theater*
 - l. *United Artists Theater*
2. *Only operate between the hours of 7:00 a.m. and 12:00 a.m.;*
3. *Not change images or messages any more frequently than once every 8 seconds;*
4. *Comply with the element standards of Table 9.11.1 below:*

Table 9.11.1

<i>Neon, neon-like, individual bulbs</i>	<i>Encouraged</i>
<i>Sequential Lighting Elements</i>	<i>Allowed</i>
<i>Kinetic Elements</i>	<i>Allowed</i>
<i>Three-Dimension Elements</i>	<i>Allowed</i>
<i>Off-Site Messaging</i>	<i>Not Allowed</i>

[Citywide Cap](#)

To clarify, the report from Sharon M. Tso, Chief Legislative Analyst, and Michael LoGrande, Director of Planning, to PLUM Committee, “Citywide Sign Regulations for Digital Off-site Signs”, June 18, 2015, contained discussion (Issue #7) regarding a cap on digital off-site signs. This discussion referenced capping the number of off-site digital signs permitted by a Conditional Use Permit process, which was discussed earlier in the report (Issue #1) as a possible process by which off-site digital signs could be allowed outside sign districts. For this reason, staff understands that the cap entertained in the aforementioned report was intended to be a cap on off-site digital signs outside sign districts, not an overall citywide cap.

Notwithstanding the above, staff has considered the Commission’s idea of capping the number of off-site digital signs and would like to provide some additional information to assist in further discussion. As the Commission alluded to at the previous meeting, arriving at the appropriate cap is difficult, unless the number of off-site signs currently in existence becomes the future cap. This is how some cities have elected to proceed. Aside from a blanket prohibition against new off-site signs, a form of cap, Long Beach has set its cap as the number of off-site signs in existence at the time its new regulations were adopted.

However, such a policy would not lead to a reduction in the number of signs. Arriving at a lower cap by applying a desired sign reduction factor is confounded by the fact that the sign reduction ratios discussed are based on sign area rather than the number of signs, so therefore the direct application of, for example, a 4:1 sign reduction ratio to the total number of signs currently in place does not translate conveniently into a reduced number of signs.

In addition, based on previous experience, keeping accurate track of new signs against a cap may be difficult to sustain. Also, having a cap may encourage applicants to submit applications as soon as possible in order to get approval in anticipation of a future cutoff. Further, a citywide cap may be too broad; to get their equitable share, some communities/neighborhoods may argue for caps per specific geographic areas, such as per Council District, Area Planning Commission, or Certified Neighborhood Council boundaries, further challenging accurate record keeping.

As currently proposed, the PLUM ordinances (Versions A and B) limit off-site and digital signs to sign districts. If approved, the subject ordinance would not be the final word on what and how many signs are allowed in each of those; each proposed sign district could impose its own limits. Furthermore, future sign districts would be subject to public review and full consideration by the City Planning Commission and the City Council.

ADDITIONAL INFORMATION

Clarification Regarding Penalties

At the September 24, 2015 Commission meeting, there was discussion about the penalties associated with Ordinance No. 182,610, commonly known as the Administrative Citation Enforcement (ACE) Pilot Program, which became effective August 2, 2013. The ACE Pilot Program contains a table of progressive fines for violations of sign regulations identical to the fine structure proposed in the 2009 CPC Sign Ordinance and (almost) identical to the fine structure contained in the proposed 2015 PLUM Sign Ordinance.

During discussion there was interest as to whether or not the ACE Pilot Program penalties could be imposed for violation of current sign regulations. On further investigation, staff found that while the ordinance establishing the ACE Pilot Program became effective in 2013, the program actually launched near the end of 2014, starting with the Police Department and followed by the Department of Animal Services. The Fire Department is expected to be authorized to utilize the program by the end of this year. Though other City departments are eventually expected to be authorized, at this time the Department of Building and Safety is not authorized to impose those penalty fees for violations of current sign regulations. In that no vigorous penalty structure is currently in effect for violations of sign regulations, staff recommends that any new sign regulations retain the penalty structure currently incorporated within the proposed ordinances.

Clarification Regarding Version B

For clarification, on June 30, 2015, when PLUM directed the City Attorney's office to move forward with Version B, it also instructed the City Attorney's office to make two corrections to the document. The first correction was to clarify that grandfathered sign districts would not be subject to the requirements of the new regulations. The second correction, in response to a request by Council District 9, was to reword the requirements for Tier 1 Sign Districts to allow sign districts containing qualifying stadiums or arenas to locate off-site signs in locations that otherwise would be prohibited (Section 13.11.C.3), in order to accommodate anticipated needs of the new major league soccer stadium for the new Los Angeles Football Club (LAFC). Alternatively, the latter could be accomplished by adding the LAFC to the list of "grandfathered" sign districts. The aforementioned corrections have not yet been completed and therefore, are not reflected in the copy of Version B provided to the Commission.

RECOMMENDATIONS AND CONCLUSION

Staff has responded to the various inquiries made by the City Planning Commission at the September 24, 2015 meeting. With this additional information, staff recommends that the Commission determine whether or not to approve Version B of the ordinance as is, or with modifications or additions to be forwarded to PLUM in the form of a letter. In addition, staff recommends that the Commission evaluate whether or not it supports any of the four additional provisions found in Version A, and if so, direct staff to prepare a supplemental ordinance for the Commission's review and approval at a future meeting. Finally, staff recommends that the Commission also determine whether or not digital signs, on-site or off-site, should be allowed outside of sign districts. If the Commission determines they should be allowed, staff recommends that the Commission direct staff to proceed with developing an appropriate process for review and approval of such signs. This would be a time-consuming process and should be addressed by a dedicated Sign Unit once one is in place.

ATTACHMENTS

- I. Selected Sign Provisions in Selected Cities
- II. Excerpts from California Business and Professions Code, Sections 5400-5419 and 5440-5443.5.
- III. Proposed Historic Broadway Sign Supplemental Use District

ATTACHMENT I

Selected Sign Provisions in Selected Cities

City	Sign Reduction	Community Benefits	Illumination Standards	Public Messaging	Cap
Boston	None required	None required	Night = 500 candelas Hours = 7 to 12 am	10% of time	None
Chicago	None required	None required	Turned off midnight – 5 am, except if on-site & business open	10% if on publicly- owned land	None
Irwindale¹	Required per development agreement	Required per development agreement	Required per development agreement	None required	None
Long Beach²	4:1 (s.f.) - Conversion to digital w/no expansion 6:1(s.f.) - New or expansion of static 8:1(s.f.) - New digital, conversion to digital w/expansion, or expansion of digital	None required	Max = 0.3 foot candles above ambient lighting No motion, flashing, shimmering No blank/dark interval between messages Min 8 sec message Auto dimming required	None required	# of existing off-site signs
New York	None required	None required	None – nuisances addressed on complaint basis	None required	None
San Antonio³	2:1 for static 5:1-7:1 (#) for digital (digital program no longer in effect)	None required	On-site – 0.2 foot candles above ambient lighting No min dwell time Off-site – varies per color, but max for full spectrum: Night = 2,500 candelas Day = 7,000 candelas Min 10 sec message No strobing, flashing, blinking, scrolling Auto dimming & auto shutdown if malfunctioning	None required	15 digital
San Jose	None required	None required	Max = 0.3 foot candles above ambient lighting Auto dimming required	None required	None
Santa Clarita⁴	Net reduction in # and sign area required. Amount not specified.	None required	Max = 0.3 foot candles above ambient lighting for 250' Night = 500 candelas Day = 7,500 candelas Still images, no flashing/blinking Min 8 sec message	None required	None
Seattle⁵	Per development agreement	Per development agreement	Night = 500 candelas Hours = up to 11 pm (12 am if on-site & special occasion) No flashing Max 7 changes/minute	None required	None
West Hollywood⁶	None required	Public art; Fee to Sunset BID; Fee to General Fund	Standards determined by CUP Auto dimming required	Must be equipped to display	None
Other Cities with Sign Reduction Requirements⁷					
Atlanta			None		
Cleveland			Generally 5:1		
Dallas			3:1 (s.f.)		
El Paso			5:1 (s.f.)		
Fontana			6 faces:1 (digital)		
Jacksonville, FL			2:1		
Orlando			4:1 (s.f.)		
Miami			Ranges from 2:1 to 4:1		
Milwaukee			None		
Minneapolis			2:1 static; 4:1 digital (s.f.)		
Sacramento			Greater than 1:1 in sign faces & square footage		
Savannah			2.5:1		
Victorville			3 (nonconforming):1		

¹ Irwindale allows new static or digital billboards by development agreements which specify sign reduction, standards, and public benefits

² Long Beach requires that signs credited for removal be non-conforming.

³ San Antonio has a moratorium on new digital signs. After 1 year pilot program, they have 13 digital signs (below their cap of 15).

⁴ Santa Clarita requires a relocation agreement for each new sign, which could include sign reduction, revenue-sharing, public messaging.

⁵ Seattle allows new off-site signs only with sign reduction per a development agreement. Digital signs allowed only if on site.

⁶ West Hollywood has a moratorium on new billboards and digital displays while they examine their billboard regulations.

⁷ Data from provided by outside source, not independently validated by Department of City Planning staff.

BUSINESS AND PROFESSIONS CODE

SECTION 5400-5419

5400. No advertising structure may be maintained unless the name of the person owning or maintaining it, is plainly displayed thereon.

5401. No advertising structure shall be placed unless it is built to withstand a wind pressure of 20 pounds per square foot of exposed surface. Any advertising structure not conforming to this section shall be removed as provided in Section 5463.

5402. No person shall display or cause or permit to be displayed upon any advertising structure or sign, any statements or words of an obscene, indecent or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency, or any other matter or thing of an obscene, indecent or immoral character.

5403. No advertising display shall be placed or maintained in any of the following locations or positions or under any of the following conditions or if the advertising structure or sign is of the following nature:

(a) If within the right-of-way of any highway.

(b) If visible from any highway and simulating or imitating any directional, warning, danger or information sign permitted under the provisions of this chapter, or if likely to be mistaken for any permitted sign, or if intended or likely to be construed as giving warning to traffic, by, for example, the use of the words "stop" or "slow down."

(c) If within any stream or drainage channel or below the floodwater level of any stream or drainage channel where the advertising display might be deluged by flood waters and swept under any highway structure crossing the stream or drainage channel or against the supports of the highway structure.

(d) If not maintained in safe condition.

(e) If visible from any highway and displaying any red or blinking or intermittent light likely to be mistaken for a warning or danger signal.

(f) If visible from any highway which is a part of the interstate or primary systems, and which is placed upon trees, or painted or drawn upon rocks or other natural features.

(g) If any illumination shall impair the vision of travelers on adjacent highways. Illuminations shall be considered vision impairing when its brilliance exceeds the values set forth in Section 21466.5 of the Vehicle Code.

(h) If visible from a state regulated highway displaying any flashing, intermittent, or moving light or lights.

(i) If, in order to enhance the display's visibility, the owner of the display or anyone acting on the owner's behalf removes, cuts, cuts down, injures, or destroys any tree, shrub, plant, or flower

growing on property owned by the department that is visible from the highway without a permit issued pursuant to Section 670 of the Streets and Highways Code.

5404. No advertising display shall be placed outside of any business district as defined in the Vehicle Code or outside of any unincorporated city, town or village, or outside of any area that is subdivided into parcels of not more than 20,000 square feet each in area in any of the following locations or positions, or under any of the following conditions, or if the advertising display is of the following nature:

(a) If within a distance of 300 feet from the point of intersection of highway or of highway and railroad right-of-way lines, except that this does not prevent the placing of advertising display on that side of an intercepted highway that is opposite the point of interception. But in case any permanent building, structure or other object prevents any traveler on any such highway from obtaining a clear view of approaching vehicles for a distance of 300 feet, then advertising displays may be placed on such buildings, structure or other object if such displays will not further obstruct the vision of those approaching the intersection or interception, or if any such display does not project more than one foot therefrom.

(b) If placed in such a manner as to prevent any traveler on any highway from obtaining a clear view of approaching vehicles for a distance of 500 feet along the highway.

5405. Notwithstanding any other provision of this chapter, no advertising display shall be placed or maintained within 660 feet from the edge of the right-of-way of, and the copy of which is visible from, any interstate or primary highway, other than any of the following:

(a) Directional or other official signs or notices that are required or authorized by law, including, but not limited to, signs pertaining to natural wonders and scenic and historical attractions, and which comply with regulations adopted by the director relative to their lighting, size, number, spacing, and any other requirements as may be appropriate to implement this chapter which are consistent with national standards adopted by the United States Secretary of Transportation pursuant to subdivision (c) of Section 131 of Title 23 of the United States Code.

(b) Advertising displays advertising the sale or lease of the property upon which they are located, if all advertising displays within 660 feet of the edge of the right-of-way of a bonus segment comply with the regulations adopted under Sections 5251 and 5415.

(c) Advertising displays which advertise the business conducted, services rendered, or goods produced or sold upon the property upon which the advertising display is placed, if the display is upon the same side of the highway as the advertised activity; and if all advertising displays within 660 feet of the right-of-way of a bonus segment comply with the regulations adopted under Sections 5251, 5403, and 5415; and except that no advertising display shall be placed after January 1, 1971, if it contains flashing, intermittent, or moving lights (other than that part necessary to give public service information, including, but not limited to, the time, date, temperature, weather, or similar information, or a message center display as defined in subdivision (d)).

(d) (1) Message center displays that comply with all requirements of this chapter. The illumination or the appearance of illumination

resulting in a message change of a message center display is not the use of flashing, intermittent, or moving light for purposes of subdivision (b) of Section 5408, except that no message center display may include any illumination or message change that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than four seconds. No message center display may be placed within 1,000 feet of another message center display on the same side of the highway. No message center display may be placed in violation of Section 131 of Title 23 of the United States Code.

(2) Any message center display located beyond 660 feet from the edge of the right-of-way of an interstate or primary highway and permitted by a city, county, or city and county on or before December 31, 1988, is in compliance with Article 6 (commencing with Section 5350) and Article 7 (commencing with Section 5400) for purposes of this section.

(3) Any message center display legally placed on or before December 31, 1996, which does not conform with this section may continue to be maintained under its existing criteria if it advertises only the business conducted, services rendered, or goods produced or sold upon the property upon which the display is placed.

(4) This subdivision does not prohibit the adoption by a city, county, or city and county of restrictions or prohibitions affecting off-premises message center displays which are equal to or greater than those imposed by this subdivision, if that ordinance or regulation does not restrict or prohibit on-premises advertising displays, as defined in Chapter 2.5 (commencing with Section 5490).

(e) Advertising displays erected or maintained pursuant to regulations of the director, not inconsistent with the national policy set forth in subdivision (f) of Section 131 of Title 23 of the United States Code and the standards promulgated thereunder by the Secretary of Transportation, and designed to give information in the specific interest of the traveling public.

5405.3. Nothing in this chapter, including, but not limited to, Section 5405, shall prohibit the placing of temporary political signs, unless a federal agency determines that such placement would violate federal regulations. However, no such sign shall be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

A temporary political sign is a sign which:

(a) Encourages a particular vote in a scheduled election.

(b) Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.

(c) Is no larger than 32 square feet.

(d) Has had a statement of responsibility filed with the department certifying a person who will be responsible for removing the temporary political sign and who will reimburse the department for any cost incurred to remove it.

5405.5. In addition to those displays permitted pursuant to Section 5405, displays erected and maintained pursuant to regulations of the director, which will not be in violation of Section 131 of Title 23 of the United States Code, and which identify the location of a farm produce outlet where farmers sell directly to the public only those farm or ranch products they have produced themselves, may be placed or maintained within 660 feet from the edge of the right-of-way so

that the copy of the display is visible from a highway.

The advertising displays shall indicate the location of the farm products but not the price of any product and shall not be larger than 150 square feet.

5405.6. Notwithstanding any other provision of law, no outdoor advertising display that exceeds 10 feet in either length or width, shall be built on any land or right-of-way owned by the Los Angeles County Metropolitan Transportation Authority, including any of its rights-of-way, unless the authority complies with any applicable provisions of this chapter, the federal Highway Beautification Act of 1965 (23 U.S.C.A. Sec. 131), and any local regulatory agency's rules or policies concerning outdoor advertising displays. The authority shall not disregard or preempt any law, ordinance, or regulation of any city, county, or other local agency involving any outdoor advertising display.

5406. The provisions of Sections 5226 and 5405 shall not apply to bonus segments which traverse and abut on commercial or industrial zones within the boundaries of incorporated municipalities, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to and abutting on the national system of interstate and defense highways is subject to municipal regulation or control, or which traverse and abut on other business areas where the land use, as of September 21, 1959, was clearly established by state laws as industrial or commercial, provided that advertising displays within 660 feet of the edge of the right-of-way of such bonus segments shall be subject to the provisions of Section 5408.

5407. The provisions of Sections 5226 and 5405 shall not apply to penalty segments which are located, or which are to be located, in business areas and which comply with Section 5408, except that Sections 5226 and 5405 shall apply to unzoned commercial or industrial areas in which the commercial or industrial activity ceases and is removed or permanently converted to other than a commercial or industrial activity, and displays in such areas shall be removed not later than five years following the cessation, removal, or conversion of the commercial or industrial activity.

5408. In addition to the advertising displays permitted by Section 5405 to be placed within 660 feet of the edge of the right-of-way of interstate or primary highways, advertising displays conforming to the following standards, and not in violation of any other provision of this chapter, may be placed in those locations if placed in business areas:

(a) Advertising displays may not be placed that exceed 1,200 square feet in area with a maximum height of 25 feet and a maximum length of 60 feet, including border and trim, and excluding base or apron supports and other structural members. This subdivision shall apply to each facing of an advertising display. The area shall be measured by the smallest square, rectangle, triangle, circle, or

combination thereof, which will encompass the entire advertisement. Two advertising displays not exceeding 350 square feet each may be erected in a facing. Any advertising display lawfully in existence on August 1, 1967, that exceeds 1,200 square feet in area, and that is permitted by city or county ordinance, may be maintained in existence.

(b) Advertising displays may not be placed that are so illuminated that they interfere with the effectiveness of, or obscure any official traffic sign, device, or signal; nor shall any advertising display include or be illuminated by flashing, intermittent, or moving lights (except that part necessary to give public service information such as time, date, temperature, weather, or similar information); nor shall any advertising display cause beams or rays of light to be directed at the traveled ways if the light is of an intensity or brilliance as to cause glare or to impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle.

(c) Advertising displays may not be placed to obstruct, or otherwise physically interfere with, an official traffic sign, signal, or device or to obstruct, or physically interfere with, the vision of drivers in approaching, merging, or intersecting traffic.

(d) No advertising display shall be placed within 500 feet from another advertising display on the same side of any portion of an interstate highway or a primary highway that is a freeway. No advertising display shall be placed within 500 feet of an interchange, or an intersection at grade, or a safety roadside rest area on any portion of an interstate highway or a primary highway that is a freeway and if the interstate or primary highway is located outside the limits of an incorporated city and outside the limits of an urban area. No advertising display shall be placed within 300 feet from another advertising display on the same side of any portion of a primary highway that is not a freeway if that portion of the primary highway is located outside the limits of an incorporated city and outside the limits of an urban area. No advertising display shall be placed within 100 feet from another advertising display on the same side of any portion of a primary highway that is not a freeway if that portion of the primary highway is located inside the limits of an incorporated city or inside the limits of an urban area.

(e) Subdivision (d) does not apply to any of the following:

(1) Advertising displays that are separated by a building or other obstruction in a manner that only one display located within the minimum spacing distances set forth herein is visible from the highway at any one time.

(2) Double-faced, back-to-back, or V-type advertising display, with a maximum of two signs per facing, as permitted in subdivision (a).

(3) Advertising displays permitted by subdivisions (a) to (c), inclusive, of Section 5405. The minimum distance between signs shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway.

(4) Any advertising display lawfully in existence on August 1, 1967, which does not conform to this subdivision but that is permitted by city or county ordinances.

(f) "Urban area," as used in subdivision (d), shall be determined in accordance with Section 101(a) of Title 23 of the United States Code.

5408.1. (a) No advertising display shall be placed or maintained beyond 660 feet from the edge of the right-of-way of an interstate or primary highway if such advertising display is located outside of an

urban area or within that portion of an urban area that is not a business area, is visible from the main traveled way of such highway, and is placed with the purpose of its message being read from such main traveled way, unless such advertising display is included within one of the classes of displays permitted by Section 5405 to be placed within 660 feet from the edge of such highway. Such display may be placed or maintained within the portion of an urban area that is also a business area if such display conforms to the criteria for size, spacing and lighting set forth in Section 5408.

(b) Any advertising display which was lawfully in existence on the effective date of the enactment of this section, but which does not conform to the provisions of this section, shall not be required to be removed until January 1, 1980. If federal law requires the state to pay just compensation for the removal of any such display, it may remain in place after January 1, 1980, and until just compensation is paid for its removal pursuant to Section 5412.

(c) For purposes of this section, an urban area means an area so designated in accordance with the provisions of Section 101 of Title 23 of the United States Code.

5408.2. Notwithstanding any other provision of this chapter, an advertising display is a lawfully erected advertising display and, upon application and payment of the application fee, the director shall issue a permit for the display if it meets all of the following conditions:

(a) The display was erected on property adjacent to State Highway Route 10 (Interstate 10) in the unincorporated area of the County of Los Angeles in order to replace a display which was required to be removed because the property on which it was located was acquired by the State of California to facilitate construction of the busway on Route 10 in the County of Los Angeles.

(b) Upon proper application, the display could have qualified for a permit at the time it was erected, except for Sections 5351 and 5408 and Article 5 (commencing with Section 5320) as in effect at the time.

(c) The display conforms to Section 5408 as in effect on January 1, 1984.

(d) The display was in existence on January 1, 1984.

5408.3. Notwithstanding Section 5408, a city or a county with land use jurisdiction over the property may adopt an ordinance that establishes standards for the spacing and sizes of advertising displays that are more restrictive than those imposed by the state.

5408.5. In addition to the advertising displays permitted by Sections 5405 and 5408, advertising displays located on bus passenger shelters or benches and conforming to the following standards may be placed on or adjacent to a highway:

(a) The advertising display may not be within 660 feet of and visible from any federal-aid interstate or primary rural highway, and any advertising display within 660 feet of and visible from any urban highway shall be consistent with federal law and regulations.

(b) The advertising display shall meet traffic safety standards of the public entity having operational authority over the highway. These standards may include provisions requiring a finding and

certification by an appropriate official that the proposed advertising display does not constitute a hazard to traffic.

(c) Bus passenger shelters or benches with advertising displays may only be placed at approved passenger loading areas.

(d) Bus passenger shelters or benches with advertising displays may only be placed in accordance with a permit or agreement with the public entity having operational authority over the highway adjacent to where, or upon which, the advertising display is to be placed.

(e) Any advertising display on bus passenger shelters or benches may not extend beyond the exterior limits of the shelter or bench.

(f) There may not be more than two advertising displays on any bus passenger shelter.

(g) Advertising displays placed on bus passenger shelters or benches pursuant to a permit or agreement with a local public entity shall not be subject to the state permit requirements specified in Article 6 (commencing with Section 5350).

5408.7. (a) It is the intent of the Legislature that this section shall not serve as a precedent for other changes to the law regarding outdoor advertising displays on, or adjacent to, highways. The Legislature recognizes that the streets in the City and County of San Francisco that are designated as state or federal highways are unique in that they are also streets with street lights, sidewalks, and many of the other features of busy urban streets. At the same time, these streets double as a way, and often the only way, for people to move through the city and county from one boundary to another. The Legislature recognizes the particular topography of the City and County of San Francisco, the popularity of the area as a tourist destination, the high level of foot traffic, and the unique design of its highways.

(b) For purposes of this section, "street furniture" is any kiosk, trash receptacle, bench, public toilet, news rack, or public telephone placed on, or adjacent to, a street designated as a state or federal highway.

(c) In addition to the advertising displays permitted by Sections 5405, 5408, and 5408.5, advertising displays located on street furniture may be placed on, or adjacent to, any street designated as a state or federal highway within the jurisdiction of a city and county, subject to all of the following conditions:

(1) The advertising display meets the traffic safety standards of the city and county. These standards may include provisions requiring a finding and certification by an appropriate official of the city and county that the proposed advertising display does not constitute a hazard to traffic.

(2) Any advertising display that is within 660 feet of, and visible from, any street designated as a state or federal highway shall be consistent with federal law and regulations.

(3) Advertising displays on street furniture shall be placed in accordance with a permit or agreement with the city and county.

(4) Advertising displays on street furniture shall not extend beyond the exterior limits of the street furniture.

(d) Advertising displays placed on street furniture pursuant to a permit or agreement with the city and county shall not be subject to the state permit requirements of Article 6 (commencing with Section 5350). This subdivision does not affect the authority of the state to enforce compliance with federal law and regulations, as required by paragraph (2) of subdivision (c).

(e) (1) The city and county shall, upon written notice of any suit

or claim of liability against the state for any injury arising out of the placement of an advertising display approved by the city and county pursuant to subdivision (c), defend the state against the claim and provide indemnity to the state against any liability on the suit or claim.

(2) For the purposes of this subdivision, "indemnity" has the same meaning as defined in Section 2772 of the Civil Code.

(f) (1) This section shall become inoperative not later than 60 days from the date the director receives notice from the United States Secretary of Transportation that future operation of this section will result in a reduction of the state's share of federal highway funds pursuant to Section 131 of Title 23 of the United States Code.

(2) Upon receipt of the notice described in paragraph (1), the director shall notify in writing the Secretary of State and the City and County of San Francisco of that receipt.

(3) This section shall be repealed on January 1 immediately following the date the Secretary of State receives the notice required under paragraph (2).

5410. Any advertising display located within 660 feet of the edge of the right-of-way of, and the copy of which is visible from, any penalty segment, or any bonus segment described in Section 5406 which display was lawfully maintained in existence on the effective date of this section but which was not on that date in conformity with the provisions of this article, may be maintained, and shall not be required to be removed until July 1, 1970. Any other sign which is lawful when erected, but which does not on January 1, 1968, or any time thereafter, conform to the provisions of this article, may be maintained, and shall not be required to be removed, until the end of the fifth year after it becomes nonconforming; provided that this section shall not apply to advertising displays adjacent to a landscaped freeway.

5412. Notwithstanding any other provision of this chapter, no advertising display which was lawfully erected anywhere within this state shall be compelled to be removed, nor shall its customary maintenance or use be limited, whether or not the removal or limitation is pursuant to or because of this chapter or any other law, ordinance, or regulation of any governmental entity, without payment of compensation, as defined in the Eminent Domain Law (Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure), except as provided in Sections 5412.1, 5412.2, and 5412.3. The compensation shall be paid to the owner or owners of the advertising display and the owner or owners of the land upon which the display is located.

This section applies to all displays which were lawfully erected in compliance with state laws and local ordinances in effect when the displays were erected if the displays were in existence on November 6, 1978, or lawfully erected after November 6, 1978, regardless of whether the displays have become nonconforming or have been provided an amortization period. This section does not apply to on-premise displays as specified in Section 5272 or to displays which are relocated by mutual agreement between the display owner and the local entity.

"Relocation," as used in this section, includes removal of a display and construction of a new display to substitute for the

display removed.

It is a policy of this state to encourage local entities and display owners to enter into relocation agreements which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the continued maintenance of private investment and a medium of public communication. Cities, counties, cities and counties, and all other local entities are specifically empowered to enter into relocation agreements on whatever terms are agreeable to the display owner and the city, county, city and county, or other local entity, and to adopt ordinances or resolutions providing for relocation of displays.

5412.1. A city, county, or city and county, whose ordinances or regulations are otherwise in full compliance with Section 5412, is not in violation of that section if the entity elects to require the removal without compensation of any display which meets all the following requirements:

(a) The display is located within an area shown as residential on a local general plan as of either the date an ordinance or regulation is enacted or becomes applicable to the area which incorporates the provisions of this section.

(b) The display is located within an area zoned for residential use either on the date on which the removal requirement is adopted or becomes applicable to the area.

(c) The display is not located within 660 feet from the edge of the right-of-way of an interstate or primary highway with its copy visible from the highway, nor is placed or maintained beyond 660 feet from the edge of the right-of-way of an interstate or primary highway with the purpose of its message being read from the main traveled way.

(d) The display is not required to be removed because of an overlay zone, combining zone, or any other special zoning district whose primary purpose is the removal or control of signs.

(e) The display is allowed to remain in existence for the period of time set forth below after the enactment or amendment after January 1, 1983, of any ordinance or regulation necessary to bring the entity requiring removal into compliance with Section 5412, and after giving notice of the removal requirement:

Fair Market Value on Date of Notice of Removal Requirement	Minimum Years Allowed
Under \$1,999.....	2
\$2,000 to \$3,999.....	3
\$4,000 to \$5,999.....	4
\$6,000 to \$7,999.....	5
\$8,000 to \$9,999.....	6
\$10,000 and over.....	7

The amounts provided in this section shall be adjusted each January 1 after January 1, 1983, in accordance with the changes in building costs, as indicated in the United States Department of Commerce Composite Cost Index for Construction Costs.

5412.2. A city or city and county, whose ordinances or regulations are otherwise in full compliance with Section 5412, is not in

violation of that section if the entity elects to require the removal without compensation of any display which meets all the following requirements:

(a) The display is located within an incorporated area shown as agricultural on a local general plan as of either the date an ordinance or regulation is enacted or becomes applicable to the area which incorporates the provisions of this section.

(b) The display is located within an area zoned for agricultural use either on the date on which the removal requirement is adopted or becomes applicable to the area.

(c) The display is not located within 660 feet from the edge of the right-of-way of an interstate or primary highway with its copy visible from the highway, nor is placed or maintained beyond 660 feet from the edge of the right-of-way of an interstate or primary highway with the purpose of its message being read from the main traveled way.

(d) The display is not required to be removed because of an overlay zone, combining zone, or any other special zoning district whose primary purpose is the removal or control of signs.

(e) The display is allowed to remain in existence for the period of time set forth below after the enactment or amendment after January 1, 1983, of any ordinance or regulation necessary to bring the entity requiring removal into compliance with Section 5412, and after giving notice of the removal requirement:

Fair Market Value on Date of Notice of Removal Requirement	Minimum Years Allowed
Under \$1,999.....	2
\$2,000 to \$3,999.....	3
\$4,000 to \$5,999.....	4
\$6,000 to \$7,999.....	5
\$8,000 to \$9,999.....	6
\$10,000 and over.....	7

The amounts provided in this section shall be adjusted each January 1 after January 1, 1983, in accordance with the changes in building costs as indicated in the United States Department of Commerce Composite Cost Index for Construction Costs.

5412.3. A county whose ordinances or regulations are otherwise in full compliance with Section 5412, is not in violation of that section if the county elects to require the removal without compensation of any display which meets all the following requirements:

(a) The display is located within an unincorporated area shown as agricultural on a local general plan as of either the date an ordinance or regulation is enacted or becomes applicable to the area which incorporates the provisions of this section.

(b) The display is located within an area zoned for agricultural use either on the date on which the removal requirement is adopted or becomes applicable to the area.

(c) The display is not located within 660 feet from the edge of the right-of-way of an interstate or primary highway with its copy visible from the highway, nor is placed or maintained beyond 660 feet from the edge of the right-of-way of an interstate or primary highway with the purpose of its message being read from the main traveled way.

(d) The display is not required to be removed because of an

overlay zone, combining zone, or any other special zoning district whose primary purpose is the removal or control of signs.

(e) The display is allowed to remain in existence for the period of time set forth below after the adoption or amendment after January 1, 1983, of any ordinance or regulation necessary to bring the entity requiring removal into compliance with Section 5412, and after giving notice of the removal requirement:

Fair Market Value on Date of Notice of Removal Requirement	Minimum Years Allowed
Under \$1,999.....	3.0
\$2,000 to \$3,999.....	4.5
\$4,000 to \$5,999.....	6.0
\$6,000 to \$7,999.....	7.5
\$8,000 to \$9,999.....	9.0
\$10,000 and over.....	10.5

The amounts provided in this section shall be adjusted each January 1 after January 1, 1983, in accordance with the changes in building costs, as indicated in the United States Department of Commerce Composite Cost Index for Construction Costs.

5412.4. Section 5412 shall not be applied in any judicial proceeding which was filed and served by any city, county, or city and county prior to January 1, 1982, except that Section 5412 shall be applied in litigation to prohibit the removal without compensation of any advertising display located within 660 feet from the edge of the right-of-way of an interstate or primary highway with its copy visible from the highway, or any advertising display placed or maintained beyond 660 feet from the edge of the right-of-way of an interstate or primary highway that is placed with the purpose of its message being read from the main traveled way of the highway.

5412.6. The requirement by a governmental entity that a lawfully erected display be removed as a condition or prerequisite for the issuance or continued effectiveness of a permit, license, or other approval for any use, structure, development, or activity other than a display constitutes a compelled removal requiring compensation under Section 5412, unless the permit, license, or approval is requested for the construction of a building or structure which cannot be built without physically removing the display.

5413. Prior to commencing judicial proceedings to compel the removal of an advertising display, the director may elect to negotiate with the person entitled to compensation in order to arrive at an agreement as to the amount of compensation to be paid. If the negotiations are unsuccessful, or if the director elects not to engage in negotiations, a civil proceeding may be instituted as set forth in Section 5414.

To facilitate the negotiations, the Department of Transportation shall prepare a valuation schedule for each of the various types of advertising displays based on all applicable data. The schedule shall be updated at least once every two years. The schedule shall be made

available to any public entity requesting a copy.

5414. Proceedings to compel the removal of displays and to determine the compensation required by this chapter shall be conducted pursuant to Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure.

5415. The director shall prescribe and enforce regulations for the erection and maintenance of advertising displays permitted by Sections 5226, 5405, and 5408 consistent with Section 131 of Title 23 of the United States Code and the national standards promulgated thereunder by the Secretary of Transportation; provided, that the director shall not prescribe regulations imposing stricter requirements for the size, spacing or lighting of advertising displays than are prescribed by Section 5408 and provided that the director shall not prescribe regulations to conform to changes in federal law or regulations made after November 8, 1967, without prior legislative approval.

Notwithstanding any other provisions of this chapter, no outdoor advertising shall be placed or maintained adjacent to any interstate highway or primary highway in violation of the national standards promulgated pursuant to subsections (c) and (f) of Section 131 of Title 23 of the United States Code, as such standards existed on November 8, 1967.

5416. The director shall seek, and may enter into, agreements with the Secretary of Transportation of the United States and shall take such steps as may be necessary from time to time to obtain, and may accept, any allotment of funds as provided by subdivision (j) of Section 131 of Title 23 of the United States Code, as amended from time to time, and such steps as may be necessary from time to time to obtain funds allotted pursuant to Section 131 for the purpose of paying the 75 percent federal share of the compensation required by subdivision (g) of Section 131 of Title 23 of the United States Code.

5417. From state funds appropriated by the Legislature for such purposes and from federal funds made available for such purposes, the California Transportation Commission may allocate funds to the director for payment of compensation authorized by this chapter.

5418. The California Transportation Commission is authorized to allocate sufficient funds from the State Highway Account in the State Transportation Fund that are available for capital outlay purposes to match federal funds made available for the removal of outdoor advertising displays.

5418.1. When allocating funds pursuant to Section 5418, the commission shall consider, and may designate for expenditure, all or any part of such funds in accordance with the following order of

priorities for removal of those outdoor advertising displays for which compensation is provided pursuant to Section 5412:

(a) Hardship situations involving outdoor advertising displays located adjacent to highways which are included within the state scenic highway system, including those nonconforming outdoor advertising displays which are offered for immediate removal by the owners thereof.

(b) Hardship situations involving outdoor advertising displays located adjacent to other highways, including those nonconforming outdoor advertising displays which are offered for removal by the owners thereof.

(c) Nonconforming outdoor advertising displays located adjacent to highways which are included within the state scenic highway system.

(d) Nonconforming outdoor advertising displays which are generally used for product advertising, and which are located in unincorporated areas.

(e) Nonconforming outdoor advertising displays which are generally used for product advertising located within incorporated areas.

(f) Nonconforming outdoor advertising displays which are generally used for non-motorist-oriented directional advertising.

(g) Nonconforming outdoor advertising displays which are generally used for motorist-related directional advertising.

5419. (a) The director shall seek agreement with the Secretary of Transportation of the United States, or his successor, under provisions of Section 131 of Title 23 of the United States Code, to provide for effective control of outdoor advertising substantially as set forth herein, provided that such agreement can vary and change the definition of "unzoned commercial or industrial area" as set forth in Section 5222 and the definition of "business area" as set forth in Section 5223, or other sections related thereto, and provided further that if such agreement does vary from such sections it shall not be effective until the Legislature by statute amends the sections to conform with the terms of the agreement. If agreement is reached on these terms, the director shall execute the agreement on behalf of the state.

(b) In the event an agreement cannot be achieved under subdivision (a), the director shall promptly institute proceedings of the kind provided for in subdivision (1) of Section 131 of Title 23 of the United States Code, in order to obtain a judicial determination as to whether this chapter and the regulations promulgated thereunder provide effective control of outdoor advertising as set forth therein. In such action the director shall request that the court declare rights, status, and other legal relations and declare whether the standards, criteria, and definitions contained in the agreement proposed by the director are consistent with customary use. If such agreement is held by the court in a final judgment to be invalid in whole or in part as inconsistent with customary use or as otherwise in conflict with Section 131 of Title 23 of the United States Code, the director shall promptly negotiate with the Secretary of Transportation, or his successor, a new agreement or agreements which shall conform to this chapter, as interpreted by the court in such action.

BUSINESS AND PROFESSIONS CODE

SECTION 5440-5443.5

5440. Except as otherwise provided in this article, no advertising display may be placed or maintained on property adjacent to a section of a freeway that has been landscaped if the advertising display is designed to be viewed primarily by persons traveling on the main-traveled way of the landscaped freeway.

5440.1. Except as provided in Section 5442.5, no advertising display may be placed or maintained along any highway or segment of any interstate highway or primary highway that before, on, or after the effective date of Section 131(s) of Title 23 of the United States Code is an officially designated scenic highway or scenic byway.

5441. Any advertising display which is now, or hereafter becomes, in violation of Section 5440 shall be subject to removal three years from the date the freeway has been declared a landscaped freeway by the director or the director's designee and the character of the freeway has been changed from a freeway to a landscaped freeway.

5442. Section 5440 does not apply to any advertising structure or sign if the advertising display is used exclusively for any of the following purposes:

- (a) To advertise the sale or lease of the property upon which the advertising display is placed.
- (b) To designate the name of the owner or occupant of the premises upon which the advertising display is placed, or to identify the premises.
- (c) To advertise goods manufactured or produced, or services rendered, on the property upon which the advertising display is placed.

5442.5. Section 5440.1 does not apply to any advertising display if the advertising display is used exclusively for any of the following purposes:

- (a) Directional and official signs and notices, including, but not be limited to, signs and notices pertaining to natural wonders or scenic and historical attractions that are otherwise required or authorized by law and conform to regulations adopted by the department.
- (b) Signs, displays, and devices advertising the sale or lease of real property upon which they are located.
- (c) Signs, displays, and devices, including, but not limited to, those that may be changed at reasonable intervals by electronic process or by remote control, advertising activities conducted on the

property on which they are located.

(d) Signs lawfully in existence on October 22, 1965, as determined by the department to be landmark signs, including signs on farm structures or natural surfaces, or of historic or artistic significance the preservation of which, in the opinion of the department, would be consistent with the purposes of this section, as determined by regulations adopted by the department.

(e) Signs, displays, and devices advertising the distribution by nonprofit organizations of free coffee to individuals traveling on the interstate system or the primary system. For the purpose of this subdivision, the term "free coffee" means, coffee for which a donation may be made, but is not required.

5442.7. (a) Section 5440 does not apply to any freestanding identifying structure that is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, and sponsored by, the City of Richmond to support economic development activities.

(b) A structure erected pursuant to subdivision (a) shall conform to all of the following conditions:

(1) Not more than one identifying structure may be used by the City of Richmond and only if approved by that city by ordinance or resolution after a duly noticed public hearing regarding the structure.

(2) Placement of the structure shall not require the immediate trimming, pruning, topping, or removal of existing trees to provide visibility to the structure, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the structure.

(3) The structure shall be generic only and shall not identify any specific business.

(4) No public funds may be expended to pay for the costs of the structure.

(5) The structure shall not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code.

5442.8. Section 5440 does not apply to any advertising structure or sign if the advertising display is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, or sponsored by, the City of Costa Mesa to support economic development activities, if all of the following conditions are met:

(a) No other display is used by the city pursuant to this section.

(b) The governing body of the city has authorized placement of the display by an ordinance or resolution adopted following a duly noticed public hearing regarding the display.

(c) Placement of the display will not necessitate the immediate trimming, pruning, topping, or removal of existing trees in order to make the display visible or to improve its visibility, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(d) The display does not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

5442.9. (a) Notwithstanding Section 5440, a city described in subdivision (b) may erect a nonconforming display if all of the following apply:

(1) The display is placed on property that the city has owned since before January 1, 1995.

(2) Not more than one additional display is added to the number of signs within the city that do not conform to this article as of January 1, 2000.

(3) The display is located within the boundaries of the city.

(4) Placement or maintenance of the display does not require the immediate trimming, pruning, topping, or removal of existing trees to provide visibility to the display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement or maintenance of the display.

(5) No public funds are required to be expended to pay for the costs of the display.

(6) The display does not impose additional liability on the Department of Transportation.

(7) The display does not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

(8) All proceeds received by a participating city by allowing the erection of the nonconforming display are expended by the city solely for parks and programs for at-risk youth.

(9) The display does not advertise products or services which are directed at an adult population, including, but not limited to, alcohol, tobacco, and gambling activities.

(b) For purposes of this section, city is any city that meets all of the following conditions:

(1) The city's population is 17,000 persons or less.

(2) The city's annual budget is less than eight million dollars (\$8,000,000).

(3) The city's geographical area is less than 1.7 square miles.

(4) The city is located in an urbanized county containing a population of 6,000,000 or more persons.

5442.10. (a) Notwithstanding any other provision of this chapter, Section 5440 does not apply to any advertising display if all of the following conditions are met:

(1) Not more than five advertising displays, whose placement or maintenance is otherwise prohibited under this chapter, shall be erected and only if approved by the Oakland-Alameda County Coliseum Authority.

(2) All five advertising displays shall meet the 1,200 square foot size restriction set forth in subdivision (a) of Section 5408. However, subject to subdivision (b), three of the advertising displays may be vertically oriented so long as those displays do not exceed 60 feet in height and 25 feet in length, including border and trim and excluding base or apron supports, and other structural members.

(3) The display area of each advertising display is measured by the smallest square, rectangle, circle, or combination that will encompass the display area. For purposes of this section, embellishments and secondary signs located in the border or trim around a display area advertising the name of the coliseum complex or the identities of athletic teams who are licensees or lessees of all or portions of the Oakland-Alameda County Coliseum Complex shall not cause the border or trim areas to be included in a display face for measurement purposes. In the case of an LED display advertising

on-premises activities at the Oakland-Alameda County Coliseum Complex, or off-premises, noncommercial community activities, the LED portion of the display face shall not be included for measurement purposes.

(4) Placement or maintenance of each advertising display does not require the immediate trimming, pruning, topping, or removal of trees located on a state highway right-of-way to provide visibility to the advertising display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(5) No advertising display shall advertise products or services that are directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.

(6) Each advertising display shall be located on the Oakland-Alameda County Coliseum Complex property and shall comply with the spacing requirements set forth in subdivision (d) of Section 5408, as implemented by department regulation.

(7) If any advertising display erected pursuant to this section is removed for purposes of a transportation project undertaken by the department, the display owner is entitled to relocate that display within the Oakland-Alameda County Coliseum Complex property, and is not entitled to monetary compensation for the removal or relocation even if relocation is not possible.

(8) The display shall not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code.

(b) For the specific purpose of this section and in accordance with the Memorandum for Record with the Federal Highway Administration dated January 17, 2001, upon the written request of the Oakland-Alameda County Coliseum Authority on behalf of its licensee or contractor seeking to erect one or more of the three advertising displays allowed by paragraph (2) of subdivision (a) consisting of a size not to exceed 60 feet in height and 25 feet in length, the department shall promptly request Federal Highway Administration approval of that change in orientation to ensure that the advertising displays will not cause a reduction in federal aid highway funds. Upon receipt of the approval from the Federal Highway Administration, the advertising display or displays may be erected.

(c) For the purposes of this section, the Oakland-Alameda County Coliseum Complex is the real property and improvements located at 7000 Coliseum Way, City of Oakland, and more particularly described in Parcel Map 7000, filed August 1, 1996, Map Book 223, Page 84, Alameda County Records, Assessor's Parcel Nos. 041-3901-008 and 041-3901-009.

5442.11. Notwithstanding any other provision of this chapter, Section 5440 does not apply to any advertising display in the Mid-City Recovery Redevelopment Project Area within the City of Los Angeles if all of the following conditions are met:

(a) Not more than four advertising displays, whose placement or maintenance is otherwise prohibited under this chapter, may be erected if approved by the Community Redevelopment Agency of the City of Los Angeles as part of an owner-participation agreement or disposition and development agreement.

(b) All four advertising displays meet the requirements set forth in Section 5405 and 5408.

(c) Placement or maintenance of each advertising display does not require the immediate trimming, pruning, topping, or removal of trees located on a state highway right-of-way to provide visibility to the advertising display, unless done as part of the normal landscape

maintenance activities that would have been undertaken without regard to the placement of the display.

(d) No advertising display shall advertise products or services that are directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.

(e) If any advertising display erected pursuant to this section is removed for purposes of a transportation project undertaken by the department, the display owner is entitled to relocate that display and is not entitled to monetary compensation for the removal or relocation.

(f) The advertising display shall not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code.

5442.13. (a) Notwithstanding any other provision of this chapter, Section 5440 shall not prohibit an advertising display in the City of Los Angeles by a not-for-profit educational academy that is exempt from taxation pursuant to Section 501(c)(3) of Title 26 of the United States Code, if all of the following conditions are met:

(1) The exception provided by this section is limited to only one advertising display.

(2) The site of the academy is located immediately adjacent to State Highway Routes 10 and 110 in the City of Los Angeles.

(3) The academy's curriculum focuses on providing arts and entertainment business education.

(4) The advertising display is constructed on the roof of the academy's facility.

(5) The advertising display meets the requirements set forth in Sections 5405 and 5408.

(6) Placement or maintenance of the advertising display does not require the immediate trimming, pruning, topping, or removal of trees located on a state highway right-of-way to provide visibility to the advertising display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(7) Revenues accruing to the academy from the advertising display are used exclusively for the acquisition, operation, and improvement of the academy.

(b) An advertising display erected pursuant to this section shall not advertise products or services that are directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.

(c) If an advertising display erected pursuant to this section is removed for purposes of a transportation project undertaken by the department, the display owner shall be entitled to relocate that advertising display with no compensation for the removal or relocation, and the relocation shall be limited to a site on the property of the academy specified in subdivision (a).

(d) An advertising display erected pursuant to this section shall not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

(e) If the academy specified in subdivision (a) closes or otherwise ceases to operate, the advertising display permitted under this section shall no longer be authorized and shall be removed from the property of the academy.

(f) Notwithstanding Section 5412, if the property on which the academy specified in subdivision (a) is sold, the seller shall remove the billboard from the property without compensation before title to the property is transferred to the buyer.

(g) The academy specified in subdivision (a) shall prepare an audit of the revenues generated by the advertising display authorized under this section that includes, but is not limited to, the total revenues generated from the display, the amount of revenues received by the academy, and the expenditures and uses of the revenue. The audit shall be submitted to the Controller and the Legislature on or before January 1, 2007, and every four years thereafter.

(h) The academy specified in subdivision (a) shall comply with the provisions of the City of Los Angeles regulation designated as Section 12.21A 7 (1) of the Los Angeles Municipal Code. The requirements of this subdivision shall be waived if the City of Los Angeles fails to implement, comply with, and make a determination pursuant to the provisions of Section 12.21A7 (1) of the Los Angeles Municipal Code on or before January 1, 2005.

5443. Nothing in this article prohibits either of the following:

(a) Any county from designating the districts or zones in which advertising displays may be placed or prohibited as part of a county land use or zoning ordinance.

(b) Any governmental entity from entering into a relocation agreement pursuant to Section 5412 or the department from allowing any legally permitted display to be increased in height at its permitted location or to be relocated if a noise attenuation barrier is erected in front of the display or if a building, construction, or structure, including, but not limited to, a barrier, bridge, overpass, or underpass, has been or is then being erected by any governmental entity that obstructs the display's visibility within 500 feet of the display and that relocated display or that action of the department would not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code or an increase in the number of displays within the jurisdiction of a governmental entity which does not conform to this article. Any increase in height permitted under this subdivision shall not be more than that necessary to restore the visibility of the display to the main-traveled way. An advertising display relocated pursuant to this subdivision shall comply with all of the provisions of Article 6 (commencing with Section 5350).

5443.5. Nothing in this article prohibits the Department of Transportation from allowing any legally permitted display situated on property being acquired for a public use to be relocated, subject to the approval of the public agency acquiring the property and the approval of the jurisdiction in which the display will be relocated, so long as the action of the department in allowing the relocation of the display would not cause a reduction in federal-aid highway funds, as provided in Section 131 of Title 23 of the United States Code, or an increase in the number of displays which do not conform to this article within the jurisdiction of a governmental entity.

ATTACHMENT III

HISTORIC BROADWAY SIGN SUPPLEMENTAL USE DISTRICT

ADOPTED BY CITY PLANNING COMMISSION – August 13, 2015

Revised Proposed Ordinance

SECTION 1. ESTABLISHMENT

The City Council hereby establishes the Signage Supplemental Use District applicable to South Broadway in Downtown Los Angeles from 1st Street to 12th Street, encompassing the Broadway Theater and Entertainment District and parcels fronting along intersecting streets, as depicted in the map attached hereto as Exhibit 1.

SECTION 2. PURPOSES

- A. Establish a sign district that supports and enhances historic preservation, economic development, and revitalization of the Broadway Theater and Entertainment District and directly adjacent blocks, and that reduces blight along the corridor.
- B. Allow a variety of appropriate and economically viable signage that will contribute to the historic nature of the Broadway district in a way that:
 - 1. Complements and protects the character-defining features of the historic buildings;
 - 2. Incentivizes rehabilitation, activation and reactivation of buildings, and the revitalization and historic preservation of the Broadway Theater and Entertainment District and adjacent blocks;
 - 3. Encourages new infill investment on Broadway through new construction on vacant and underutilized locations;
 - 4. Supports and encourages pedestrian activity;
 - 5. Reflects the historic character of the District's signage and where appropriate, incorporates new types of signage and technology;
 - 6. Coordinates with the architectural elements of the buildings on which signage is located and enhances the overall characteristics of the District; and
 - 7. Incentivizes the completion of the improvements contemplated in the Broadway Streetscape Master Plan and the installation of façade lighting treatments in accordance with the Broadway Community Design Overlay District
- C. Limit visual clutter and blight by regulating the type, size, location, design, and operation of signs.
- D. Minimize potential traffic hazards and protect public safety.
- E. Utilize off-site advertising rights to incentivize investment in the rehabilitation and reactivation of existing buildings and construction of new buildings on vacant and underutilized sites.

- F. Reinforce the authenticity of Broadway as one of California's oldest and most unique historic districts.

SECTION 3. APPLICATION OF REGULATIONS

- A. The regulations of this Ordinance are in addition to those set forth in the Planning and Zoning provisions of the Los Angeles Municipal Code (LAMC). These regulations do not convey any rights not otherwise granted under the provisions and procedures contained in the Code or other relevant ordinances, except as specifically provided for in this Ordinance.
- B. Wherever this Ordinance contains provisions that establish regulations that are different from, more restrictive than, or more permissive than those contained in the LAMC or other relevant ordinances, this Ordinance shall prevail.

SECTION 4. GENERAL STANDARDS

- A. Only the sign types specifically authorized in this Ordinance shall be erected on parcels located within the Broadway Sign District.
- B. Unless otherwise specified in this Ordinance to the contrary, the general sign requirements set forth in the LAMC shall apply for placement, permits, plans, design and construction, materials, street address numbers, identification, maintenance, prohibited locations, and sign illumination.
- C. Where signs are required to be painted, a professional sign painter shall be used. . All signs shall use typography and images that are uniform in point size, kerning and overall appearance. All signs shall be produced using an identifiable font. Spray-on paint and airbrushes shall not be used for lettering or iconography. The exposed backs and sides of all signs visible from a public right-of-way shall be finished.
- D. All signs shall be maintained in good repair.
- E. **Rights to Sign Visibility.** This Ordinance grants no right of visibility to any sign operator. Nor shall the impact on a sign's visibility be used as a basis to deny or condition an application for a sign or any other structure located in the Sign District or on properties adjacent thereto.
- F. Signs located in an open air, interior courtyard or plaza of a Non-Historic Building that are not visible from the street

are not subject to the provisions of this Ordinance and need only comply with Section 14.4 of the Code.

- G. All new signs and sign support structures shall be made of noncombustible materials or approved plastics. In the case of new or untested materials, the applicant shall submit a sample of a sign’s material to the Department of Building and Safety and the Fire Department for approval.
- H. **Existing Non-Conforming Signs.** Every existing sign and/or sign support structure constructed under a valid permit and used in conformance with the LAMC regulations and Los Angeles Department of Building and Safety approvals in effect at the time of construction shall be allowed to continue to exist under those regulations and approvals, even though subsequent adopted regulations and approvals have changed the requirements.
 1. All existing non-conforming signs shall be included in computing Combined Signage Area.
 2. No increase in sign area, height, location or orientation of an existing non-conforming sign shall be permitted.
 3. Any existing billboard(s) or solid-panel roof sign(s) shall be removed before placement of any new sign structure containing off-site commercial content is permitted.
- I. **Combined Signage Area.** The location and size of any individual sign is governed by the provisions set forth below regulating each sign type. Additionally, the total combined area of all Temporary, Wall, Window, Existing Non-Conforming Signs, and any other sign types not regulated in this ordinance that are located on a single building frontage shall be limited to 1.5 square feet of sign area per linear foot of that building frontage.

- D. No sign shall use highly reflective materials such as mirrored glass.
- E. All signs shall have a maximum total lumen output of no more than 20 lumens per square foot.
- F. All light emitting diodes used within any sign shall have a maximum horizontal beam spread of 165 degrees and a maximum vertical beam spread of 65 degrees. All light emitting diodes shall be oriented downwards towards the street, rather than towards the sky.
- G. Any Marquee Digital Sign shall make a smooth transition at a consistent rate between the permitted daytime to nighttime brightness levels beginning 45 minutes prior to sunset and concluding 45 minutes after sunset.
- H. **Illumination Testing Protocol.** Prior to the operation of any digital sign requiring Project Permit Compliance, and again 12 months after the sign has become operational, the applicant shall conduct testing to indicate compliance with the regulations of this Ordinance, and provide a copy of the results along with a certification from an LADBS approved testing agency to the Director and to LADBS stating that the testing results demonstrate compliance with the requirements of this Ordinance. The testing shall be at the applicant’s expense and shall be conducted as follows:
 1. In order to determine whether the illumination complies with Article 4.4 of the Zoning Code and the requirements of this Ordinance, a representative testing site shall be established on or next to those light sensitive receptors, as defined by the City’s CEQA Guidelines, which have the greatest exposure to signage lighting on each of the four facades of the Project. A light meter mounted to a tripod at eye level, facing the Project buildings, shall be calibrated and measurements taken to determine ambient light levels with the sign on. An opaque object shall be used to block out the view of the sign and the building from the light meter at a distance of at least four (4) feet away from the tripod. A reading shall then be taken to determine the ambient light levels with the sign off. The difference between the two measurements shall be the amount of light the sign casts onto the sensitive receptor. Alternatively, the applicant may measure light levels by using the same tripod and same light meter, but by turning the signage on and off.

SECTION 5. ILLUMINATION STANDARDS

- A. All illuminated signs shall be designed, located, and/or screened so as to minimize light travel onto the exterior walls of residential units and windows of commercial buildings, including those on the same site as the sign.
- B. All illuminated signs shall have a nighttime brightness no greater than 300 candelas per square meter and a daytime brightness no greater than 5,000 candelas.
- C. The brightness of any sign that includes neon, neon-like, or LED elements shall be fully dimmable and controlled by a timer which shall be maintained in good working order.

2. The illumination and intensity levels of all Digital Displays and Integral Digital Displays shall also be metered from a minimum of four perspectives (i.e., a perspective metering each facade) using the Candela as unit of measurement, and shall indicate conformance with the standards of this Ordinance.
3. In addition, if, as a result of a complaint, LADBS has cause to believe the Project's signage lighting is not in compliance with the Code or this Ordinance, LADBS may request, at the expense of the applicant or its successor, that the testing protocol outlined in this section be implemented to determine compliance. If the testing reveals that the signage is not in compliance with the Code, this Ordinance, or mitigation measures set forth in the Environmental Clearance that the City certified for this Ordinance, the applicant or its successor shall adjust the signage to bring it into compliance immediately or pay penalties per LAMC Section 11.2.04(a)3.

SECTION 6. PROHIBITED SIGN TYPES

The following sign types are prohibited:

- A. Billboards
- B. Canister (Can) Signs (including push-through and/or vacuum extruded letters/symbols)
- C. Captive Balloon Signs
- D. Electronic / Digital Displays that do not qualify as Marquee Signs
- E. Illuminated Canopy Signs
- F. Inflatable Devices
- G. Monument Signs
- H. Pillar Signs
- I. Pole Signs
- J. Sail Signs / Wind Banners / Feather Signs
- K. Solid Panel and other Roof Signs not specifically permitted herein
- L. Supergraphic Signs¹

¹ Painted Secondary Façade Signs that comply with the regulations in this Ordinance shall not be considered Supergraphic Signs in this District.

SECTION 7. ADMINISTRATIVE PROCEDURES

- A. **Building Permits.** The Department of Building and Safety (LADBS) shall not issue a permit for a sign, a sign structure, sign illumination, recreation / reconstruction of a sign, or alteration of an existing sign unless the sign complies with the requirements of this Ordinance and zoning regulations in the LAMC, as determined by the Director. The Department of Building and Safety shall ensure compliance with all other LAMC requirements.
- B. **Office of Historic Resources Review.** This ordinance does not exempt review by the Office of Historic Resources, when otherwise required.
- C. **Planning Department Sign-Off Required.** A permit may be issued by LADBS for the following signs with only a sign-off by the Department of City Planning and Office of Historic Resources on the permit application:

- 1. Architectural Ledge Sign
- 2. Awing Sign
- 3. Historic Designation Identification and Description Sign
- 4. Information Sign
- 5. Illuminated Projection Sign
- 6. Pedestrian Sign
- 7. Sandwich Board Sign
- 8. Storefront Vacancy Sign
- 9. Temporary Sign
- 10. Temporary Sign on Temporary Construction Wall
- 11. Wall Sign
- 12. Window Sign

7.1 PROJECT PERMIT

- A. **Project Permit Compliance Required.** No permit shall be issued by LADBS for the following types of signs unless the Director has issued a Project Permit Compliance approval pursuant to the procedures set forth in Section 11.5.7 of the Code:
 - 1. Architectural Canopy Sign
 - 2. Blade Sign
 - 3. Open Panel Roof Sign
 - 4. Marquee Digital Sign
 - 5. Painted Secondary Façade Sign
 - 6. Any sign that contains Three-Dimensional Sculptural Elements
 - 7. Any sign that contains Kinetic Elements
 - 7. Any sign that displays Off-Site Advertising, except for Illuminated Projection Signs

B. **Application Submittal Requirements.**

- 1. An application for Project Permit Compliance shall comply with Section 11.5.7 of the LAMC.
- 2. The application may request review of one or multiple signs.
- 3. The application shall be accompanied by photographs of all existing signage and architectural renderings of proposed signage, as well as a scaled plot plan showing the location and size of all existing and proposed signage.
- 4. The application shall identify the refresh rate, hours of operation, and include an illumination plan for the proposed sign(s), as well as any other information the Director reasonably requests.
- 5. The application shall identify the location of the sign(s) and demonstrate compliance with the requirements specified for that location and specific sign type.

7.2 OFF-SITE ADVERTISING INCENTIVE PROGRAM

A. **Intent.** By allowing Off-Site advertising pursuant to the provisions of this Section, the City intends to incentivize property owners to invest in their own properties, which will not only inure to the property owner's benefit, but will also assist the City in accomplishing its goal of revitalizing the Broadway Theater and Entertainment District, rehabilitating historic structures, and removing blight.

B. **Permissible Sign Types.** Off-Site advertising is permitted on the following sign types provided that all the requirements of this Section, and the requirements set forth in Section 9 for each sign type are satisfied:

- 1. Open Panel Roof Signs
- 2. Painted Secondary Façade Signs

C. **Permissible Buildings.** Off-site advertising is only permitted on Open Panel Roof Signs or Painted Secondary Façade Signs, but only if the building is a Historic Building, or if the building exceeds 50 feet in height.

D. **Number of Off-Site Advertising Signs.** Each qualifying building is allowed a maximum of one sign with Off-Site advertising content.

E. **Term Grant.** As part of the Project Permit Compliance Review, the Director shall only approve Off-Site advertising on, Open Panel Roof Signs, and Painted Secondary Façade Signs pursuant to a term grant. The Term Grant approval shall comply with the following requirements:

1. The Term Grant approval shall be limited to three years. At the expiration of the three-year period, the applicant may file an application to renew the approval.
2. Prior to the issuance of a Project Permit Compliance approval, the building shall be subject to the Inspection and Field Compliance Review of Operations procedures to verify that:
 - i. Each floor of the building can be legally occupied, and that the LAMC does not prohibit occupancy on any floor of the building due to deferred maintenance, LAMC violations, or other regulatory requirements.
 - ii. The building's occupancy rate is at least 75%.
 - iii. The building's signage is in compliance with this ordinance and the building has no outstanding code violations related to signage.
 - iv. The building's facades are free of graffiti.
 - v. The building owner has installed facade lighting that complies with the Broadway Community Design Overlay District.

The inspection shall be conducted pursuant to the Inspection and Field Compliance Review of Operations procedures set forth in LAMC Section 12.24 F. If the owner of the building elects to apply for a renewal of the Term Grant, the building shall be reinspected twelve months prior to the expiration of the Term Grant.

E. Completion of Street Improvements. Prior to approving a Project Permit Compliance review for signs with off-site advertising, the Director shall determine that the street improvements set forth in the Historic Broadway Streetscape Master Plan have been completed for the block on which the off-site advertising will be displayed.² If the City has not yet completed the streetscape improvements for the block in question due to budgetary constraints, the applicant, either acting individually or in conjunction with other property owners on the block, may complete the streetscape improvements himself or herself, after securing all appropriate permits from the Department of Public Works, and all other relevant City agencies. Alternatively, the applicant may pay a one-time *in lieu* fee for the cost of street improvements for that portion of the street located directly adjacent to the applicant's property. The *in lieu* fee shall be in the amount of \$2,755.89* per linear foot of street frontage on Broadway and any perpendicular street within the boundaries of the Sign District. Use of these funds shall be limited to construction of improvements identified in the adopted Broadway Streetscape

Master Plan, within the same block as the contributing property. This payment is only required upon the first approval for an individual property and not required for sign renewal.

** Starting in 2017, the price shall be escalated at the Construction Cost Index rate.*

F. Illuminated Projection Signs. Illuminated Projection Signs shall only be permitted in conjunction with a Special Event, as defined in LAMC Section 41.20.1.

² The Completion of Street Improvement requirement shall not apply to off-site advertising displayed in conjunction with Illuminated Projection Signs.

7.3 REQUIRED PROJECT PERMIT FINDINGS

Prior to approval of the Project Permit Compliance review the Director shall make the following findings:

- A. All proposed signage complies with the applicable regulations of this Ordinance.
- B. All existing and proposed signs are compatible with the surrounding environment.

Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent and surrounding buildings, including residential areas. The Director's written findings must explain why the proposed sign is or is not compatible with the surrounding environment. The Director may also conditionally approve a sign, including conditions that would render the proposed sign compatible with the surrounding environment. In no case shall the Director consider the content or message of any proposed sign when making a compatibility determination.

- C. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review that would mitigate the negative environmental effects of the project, to the extent physically possible, pursuant to the California Environmental Quality Act., or the project is found to be Categorically Exempt.

7.4 FURTHER FINDINGS FOR HISTORIC BUILDINGS

Prior to approval of the Project Permit Compliance Review for signs on Historic Buildings, the Director shall make the following findings:

- A. The signage was approved by the Cultural Heritage Commission pursuant to Article 22.171 of the LAMC, if required;
- B. The signage does not cover the Character-Defining Features or Historic Signage of the building, except for a limited period during recreation, restoration or rehabilitation of the Historic Building or Historic Signage, upon agreement with the Director through the Project Permit Compliance procedures of Section 11.5.7 of the Code;

- C. The signage does not alter or destroy the Historic Signage on the building or adjacent Historic Buildings, including Historic Signage on which the message has been replaced due to deterioration; and
- D. Affixing and removing the signage does not permanently alter the Character- Defining Features of the building.

7.5 TEMPORARY SIGNS

- A. **Building Permits.** Temporary Signs and Temporary Signs on Temporary Construction Walls are permitted within the Broadway Sign District pursuant to the provisions found in Section 14.4 of the LAMC, except that no such sign shall be located more than 15 feet above the natural or finished grade.
- B. **Time Limits.**
 - a. **Illuminated Projection Signs.** Illuminated Projection Signs shall only be permitted in conjunction with a Special Event, as defined in LAMC Section 41.20.1 and are further limited to display no more than 10 days in a calendar year.
 - b. **Sandwich Board Signs.** Sandwich Board Signs shall be limited in time pursuant to the provisions found in Section 14.14.16.C of the LAMC.
 - c. **Storefront Vacancy Signs.** Storefront Vacancy Signs shall be limited in time to a period of no more than two years.
 - d. **Temporary Signs.** Temporary Signs shall be limited in time pursuant to the provisions found in Section 14.14.16.C of the LAMC.
 - e. **Temporary Signs on Temporary Construction Walls.** Notwithstanding the other provisions of the section, Temporary Signs shall be limited in time pursuant to the provisions found in Section 14.14.17.C of the LAMC.

7.6 ADJUSTMENTS AND EXCEPTIONS

The Area Planning Commission shall have initial decision-making authority for granting exceptions from the provisions of this Ordinance. An applicant requesting an exception from the provisions of this Ordinance shall utilize the procedures for a Specific Plan Exception set forth in Section 11.5.7 F of the LAMC. In granting an exception, the Area Planning Commission shall make all of the following findings, in lieu of the findings set forth in Section 11.5.7.F.2 of the LAMC:

- A. Strict compliance would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning restrictions, due to unique physical circumstances or conditions of design;
- B. Strict compliance would deprive the applicant of privileges enjoyed by owners of similarly zoned property; and An exception would not constitute a grant of special privilege.
No exception may be granted from Sections 6 and 7.2 of this Ordinance, and adjustments pursuant to Section 11.5.7.E of the LAMC are not permitted in this District.

7.7 RECONSTRUCTED/RECREATED HISTORIC BLADE SIGNS & SECONDARY FACADE SIGNS

- A. Blade Signs, Marquee Signs, and Secondary Façade Painted Wall Signs that previously existed on historic buildings during their period of historic significance may be reconstructed or recreated if the Department of City Planning’s Office of Historic Resources determines that sufficient photographic documentation or a building permit has been submitted to prove that a blade sign or painted wall sign once existed at that location, and that recreated sign will enhance the historic nature of the building or historic district.
- B. Reconstructed / Recreated Historic Blade Signs and Secondary Façade Painted Wall Signs created pursuant to this provision, shall not be subject to the Design Standards and Location Standards for their respective sign types.
- C. Historic Marquee Signs may also be recreated, subject to the requirements of 9.11 of this ordinance.
- D. All recreated signs shall be constructed using the same materials, or their modern equivalent, with the same copy, be of the same dimensions, and shall be placed in the same location, to the extent feasible as determined by the Director of Planning in consultation with the Office of Historic Resources.

7.8 FINES

- A. Enforcement of these regulations shall be governed by Section 11.2.01 of the LAMC and fines shall be levied in accordance with Section 11.2.04.(a).3.
- B. A violation of the sign regulations herein is deemed a continuing violation and each day that a violation continues is deemed to be a new and separate offensive.

SECTION 8 DEFINITIONS

Billboard – Any sign on one or more poles that is: structurally separate from an existing building; supported by independent footing inside an existing building or other improvements; and /or support a solid sign panel that is attached to pole(s), or column(s) that may be cantilevered over a building.

Canister/Can/Cabinet Sign – An opaque or clear sign with illuminated or non-illuminated text, logos, or symbols placed on, behind, or extruded through the plastic face of an enclosed cabinet attached to the face of the building.

Captive Balloon Sign - Any object inflated with hot air or lighter-than- air gas that is tethered to the ground or a structure.

Channel Letters - Three-dimensional individually cut letters, numbers or figures, illuminated or non-illuminated, that are affixed to the façade of a building or structure as a wall sign or part of a wall sign.

Character-Defining Feature - Any physical characteristic of a Historic Building, including signage that conveys its historic identity and is identified as character-defining in a report prepared by a Qualified Architectural Historian.

Feather Sign/ Sail Sign/ Wind Banner - A freestanding or mounted sign that is supported by a flexible or semi-flexible full or partial frame within which is a material constructed of vinyl, paper, or other wind-resistant and moveable materials.



Ghost Sign - Faded business identification, advertisements and signage from an earlier twentieth century era, often hand painted directly on building masonry side walls.



Historic Building - A building or structure that is: (1) listed as a Historic-Cultural Monument by the City of Los Angeles; or (2) is listed, is a contributor to, or has been determined to be “eligible” or “potentially eligible” for listing in the National Register of Historic Places or has been determined “eligible” for listing in the California Register of Historic Places by a local, state, or federal agency or by a Qualified Architectural Historian as a part of an official survey prepared for such an agency or is listed as such in the State Historic Resources Inventory or (3) listed as a historically significant building in a survey conducted by the former Community Redevelopment Agency

Kinetic Element. An element of a sign, other than digital electronic movement of words, graphics or other visual images, that includes dynamic, motorized or mechanically moving parts.

Light Mapping Technology – Specialized software used to project an image on a two- or three-dimensional object that accounts for the unique dimensions and surface conditions on which the image is being projected.

Neon. Neon is encouraged as are technologies that mimic neon lights. In such cases, and to the extent possible, neon-like signage should replicate the quality of neon through light warmth, color, and brightness. To qualify as a neon sign, the lighting tube elements must be visible as part of open channel lettering or placed on top of a sign face. Lighting elements enclosed in covered channel lettering or any other method of concealment shall not qualify as neon.

Off-Site Messaging. 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, offered, or occurs elsewhere than on the premises where the sign is located.

Pillar Sign - A freestanding sign which is mounted directly on the ground, consisting of rectangular sign faces or a sculptural themed shape, visible from street in an open air environment, with a horizontal dimension that does not exceed 25 percent of the length of the vertical dimension.

Secretary Of The Interior Standards - The Secretary of the Interior's Standards for Rehabilitation, also known as The Standards, are part of the United States Department of the Interior - National Park Service - Secretary of the Interior's Standards for the Treatment of Historic Properties. The Secretary of the Interior's Standards provide guidance and a framework for maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations to historic buildings and historic districts.

Sequential Lighting Element. Illumination of sculptural elements, letters or other sign parts outlined in individual light bulbs, neon tubing or neon-like elements and illuminated in sequence and from sequential positions to give the appearance of motion of that element.

Example of Sequential Lighting Element:



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.

Solid Panel Roof Sign - A type of roof sign consisting of one or more solid opaque panels that in the aggregate equal more than one-third of the overall area of the sign face.

Three Dimensional Sculptural Element. A sculpted, crafted or otherwise extruding artistic element or customized statue that can be integrated into a sign or stand freely on a roof. Three Dimensional Sculptural Elements are allowed only as part of an Open Panel Roof Sign, Blade Sign, or Pedestrian Sign.

SECTION 9.1 ARCHITECTURAL CANOPY SIGNS

A. DEFINITION & INTENT

An enclosed structure attached to the wall of a building that has three exposed sides, with the front sign-face approximately parallel to the wall, and side sign-faces approximately perpendicular to the wall, with the message integrated into its surface, and that provides on-site business or building identification. These signs are intended to be integrated with, and enhance, a building’s features. Lights on the underside of the canopy may also be a source of incidental pedestrian lighting.

B. DESIGN STANDARDS

Architectural Canopy Signs shall:

1. Be constructed of ornate ironwork, other metals, or decorative, solid and durable materials;
2. Have three sign faces, one parallel and two perpendicular to the associated street frontage;
3. Have sign faces designed in a complementary manner with the same design;
4. Not be constructed of plastic, vinyl, fabric, or other non-structural materials;
5. Not have changeable letters and symbols, such as those found on a marquee;
6. Be placed on a fully enclosed architectural canopy, with a decorative treatment on the bottom surface so as to shield from view any support mechanisms, wiring, and structures;
7. Be placed on a structure that is above a primary building entrance, and shall be scaled to the horizontal width of that entrance.
8. Comply with the element standards of Table 9.1.1 and the dimensional standards of Table 9.1.2 below:

Table 9.1.1

Neon, neon-like, individual bulbs	Encouraged
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

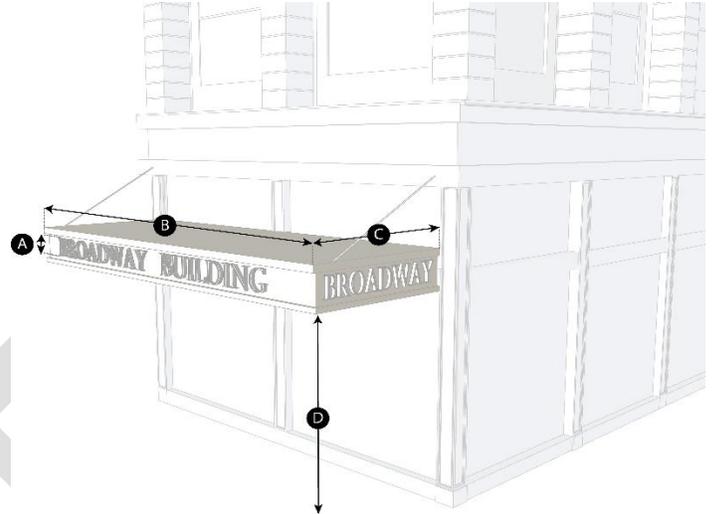


Table 9.1.2

Architectural Canopy Sign Standards	MIN	MAX
Height/Letter Area A	-	1.5'
Sign Area Width B	-	18'
Projection C	-	8'
Clear Height D	8'	-

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.2 ARCHITECTURAL LEDGE SIGNS

A. DEFINITION & INTENT

A type of wall sign with individual channel letters or an image identifying a business in the same building, or the individual numbers of an address, which stand atop a horizontal projection forming a ledge or narrow shelf affixed to a wall.

B. DESIGN STANDARDS

Architectural Ledge Signs shall:

1. Be located over a ground floor entranceway or window;
2. Use individual letters and symbols constructed of ornate ironwork, other metals, wood or decorative, solid and durable materials;
3. Not be constructed of plastic, vinyl, fabric, or other non-structural materials;
4. Comply with the element standards of Table 9.2.1 and the dimensional standards of Table 9.2.2 below:

Table 9.2.1

Neon, neon-like, individual bulbs	Encouraged
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION & SIZE STANDARDS



Table 9.2.2

Architectural Ledge Sign Standards	MIN	MAX
Height/Letter Area A	-	18"
Width B	-	15'
Projection C	-	4'
Clear Height D /Height from Grade A + D	8'	20'

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.3 AWNING SIGNS

A. DEFINITION & INTENT

A sign located on a shelter supported entirely from the exterior wall of a building feature such as a door, window, or landscape/site feature, such as a sidewalk, patio, deck, or courtyard.

B. DESIGN STANDARDS

Awning Signs shall:

1. Have properly proportioned lettering that fits within 80% of the dimensions of the valance;
2. Have sign copy that is placed only on the valance;
3. Have no internal illumination;
4. Be constructed of high-quality fabric, canvas, metal, and other similar materials;
5. Comply with the element standards of Table 9.3.1 and the dimensional standards of Table 9.3.2 below:

Table 9.3.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION & SIZE STANDARDS

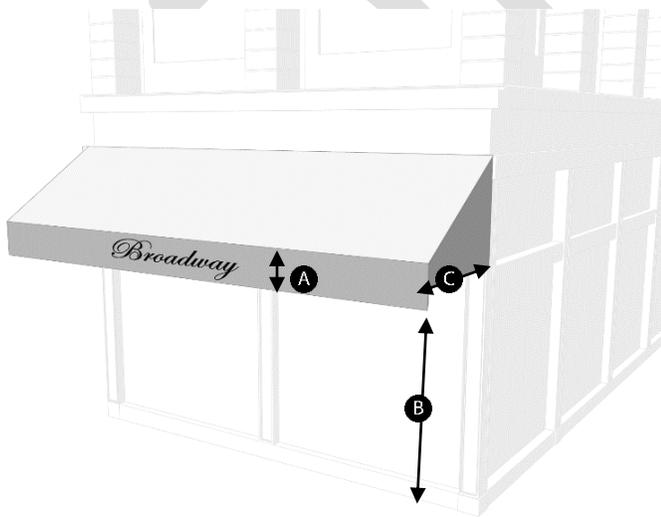


Table 9.3.2

Awning Sign Standards	MIN	MAX
Height/Letter Area A		12"
Clear Height B	8'	-
Projection C		7'

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.4 BLADE SIGNS

A. DEFINITION & INTENT

A sign that is attached to a building starting above the ground level and projects outwards with one or more sign faces approximately perpendicular to the face of the building which provides on-site business or building identification. These signs are encouraged to provide building or tenant identification through a highly-visible, vertical design element that reflects creativity and proportionally-scaled signage.

B. DESIGN STANDARDS

Blade Signs shall:

1. Be limited to one sign per building, except for those buildings with more than 200 feet of street frontage which are limited to one sign for each full 100 feet of linear street frontage;
2. Be limited to building or tenant identification only;
3. Have two sign faces, both perpendicular to the associated street frontage;
4. Use individual, illuminated letters or graphic elements that are permanently integrated into the architecture of the sign;
5. Have identical sign faces on both sides;
6. Be primarily constructed of metal, and not constructed of fabric, paper, vinyl, cloth, plastic, wood, composite, and/or other such non-structural materials;
7. Comply with the element standards of Table 9.4.1 and the dimensional standards of Table 9.4.2 and Table 9.4.3 below:

Table 9.4.1

Neon, neon-like, individual bulbs	Required
Sequential Lighting Elements	Allowed
Kinetic Elements	Allowed
Three-Dimension Elements	Allowed
Off-Site Messaging	Not Allowed

B. LOCATION STANDARDS

Table 9.4.2

Blade Sign Standards	MIN	MAX
Clear Height	15'	-
Building Separation	1'	-
Separation from other Blade Sign	50'	-
Separation from other Blade Sign on same building	100'	-
Extension above roofline	-	10' ²

¹ Unless this prevents a site from at least one such sign. ² No more than 20% of the overall sign height.

D. SIZE STANDARDS

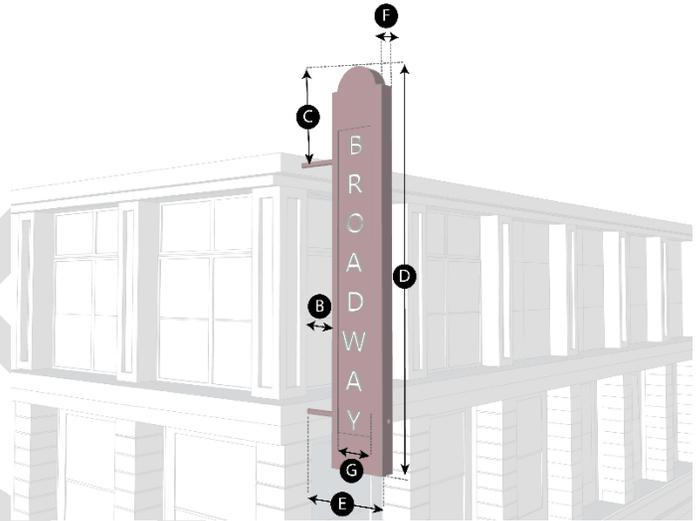


Table 9.4.3

Blade Sign Standards	MIN	MAX
Height	20'	50'
Height (with use of neon)	20'	-
Projection	-	7'
Projection of 3D Elements	-	8'
Depth	-	18"
Depth of 3D Sculptural Element	-	4'
Lettering Area	-	85% of sign area

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.5 BUILDING IDENTIFICATION SIGNS

A. DEFINITION & INTENT

An existing sign that identifies the address and/or common reference name of a building, including but not limited to the name of the building within the National Register of Historic Places. Building Identification Signs are usually integrated into the architecture and materials used in the construction of the building. These signs foster continued use and understanding of a building's historic name and presence on the street.

C. SIZE STANDARDS

As existing signs, the allowable sign area for building identification signs shall not be included in calculating the maximum permitted combined sign area. New building identification signs shall be considered wall signs, and shall be included in the calculation of the maximum permitted combined sign area as indicated under the Wall Signs section of these standards.

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.7. HIGH RISE SIGNS

A. DEFINITION & INTENT

A type of sign located on the façade of the uppermost portion of a building that identifies or represents either the historical name of the building or the primary on-site tenant. These signs are intended to be viewed from afar and provide the building or business identification information for Broadway’s tallest buildings.

B. DESIGN STANDARDS

High Rise Signs shall:

1. Be limited to no more than one sign for each building façade (buildings with rounded tops may have 4 such signs);
2. Have identical design where multiple signs are placed on a single building;
3. Not be permitted on any portion of a building less than 150 feet in height;
4. Be limited to open face channel lettering and may not be back lit in any way;
5. Be illuminated only through neon, neon-like, or by individual light bulbs;
6. Not block any windows or obscure any historic building features;
7. Consist of only one line of copy or symbols;
8. Comply with the element standards of Table 9.7.1 and the dimensional standards of Table 9.7.2 and Table 9.7.3 below:

Table 9.7.1

Neon, neon-like, individual bulbs	Required
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

Table 9.7.2

High Rise Sign Standards	MIN	MAX
Height from street	150'	-
Distance from roofline or parapet	2'	-

D. SIZE STANDARDS

Table 9.7.3

High Rise Sign Standards	MIN	MAX
Sign Height	-	16'
Sign Width	-	50'
Sign Width as % of building façade width	-	80%

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.8. HISTORIC IDENTIFICATION & DESCRIPTION SIGNS

A. DEFINITION & INTENT

A small plaque or sign mounted to the front façade of a building which provides information about the historical nature of the building.

B. DESIGN STANDARDS

Historic Identification and Description Signs shall:

1. Be installed in a position that does not damage or cover the character defining features of a Historic Building;
2. Be made of unpolished bronze or other similar metal;
3. Use individual raised lettering and symbols;
4. Be located near building entrances or prominent building features;
5. Comply with the element standards of Table 9.8.1 and the dimensional standards of Table 9.8.2 and Table 9.8.3 below:

Table 9.8.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

Table 9.8.2

Historic Identification & Description Sign Standards	MIN	MAX
Number per façade	-	2
Height from grade		8'

D. SIZE STANDARDS

Table 9.8.3

Historic Identification & Description Sign Standards	MIN	MAX
Individual Sign Area	-	6 sq ft
Total Sign Area per façade	-	6 sq ft

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.8. INFORMATION SIGNS

A. DEFINITION & INTENT

A sign limited to a message giving directions, instructions, menus, selections, or address numerals. Theater and menu display cases area considered Information Signs.

B. DESIGN STANDARDS

Information Signs shall:

1. Be installed in a position that does not damage or cover the character defining features of a Historic Building;;
2. Comply with the element standards of Table 9.9.1 and the dimensional standards of Table 9.9.2 and Table 9.9.3 below:

Table 9.9.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

Table 9.9.2

Information Sign Standards	MIN	MAX
Number per façade	-	4
Height from grade		8'

D. SIZE STANDARDS

Table 9.9.3

Information Sign Standards	MIN	MAX
Individual Sign Area	-	3 sq ft
Theater Display Case Area	-	12 sq ft
Total Sign Area per façade	-	24 sq ft

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.10. ILLUMINATED PROJECTION SIGNS

A. DEFINITION & INTENT

A representation of an original work of visual art or the artistic illumination of building features, or any other non-commercial or on-site commercial message - including but not limited to, the projection of images of paintings, drawings, motion pictures, illustrations, typographies, computer-generated graphics, photographs or sculptures and projections of colored or non-colored light -- that is produced by projection of an image or colored or non-colored light onto an exterior wall of a structure that is visible to pedestrians. These signs use nighttime illumination or projection technology to display images onto a building(s) for a limited duration to increase community identity, district vitality, public engagement, economic development, and tourism during Public Events.

B. DESIGN STANDARDS

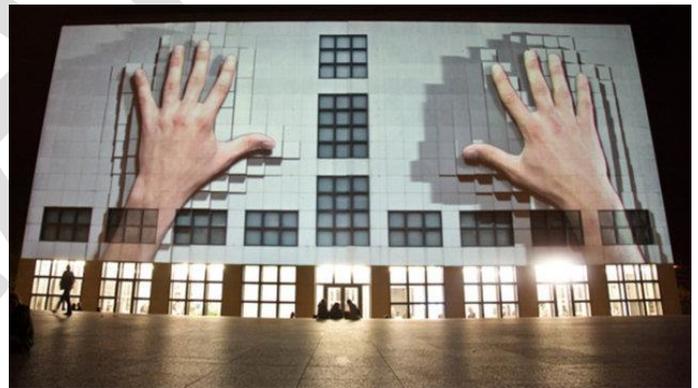
Illuminated Projection Signs shall:

1. Be limited to display during Special Events, as defined in LAMC Section 41.20.1, and shall only be displayed during the hours of the approved Special Event;
2. Only operate nightly between 5:00 p.m. and 12:00 a.m.;
3. Be exempt from the Illumination Standards found in Section 5;
4. Not contain flashing or strobe lights, moving parts, or motion pictures;
5. Not change the image projected onto the wall any more frequently than once per eight seconds;
6. Not exceed the height or width of the building onto which the sign is projected;
7. Not have lighting spillover from the display that exceeds the height or width of the building onto which the sign is projected;
8. Have certification, by the applicant in the permit application, that the applicant has permission to display the Illuminated Projection on the subject building surface and project the image from the property on which the projector is located;
9. Have a text area that comprises no more than 10% and 50 square feet of the projected sign area, which may be displayed no longer than one minute per hour;
10. Be subject to the Time Limitations found in Section 7.5 of this ordinance;
11. Shall employ Light Mapping Technology;
12. Comply with the element standards of Table 9.10.1 below:

Table 9.10.1

Neon, neon-like, individual bulbs	n/a
Sequential Lighting Elements	n/a
Kinetic Elements	n/a
Three-Dimension Elements	n/a
Off-Site Messaging	Not Allowed

C. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.11. MARQUEE DIGITAL SIGNS

A. DEFINITION & INTENT

The conversion of an existing marquee sign or recreation of a historic marquee to digital display in the area that is used for changeable copy. These signs are intended to support entertainment and public use of historic theatres and Performance Arts Centers by attracting attention to Broadway’s entertainment venues. The Marquee Digital is the only digital sign type allowed within the Historic Broadway Sign District.

not expand that area beyond 10% of the existing area measured in square feet.

B. DESIGN STANDARDS

Marquee Digital Signs shall:

1. Be limited to existing or recreated marquee signs associated with the:
 - a. Million Dollar Theater
 - b. Roxie Theater
 - c. Cameo Theater
 - d. Arcade Theater
 - e. Los Angeles Theater
 - f. Palace Theater
 - g. The State Theater
 - h. Globe Theater
 - i. Tower Theater
 - j. Rialto Theater
 - k. Orpheum Theater
 - l. United Artists Theater
2. Only operate between the hours of 7:00 a.m. and 12:00 a.m.;
3. Not change images or messages any more frequently than once every 8 seconds;
4. Comply with the element standards of Table 9.11.1 below:

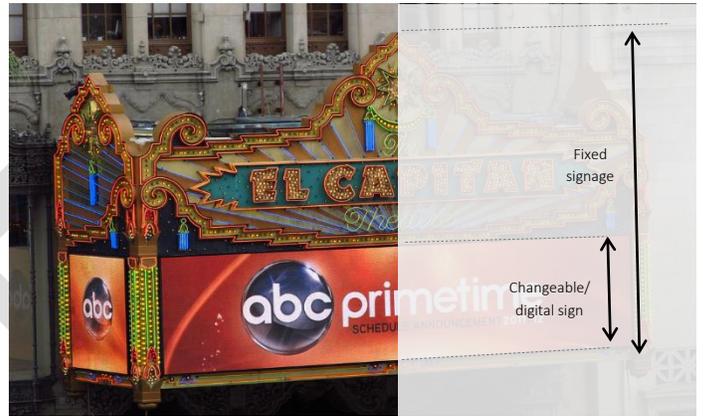
Table 9.11.1

Neon, neon-like, individual bulbs	Encouraged
Sequential Lighting Elements	Allowed
Kinetic Elements	Allowed
Three-Dimension Elements	Allowed
Off-Site Messaging	Not Allowed

C. LOCATION & SIZE STANDARDS

1. Digital sign area is only allowed on existing marquee signs and only allowed to replace existing plastic message panel and shall

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.12. OPEN PANEL ROOF SIGNS

A. DEFINITION & INTENT

A type of roof sign consisting of channel letters, graphic segments, open lighting elements, or other open forms affixed to a non-solid panel sign support structure, including Radio Towers. These signs are encouraged to evoke the historic character of the district through the integration of graceful neon and/or illuminated channel lettering, graphic segments, or open lighting elements within large, primarily-transparent roof-top structures. These signs are intended to be viewed from afar.

B. DESIGN STANDARDS

Open Panel Roof Signs shall:

1. Be limited to one sign on a building with 120 feet or less of Broadway street frontage, or two signs on a building with more than 120 feet of Broadway street frontage;
2. Not contain closed panels on the face of the sign structure;
3. Have all associated sign equipment screened from view;
4. Have a minimum of 60% of the sign area open, through which the structural framework may be seen;
5. Not be allowed on a building or lot that contains a roof sign or billboard;
6. Not contain closed and/or internally illuminated lettering/symbols;
7. Comply with the element standards of Table 9.12.1 and the dimensional standards of Table 9.12.2 and Table 9.11.3 below:

Table 9.12.1

Neon, neon-like, individual bulbs	Encouraged
Sequential Lighting Elements	Allowed
Kinetic Elements	Allowed
Three-Dimension Elements	Allowed
Off-Site Messaging	Allowed

C. LOCATION STANDARDS

Table 9.12.2

Open Panel Roof Sign Standards	MIN	MAX
Height from grade ¹ A	65'	-
Height from roofline or parapet B		35'
Setback from property line	10'	
Separation from same sign type	50'	

¹Except for Historic Theaters, which are exempt from this requirement

D. SIZE STANDARDS

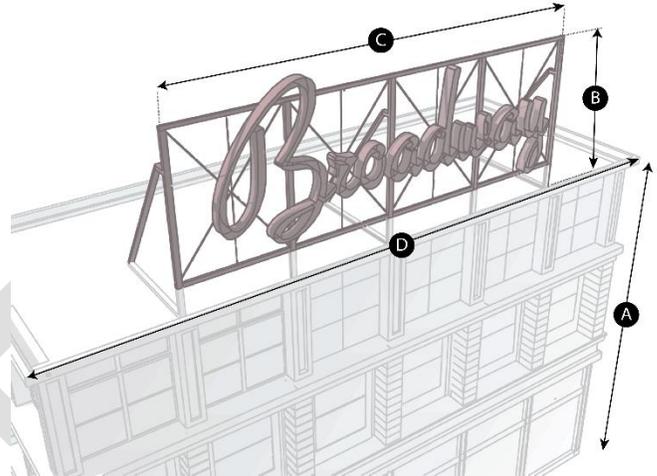


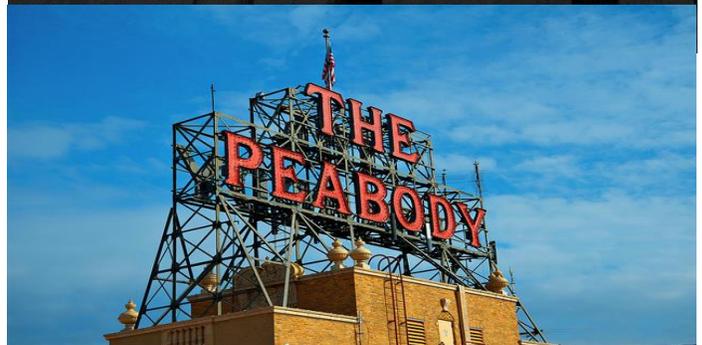
Table 9.12.3

Open Pane Roof Sign Standards	MAX
Height B	35' ²
Width C	75'
Width as % of façade C/D	70% ³

²Including 3D Sculptural Elements

³Except for such signs that are not parallel to Broadway

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.13. PAINTED SECONDARY FAÇADE SIGNS

A. DEFINITION & INTENT

A type of wall sign painted or hand-tiled on a building façade that does not immediately abut Broadway or other streets that intersect Broadway. These signs may face an alley.

B. DESIGN STANDARDS

Secondary Façade Signs shall:

1. Be hand-painted or hand tiled;
2. Contain text and logos that represent no more than 25 percent of the total sign area;
3. Retain 40% of the total sign area as negative space, free of any coloring, text, images, or tiling and consisting only of the building façade as background.
4. Allow the underlying building material texture to remain visible;
5. Not cover windows or other openings;
6. Not cover or alter existing Ghost Signs;
7. Be coated with graffiti-proof finish;
8. Comply with the element standards of Table 9.13.1 below:

Table 9.13.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Allowed

C. LOCATION STANDARDS

1. Secondary Façade Signs shall be located only on a façade that does not immediately front Broadway or any intersecting street within the Signage District. A Secondary Façade Sign may be located along an alley or a rear lot line.
2. Secondary Façade Signs shall be located at least 2 feet below the roofline or parapet.
3. One Secondary Façade Sign is allowed per qualifying building.

D. SIZE STANDARDS

1. Secondary Façade Signs shall cover no more than 50% of the exposed portion of the building.
2. The total sign area for any individual Secondary Façade Sign shall not be greater than 750 square feet.

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.14. PEDESTRIAN SIGNS

A. DEFINITION & INTENT

A type of projecting sign that is attached to a wall with 1 or 2 sign faces perpendicular to the building façade. The intent of pedestrian signs is to enhance the pedestrian experience by identifying the name and character of businesses along Broadway.

B. DESIGN STANDARDS

Pedestrian Signs shall:

1. Have text and graphics only on sign faces that are perpendicular to the building;
2. Only identify a single building tenant;
3. Be limited to one sign for each tenant that has direct sidewalk access;
4. Have a consistent size and design when multiple signs are placed along a single building with multiple tenants;
5. Be constructed of durable materials, and not constructed of canvas, fabric, paper, vinyl, cloth, or similar non-structural materials;
6. Comply with the element standards of Table 9.14.1 and the dimensional standards of Table 9.14.2 and 9.14.3 below.

Table 9.14.1

Neon, neon-like, individual bulbs	Encouraged
Sequential Lighting Elements	Allowed
Kinetic Elements	Allowed
Three-Dimension Elements	Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

1. Pedestrian Signs shall be located near a primary pedestrian entrance.

Pedestrian Sign Standards	MIN	MAX
Separation from same sign type A	15'	-
Height from grade	8'	12'
Sign Face Projection C	6"	3'
Sign Support or 3D Element Projection B	-	4'
Sign Width (area parallel to building)	-	12"

Table 9.14.2

D. SIZE STANDARDS

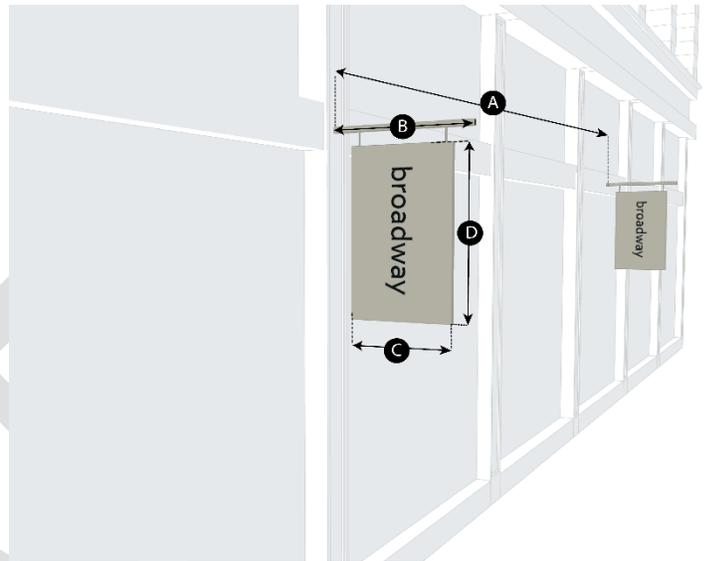


Table 9.14.3

Pedestrian Sign Standards	MAX
Individual sign area (without neon elements) (sqft.) C X D	5'
Individual sign area (with neon elements) (sqft.) C X D	7'

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.15. SANDWICH BOARD SIGNS

A. DEFINITION & INTENT

A portable information sign consisting of two sign faces that connect at the top and extend outward at the bottom, and that is limited to a message giving directions, instructions, menus or selections.

B. DESIGN STANDARDS

Sandwich Board Signs shall:

1. Be constructed of durable materials, which may include wood or metal;
2. Not be constructed of fabric, paper, vinyl, cloth, plastic, wood, composite, and/or other such non-structural materials;
3. No be electronic or illuminated in any way;
4. Not include any secondary materials, such as paper or vinyl attached to the sign;
5. Be subject to the Time Limitations found in Section 7.5 of this ordinance;
6. Comply with the element standards of Table 9.15.1 and the dimensional standards of Table 9.16.2 below:

Table 9.15.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

1. One Sandwich Board Sign is allowed per business ;
2. No more than one Sandwich board sign is allowed per 30 linear feet along the sidewalk;

D. SIZE STANDARDS

Table 9.15.2

Sandwich Board Sign Standards	MAX
Total Sign Area (sq ft)	6
Sign Face Height	3'
Sign Face Width	2'

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER

SECTION 9.16. STOREFRONT VACANCY SIGNS

A. DEFINITION & INTENT

Signs that are permitted to cover more than 10% up to the entirety of storefront windows and transparent doors for the purpose of screening the view of construction or vacant storefronts. These signs allow for the temporary use of well-designed, custom screening and limited signage associated with construction activity and storefront vacancy to attractively shield the view of spaces that are vacant and under construction.

B. DESIGN STANDARDS

Storefront Vacancy Signs shall:

1. Be affixed to the inside of a window;
2. Be maintained and kept in good condition during the duration of their use;
3. Not cover or damage any historic feature of the building, and shall not cover openings of doors, vents, or other openings that serve occupants of buildings;
4. Use materials and application methods approved by LADBD and the Fire Department;
5. Be subject to the Time Limitations found in Section 7.5 of this ordinance;
6. Comply with the element standards of Table 9.17.1 and the dimensional standards of Table 9.17.2 and Table 9.17.3 below:

Table 9.16.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

Table 9.16.2

Storefront Vacancy Sign Standards	MIN	MAX
Height from grade		15'

D. SIZE STANDARDS

Table 9.16.3

Storefront Vacancy/Construction Screening Signs Standards	MAX
Sign Height	10'

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.17. WALL SIGNS

A. DEFINITION & INTENT

Any sign attached to, projected upon, painted on or suspended / 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.

B. DESIGN STANDARDS

Wall Signs shall:

1. Be constructed of durable materials, which may include metal, neon, and by painting;
2. Not cover Ghost Signs;
3. Not be constructed of fabric, paper, vinyl, cloth, plastic, wood, composite, and/or other such non-structural materials;
4. Not cover any historic features of the building;
5. Not cover any portion of any window;
6. Feature no more than 1 single tenant on a single wall sign;
7. Comply with the element standards of Table 9.18.1 and the dimensional standards of Table 9.17.2 below:

Table 9.17.1

Neon, neon-like, individual bulbs	Encouraged
Sequential Lighting Elements	Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

Storefront Vacancy Sign Standards	MIN	MAX
Height from grade		20'

D. SIZE STANDARDS

Table 9.18.2

Wall Sign Standards	MAX
Individual sign horizontal length (non-neon)	15'
Individual sign horizontal length (neon)	30'
Individual sign area (non-neon) (sqft.)	30'
Individual sign area (neon) (sqft.)	60'

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.18. WINDOW SIGNS

A. DEFINITION & INTENT

A sign that is attached to, affixed to, leaning against, or otherwise placed within 4 feet of any window, opening, or door in such a manner that is visible from outside the building. The intent of such signs is to maintain transparency into the building while providing on-site business or building identification, viewed by and scaled to pedestrian view.

B. DESIGN STANDARDS

Window Signs shall:

1. Utilize a transparent background when comprised of individual letters;
2. Not obscure historic features of windows or obscure window trim or molding;
3. Not cover more than 15% of the area of any individual window, unless made of individual painted letters which may cover up to 30%;
4. Not be internally illuminated;
5. Comply with the element standards of Table 9.18.1 and the location and dimensional standards of Table 9.18.2 below:

Table 9.18.1

Neon, neon-like, individual bulbs	Not Allowed
Sequential Lighting Elements	Not Allowed
Kinetic Elements	Not Allowed
Three-Dimension Elements	Not Allowed
Off-Site Messaging	Not Allowed

C. LOCATION STANDARDS

Table 9.18.2

Window Sign Standards	MIN	MAX
Height from grade	-	15'
Number per storefront	-	1

D. SIZE STANDARDS

Table 9.18.3

Window Sign Standards	MAX
Individual sign area (solid background) (sqft.)	4'
Individual sign area (open background) (sqft.)	8'

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER

