

ORDINANCE NO. 182349

An ordinance establishing the Encinitas Signage Supplemental Use District pursuant to Section 13.11 of the Los Angeles Municipal Code.

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

Section 1. **ESTABLISHMENT OF THE ENCINITAS SIGN DISTRICT.** The City Council hereby establishes the Encinitas Sign District applicable to that area of the City of Los Angeles shown within heavy lines on the map attached as Exhibit 1 to this ordinance.

Sec. 2. **PURPOSES.** The Encinitas Sign District is intended to:

- A. Provide adequate visibility of motorist services for highway and roadway users near the Los Angeles city limits.
- B. Enhance the unique vehicle-travel-oriented theme of the site through orderly business identification.
- C. Limit visual clutter and blight by regulating the number, size and location of signs, and removing excessive signage.
- D. Prevent the blight that would occur if businesses in the District closed due to the lack of visible signage.

Sec. 3. **APPLICATION OF SUPPLEMENTAL USE DISTRICT REGULATIONS.** The regulations of this ordinance are in addition to those set forth in the planning and zoning provisions of the Los Angeles Municipal Code (the Code). Wherever this ordinance contains provisions that establish regulations for sign types, sign height, sign area, number of signs, sign dimensions, sign content or other time, place or manner regulations that are different from, more restrictive than or more permissive than the Code would allow, this ordinance shall prevail.

Sec. 4. **DEFINITIONS.** Whenever the following terms are used in this ordinance, they shall be construed as defined in this Section. Words and phrases not defined here shall be construed as defined in Sections 12.03 and Article 4.4 of the Code.

**OFF-SITE SIGN.** A sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where the sign is located. Within this District, a Pole Sign advertising a business developed within the District shall not be considered an Off-Site Sign.

**ON-SITE SIGN.** A sign that is other than an Off-Site Sign.

**Sec. 5. PROCEDURAL REQUIREMENTS.**

**A. Building Permits.** The Department of Building and Safety (LADBS) shall not issue a permit for a sign, a sign structure, sign illumination, or alteration of an existing sign unless the sign complies with: (1) the requirements of this ordinance as determined by the Director; (2) relevant requirements of the Code; and (3) if applicable, Article 22.171 of the Los Angeles Administrative Code as it pertains to review of projects affecting Historic-Cultural Monuments.

**B. Director Sign-Off Required.** LADBS may issue a permit for signs with only a Director sign-off on the permit application for all sign types not listed in Section 5.C. The Director shall sign off on the permit application if it complies with all of the applicable sign requirements of the Code and this ordinance.

**C. Project Permit Compliance Required.** LADBS shall not issue a permit for the following 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. Pole Sign
2. Monument Sign
3. Information Sign

**D. Application for Project Permit Compliance.** An application for Project Permit Compliance shall comply with Section 11.5.7 of the Code. The application may request review of one or multiple signs. 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. The application shall include any other information the Director reasonably requests.

1. **Proof of Compliance.** A sign applicant shall provide copies of permits for all existing signage that is located on the same property as a proposed sign. All existing signs that do not have a valid permit, are not legally constructed, or are not in compliance with an issued permit shall be brought into compliance or removed prior to the approval of any additional sign(s) on the same lot, or on multiple lots that are part of an integrated development having the same ownership.

2. This ordinance sets forth regulations for zoning purposes only. It does not supersede Fire Department or LADBS requirements pursuant to the Fire Code or Building Code, or regulations or policies promulgated thereunder based on health and safety concerns.

**E. Findings Required for Project Permit Compliance Review.** Prior to approval of the Project Permit Compliance review, the Director shall make the following findings, in lieu of the findings set forth in Section 11.5.7.C.2 of the Code:

1. All proposed signage complies with the applicable regulations found in this ordinance and the applicable sign regulations in the Code.
2. Pursuant to the California Environmental Quality Act, the project incorporates mitigation measures, monitoring measures, when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.

The following findings, which relate to the architectural design of the sign structure or layout and not its content, shall be used solely to condition an approval and shall not be used to deny a project:

3. All existing and proposed signs are appropriately scaled to the architectural character of all buildings and structures on the lot.
4. All existing and proposed signs result in a complementary enhancement to the architecture on the lot.
5. All existing and proposed signs result in a visually uncluttered appearance.

**F. Request for Adjustments and Exceptions from Regulations.** 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 Code. 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 Code:

1. Strict compliance would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning restrictions, due to unique physical or topographic circumstances or conditions of design;
2. Strict compliance would deprive the applicant of privileges enjoyed by owners of similarly zoned property; and
3. An exception would not constitute a grant of special privilege.

In addition to the limitations imposed by Section 11.5.7 of the Code, no exception may be granted from Section 6.A of this ordinance or the sign removal requirements set forth in Section 7.A.5. below.

Adjustments pursuant to Section 11.5.7 of the Code are not permitted.

## Sec. 6. GENERAL REQUIREMENTS.

**General Requirements of the LAMC.** Unless otherwise specified in this Section to the contrary, the general sign requirements set forth in the Code shall apply to this Sign District for permits, plans, design and construction, materials, street address numbers, identification, maintenance, prohibited locations, and sign illumination.

### A. Prohibited Signs. The following signs shall be prohibited:

1. Off-Site signs.
2. Pole Signs, except as permitted in Section 7 below.
3. Roof Signs.
4. Sandwich Board Signs.
5. Supergraphic Signs.
6. Any sign not specifically authorized by this ordinance or the Code.

**B. Illumination.** No sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than 0.3 foot candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.

## Sec. 7. STANDARDS FOR SPECIFIC TYPES OF SIGNS.

### A. Pole Sign.

1. **Number.** A maximum of one Pole Sign shall be permitted within the Sign District. No other Pole Signs shall be permitted within the Sign District.

2. **Area.** The area of a single sign face shall not exceed 551 square feet. The dimensions of any single sign face shall be a maximum of 31 feet, 6 inches in width and 17 feet, 6 inches in height. The area of the Pole Sign shall not be included in calculating the combined sign area of different sign types for the lot on which it is located.

3. **Height.** Height shall be measured from the existing grade to the highest point of the sign and/or structure. The height of the Pole Sign shall be limited to a maximum of 75 feet.

4. **Design.**

- a. The Pole Sign shall have a maximum of two faces.
- b. The Pole Sign shall have a maximum of one tenant panel per side for each lot within the Sign District, with each panel corresponding to an active business located on that lot within the Sign District. The Pole Sign may not be used as an Off-Site sign for any business operating outside of the Sign District.
- c. A maximum of two poles shall be permitted for the Pole Sign.
- d. The Pole Sign shall not contain a Digital Display or other changing graphics.
- e. The Pole Sign shall not have moving parts or any flashing lights.
- f. The Pole Sign and pole structure itself shall incorporate colors and materials that consist of earthtones and/or natural stone composites to the satisfaction of the Department of City Planning during the process of a Project Permit Compliance of Section 6. The sign district theme shall incorporate the "olive branch" design.

5. **Sign Reduction.** No building permit shall be issued for a Pole Sign until all other existing Pole Signs and highway-oriented wall signage is removed from the Sign District. The applicant shall submit to the Director a copy of the demolition permits issued by the Department of Building and Safety, as well as photographic evidence demonstrating removal of all of the below-listed signage, which shall be confirmed through a site visit by City Planning Staff. The following signs shall be removed:

- a. the 48-foot tall "Chevron" Pole Sign located at Tract PM 110, Frac. of Lot A.
- b. the 30-foot tall "Denny's" Pole Sign located at 12861-12881 Encinitas Ave.
- c. the 200 square-foot "Good Nite Inn" Wall Sign on the western elevation of the hotel located at 12835 Encinitas Avenue.
- d. the 40 square-foot "Motel 6" Wall Sign, a 40 square-foot "Motel 6" Roof Sign, and a 64 square-foot "Motel 6" Roof Sign on the western elevation of the hotel located at 12775 Encinitas Avenue.

e. The two "Chevron" pricing informational signs (one Pole Sign and one Monument sign), located at Tract PM 110, Frac. of Lot A. These signs may be replaced with a single Information Sign or Monument Sign, pursuant to the regulations for Information Signs and Monument Signs set forth below.

6. **Compliance with Section 14.4.6 of the Code.** The Pole Sign permitted in this District shall be exempt from compliance with Section 14.4.6 of the Code.

**B. Information Signs.**

1. **Number.** A maximum of one Information Sign shall be permitted for each lot within the Sign District.

2. **Area and Height.** The maximum area and height of Information Signs shall be governed by the Code.

**C. Monument Signs.**

1. **Number.** A maximum of one Monument Sign shall be permitted for each lot within the Sign District.

2. **Area.** The sign area of Monument Signs shall not exceed a maximum of 50 square-feet for the sign face visible to the same direction of traffic.


3. **Location, Shape, and Projection.** All Monument Signs shall comply with the Location, Shape, and Projection regulations set forth in the Code.

Sec. 7. **Severability.** If any provision of this ordinance or its application to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other provisions, clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Encinitas Sign Supplemental Use District ordinance are declared to be severable.

Sec. 8. The City Clerk shall certify to the passage of this Ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 05 2012.

JUNE LAGMAY, City Clerk


By  Deputy

Approved DEC 14 2012

 Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By   
Michael J. Bostrom  
Deputy City Attorney

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission . . . . .

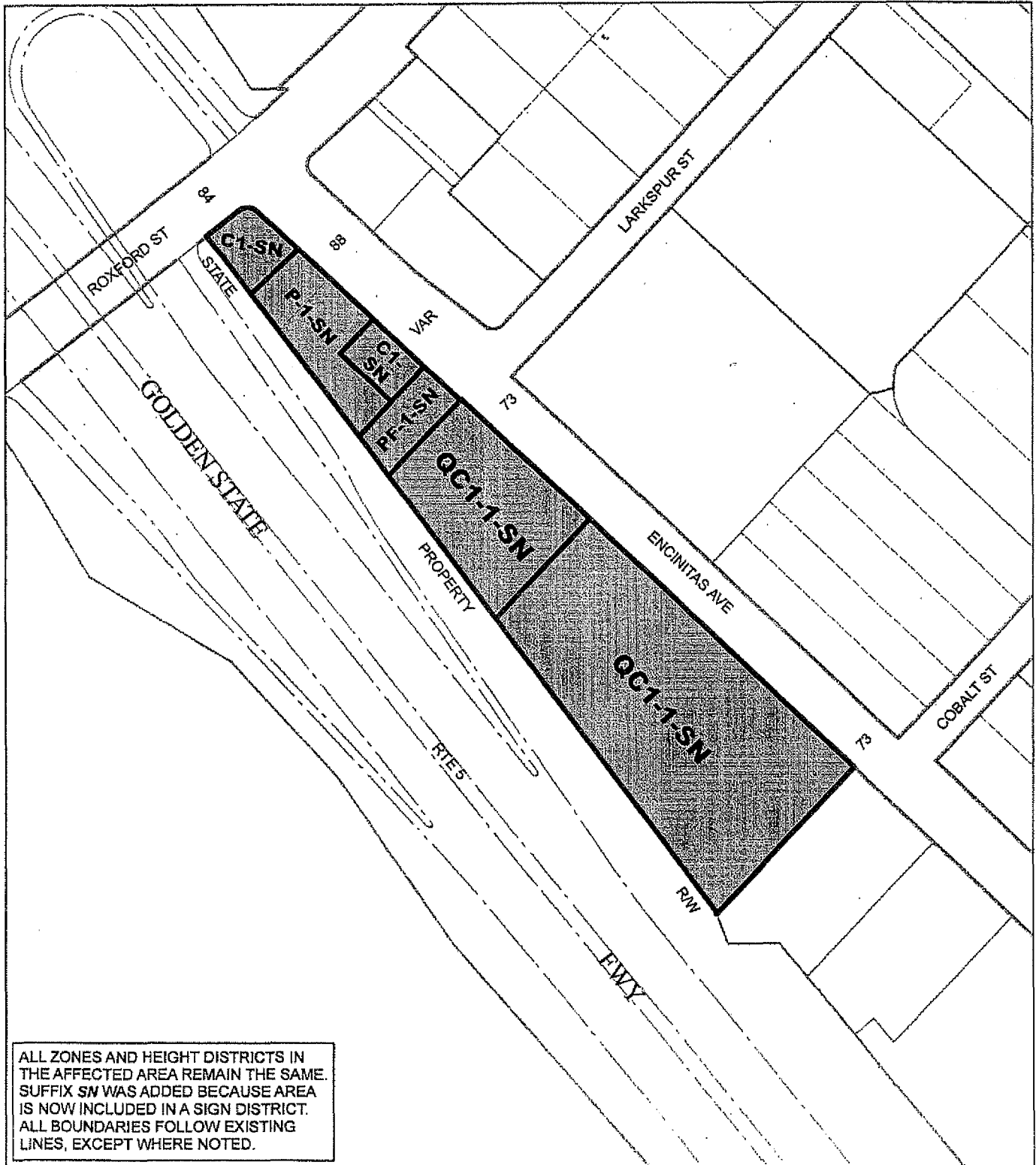
November 20, 2012

See attached report.

  
Michael LoGrande  
Director of Planning

Date 11/21/12

File No(s). CF 12-1552; CPC 2011-1936-SN



ALL ZONES AND HEIGHT DISTRICTS IN THE AFFECTED AREA REMAIN THE SAME. SUFFIX SN WAS ADDED BECAUSE AREA IS NOW INCLUDED IN A SIGN DISTRICT. ALL BOUNDARIES FOLLOW EXISTING LINES, EXCEPT WHERE NOTED.



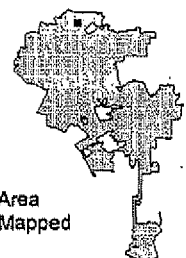
# ENCINITAS SIGN DISTRICT

C.M. 222 B 141, 219 B 141 | CPC 2011-1936-SN

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## EXHIBIT 1



Area Mapped



## DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

**Ordinance No. 182349 – Establishing the Encinitas Signage Supplemental Use District pursuant to Section 13.11 of the Los Angeles Municipal Code** - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **December 5, 2012**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **December 18, 2012** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows:

- 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall;
- 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East;
- 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **December 18, 2012** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **18th** day of **December, 2012** at Los Angeles, California.

  
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Maria Vizcarra, Deputy City Clerk

**Ordinance Effective Date: January 27, 2013**

**Council File No. 12-1552**