DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: February 27, 2025
Time: After 8:30 a.m.
Place: Van Nuys Council Chamber, 2nd Floor
14410 Sylvan Street
Van Nuys, CA 91401

Public Hearing: March 5, 2020
Appeal Status: Not further appealable under LAMC
Expiration Date: December 31, 2025
Multiple Approval: No

Case No.: DIR-2019-7545-BSA-1A
CEQA No.: N/A
Incidental Cases: DIR-2019-7545-BSA
Related Cases: N/A
Council No.: 11 – Park
Plan Area: Venice
Specific Plan: Venice Coastal Zone
Certified NC: Venice
GPLU: Community Commercial
Zone: C2-1-CA

Applicant/Appellant: Gerard Anthony Bill
Representative: Daniel F. Freedman
Jeffer Mangels Butler & Mitchell LLP

PROJECT LOCATION: 29 – 47 East Windward Avenue

PROPOSED PROJECT: A hand-painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue.

REQUESTED ACTION: Appeal of the Determination by the Director of Planning to deny an appeal of the determination of the Department of Building and Safety (LADBS) concerning the decision to issue a Sign Pre-Inspection Report under Building Permit No. 19048-30000-02053 stating that the sign does not meet the definition of a wall sign per Los Angeles Municipal Code (LAMC) Sections 14.4.2 and 14.4.10, for a hand painted sign on an existing freestanding wall located along the front property line, adjacent to Windward Avenue.

RECOMMENDED ACTIONS:

1. **DENY** the appeal; and

2. **SUSTAIN** the Determination of the Director of Planning to deny an appeal of the determination of the LADBS concerning the decision to issue a Sign Pre-Inspection Report under Building Permit No. 19048-30000-02053 stating that the proposed sign does not meet the definition of a wall sign per LAMC Sections 14.4.2 and 14.4.10, for a hand painted sign on an existing freestanding wall located along the front property line, adjacent to Windward Avenue.

VINCENT P. BERTONI, AICP
Director of Planning

Charles J. Rausch, Jr.
Associate Zoning Administrator

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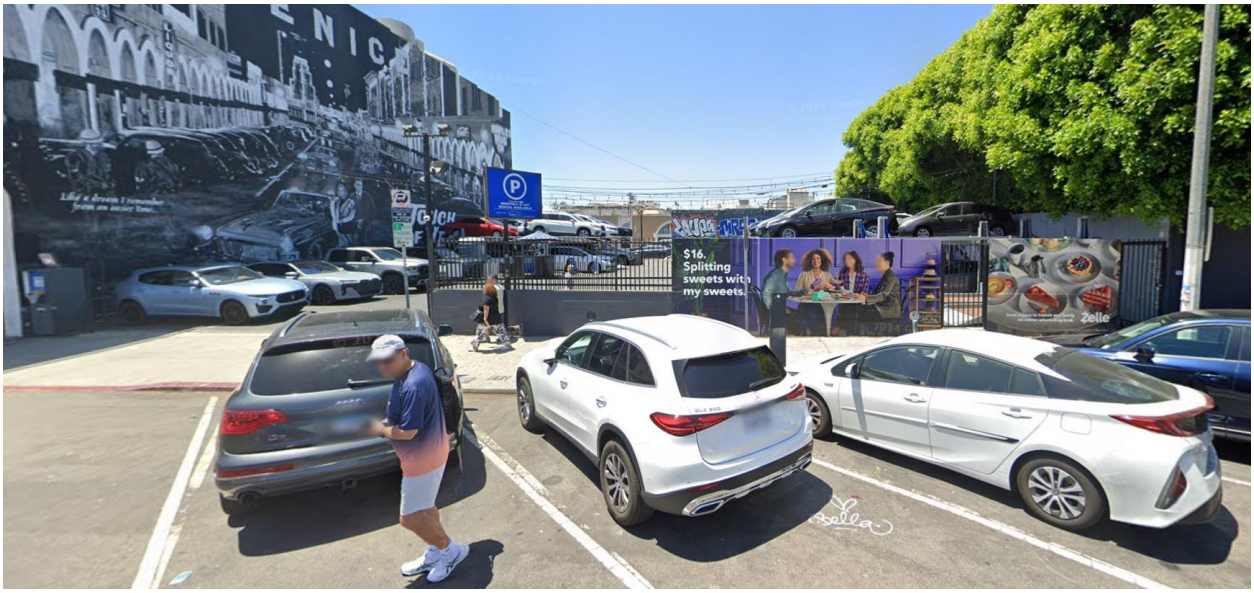
Exhibits:

Exhibit A	Vicinity Map
Exhibit B	Appeal Application DIR-2019-7545-BSA-1A
Exhibit C	Director of Planning Determination DIR-2019-7545-BSA
Exhibit D	Building and Safety Determination DBS-190117-DCP
Exhibit E	Appeal to Building and Safety Application
Exhibit F	Appeal to City Planning Application
Exhibit G	Sign Pre-Inspection Report
Exhibit H	Order to Comply Case # 807072
Exhibit I	Site Photos
Exhibit J	Approved Plans for Building Permit No. 14020-10000-00608
Exhibit K	Correspondence

PROJECT ANALYSIS

Project Summary

The project consists of a hand-painted sign to be placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue. Under Building Permit 19048-30000-02053, the project is an “onsite hand-painted wall sign (8x32) located along [an] existing fence-wall.” The total area of the sign is approximately 256 square feet.



Background

On March 25, 2016, Building Permit No. 14020-10000-00608 was issued for the installation, use, and maintenance of a Vehicle Lift System comprised of 30 electrically-powered automobile lifts within an existing surface parking lot. The site plan and elevations from the approved plans for this permit illustrate a proposed 42-inch high concrete block wall to be constructed along Windward Avenue behind an existing 6 foot high wrought iron fence (Exhibit J). It should be noted that no signs were approved under this permit.

On March 22, 2018, an Order to Comply was mailed instructing the property owner to discontinue the use of unapproved off-site signage without proper permits and approvals. This order had an effective date of March 28, 2018 and a compliance date of April 2, 2018 (Exhibit H). It should be noted that the unapproved signage was first observed by the Department of Building and Safety on March 5, 2018.

On August 15, 2019, the owner’s agent submitted building plans for a Sign Pre-Inspection Report under Building Permit Application No. 19048-30000-02053 (Exhibit G) for a proposed on-site 8 foot high by 32 inch wide, hand-painted sign on an existing freestanding wall, located along Windward Avenue.

On August 19, 2019, a field inspection was conducted and the Sign Pre-Inspection Report was completed and returned with the following comment “Plan Check to determine sign type. Sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10.” The Sign Pre-Inspection Report also noted that unapproved off-site signage was observed (Exhibit G).

On August 26, 2019, an appeal was filed by the applicant, Gerard Anthony Bill, challenging LADBS’s interpretation of the definition of a wall sign. The appeal points state, “The City’s sign ordinance expressly permits wall signs on the ‘wall of a building’ or a ‘structure’” and “DBS is violating a mandatory and ministerial duty by refusing to issue wall sign permits for signs constructed against freestanding walls.” (Exhibit E)

On December 4, 2019, LADBS issued a written report (No. DBS-190117-DCP) in response to the appeal (Exhibit D). The report can be summarized in four findings: (1) that within the definition of a *wall sign*, the definition of a *structure* is not applicable, (2) that the wall sign regulations in LAMC 14.4.10 are intended for signs located on a building, (3) that the project does not meet the conditions outlined in LAMC Section 14.4.10 F.; and (4) that per Los Angeles Building Code (LABC) section 106.4, LADBS has the authority to withhold a permit when the department determines plans are not in conformance with LAMC. Specifically, the LADBS Determination found that since the definition of a “building” includes the word “structure,” any reference to “structure” within the definition of a “wall sign” refers to a building. This interpretation, according to LADBS, accounts for buildings that do not possess full height walls but have a surface on which a sign may be placed, such as a gasoline station canopy. The report concluded that LADBS did not err or abuse its discretion by issuing Sign Pre Inspection Report No. 19048-30000-02053, stating that the sign does not meet the definition of a wall sign per LAMC Section 14.4.2 and LAMC Section 14.4.10.

On December 16, 2019, an appeal was filed by the same applicant/appellant (Gerard Anthony Bill) to the Department of City Planning pursuant to LAMC Section 12.26 K. The appellant states that the appeal concerns LADBS’s definition of a *structure* and LADBS’s position that the definition of a *structure* is not applicable within the context of a *wall sign*. The appellant also states that LADBS is erroneously refusing to issue a Wall Sign Permit and that LADBS’s position is inconsistent with the Department of City Planning’s interpretations in DIR-2018-6787-BSA. The appellant’s appeal to the Department of City Planning is included as Exhibit F.

On November 4, 2021, pursuant to the provisions of LAMC Section 12.26 K, the Zoning Administrator, acting on behalf of the Director of Planning, issued a determination to deny the appeal (Exhibit C). The Zoning Administrator’s determination supports LADBS’s initial findings, with the exception of LADBS’s interpretation of a wall sign. While LADBS interprets the term *structure* within the definition of a wall sign to be a reference to the definition of *building*, the Zoning Administrator found this interpretation to be unsound because the definition of a wall sign explicitly mentions both “building” and “structure.” The Zoning Administrator concludes that LADBS did not err or abuse its discretion in its decision to not issue Building Permit No. 19048-30000-02053 for a hand-painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue. However, the Zoning Administrator stated

that if LADBS did err, any error was limited to failing to inform the applicant of the conditions for which a wall sign could be placed on a freestanding wall.

Appellate Decision

Pursuant to Section 12.26 K of the LAMC, the Director of Planning shall have the authority to investigate and make a decision upon appeals from determinations of the Department of Building and Safety. Accordingly, the Director's decision may be further appealed to the City Planning Commission if the matter is found to have Citywide impact.

Pursuant to the requirements of LAMC Section 12.26 K.4, the appeal of the determination herein will have a Citywide Impact. While the use of the subject property and circumstances and issues identified in the case are unique to the subject site, the overall issue – whether or not the definition of a wall sign allows a wall sign to be placed on both buildings and freestanding walls or structures with four walls but no roof – will generally apply to other similar sites throughout the City.

Site Overview

The subject site is comprised of four relatively flat and rectangular-shaped lots with a total width of 100 feet along Windward Avenue and a depth of 94 feet, for a total combined lot area of approximately 9,264 square feet. The site abuts Zephyr Court to the rear. The lots are zoned C2-1-CA with a General Plan Land Use Designation of Community Commercial. The subject site is currently developed with a public parking lot with 68 total parking spaces on-site per the Certificate of Occupancy issued on August 5, 2016. The subject site is located within the North Venice Subarea of the Venice Coastal Zone Specific Plan, the Los Angeles Coastal Transportation Corridor Specific Plan, the Commercial Artcraft Supplemental Use District and the Dual Permit Jurisdiction of the California Coastal Zone.

The subject site is located approximately mid-block on Windward Avenue between Speedway and Pacific Avenue. Excluding the subject site, this block contains eleven (11) additional lots that are zoned C2-1-CA with a General Plan Land Use Designation of Community Commercial. These lots are developed with a restaurant, one (1) artist-in-residence, two (2) single-family dwellings, two (2) hotels, two (2) retail stores, and three (3) mixed-use structures.

Previous zoning-related actions on-site include:

> **ZA 2014-3650-CDP –** On August 19, 2015, the Zoning Administrator approved a Coastal Development Permit authorizing the installation, use, and maintenance of a Vehicle Lift System comprised of 30 electrically-powered automobile lifts within an existing surface parking lot.
>
> **DIR-2014-4482-VSO –** On December 2, 2014, the Director of Planning issued a Venice Sign Off for the construction of car lifts to add 30 parking spaces to an existing 38-space surface parking lot.

Zoning Code Provisions

The applicable LAMC Sections relative to this matter are the following:

SEC. 12.03. DEFINITIONS

BUILDING. Any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any kind.

STRUCTURE. Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.

SEC. 14.4.2. DEFINITIONS

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.

WALL SIGN. Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

SEC. 14.4.10. WALL SIGNS

A. Area.

1. The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage for a single-story building.
2. For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.
3. For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.
4. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.
5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

B. Height. A wall sign shall not extend above the top of the wall of the building.

EXCEPTION: Where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.

C. Location.

1. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.
2. Wall signs installed on a wall that faces the rear lot line and that is located within 30 feet of property that is zoned R-3 or more restrictive shall not be illuminated.

D. Projection.

1. No wall sign shall have a projection over any public street, other public property or building line greater than that permitted in Diagram A of this article.
2. No wall sign shall project more than 24 inches from the face of the building. If any message is placed on the edge of a wall sign, then that portion of the wall sign shall be regulated as a projecting sign.

E. High Rise Signs. Any wall sign located over 100 feet above grade shall be used as identification signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Notwithstanding the provisions of Subsection A. above, the area of these signs may constitute up to five percent of the area of the wall where the signs are attached and may be in addition to the area permitted in Subsection A. above.

F. Parking Lots. Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

Appeal Points and Staff Responses

The appellant raised the following points in the appeal of the decision of the Director of Planning to deny an appeal of the determination of the LADBS concerning the decision to issue a Sign Pre-Inspection Report under Building Permit No. 19048-30000-02053 stating that the sign does not meet the definition of a wall sign per LAMC Section 14.4.2 and 14.4.10, for a hand painted sign on an existing freestanding wall located along the front property line, adjacent to Windward Avenue. Below is a summary of the appeal points and the Zoning Administrator's responses.

1. **This appeal concerns LADBS's conduct of refusing to issue wall-sign permits on walls, citywide.**

The appellant states that the only issue presented to the Zoning Administrator is LADBS's refusal to issue permits consistent with the plain reading of the LAMC. The appellant argues that LADBS's position, that the definition of "structure" per LAMC Section 12.03 is inapplicable within the context of the definition of a wall sign per LAMC Section 14.4.2, is flawed. The appellant further states that LADBS's arguments and evidence fail to support their position.

ZONING ADMINISTRATOR'S RESPONSE No. 1:

As further discussed below, the Department of Building and Safety (LADBS) did not error or abuse their discretion in not issuing Building Permit No. 19048-30000-02053 for a hand-painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue. Although LADBS did not issue a permit for site specific reasons, the appellant's points have citywide implications in that the reason for the appeal is the interpretation of a wall sign being permitted on a building or structure should mean that a wall sign is permitted on a freestanding wall, which meets the definition of a structure.

LADBS issued a Sign Pre-Inspection Report with the following comment: "Plan Check to determine sign type. Sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10." The appellant filed an appeal challenging LADBS's interpretation of the definition of a Wall Sign, stating that "The City's sign ordinance expressly permits wall signs on the 'wall of a building' or a 'structure'" and "DBS is violating a mandatory and ministerial duty by refusing to issue wall sign permits for signs constructed against freestanding walls." LADBS, in their response to the appeal, referenced the various Zoning Code sections, including LAMC Section 14.4.10 A, which outline the regulations for wall signs on buildings. LAMC Section 14.4.10 F., which alludes to freestanding walls, outlines specific circumstances for the placement of wall signs on freestanding walls. Specifically, LAMC Section 14.4.10 F. states the following:

> *"Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street."*

The wall sign in this case does not comply with Subsection 14.4.10 F. because although the wall sign would be placed on a wall between the parking lot and the street, the parking lot is *not* located between a wall sign and the street. Furthermore, the proposed sign exceeds the Code specified dimensions for a wall sign on a wall between a parking lot and the street.

2. **Legal standards for interpreting statutes and the LAMC.**

The appellant cites case law, which finds that if a statute clearly references scenarios where certain defined words apply, but is silent in regard to other

defined words, it can be assumed that the legislature intended to include and exclude the words that they did. The appellant states the courts have found it cannot be presumed that the Legislature "engaged in an idle act or enacted a superfluous statutory provision" when interpreting certain words or sections of a statute. In determining the intent of legislation, the words themselves must be consulted first, giving them their "usual and ordinary meaning", and that a plain meaning is one "without ambiguity, uncertainty, contradiction, or absurdity" and that the Legislature uses words "in their usual sense and does not attach private meanings to commonly used words."

ZONING ADMINISTRATOR'S RESPONSE No. 2:

The Zoning Administrator agrees that words and definitions used in ordinances must be interpreted by the plain language of the definition for that word. In this case, the definition of a *wall sign* does state that the sign may be placed or painted on "the wall of a building or structure". Notwithstanding the definition of a wall sign, one must remember that ordinances and codes are made up of not only definitions but also regulations of how those definitions are to be applied. While the definition of a wall sign in LAMC Section 14.4.2 mentions both structures and buildings, the regulations for wall signs contained in Subsection 14.4.10 A. specify that wall signs are to be placed on *buildings*. The regulations state that the size of the wall sign is determined by building size and number of stories, the height of the sign is limited to not extend above the top of the wall of a building, no wall sign may project more than 24-inches from the wall of a building and high rise wall signs may not constitute more than 80% of the building width and may only be placed over 100 feet above the grade of the building. The only regulation for attaching a wall sign to a free-standing wall is when there is a parking lot between a wall sign (on a building) and the street, and there is a wall between the parking lot and the street. Although there is a wall between the parking lot and the street, the parking lot itself is not located between a wall sign and a street. Therefore, when read as a whole, taking into consideration relevant portions of the LAMC, LADBS's interpretation is supported by the plain language of the ordinance.

For example, LAMC Section 14.4.10 A.1 states, "The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage for a single-story building." The regulation refers to a *building*, not a structure or a freestanding wall. Additionally, Subdivision 14.4.10 A.2 states, "For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building." Once again, the regulation specifically refers to *buildings*. Furthermore, Subdivision 14.4.10 A.3 and 4 contain additional regulations for wall signs made of individual letters or for combinations of other defined signs on *building* walls or frontages.

Subsection 14.4.10 F contains the only regulation for wall signs that permit them on freestanding walls. These walls are tightly regulated and may only be used as

a wall sign location where 1) there is a parking lot between a wall sign and the street and 2) there is a wall between the parking lot and the street. Any sign on such wall that is located is between the parking lot and the street is further restricted to only be placed between 2 feet 6 inches and 3 feet 6 inches above finished grade on the wall between the parking lot and the street. The wall sign in this case does not comply with Subsection 14.4.10 F because although the wall sign would be placed on a wall between the parking lot and the street, the parking lot is *not* located between a wall sign and the street. Additionally, the proposed sign exceeds the Code specified dimensions for a wall sign on a wall between a parking lot and the street.

Thus, based on the plain language of the sign ordinance, wall signs may only be placed on freestanding walls in one instance, where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street. Based on the plain language of the sign ordinance, wall signs, in most instances, are limited to *building* walls, not structures that do not meet the definition of a building or on freestanding walls. Moreover, statutory interpretation also requires that the more specific provisions of an ordinance control over the general. Here, the definition of wall sign is the more general reference, whereas the provision that speaks to the single instance where a sign can be mounted on a freestanding structure is the more specific provision that controls.

3. **The LAMC expressly permits wall signs on any structure, which includes freestanding walls.**

The appellant calls for the plain reading of the definitions in LAMC Section 14.4.2, which defines *wall sign* as “any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall,” and LAMC Section 12.03, which defines *structure* as “anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.” Using these definitions, the appellant asserts that a wall sign may be permitted on a large cinderblock wall because such wall is considered a structure. Therefore, LADBS has a duty to issue the permit for a wall sign.

ZONING ADMINISTRATOR’S RESPONSE No. 3:

As stated previously, while the definition of a wall sign in Section 14.4.2 mentions both structures and buildings, the regulations for wall signs contained in Subsection 14.4.10 A, B, D and E only refer to wall signs placed on *buildings*. While the appellant claims that the definitions of LAMC Section 14.4.2 permit wall signs on buildings or structures, and that a freestanding wall is a structure on which a wall sign may be placed, the appellant fails to go further into the sign ordinance and find that there are specific regulations for the placement of wall signs on buildings and structures. Subsection 14.4.10 F. contains the only regulation for wall signs that permit placement on freestanding walls, as the regulation refers to a singular “wall” on which a sign may be placed. These walls are tightly regulated and may only be used as a wall sign location where 1) there

is a parking lot between a wall sign and the street and 2) there is a wall between the parking lot and the street. Any sign on such wall is further restricted to only be placed between 2 feet 6 inches and 3 feet 6 inches above finished grade on the wall between the parking lot and the street. The wall sign in this case does not comply with Subsection 14.4.10 F because although the wall sign would be placed on a wall between the parking lot and the street, the parking lot is *not* located between a wall sign and the street. Additionally, the proposed sign exceeds the Code specified dimensions for a wall sign on a wall between a parking lot and the street.

4. **LADBS's Determination fails to support its "interpretation."**

The appellant states that LADBS's determination ignores the word *structure* within the definition of a *wall sign*. As discussed previously, a wall sign can be located on a building or a structure. LADBS's determination acknowledges the definition of a *structure*, but LADBS interprets the definition of a *structure* to not apply within the definition of a *wall sign*. LADBS's determination states that the term "structure" within the *wall sign* definition is a reference to the definition of *building* pursuant to LAMC Section 12.03.

LADBS interprets the omission of the term *structure* within LAMC Section 14.4.10.A. to mean that wall signs may only be placed on the wall of a *building*. The appellant contends that the use of the word *building* in this regulation does not negate the definition of *structure*, thus implying that a structure is a type of building.

The appellant states that, instead of limiting wall signs to buildings, the City Council chose to add the word *structure* to the definition of a wall sign. The appellant also cites the Sign Ordinance, which refers to "walls of building" without reference to structure. The appellant argues that the Sign Ordinance uses these terms without reference to *structure* to show an intention to have the two terms stand independently from each other, and that LADBS erred and abused its discretion in interpreting that a *structure* refers to a *building* in the context of wall signs.

ZONING ADMINISTRATOR'S RESPONSE No. 4:

The Department of Building and Safety, in its interpretation of Section 14.4.10 (Wall Sign Regulations), concludes that the omission of the word structure in LAMC Sections 14.4.10 A and B is an indication that wall signs should only be on buildings. However, Subsection 14.4.10 F contains language which permits wall signs on a freestanding wall only if that wall is in front of a parking lot which is in front of a wall sign. Previous language in the ordinance limits "the wall sign" to buildings only. Thus, in only one case does the ordinance's regulations permit wall signs on freestanding walls. The wall sign in this case does not comply with Subsection 14.4.10 F because although the wall sign would be placed on a wall between the parking lot and the street, the parking lot is *not* located between a wall sign and the street. Additionally, the proposed sign exceeds the Code

specified dimensions for a wall sign on a wall between a parking lot and the street.

The appellant argues that the City Council chose to add the word “structure” to the definition of a wall sign, and that the Sign Ordinance, which refers to “walls of a building” without reference to a structure, uses these terms in order to show an intention to have the two terms stand independently of each other. In this case, the appellant is incorrect in stating that the City Council added the term structure to the definition of a wall sign. The ordinance, which added the City Sign Ordinance from the Building and Safety Code to the Zoning Code, always included the words “building or structure” and both words were included in the original Building and Safety Code. The intent was to keep the terms independent of each other because the regulations of LAMC Section 14.4.10 regulate wall signs on buildings (Subdivisions 14.4.10 A.1-4 all include the word “building” to show that wall signs regulated by these subdivisions may only be placed on buildings) and Subsection 14.4.10 F which is the only regulation where a freestanding wall is mentioned. Thus, the Department of Building and Safety did not error or abuse its discretion in issuing corrections to a Sign Pre-Inspection Report because the proposed wall sign did not meet the delineated regulations of the Zoning Ordinance for Wall Signs and should return to the Department’s Plan Check section to determine what kind of sign was requested. Additionally, it should be noted that the entire subject lot in question is a parking lot with no other buildings or wall signs on the site.

5. **DBS is violating a mandatory and ministerial duty by refusing to issue a building permit which complies with the express text of the Sign Ordinance.**

The appellant claims that LADBS is addressing an error in the Code by changing the language of the Sign Ordinance without authority. As such, LADBS is in violation of the City Charter and is acting unlawfully. The appellant further states that LADBS has a ministerial duty to issue a building permit if the application is in order, the proposed use is permitted by the Zoning Code, the structures are consistent with the Zoning Code, and that the project is consistent with any imposed conditions. As such, a building official has no discretion to deny a building permit for a project that conforms to the LAMC. The appellant states that if an application is consistent with the LAMC, then a building official must issue a building permit. The building official cannot manufacture an unwritten policy to overrule the LAMC.

ZONING ADMINISTRATOR’S RESPONSE No. 5:

The Department of Building and Safety did not error or abuse its discretion in not approving the wall sign permit. LADBS did not use an unwritten policy, but instead invoked the plain language of the Zoning Code, which does not, except in one scenario, allow wall signs on freestanding walls. The wall on which the sign was to be affixed met none of the requirements of Subsection 14.4.10 F for the placement of wall signs on such walls. LADBS was correct in stating that the wall sign could only be placed on a building and refusing to grant the permit while

issuing a Sign Pre-Inspection Report for it. If there was an error by LADBS, it was only in failing to inform the applicant/appellant of the conditions for which a wall sign could be placed on a freestanding wall. The appellant has stated above that the Department of Building and Safety has no discretion to deny a building permit for a project that conforms to the LAMC, and in this case Building and Safety properly turned down the permit as the project did not meet all of or any of the regulations of subsection 14.4.10 of the LAMC.

6. **The Zoning Administrator's decision puts forward a new arbitrary interpretation that relies on an inapplicable section of the Sign Ordinance.**

The appellant states that the Zoning Administrator's denial of the DBS appeal relies on a different interpretation of the LAMC than LADBS's interpretation. While the Zoning Administrator agreed with the appellant's points that a wall sign may be placed on both a building and a structure under certain limited instances, the Zoning Administrator concluded and agreed with LADBS that LAMC Section 14.4.10 F is the only regulation that allows for wall signs to be placed on structures and freestanding walls.

The appellant finds that LAMC Section 14.4.10 F does not expressly state that this is the only subdivision where wall signs may be placed on non-buildings. According to the appellant, this provision is only applicable where a "parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street." Where there is no parking lot, the appellant believes this provision is inapplicable, and it would not be the only instance where a wall sign can be placed on a non-building.

ZONING ADMINISTRATOR'S RESPONSE No. 6:

LAMC Section 14.4.10 F. provides the only scenario where a wall sign is permitted on a non-building structure. The Zoning Administrator's determination clarified that a wall sign may be placed on a structure, such as a freestanding wall, and although this is at odds with the LADBS's interpretation of the definition of wall sign, it does not mean that the proposed wall sign should be permitted solely because it meets the definition of wall sign. The appellant's reasoning that because there is no other wall sign between the parking lot and the street that 14.4.10 F is inapplicable and that there are other instances where a wall sign can be placed on a non-building is incorrect because there are no other regulations in the Code on the placement of wall signs on free standing walls. All of the other regulations are for the placement of wall signs on buildings, not on free standing walls. Building and Safety in reviewing the preliminary building permit stated that the applicant would have to have Building and Safety determine what kind of sign was proposed and turned down a Pre-Inspection Report for the wall sign as there was no regulation permitting that kind of a sign. While the appellant has made the case that the wall sign should, by definition, be allowed on the freestanding wall, there is no further discussion on how the wall sign complies with other applicable sections of the LAMC. Only the appellant's opinion is expressed.

Conclusion

Staff recommends denial of the appeal, based on the aforementioned information that LADBS did not err nor abuse its discretion in withholding Building Permit No. 19048-30000-02053 and instead issuing a Sign Pre-Inspection Report for a hand painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue. LADBS cited four main concerns when responding to the initial appeal filed: (1) that within the definition of a *wall sign*, the definition of a *structure* is not applicable, (2) that the wall sign regulations in LAMC 14.4.10 are intended for signs located on a building, (3) that the project does not meet the conditions in LAMC 14.4.10 F; and (4) that per Los Angeles Building Code (LABC) Section 106.4, LADBS has the authority to withhold a permit when the department determines plans are not in conformance with the L.A. Building Code and other relevant codes and ordinances.

Therefore, the scope of this Zoning Administrator's determination addresses the following two main points: (1) a blanket refusal to issue a wall sign permit solely based on a contextual definition of structure is incorrect in application because LAMC Section 14.4.10 F. specifically addresses instances where a sign can be erected on a freestanding structure, albeit in a very narrow instance; and (2) however, LADBS's non-issuance of the building permit at issue is correct because the subject project does not meet the threshold requirements of LAMC Section 14.4.10 F. In focusing on the expressed definition of what constitutes a wall sign, there is a tendency to overlook the broader issue of compliance with the LAMC. Pursuant to the Los Angeles Building Code Section 106.4, LADBS has the authority to withhold a permit when the department determines that the proposed plans are not in conformance with the Building Code and other relevant codes (the Zoning Code) and ordinances. This is applicable to both ministerial and discretionary actions.

As such, the approval of a wall sign on structures such as freestanding walls is subject to LAMC Subsection 14.4.10 F, which states that "where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line…" Since the project fails to meet the conditions set forth in LAMC Subsection 14.4.10 F, LADBS acted correctly in its ministerial duty to withhold the permit until evidence of compliance is submitted.

EXHIBIT A

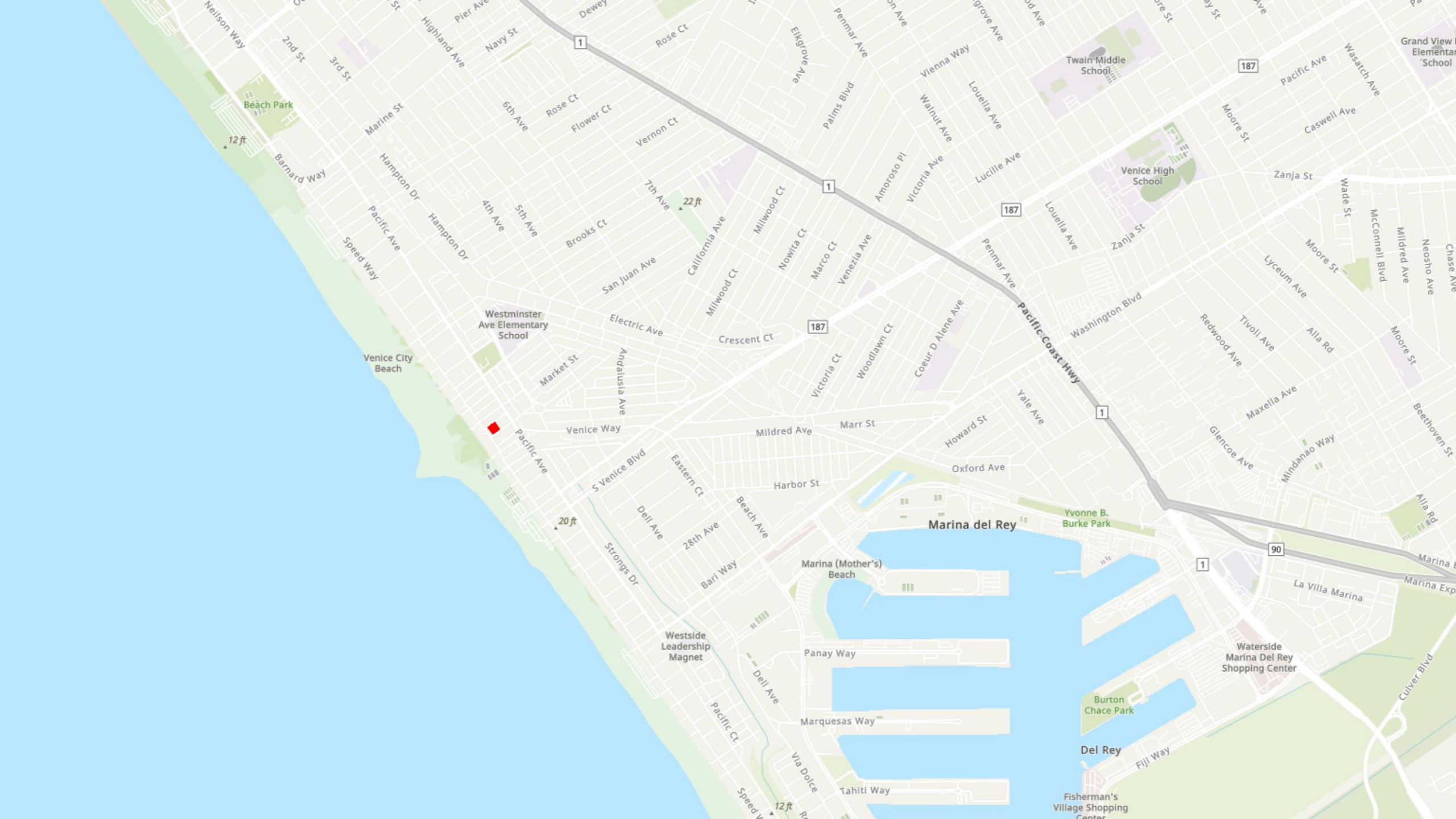

Beach Park
Venice City Beach
Westminster Ave Elementary School
Venice High School
Twain Middle School
Grand View Elementary School
Marina del Rey
Yvonne B. Burke Park
Marina (Mother's) Beach
Westside Leadership Magnet
Waterside Marina Del Rey Shopping Center
Burton Chace Park
Del Rey
Fisherman's Village Shopping Center
La Villa Marina
Pacific Coast Hwy
Venice Way
Mildred Ave
Marr St
Harbor St
Oxford Ave
Washington Blvd
Crescent Ct
Electric Ave
Rose Ct
Flower Ct
Vernon Ct
Brooks Ct
San Juan Ave
Panay Way
Marquesas Way
Tahiti Way
Fiji Way
Culver Blvd
Marina Exp
12 ft
22 ft
20 ft
12 ft
1
187
90

EXHIBIT B

APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

☐ Area Planning Commission ☑ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: DIR-2019-7545-BSA

Project Address: 29-57 Windward Avenue

Final Date to Appeal: 11/19/2021

2. APPELLANT

Appellant Identity: (check all that apply)
❒ Representative ☑ Property Owner
☑ Applicant ❒ Operator of the Use/Site

❒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

_____

☐ Person affected by the determination made by the **Department of Building and Safety**

❒ Representative ❒ Owner ❒ Aggrieved Party
❒ Applicant ❒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Gerard Anthony Bill

Company/Organization: _____

Mailing Address: 3163 Donald Douglas Loop South

City: Santa Monica State: CA Zip: 90405

Telephone: _____ E-mail: _____

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☑ Self ☐ Other: _____

b. Is the appeal being filed to support the original applicant's position? ☑ Yes ☐ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Daniel F. Freedman

Company: Jeffer Mangels Butler & Mitchell LL)

Mailing Address: 1900 Avenue of the Stars, 7th Floor

City: Los Angeles State: CA . Zip: 90067

Telephone: (310) 785-5391 E-mail: DFF@jmbm.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☑ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☑ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☑ The reason for the appeal
- ☑ How you are aggrieved by the decision
- ☑ Specifically the points at issue
- ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____ Date: 11/17/2021

GENERAL APPEAL FILING REQUIREMENTS

B. ***ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES***

1. Appeal Documents

a. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- ☑ Appeal Application (form CP-7769)
- ☑ Justification/Reason for Appeal
- ☑ Copies of Original Determination Letter

b. Electronic Copy

☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.

☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

☑ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC

☑ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC
Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:
- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.

- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:
- Waivers for By-Right Projects, can only be appealed by the owner.

- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

☐ **1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement
☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

☐ **2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee
☑ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement
☑ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
☑ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:
- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
☐ Determination authority notified	☐ Original receipt and BTC receipt (if original applicant)	

Daniel Freedman
dff@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 77361-0001

November 17, 2021

SUBMITTED ONLINE

Samantha Millman, President
City of Los Angeles Planning Commission
Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012
E-Mail: cpc@lacity.org

Re: Case No. DIR-2019-7545-BSA
Project Site: 29-47 E. Windward Avenue

Dear President Millman:

This office represents the owner of 29-47 E. Windward Avenue, the Appellant in the above referenced appeal. We submit this letter to provide additional legal and factual grounds in support of our request that the Planning Commission ("Commission") overturn the Zoning Administrator's ("ZA") erroneous interpretation of the City's legislatively adopted sign code set forth in Chapter I, Article 4.4 of the Los Angeles Municipal Code ("LAMC")(collectively, the "Sign Ordinance"). As our appeal details, the issue before the LADCP is simple: Can a "wall sign" be placed on a "wall"? The LAMC unambiguously states that they may. The Los Angeles Department of Building and Safety ("LADBS"), however, refuses to issue permits for wall signs on walls, and has adopted – in excess of its legal authority – an unwritten code amendment that forbids it. This practice directly conflicts with the express text of the LAMC.

In addressing this issue in a prior appeal in 2019, the Zoning Administrator similarly denied an appeal on this same issue, finding that "[t]o an extent, both parties are incorrect and correct." That determination then went on to adopt a new interpretation that essentially claims that wall-signs are permitted on walls, but only in one "inapplicable" instance. To achieve this result, the ZA stretched the language of the LAMC to great lengths, and generated a new and equally arbitrary interpretation of the LAMC where it twists the limitations for wall signs adjacent to parking lots, into a de-facto prohibition of wall signs in all other instances. When that prior appeal was heard by the City Planning Commission ("Commission") on June 27, 2019, the Commission voted 3-2 to grant the appeal and overturn this same erroneous interpretation. Due to a lack of quorum, this constituted a failure to act, which is why this same issue is being returned to the Commission in this appeal for a new hearing and a new vote.

As detailed below, neither LADBS's or the ZA's "interpretation" of the sign ordinance reflect the actual text of the Sign Ordinance, and thus we therefore appeal these determinations to the Commission in the hopes that common sense and reasonableness will prevail with respect to this case.

A. This appeal concerns LADBS's conduct of refusing to issue wall-sign permits on walls, citywide.

The only issue presented to the Zoning Administrator in this appeal concerns LADBS's refusal to issue permits consistent with the plain reading of the LAMC. LAMC Section 14.4.2 specifies that a wall-sign may be permitted on any "wall of a building or structure." Notwithstanding the fact that a free-standing wall is certainly a "structure" as defined in the LAMC, LADBS's determination explained that, "in the context of the definition of wall signs, this structure definition is not applicable." (*See* DIR-2019-7545-BSA, at p. 9.) It states that "LADBS interprets the term 'structure' within the wall sign definition to be a reference from the definition of a 'building' pursuant to LAMC 12.03." (*Id.*) Not only is LADBS's reasoning fundamentally flawed, but the arguments and "evidence" put forward by LADBS fail to support its position.

B. Legal standards for interpreting statutes and the LAMC.

Case law provides guidance on the interpretation of statutes. Significantly, courts have found that it cannot be presumed that the Legislature "engaged in an idle act or enacted a superfluous statutory provision," when interpreting certain words or sections of a statute. (*Shoemaker v. Myers* (1990) 52 Cal.3d 1, 22.) This effectively means that each word in a statue has a purpose or meaning. In determining the intent of legislation, the words themselves must be consulted first, giving them their "usual and ordinary meaning." (*DaFonte v. Up-Right, Inc.* (1992) 2 Cal.4th 593, 601.) A "plain meaning" is one "without ambiguity, uncertainty, contradiction, or absurdity." (*Oden v. Bd. of Admin.* (1994) 23 Cal.App. 4th 194, 201.) The "plain meaning" of a statute will be adopted by courts because it is believed that the Legislature uses words in "their usual sense and does not attach private meanings to commonly used words." (*Id.*)

If a statute clearly references scenarios where certain defined words apply, but is silent as to other defined words, it can be assumed that the Legislature intended to include and exclude the words that they did. (*Franklin Nat'l Bank v. New York* (1954) 347 U.S. 373, 378 [finding "no indication that Congress intended to make this phase of national banking subject to local restrictions, as it has done be express language in several other instances."]. This does not render the word that was excluded in that particular section meaningless. (*Whitfield v. United States* (2005) 543 U.S. 209, 216 ["Congress has included an express overt-act requirement in at least 22 other current conspiracy statutes, clearly demonstrating that it knows how to impose such a requirement when it wishes to do so."].)

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C. The LAMC expressly permits wall signs on any structure, which includes freestanding walls.

The plain reading of the LAMC makes it clear that wall signs may be permitted on any "structure," including freestanding walls. Pursuant to LAMC § 14.4.10, the definition of the term "Wall Sign" is provided as follows:

> **Wall Sign.** Any sign attached to, painted on or erected against the wall of a building **or structure**, with the exposed face of the sign in a plane approximately parallel to the plane of the wall. (emphasis added)

Clearly then, a wall sign may be permitted on a "structure." "Structure" is defined within LAMC § 12.03, which sets forth the definitions for terms used in "Article 2 to 6" of Chapter I of the LAMC. This section defines the term "structure" as follows:

> **Structure**. Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.

Based on this definition, a large cinderblock wall unquestionably meets the definition of the term "structure." The LADBS determination does not even dispute this fact. As a wall sign may be "erected against the wall of a… **structure**," then by implication a wall sign may be placed on a free-standing wall which falls squarely within the definition of a **structure**. DBS has a mandatory and ministerial duty to issue the permit consistent with this ordinance.

D. LADBS's Determination fails to support its "interpretation."

In support of its erroneous interpretation, which conveniently ignores the essential word "structure" within the definition of the "wall-sign", LADBS's cites to several other sections of the LAMC. None of these references support its position. First, and most significantly, LADBS argues that "LADBS interprets the term 'structure' within the wall-sign definition to be a reference from the definition of a 'building' pursuant to LAMC § 12.03." (*See* DIR-2019-7545-BSA, at p. 9.) This section defines a "building" as "[a]ny *structure* having a roof supported by columns or walls for the housing, shelter or enclosure of persons… or property of any kind." *(Id*.) emphasis added Clearly this construct makes little to no sense given that the term "structure" is used within the definition of the term "building", meaning that a "building is a type of "structure", but a "structure" is not a type of "building." It is nonsensical to suggest that the LAMC would use the term "structure" to "reference" the term "building," when a building is already a "structure" by definition. LADBS's reasoning here supports the basis for this appeal, by confirming LADBS's understanding that the definitions of specifically defined terms in LAMC § 12.03 must be applied to the interpretation and reading of the Sign Ordinance.

LADBS also argues that the use of the term "building" in several sections supports its interpretation. For example, LADBS cites to LAMC § 14.4.10(A)(3), which provides that

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"[f]or wall signs that are made up of individual letters that use **the wall of the building** as background, the allowable sign area may be increased by 20 percent…." (emphasis added) LADBS argues that the fact that the term structure is not used in this provision – and others like it – supports its position that a wall-sign can only be placed on the wall of a building. This is simply incorrect, and in fact, undermines their own argument. This provision specifies a particular benefit that accrues to wall-signs that "**use the wall of the building** as a background." By implication, this excludes wall-signs located on structures and wall-signs located on buildings that do not use the wall of the building as a background from receiving the same benefit. The use of the word "building" here does not negate the meaning of the defined term "structure" in other sections.

This provision, and others like it, also illustrates that the City Council knows how to apply a regulation to the "wall of a **building**" when that is its intention. Instead of limiting wall-signs to the wall of a building, however, the City Council chose to add the word "structure," the same key word that LADBS chooses to ignore.[1] In fact, the Sign Ordinance refers specifically to "walls of a building" in some fashion no less than fifteen times, each time without reference to the word "structure." The Sign Ordinance, with these terms highlighted, is included as **Exhibit A**. The fact that the Sign Ordinance uses these terms, without reference to "structure", a term separately defined by City Council, exhibits its intention to have the two terms stand independently from each other, not as merely as a "reference" to the other.

E. DBS is violating a mandatory and ministerial duty by refusing to issue a building permit which complies with the express text of the Sign Ordinance.

LADBS's position here is so dramatically inconsistent with the express text of the LAMC, that it is obviously not an interpretation at all, it is an amendment. In this instance, LADBS apparently believes the inclusion of the word structure in the definition of the term "wall-sign" is erroneous. To address this perceived "error," LADBS is simply attempting to change the law on its own initiative, without any legislative authority to do so. Not only is this conduct inconsistent with the City Charter, it is an unlawful ultra-vires act.

As explained in the appeal, LADBS has a ministerial duty to approve Applicant's building permit. As a general rule, a building official is required to issue a permit if the application is in order, the proposed use is one permitted by the zoning ordinance, the proposed structures comply both with zoning conditions and with the applicable building codes, and any other conditions imposed on the development or subdivision approval. (See *Ellis v. City Council of City of Burlingame* (1963) 222 Cal. App. 2d 490, 497; *Munns v. Stenman* (1957) 152 Cal. App. 2d 543.) A building official generally has no discretion to deny a building permit application for a project in compliance with applicable codes and ordinances. *Cal. Code Regs*., Tit. 24, pt. 2, § 105.3.1.

[1] *FCC v. NextWave Personal Communications, Inc.* (2003) 537 U.S. 293, 302 (when Congress has intended to create exceptions to bankruptcy law requirements, "it has done so clearly and expressly").

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Accordingly, the building official's role in the issuance of a building permit is limited to considering whether the project meets the criteria of the zoning ordinance and the Uniform Building Code. If the application satisfies the objective standards and criteria of the laws and ordinances, the permit must be issued as a ministerial act, as unwritten policies cannot be manufactured by the building official to overrule the standards in an otherwise unambiguous ordinance. (*Munns v. Stenman* (1957) 152 Cal. App. 2d 543, 557; Also see *Terminal Plaza Corp. v. City & Cty. of San Francisco* (1986) 186 Cal. App. 3d 814, 832 ["[w]here a statute or ordinance clearly defines the specific duties or course of conduct that a governing body must take, that course of conduct becomes mandatory and eliminates any element of discretion."].)

E. The Zoning Administrator's decision puts forward a new arbitrary interpretation that relies on an inapplicable section of the Sign Ordinance.

It is not very often that the denial of a DBS appeal justifies its denial based on a completely different interpretation of the LAMC than DBS's original decision. After generally accepting the arguments and interpretation put forward by the Appellant, the ZA's decision takes a left turn to try and deny the appeal based on a yet a new section of the Sign Ordinance that has little to do with the issue in dispute. After concluding that "Planning Staff finds… [that] a wall sign is permitted on both a building and a structure" – as argued by the Appellant - the Zoning Administrator limits the relevance of this interpretation by claiming that you can only have a sign on a free-standing wall in one particular instance. The section of the LAMC relied on by the ZA to reach this opinion is as follows:

> **LAMC § 14.4.10-F: Parking Lots**. Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

The Zoning Administrator uses this provision as support to flip the case around on its head. Originally, LADBS made it clear in their original opinion that because "a freestanding wall does not meet the definition of a [the word] 'building,' a wall sign is not permitted to be attached." (LADBS Determination, Pg. 3.) Accordingly, LADBS made a blanket finding that wall-signs are not permitted on any free-standing walls because a free-standing wall is not a "building." On review by the LADCP, the ZA said that LADBS's interpretation was wrong, and that in fact you are permitted to have wall-signs on non-buildings; but based on LAMC § 14.4.10-F, this can only happen in one particular instance where there is a parking lot involved. This conclusion makes no sense.

Nowhere in LAMC § 14.4.10-F does it state that this section limits the use of wall-signs on structures or walls in any other scenario not expressly contemplated by the section itself.

The Section applies, by its terms, to situations where a "**parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street**." If there is no parking lot at issue, as in this case, then this provision is simply inapplicable. The Zoning Administrator is attempting to hide the ball from both appellant and the public by accepting appellant's position, and at the same time stretching to great lengths to avoid granting the appeal by other means. This is simply not possible. LAMC § 14.4.10-F does not state that wall signs may *only* be placed on free-standing walls when they are "between a wall sign and the street," and the Zoning Administrator's attempt to reach this conclusion is arbitrary and capricious.

Here, the City has a ministerial duty to implement the City's Sign Ordinance and zoning code as adopted by the City Council. The ordinance does not provide LADBS or LADCP with any discretion to implement or create policies that *modify or disregard* the express text ordinance, particularly with respect to defined terms. LADBS's refusal to issue the requested sign permit, based on an unwritten policy that clearly misinterprets the unambiguous definition of a wall-sign, is a clear violation of LADBS's ministerial duty. For these reasons, and any other reasons presented at the hearing before the hearing officer, this appeal should be granted.

Very truly yours,

DANIEL FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

DF:df
Enclosure

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EXHIBIT C

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
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OF CITY PLANNING
EXECUTIVE OFFICES

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planning.lacity.org

November 4, 2021

Applicant/Appellant
Gerard Anthony Bill
3163 Donald Douglas Loop South
Santa Monica, CA 90405

Representative
Daniel F. Freedman
Jeffer Mangels Butler & Mitchell LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067

CASE NO. DIR-2019-7545-BSA
BUILDING AND SAFETY APPEAL
29-47 Windward Avenue
Venice Community Plan
Zone : C2-1-CA
D. M. : MB 106-5A143
C. D. : 11 – Bonin
Legal Description: Lots 5, 6, 7, & 8; Block 1; Venice of America Tract

Pursuant to the provisions of Section 12.26K of the Los Angeles Municipal Code (LAMC), I hereby **DENY**:

> an appeal of the determination of the Department of Building and Safety (LADBS) concerning the determination to issue Sign Pre-Inspection Report under Building Permit No. 19048-30000-02053 stating that the sign does not meet the definition of a wall sign per LAMC Section 14.4.2 and 14.4.10, for a hand painted sign on an existing freestanding wall located along the front property line, adjacent to Windward Avenue.

I find that LADBS did not err nor abuse its discretion in deciding to not issue Building Permit No. 19048-30000-02053 for a hand painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue.

FINDINGS OF FACT

After thorough consideration of the statements contained in the appeal, the information provided by LADBS, the statements made at the public hearing on March 5, 2020, the information submitted to the public record, and the applicable provisions of the LAMC, I find that LADBS did not err nor abuse its discretion in this case based on the following findings of fact:

BACKGROUND

The subject property is comprised of four flat, rectangular-shaped lots with a combined area of approximately 9,264 square feet. The site has a frontage of 100 feet along the northerly side of Windward Avenue and a varying depth ranging from 90 to 94 feet. The site abuts the southerly side of Zephyr Court (alley) along the rear. The subject property is zoned C2-1-CA and designated for Community Commercial land uses in the Venice Community Plan. The property is located within the Single Permit Jurisdiction Area of the California Coastal Zone, the North Venice Subarea of the Venice Coastal Zone Specific Plan Area, a Commercial Artcraft Supplemental Use District and the Los Angeles Coastal Transportation Corridor Specific Plan Area.

The subject site is developed with a surface parking lot, improved with a vehicle lift system and car stackers. The adjacent properties to the south, east, and west are zoned C2-1-CA and developed with commercial buildings and a parking lot. The properties to the north across the alley are zoned CM-1 and developed with apartments, offices, and commercial buildings.

On August 15, 2019, the applicant/appellant submitted building plans under Building Permit No. 19048-30000-02053 for a project described as an onsite hand- painted wall sign (8x32) located along an existing fence-wall. The total area of the proposed sign is 256 square-feet. A field inspection was conducted on August 19, 2019 and a Sign Pre-Inspection Report for the subject permit was issued with the following comment:

> *Plan Check to determine sign type. Sign does not meet definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10. Off-site painted sign at proposed location at time of inspection. No elevation included in scanned documents. No dimensions included on plot plan.*

As evidenced by photos taken between March 2018 and August 2019, different off-site signs have been painted on the subject wall facing Windward Avenue, presumably for advertising purposes.

Windward Avenue is a Collector Street and maintains a right-of-way width of 66 feet and a roadway width of 40 feet. Windward Avenue is improved with asphalt roadways, sidewalks, gutters, and curbs.

Zephyr Court is an alleyway with an actual width of 20 feet. The Mobility Plan designates Zephyr Court as a Local Street with a right-of-way width of 60 feet and roadway width of 36 feet.

Previous zoning-related actions on the subject property include:

ZA-2014-3650-CDP – On August 19, 2015, a Coastal Development Permit was issued authorizing the installation, use, and maintenance of a vehicle lift system comprised of 30 electrically powered automobile lifts within an existing surface parking lot.

ZA-1985446-CUZ – On July 30, 1985, a Conditional Use Permit was issued for the outdoor sale of merchandise, including 10 vending stalls and 25 onsite parking spaces for a maximum period of five years.

Previous zoning-related actions within 500 feet of the subject property include:

Case No. DIR-2018-6787-BSA – On April 4, 2019, the Zoning Administrator denied an appeal of the determination of the Department of Building and Safety (LADBS) concerning the determination to withhold Building Permit No. 18048-30000-01991 and instead issue plan check corrections for a hand painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue, located at 55-57 East Windward Avenue.

Case No. DIR-2008-2468-BSA-1A – On March 4, 2008, the West Los Angeles Area Planning Commission denied an appeal and sustained the Zoning Administrator's decision that the Department of Building and Safety did not err in citing the establishment for failure to secure a Certificate of Occupancy for use of the basement; and that the Department of Building and Safety did not err in its determination that a Conditional Use Permit for the alcohol service is required for the basement portion of the establishment, located at 52 East Windward Avenue.

Case No. ZA-2010-913-CDP-CUB-ZV-SPP – On January 12, 2011, the Zoning Administrator approved a Coastal Development Permit to allow the conversion of an office space to restaurant in the single permit jurisdiction of the California Coastal Zone, a Conditional Use Permit to allow the sale and dispensing of alcohol for onsite consumption, a Variance to permit four required parking provided off-site by lease in lieu of recorded covenant, and a Specific Plan Project Permit Compliance Review for a project within the Venice Coastal Zone Specific Plan area, located at 1067 South Pacific Avenue.

STATUTORY PROVISIONS OF AUTHORITY

The provisions of the LAMC establishing authority in regard to this appeal include:

Section 12.26-A of the Municipal Code addresses the functions of the Department of Building and Safety and provides in part, "The Department shall have the power and duty to enforce the zoning ordinances of the City."

Section 12.26-K of the Municipal Code provides in part, "The Director of Planning shall have the power and duty to investigate and make a decision upon appeals from determinations of the Department of Building and Safety where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination or action made by the Department of Building and Safety in the enforcement or administration of Chapter I of this Code and other land use ordinances in site-specific cases."

ZONING CODE PROVISIONS

The applicable LAMC Sections relative to this matter are as follows:

SEC. 14.4.2. DEFINITIONS

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.

WALL SIGN. Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

SEC. 12.03. DEFINITIONS

BUILDING. Any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any kind.

STRUCTURE. Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.

SEC. 14.4.10. WALL SIGNS

A. Area.

1. The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage for a single-story building.
2. For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.
3. For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.
4. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.
5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

B. Height. A wall sign shall not extend above the top of the wall of the building.

EXCEPTION: Where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.

C. Location.

1. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.
2. Wall signs installed on a wall that faces the rear lot line and that is located within 30 feet of property that is zoned R-3 or more restrictive shall not be illuminated.

D. Projection.

1. No wall sign shall have a projection over any public street, other public property or building line greater than that permitted in Diagram A of this article.
2. No wall sign shall project more than 24 inches from the face of the building. If any message is placed on the edge of a wall sign, then that portion of the wall sign shall be regulated as a projecting sign.
3. High Rise Signs. Any wall signs located over 100 feet above grade shall be used as identification signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Notwithstanding the provisions of Subsection A. above, the area of these signs may constitute up to five percent of the area of the wall where the signs are attached and may be in addition to the area permitted in Subsection A. above.

E. Parking Lots. Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet, six inches and three feet, six inches in height above the finished grade at the base of the wall generally facing the street.

DEPARTMENT OF BUILDING AND SAFETY'S ACTIONS

On December 2, 2019, the LADBS issued a written report in response to an appeal filed by Gerard Anthony Bill, an aggrieved party. The report concluded that the LADBS did not err or abuse its discretion in deciding not to issue Building Permit No. 19048-30000-02053 for a hand painted sign placed on an existing freestanding wall located along the front property line, adjacent to Windward Avenue. The LADBS's report is included below. Referenced exhibits are included the case file.

REPORT ON APPEAL FROM LADBS DETERMINATION TO THE DIRECTOR OF PLANNING PURSUANT TO L.A.M.C. §12.26 K (Ordinance No. 175,428)

REPORT NO. DBS-180106-DCP

JOB ADDRESS: 29 - 47 East Windward Avenue ZONE: C2-1-CA C.D.: 11 (Councilmember: Mike Bonin) PLANNING AREA: Venice	Date of Report: December 2, 2019 Effective Date of Determination: December 4, 2019 Deadline to Appeal to DCP: December 19, 2019 Appeal Fee: $500.00

APPEAL:

Determine that the Los Angeles Department of Building and Safety ("LADBS") erred and abused its discretion by issuing Sign Pre-Inspection Report No.19048-30000-02053 stating that the sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10.

EXHIBITS:

EXHIBIT A	ZIMAS Parcel Profile Report with vicinity map
EXHIBIT B	Building Permit No. 14020-10000-00608, issued March 25, 2016, "construction of: 30 double (22 double at east side for compact vehicles and 8 double at west side for standard vehicles) vehicle lift systems-2 levels: (DP003 –larr#930501), mechanical car stackers (for 60 cars), additional 5 tandem parking stalls, and 3 accessible parking stalls at grade level"
EXHIBIT C	Sign Pre-Inspection Report
EXHIBIT D	Order to Comply Case No. 807072
EXHIBIT E	Inspection Photos associated with Order to Comply Case No. 807072
EXHIBIT F	Sheet MP-1.0 and Sheet MP-3.0 of approved plans for Building Permit No. 14020-10000-00608
APPENDIX:	Appeal package submitted by appellant on August 27, 2018.

OVERVIEW:

The site is located in the Venice Community Plan area between Ocean Front Walk and Pacific Avenue. The C2-1-CA zoned property also falls within the Venice Coastal Zone Specific Plan (Exhibit A). The site is currently developed as a parking lot (Exhibit B) with a freestanding wall along the front property line, adjacent to Windward Avenue (Exhibit F).

The appellant claims that LADBS erred and abused its discretion by improperly applying the definition of a wall sign and as a result erroneously issued a Sign Pre-Inspection Report stating the proposed hand painted sign placed on a freestanding wall (EXHIBIT C) did not meet the definition of a wall sign pursuant to the wall sign regulations.

This appeal was filed pursuant to the City of Los Angeles Municipal Code (LAMC) Section 12.26K which gives the Director of Planning the power and duty to investigate and make a decision upon appeals from determinations of LADBS where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination or action made by LADBS in the enforcement or administration of land use ordinances in site-specific cases.

BACKGROUND:

On March 25, 2016, Building Permit No. 14020-10000-00608 was issued to increase the parking count at the existing parking lot to 68 stalls by installing 30 vehicle lifts. The site plan and an elevation view from the approved plans for this permit, show a proposed 42" concrete wall to be constructed along Windward Avenue behind an existing 6' high wrought iron fence (Exhibit F).

On March 22, 2018 an Order to Comply was mailed instructing the property owner to discontinue the use of unapproved off-site signage without proper permits and approvals. This order had an effective date of March 28, 2018 and a compliance date of April 2, 2018 (Exhibit D).

On August 15, 2019, the owner's agent submitted building plans for a Sign Pre-Inspection Report under Building Permit Application No. 19048-30000-02053 (Exhibit C) for a proposed on-site 8'-0" high x 32' wide, hand-painted sign on an existing freestanding wall, located along Windward Avenue.

On August 19, 2019, a field inspection was conducted and the Sign Pre-Inspection Report was completed and returned with the following comment "*Plan Check to determine sign type. Sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10.*" The Sign Pre-Inspection Report also noted unapproved off-site signage was observed (Exhibit C).

On August 26, 2019, an appeal was filed challenging LADBS's interpretation of the definition of a wall sign. The appeal is included in the Appendix of this report.

DISCUSSION:

The following is a summary of the issues identified by the appellant along with the corresponding response from LADBS:

Issue No. 1:

"The City's sign ordinance expressly permits wall signs on the wall of a building or structure."

LADBS Response to Issue No. 1:

LAMC 14.4.2, defines a wall sign as, "*Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.*"

The appellant alleges that since a freestanding wall meets the definition of a structure pursuant to LAMC 12.03, there is no prohibition against a wall sign being placed on a freestanding wall.

LAMC 12.03, defines a structure as, "*Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.*"

In the context of the definition of a wall sign, this structure definition is not applicable.

LADBS interprets the term "structure" within the wall sign definition to be a reference from the definition of a "building" pursuant to LAMC 12.03.

LAMC 12.03, defines a building as, "*Any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any.*"

Within the wall sign regulations, this definition accounts for buildings which do not necessarily have full height walls, but have a surface, where a wall sign can be placed within the limitations of LAMC 14.4.10. An example of a building having a roof supported by columns would be a gasoline station canopy, typically seen over a series of gas pumps. Signs that are placed on these types of buildings, are categorized as wall signs.

Therefore, since a freestanding wall does not meet the definition of a building, a wall sign is not permitted to be attached.

Additionally, it is clear that the wall sign regulations in LAMC 14.4.10 are intended for signs located on a building as demonstrated below.

Wall sign area regulation, LAMC 14.4.10 A.1 states, "*The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage for a single-story building.*" No reference to structures.

LAMC 14.4.4.10 A.2 states, "*For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.*" No reference to structures.

LAMC 14.4.10 A.3 states, "*For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.*" No reference to structures.

Wall height regulations, LAMC 14.4.10 B states, "*A wall sign shall not extend above the top of the wall of the building.*" No reference to structures.

Wall sign projection regulation, LAMC 14.4.10 D.2, which states, "No wall sign shall project more than 24 inches from the face of the building..." No reference to structures.

Furthermore, LAMC 14.4.10 F, specifically addresses the only scenario where a wall sign may be placed on a freestanding wall.

LAMC 14.4.10 F states, "*Where a parking lot exists between a wall sign and the street, and there is wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line...*"

The proposed project does not meet the conditions in LAMC 14.4.10 F as there is no building on the lot.

It is important to note the site development consists of a parking lot with no commercial buildings or permitted open air sales. Therefore, signage such as those depicted in the photos taken by Code Enforcement during multiple site visits (Exhibit E) and observed during the inspection for the Sign Pre-Inspection, would be considered off-site signs.

LAMC 14.4.2, defines an off-site sign as, "*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.*"

Pursuant to LAMC 12.21 A.7(l), off-site signs are prohibited.

LAMC 12.21 A.7(l) states. "*No off-site sign shall be allowed in any zone, except when off-site signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district...*"

Issue No. 2:

"DBS is violating a mandatory and ministerial duty by refusing to issue a wall sign permit for a sign constructed against a freestanding wall."

LADBS Response to Issue No. 2:

Pursuant to Los Angeles Building Code (LABC) section 106.4, LADBS has the authority to withhold a permit when the department determines plans are not in conformance with the LABC and other relevant codes and ordinances.

LADBS did not issue the requested permit because the proposed sign was not in compliance with general provisions and sign regulations of the LAMC.

CONCLUSION:

LADBS did not err or abuse its discretion by issuing Sign Pre Inspection Report No.19048-30000-02053 stating the sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10

APPEAL TO THE DIRECTOR OF PLANNING

An appeal of the Department of Building and Safety's action was filed by the applicant, Gerard Anthony Bill, on December 18, 2019 to the Director of Planning. Pursuant to LAMC Section 12.26-K, the appeal requests a Director of Planning determination as to whether LADBS erred or abused its discretion in deciding not to issue Building Permit No. 19048-30000-02053 for a hand painted sign placed on an existing freestanding wall located along the front property line, adjacent to Windward Avenue.

APPELLANT'S POINTS:

The appellant raised the following points in the appeal to the Director of Planning regarding LADBS's action. The Zoning Administrator will respond to each of these points and then conclude the determination.

1. **The City's Sign Ordinance permits wall signs on the wall of a building or a structure.**

   The appellant contends that the definitions in the LAMC allow wall signs on any structure, which includes freestanding walls. The appellant calls for the plain reading of the definitions in LAMC Section 14.4.2, which defines *wall sign* as "any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, and LAMC Section 12.03, which defines *structure* as "anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act. Using these definitions, the appellant asserts that a wall sign may be permitted on a large cinderblock wall because such wall is considered a structure. Therefore, LADBS has erred in its ministerial duty to issue a permit that is consistent with the definitions as ordained in the LAMC.

ZONING ADMINISTRATOR'S RESPONSE:

The Zoning Administrator agrees that words and definitions used in ordinances must be interpreted by the plain language of the definition for that word. In this case, the definition of a wall sign does state that the sign may be placed or painted on "the wall of a building or structure". While the definition of a wall sign includes the wall of a building or structure, it is important to note that ordinances and codes consist of definitions that exist alongside regulations of how those definitions are to be used. While the definition of a wall sign in Section 14.4.2 includes both structures and buildings, the regulations for wall signs contained in Subsection 14.4.10-A (Area) include very specific regulations for size of signs on BUILDINGS not structures.

These include A, 1 area of a wall sign facing a street shall not exceed two square feet for each foot of street frontage plus one square foot of building frontage for a single-story building. Notice that *area* as discussed here is for a building wall not a freestanding or structure wall. Subdivision A, 2 allows, for buildings more than one-story in height, an extra 10% for each individual story that is added to that permitted for a one-story building. Subdivisions 3 and 4 contain additional regulations for wall signs made of individual letters or for combinations of other defined signs on building walls or frontages. Subsection B on height of a wall sign also states that the wall may not extend above the top of the wall of a building.

Subsection 14.4.10-F contains the only regulation for wall signs that permit wall signs on freestanding walls. These wall signs are closely regulated and may only be used where there is a parking lot between a wall sign on a building and the street and there is a wall between the parking lot and the street. The sign's placement on such a wall is further restricted to the one-foot high section of the wall between two-feet-six-inches and three-feet-six-inches above the finished grade.

While the applicant/appellant has made an argument that the definitions of Section 14.4.2 permit wall signs on buildings or structures and that a freestanding wall is a structure on which a wall sign may be placed, he fails to go further into the sign ordinance and find that there are specific regulations for the placement of wall signs on buildings and structures. The regulations of Sub-section 14.4.10-F limit wall signs on free standing walls to only when they are located between an existing wall sign on a building, a parking lot, the freestanding wall and the street in front of

the freestanding wall. It further limits the area for that sign to a one-foot wide strip on the freestanding wall starting at a height two feet, six inches above the finished grade. The appellant's proposed wall sign was to be placed on a freestanding wall which, though in front of a parking lot, was not in front of a building nor for that matter in front of an existing wall sign, and thus, was not allowed by Subsection 14.4.10-F. The proposed sign also exceeds the area of such a sign and thus, would have required further correction.

Thus, the plain language of the sign ordinance allows signs on freestanding walls (a structure) or buildings (a structure with a roof held up by walls or columns) by definition - and then further regulates the wall sign by limiting them in most instances to building walls or, in one instance, to free standing walls between a wall sign on a building, a parking lot and the street.

2. **LADBS is violating a mandatory and ministerial duty by refusing to issue a wall sign permit for a sign constructed on freestanding walls.**

The appellate asserts that LADBS has a ministerial duty to approve the applicant's wall sign permit, provided that the sign is permitted on the subject site and complies with building codes and conditions of approval. The appellant adds that the Sign Ordinance does not provide LADBS with any discretion to implement or create policies that modify or disregard the text of the ordinance, including the defined terms. The appellant claims that LADBS's refusal to issue the requested permit for a wall sign is based on an unwritten policy that misinterprets the definition of a wall sign.

ZONING ADMINISTRATOR'S RESPONSE:

The Department of Building and Safety did not err or abuse its discretion in not approving the wall sign permit. LADBS did not arbitrarily apply defined terms, but it instead invoked the plain language of the Zoning Code, which does not, except in one situation, allow wall signs on freestanding walls. The wall along Windward on which the sign was to be affixed meets none of the specific requirements of Subsection 14.4.10-F for the placement of wall signs on such walls. LADBS was correct in stating that the wall sign could only be placed on a building and refusing to grant the permit while issuing corrections for it. If LADBS did err, it was only in failing to inform the applicant the conditions for which a wall sign could be placed on a freestanding wall. The freestanding wall in this case does not comply with Subsection 14.4.10-F because the location of the freestanding wall is not between a building with a legal wall sign and the street facing the freestanding wall.

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants about the proposed development site for which a Building and Safety Appeal application had been filed with the Department of City Planning. All interested persons were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project.

The hearing was held by Associate Zoning Administrator Charles Rausch, who acted on behalf of the Director of Planning under Case No. DIR-2019-7545-BSA on March 5, 2020, at the Second Floor Hearing Room of the West Los Angeles Municipal Building, located at 1645 Corinth Avenue, Los Angeles, CA 90025. The hearing was attended by the applicant's representative and four employees of the Department of Building and Safety. The applicant's representative stated the reasons the applicant believed that he had the right to place a sign, for either on- or off-site advertising on a freestanding wall. The LADBS representatives stated their reason's for denying the applicant's request for a pre-inspection report for the sign on a freestanding wall as not meeting the definition for a wall sign per LAMC Sections 14.4.2 and 14.4.10. While the definition of a wall sign includes both structures and buildings in Section 14.4.2, which describes the definitions of the ordinance, the Code further restricts the location, size (area), height and projection of a wall sign, and the Code does not include freestanding walls except in Subsection 14.4.10-F which includes the one regulation for wall signs on freestanding walls and only when they are placed in front of a parking lot that also has a building with a wall sign on it.

CORRESPONDENCE

No correspondence other than the appellants was received regarding this project. On August 26, 2019, the applicant's representative sent the Department of City Planning a letter outlining the issues involved in the subsequent appeal. The letter asserts that as the applicant's representative, we sent an application for a sign pre-inspection report to the Department of Building and Safety (LADBS) for a hand painted wall sign on a freestanding fence/wall. In reviewing the request, an LADBS inspector found that the sign "does not meet the definition of a wall sign per LAMC 14.4.2 and 14.4.10." This finding is based on LADBS's policy of not permitting wall signs on freestanding walls, not withstanding the fact that such signs are expressly permitted under the LAMC. This determination makes it impossible for our client to obtain a permit that he would otherwise be entitled to. He then went on to raise the points that were included in the appeal of the LADBS action. At a later date in December of 2019, the appeal was filed.

DISCUSSION

Pursuant to LAMC Section 12.26-K, the Director of Planning has the authority to investigate and make a decision upon appeals from the determinations of the Department of Building and Safety where it is alleged there is error or abuse of discretion in any order, interpretation, requirement determination, or action made by LADBS in the enforcement or administration of Chapter I of this Code and other land use ordinances in site-specific cases or citywide cases.

The Director of Planning's action is limited to determining whether LADBS erred or abused its discretion in its determination to not issue Building Permit No. 19048-30000-02053 for a hand painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue. The appellant argues that LADBS's withholding of the wall sign permit is inconsistent with the definitions set forth in the LAMC. The appellant also contends that LADBS's discretion in granting or denying the wall sign permit is limited, due to the fact that such permits are considered ministerial.

Wall Signs on Freestanding Walls are Subject to LAMC 14.4.10-F.

The appellant argues that the plain language of the Code in the definition of a wall sign contained in LAMC Section 14.4.2 defines a *wall sign* as "Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall" and LAMC Section 12.03 defines a *structure* as "anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which confirms to the California State Vehicle Act." Based on these definitions, the appellant argues that a wall sign should be allowed on a freestanding wall because a freestanding wall is, by definition, a structure.

LADBS interprets the term *structure* within the wall sign definition to be a reference from the definition of *building*, in order to account for buildings that do not have full height walls, but have a surface where a wall sign can be placed. Under this interpretation, a freestanding wall is not a structure because it fails to meet the definition of a building. Planning staff finds this interpretation to be unsound because the definition of wall sign explicitly mentions both "building" and "structure". Based on the definitions set forth in the LAMC, a wall sign is permitted on both a building and a structure. Consequentially, a freestanding wall could be a site for a wall sign so as long as it complies with all applicable regulations of the LAMC.

Nevertheless, LADBS did not err in its discretion in withholding the wall sign permit because while wall signs by definition may be placed on a structure, in this case a

freestanding wall, the proposed wall sign must still comply with the regulations of the Code for the placement of wall signs not just the definition there of. The approval of a wall sign on a freestanding wall is subject to LAMC Subsection 14.4.10-F only, which states that "Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet, six inches and three feet, six inches in height above the finished grade at the base of the wall generally facing the street." It should be pointed out that all previous regulations in Paragraphs 14.4-A through E are the regulations for wall signs on buildings. Thus, the language of the previous sentence regarding "the total sign area permitted by this Section" only pertains to wall signs on buildings not free standing walls. Paragraph 14.4-F allows wall signs on free standing walls in the situation where the wall is between the parking lot and the street and the wall obscures a permitted wall sign on a building. Since there is no building on this lot, the project fails to meet the conditions set forth in LAMC Subsection 14.4.10-F, LADBS acted correctly in its ministerial duty to withhold the permit until evidence of compliance is submitted.

Offsite Signage is Not Allowed

In addition, offsite signage is not allowed on this particular site because the property contains a parking lot and no commercial building which could sell products or services advertised by an on-site sign. LAMC Section 14.4.2 defines an offsite sign as "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."

The subject site consists of a surface parking lot that also contains parking lifts and stacks to expand the number of parking spaces on the site. Building permits and certificates of occupancy do not recognize any other commercial or retail use onsite. Other than the parking valet company operating onsite, no commercial tenants exist onsite. Therefore, any signage not associated with the parking valet company would be considered an offsite sign. Under LAMC 12.21-A.7(l), "no offsite sign shall be allowed in any zone, except when offsite signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district…"

LADBS's Authority in Ministerial Permits

Pursuant to the Los Angeles Building Code (Section 106.4), LADBS has the authority to withhold a permit when the department determines that the proposed plans are not in conformance with the Building Code and other relevant codes and ordinances. This is applicable to both ministerial and discretionary actions.

CONCLUSION

The information in the administrative record provided by LADBS and the appellant in the form of testimony and correspondence has been reviewed and considered by the Zoning Administrator acting for the Director of Planning. The Zoning Administrator has determined based on the aforementioned information that LADBS did not err nor abuse its discretion in its decision to not issue Building Permit No. 19048-30000-02053 for a hand painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue. The project does not comply with LAMC Subsection 14.4.10-F and Subparagraph12.21-A, 7(l), and under the authority granted under Los Angeles Building Code Section 106.4, LADBS can withhold a permit if it is determined that the proposed plans are not in conformance with the Building Code and other relevant codes and ordinances. In not issuing Building Permit No. 19048-30000-02053, LADBS adhered to the processes and procedures relating to the review and issuance of a sign permit.

CITYWIDE IMPACT

Pursuant to the requirements of Subdivision 12.26-K,4 of the LAMC, the determination herein will have a Citywide Impact. While the use of the subject property and circumstances and issues identified in this particular case are unique to the affected site, the issue at large as to whether or not the definition of a wall sign allows a wall sign to be placed on both buildings and freestanding walls will generally apply to other sites in the City.

APPEAL PERIOD - EFFECTIVE DATE

The Director of Planning's determination in this matter will become effective after **November 19, 2021**, unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not

be accepted. Forms are available on-line at http://planning.lacity.org. Public offices are located at:

Downtown Metro	San Fernando Valley	West Los Angeles
Public Counter	Public Counter	Public Counter
201 N. Figueroa St., 4th Floor	6262 Van Nuys Blvd., 2nd Floor	1828 Sawtelle Blvd., 2nd Floor
Los Angeles, CA 90012	Los Angeles, CA 91401	Los Angeles, CA 90025
(213) 482-7077	(818) 374-5050	(310) 231-2912

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Inquiries regarding this matter shall be directed to Jeff Khau at (213) 473-9987 or Jeff.Khau@lacity.org.

VINCENT P. BERTONI, AICP
DIRECTOR OF PLANNING

CHARLES J. RAUSCH, JR.
Associate Zoning Administrator

cc: Councilmember Mike Bonin
Eleventh District
Abutting Property Owners
LADBS

EXHIBIT D

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

VACANT
VICE PRESIDENT

JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

FRANK M. BUSH
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

Gerard Anthony Bill (Representative: Daniel Freeman, JMBM)
3163 Donald Douglas Loop South
Santa Monica, CA 90405

29-47 EAST WINDWARD AVENUE; DBS-190117-DCP

You are hereby notified that the Los Angeles Department of Building and Safety ("LADBS") has rendered a written determination in response to your appeal concerning the above-referenced matter. The Department's determination is effective **December 4, 2019.** The report, is enclosed.

Pursuant to L.A.M.C. §12.26 K, the determination made by LADBS may be appealed to the Director of Planning within 15 days of the effective date of the written determination. If you choose to appeal the determination, you must file the appeal at the public counter of the Department of City Planning no later than **December 19, 2019.** Please refer to L.A.M.C. §12.26 K (1) through §12.26 K (3) for specific filing instructions. The appeal fee is $500.00.

If you have any additional questions, you may contact me at (213) 482-9586.

DINA ELKINAWY, P.E.
STRUCTURAL ENGINEERING ASSOCIATE III
Government & Community Relations/ Code Studies

Enclosure

c: Victor Cuevas, Assistant Bureau Chief, Permit and Engineering Bureau
Chiharu Suzuki, Building Civil Engineer

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

REPORT ON APPEAL FROM LADBS DETERMINATION TO THE DIRECTOR OF PLANNING PURSUANT TO L.A.M.C. §12.26 K (Ordinance No. 175,428)

REPORT NO. DBS- 190117 –DCP

JOB ADDRESS: 29 - 47 East Windward Avenue ZONE: C2-1-CA C.D.: 11 (Councilmember: Mike Bonin) PLANNING AREA: Venice	Date of Report: December 2, 2019 Effective Date of Determination: December 4, 2019 Deadline to Appeal to DCP: December 19, 2019 Appeal Fee: $500.00

APPEAL:

Determine that the Los Angeles Department of Building and Safety ("LADBS") erred and abused its discretion by issuing Sign Pre Inspection Report No.19048-30000-02053 stating that the sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10.

EXHIBITS:

EXHIBIT A	ZIMAS Parcel Profile Report with vicinity map
EXHIBIT B	Building Permit No. 14020-10000-00608, issued March 25, 2016, "construction of: 30 double (22 double at east side for compact vehicles and 8 double at west side for standard vehicles) vehicle lift systems-2 levels: (DP003 –larr#930501), mechanical car stackers (for 60 cars), additional 5 tandem parking stalls, and 3 accessible parking stalls at grade level"
EXHIBIT C	Sign Pre-Inspection Report
EXHIBIT D	Order to Comply Case No. 807072
EXHIBIT E	Inspection Photos associated with Order to Comply Case No. 807072
EXHIBIT F	Sheet MP-1.0 and Sheet MP-3.0 of approved plans for Building Permit No. 14020-10000-00608
APPENDIX:	Appeal package submitted by appellant on August 27, 2018.

OVERVIEW:

The site is located in the Venice Community Plan area between Ocean Front Walk and Pacific Avenue. The C2-1-CA zoned property also falls within the Venice Coastal Zone Specific Plan (Exhibit A). The

site is currently developed as a parking lot (Exhibit B) with a freestanding wall along the front property line, adjacent to Windward Avenue (Exhibit F).

The appellant claims that LADBS erred and abused its discretion by improperly applying the definition of a wall sign and as a result erroneously issued a Sign Pre-Inspection Report stating the proposed hand painted sign placed on a freestanding wall (EXHIBIT C) did not meet the definition of a wall sign pursuant to the wall sign regulations.

This appeal was filed pursuant to the City of Los Angeles Municipal Code (LAMC) Section 12.26K which gives the Director of Planning the power and duty to investigate and make a decision upon appeals from determinations of LADBS where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination or action made by LADBS in the enforcement or administration of land use ordinances in site-specific cases.

BACKGROUND:

On March 25, 2016, Building Permit No. 14020-10000-00608 was issued to increase the parking count at the existing parking lot to 68 stalls by installing 30 vehicle lifts. The site plan and an elevation view from the approved plans for this permit, show a proposed 42" concrete wall to be constructed along Windward Avenue behind an existing 6' high wrought iron fence (Exhibit F).

On March 22, 2018 an Order to Comply was mailed instructing the property owner to discontinue the use of unapproved off-site signage without proper permits and approvals. This order had an effective date of March 28, 2018 and a compliance date of April 2, 2018 (Exhibit D).

On August 15, 2019, the owner's agent submitted building plans for a Sign Pre-Inspection Report under Building Permit Application No. 19048-30000-02053 (Exhibit C) for a proposed on-site 8'-0" high x 32' wide, hand-painted sign on an existing freestanding wall, located along Windward Avenue.

On August 19, 2019, a field inspection was conducted and the Sign Pre-Inspection Report was completed and returned with the following comment "*Plan Check to determine sign type. Sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10*." The Sign Pre-Inspection Report also noted unapproved off-site signage was observed (Exhibit C).

On August 26, 2019, an appeal was filed challenging LADBS's interpretation of the definition of a wall sign. The appeal is included in the Appendix of this report.

DISCUSSION:

The following is a summary of the issues identified by the appellant along with the corresponding response from LADBS:

Issue No. 1:

"The City's sign ordinance expressly permits wall signs on the wall of a building or structure."

LADBS Response to Issue No. 1:

LAMC 14.4.2, defines a wall sign as, "*Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.*"

The appellant alleges that since a freestanding wall meets the definition of a structure pursuant to LAMC 12.03, there is no prohibition against a wall sign being placed on a freestanding wall.

LAMC 12.03, defines a structure as, "*Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.*"

In the context of the definition of a wall sign, this structure definition is not applicable.

LADBS interprets the term "structure" within the wall sign definition to be a reference from the definition of a "building" pursuant to LAMC 12.03.

LAMC 12.03, defines a building as, "*Any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels or property of any.*"

Within the wall sign regulations, this definition accounts for buildings which do not necessarily have full height walls, but have a surface, where a wall sign can be placed within the limitations of LAMC 14.4.10.

An example of a building having a roof supported by columns would be a gasoline station canopy, typically seen over a series of gas pumps. Signs that are placed on these types of buildings, are categorized as wall signs.

Therefore, since a freestanding wall does not meet the definition of a building, a wall sign is not permitted to be attached.

Additionally, it is clear that the wall sign regulations in LAMC 14.4.10 are intended for signs located on a building as demonstrated below.

Wall sign area regulation, LAMC 14.4.10 A.1 states, "*The total sign area of wall signs facing a street shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage for a single-story* ***building***." No reference to structures.

LAMC 14.4.4.10 A.2 states, "*For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story* ***building***." No reference to structures.

LAMC 14.4.10 A.3 states, "*For wall signs that are made up of individual letters that use the wall of the **building** as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.*" No reference to structures.

Wall height regulations, LAMC 14.4.10 B states, "*A wall sign shall not extend above the top of the wall of the **building***." No reference to structures.

Wall sign projection regulation, LAMC 14.4.10 D.2, which states, "No wall sign shall project more than 24 inches from the face of the **building**…" No reference to structures.

Furthermore, LAMC 14.4.10 F, specifically addresses the only scenario where a wall sign may be placed on a freestanding wall.

LAMC 14.4.10 F states, "*Where a parking lot exists between a wall sign and the street, and there is **wall** between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the **wall** located between the parking lot and the street so long as the sign does not project beyond the lot line…*"

The proposed project does not meet the conditions in LAMC 14.4.10 F.

It is important to note the site development consists of a parking lot with no commercial buildings or permitted open air sales. Therefore, signage such as those depicted in the photos taken by Code Enforcement during multiple site visits (Exhibit E) and observed during the inspection for the Sign Pre-Inspection, would be considered off-site signs.

LAMC 14.4.2, defines an off-site sign as, "*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.*"

Pursuant to LAMC 12.21 A.7(l), off-site signs are prohibited.

LAMC 12.21 A.7(l) states. "*No off-site sign shall be allowed in any zone, except when off-site signs are specifically permitted pursuant to a legally adopted specific plan, supplemental use district…*"

Issue No. 2:

"DBS is violating a mandatory and ministerial duty by refusing to issue a wall sign permits for a sign constructed against a freestanding wall."

LADBS Response to Issue No. 2:

Pursuant to Los Angeles Building Code (LABC) section 106.4, LADBS has the authority to withhold a permit when the department determines plans are not in conformance with the LABC and other relevant codes and ordinances.

LADBS did not issue the requested permit because the proposed sign was not in compliance with general provisions and sign regulations of the LAMC.

CONCLUSION:

LADBS did not err or abuse its discretion by issuing Sign Pre Inspection Report No.19048-30000-02053 stating the sign does not meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10.

Frank Bush
General Manager
Superintendent of Building

Chiharu Suzuki, Building Civil Engineer I

EXHIBIT A

City of Los Angeles
Department of City Planning

11/19/2019
PARCEL PROFILE REPORT

PROPERTY ADDRESSES
31 E WINDWARD AVE
29 E WINDWARD AVE

ZIP CODES
90291

RECENT ACTIVITY
DIR-2008-4703-DI
DIR-2014-4482-VSO

CASE NUMBERS
CPC-2018-7548-CPU
CPC-2014-1456-SP
CPC-2005-8252-CA
CPC-2000-4046-CA
CPC-19XX-17631
CPC-1998-119
CPC-1997-47-CPU
CPC-1987-648-ICO
CPC-1984-226
ORD-186104
ORD-175694
ORD-175693
ORD-173575-SA30
ORD-172897
ORD-172019
ORD-168999
ORD-130337
ORD-129944
DIR-2014-2824-DI
ZA-2014-3650-CDP
ZA-1985-446-CUZ
ZA-1985-445-CUZ
ENV-2014-3651-CE
ENV-2014-1458-EIR-SE-CE
ENV-2005-8253-ND
ENV-2004-2691-CE
ENV-2002-6836-SP
ENV-2001-846-ND
ED-73-307-ZC
ND-86-672-CUZ
CDP-1980-42

Address/Legal Information	
PIN Number	106-5A143 27
Lot/Parcel Area (Calculated)	2,284.5 (sq ft)
Thomas Brothers Grid	PAGE 671 - GRID G6
Assessor Parcel No. (APN)	4226008025
Tract	VENICE OF AMERICA
Map Reference	M B 6-126/127
Block	1
Lot	5
Arb (Lot Cut Reference)	None
Map Sheet	106-5A143
Jurisdictional Information	
Community Plan Area	Venice
Area Planning Commission	West Los Angeles
Neighborhood Council	Venice
Council District	CD 11 - Mike Bonin
Census Tract #	2735.02
LADBS District Office	West Los Angeles
Planning and Zoning Information	
Special Notes	None
Zoning	C2-1-CA
Zoning Information (ZI)	ZI-1874 Los Angeles Coastal Transportation Corridor
	ZI-2273 Venice Coastal Zone
	ZI-2406 Director's Interpretation of the Venice SP for Small Lot Subdivisio
	ZI-2452 Transit Priority Area in the City of Los Angeles
General Plan Land Use	Community Commercial
General Plan Note(s)	Yes
Hillside Area (Zoning Code)	No
Specific Plan Area	Los Angeles Coastal Transportation Corridor
Subarea	None
Specific Plan Area	Venice Coastal Zone
Subarea	North Venice
Special Land Use / Zoning	None
Design Review Board	No
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	None
Subarea	None
CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No
POD: Pedestrian Oriented Districts	None
RFA: Residential Floor Area District	None

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(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

RIO: River Implementation Overlay	No
SN: Sign District	No
Streetscape	No
Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	High
Non-Residential Market Area	High
Transit Oriented Communities (TOC)	Tier 2
RPA: Redevelopment Project Area	None
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	Active: Venice Beach
Assessor Information	
Assessor Parcel No. (APN)	4226008025
Ownership (Assessor)	
Owner1	BILL,GERARD A TR TONY BILL TRUST
Address	3163 DONALD DOUGLAS LOOP S SANTA MONICA CA 90405
Ownership (Bureau of Engineering, Land Records)	
Owner	Not Available
Address	Not Available
APN Area (Co. Public Works)*	0.213 (ac)
Use Code	100V - Commercial - Commercial - Vacant Land
Assessed Land Val.	$4,941,706
Assessed Improvement Val.	$12,285
Last Owner Change	03/01/2016
Last Sale Amount	$0
Tax Rate Area	67
Deed Ref No. (City Clerk)	None
Building 1	
Year Built	1974
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	4,590.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5
Additional Information	
Airport Hazard	None
Coastal Zone	Calvo Exclusion Area
	Coastal Zone Commission Authority
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No
Fire District No. 1	Yes
Flood Zone	None
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	Methane Zone
High Wind Velocity Areas	No

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Special Grading Area (BOE Basic Grid Map A-13372)	No
Wells	None
Seismic Hazards	
Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	5.2123848
Nearest Fault (Name)	Santa Monica Fault
Region	Transverse Ranges and Los Angeles Basin
Fault Type	B
Slip Rate (mm/year)	1.00000000
Slip Geometry	Left Lateral - Reverse - Oblique
Slip Type	Moderately / Poorly Constrained
Down Dip Width (km)	13.00000000
Rupture Top	0.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	-75.00000000
Maximum Magnitude	6.60000000
Alquist-Priolo Fault Zone	No
Landslide	No
Liquefaction	Yes
Preliminary Fault Rupture Study Area	No
Tsunami Inundation Zone	Yes
Economic Development Areas	
Business Improvement District	VENICE BEACH
Hubzone	Not Qualified
Opportunity Zone	No
Promise Zone	None
State Enterprise Zone	None
Housing	
Direct all Inquiries to	Housing+Community Investment Department
Telephone	(866) 557-7368
Website	http://hcidla.lacity.org
Rent Stabilization Ordinance (RSO)	No
Ellis Act Property	No
Public Safety	
Police Information	
Bureau	West
Division / Station	Pacific
Reporting District	1431
Fire Information	
Bureau	West
Batallion	4
District / Fire Station	63
Red Flag Restricted Parking	No

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CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2018-7548-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	ADOPT COMMUNITY PLAN POLICY DOCUMENT, GENERAL PLAN AMENDMENTS, AND ZONE CHANGES TO APPLY RE-CODE LA ZONING.
Case Number:	CPC-2014-1456-SP
Required Action(s):	SP-SPECIFIC PLAN (INCLUDING AMENDMENTS)
Project Descriptions(s):	SPECIFIC PLAN AMENDMENT
Case Number:	CPC-2005-8252-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	AN ORDINANCE ESTABLISHING PERMANENT REGULATIONS IMPLEMENTING THE MELLO ACT IN THE COASTAL ZONE.
Case Number:	CPC-2000-4046-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	
Case Number:	CPC-19XX-17631
Required Action(s):	Data Not Available
Project Descriptions(s):	
Case Number:	CPC-1998-119
Required Action(s):	Data Not Available
Project Descriptions(s):	
Case Number:	CPC-1997-47-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	COMMUNITY PLAN UPDATE FOR VENICE WHICH IDENTIFIES AND REDEFINES OUTDATED LAND USE ISSUES AND INCONSISTENT ZONING, REVIEWS POLICIES AND PROGRAMS, AS WELL AS REVISING AND UPDATING THE PLAN MAP AND TEXT
Case Number:	CPC-1987-648-ICO
Required Action(s):	ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	INTERIM CONTROL ORDINANCE FOR THE ENTIRE VENICE COASTAL ZONE WHICH WILL TEMPORARILY PERMIT ONLY BUILDING DEVELOPMENT WHICH ISIN CONFORMANCE WITH REGULATIONS SUBSTANTIALLY BASED ON THE CALIFORNIA COASTAL COMMISSIONS INTERPRETIVE GUIDELINES FOR THE AREA
Case Number:	CPC-1984-226
Required Action(s):	Data Not Available
Project Descriptions(s):	AMENDMENT TO THE COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLANTHE PROPERTY LOCATION IS GENERALLY BOUNDED ON THE EAST BY THE SAN DIEGO FWY; ON THE SOUTH BY THE CITY BOUNDARY OF THE CITY OFEL SEGUNDO; THE NORTH BY THE CITY BOUNDARY OF THE CITY OF SANTA MONICA AND ON THE WEST BY THE PACIFIC OCEAN PROPOSED PROJECT BROAD AMENDMENTS TO THE COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN
Case Number:	DIR-2014-2824-DI
Required Action(s):	DI-DIRECTOR OF PLANNING INTERPRETATION
Project Descriptions(s):	DIRECTOR'S INTERPRETATION OF A SPECIFIC PLAN PURSUANT TO LAMC SECTION 11.5.7.H. THE INTERPRETATION SHALL ONLY BE APPLICABLE TO THE VENICE COASTAL SPECIFIC PLAN.
Case Number:	ZA-2014-3650-CDP
Required Action(s):	CDP-COASTAL DEVELOPMENT PERMIT
Project Descriptions(s):	PURSUANT TO SECTION 12.20.2, A CDP FOR THE CONTINUATION OF A PARKING LOT WITH LIFTS IN THE C2 ZONE.
Case Number:	ZA-1985-446-CUZ
Required Action(s):	CUZ-ALL OTHER CONDITIONAL USE CASES
Project Descriptions(s):	CONDITIONAL USE - TO PERMIT THE OUTDOOR SALE OF MERCHANDISE INTHE C2-1 ZONE, WITH SUCH FACILITY TO INCLUDE 10 VENDING STALLS AND HAVE 25 ON-SITE PARKING SPACES FOR A MAXIMUM FIVE-YEAR PERIOS, AS MORE SPECIFICALLY DELINEATED INFRA.
Case Number:	ZA-1985-445-CUZ
Required Action(s):	CUZ-ALL OTHER CONDITIONAL USE CASES
Project Descriptions(s):	Data Not Available
Case Number:	ENV-2014-3651-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	PURSUANT TO SECTION 12.20.2, A CDP FOR THE CONTINUATION OF A PARKING LOT WITH LIFTS IN THE C2 ZONE.
Case Number:	ENV-2014-1458-EIR-SE-CE
Required Action(s):	SE-STATUTORY EXEMPTIONS
	CE-CATEGORICAL EXEMPTION

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	EIR-ENVIRONMENTAL IMPACT REPORT
Project Descriptions(s):	ENVIRONMENTAL IMPACT REPORT
Case Number:	ENV-2005-8253-ND
Required Action(s):	ND-NEGATIVE DECLARATION
Project Descriptions(s):	AN ORDINANCE ESTABLISHING PERMANENT REGULATIONS IMPLEMENTING THE MELLO ACT IN THE COASTAL ZONE.
Case Number:	ENV-2004-2691-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	SMALL LOT/TOWNHOME ORDINANCE
Case Number:	ENV-2002-6836-SP
Required Action(s):	SP-SPECIFIC PLAN (INCLUDING AMENDMENTS)
Project Descriptions(s):	VENICE COASTAL SPECIFIC PLAN AMENDMENT prepared and adopted by the City Planning Dept. in accordance with the Coastal Act provisions and guidelines.
Case Number:	ENV-2001-846-ND
Required Action(s):	ND-NEGATIVE DECLARATION
Project Descriptions(s):	
Case Number:	ED-73-307-ZC
Required Action(s):	ZC-ZONE CHANGE
Project Descriptions(s):	Data Not Available
Case Number:	ND-86-672-CUZ
Required Action(s):	CUZ-ALL OTHER CONDITIONAL USE CASES
Project Descriptions(s):	Data Not Available

DATA NOT AVAILABLE

ORD-186104
ORD-175694
ORD-175693
ORD-173575-SA30
ORD-172897
ORD-172019
ORD-168999
ORD-130337
ORD-129944
CDP-1980-42

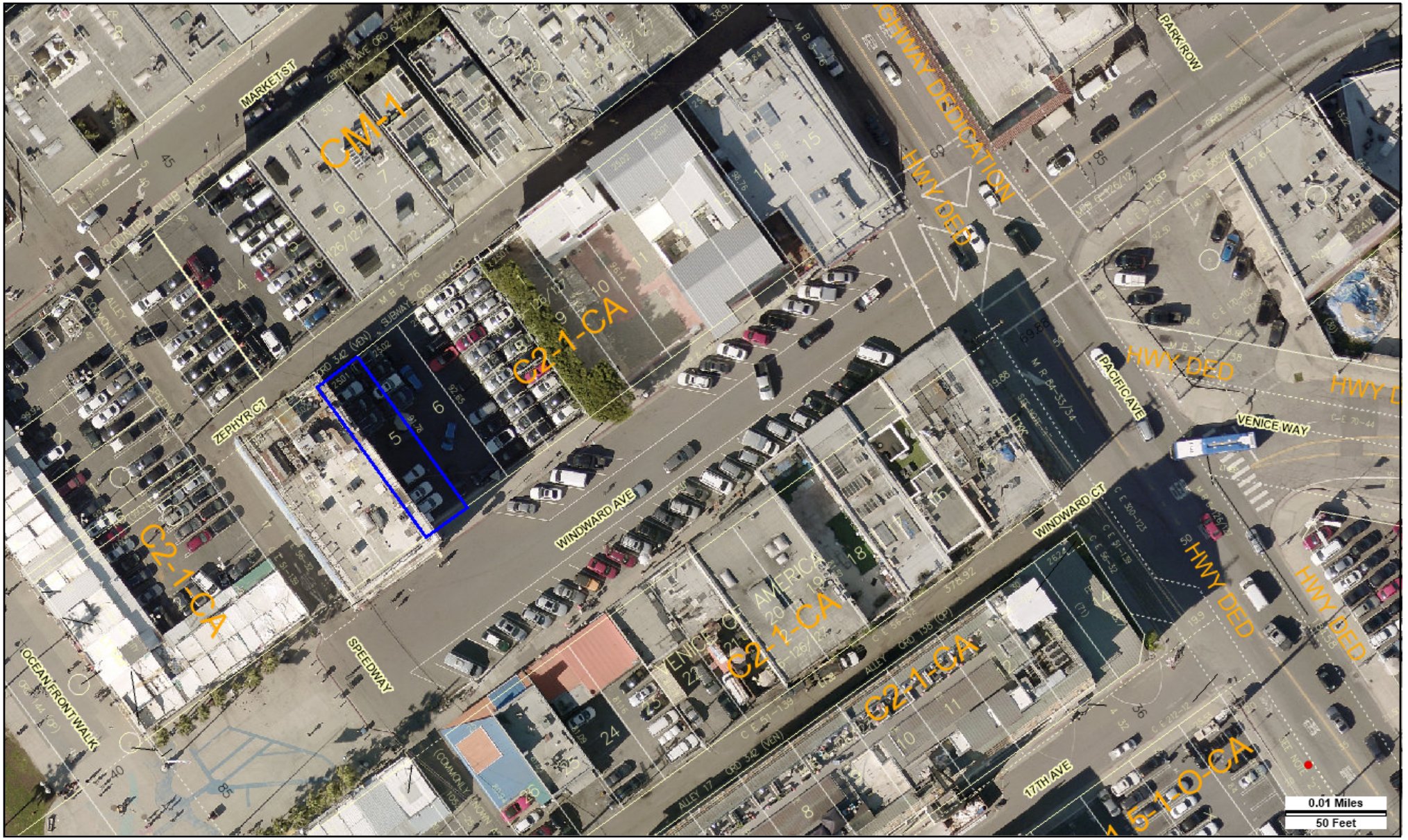
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ZIMAS INTRANET

LARIAC5 2017 Color-Ortho

11/19/2019

City of Los Angeles
Department of City Planning



Address: 29 E WINDWARD AVE
APN: 4226008025
PIN #: 106-5A143 27

Tract: VENICE OF AMERICA
Block: 1
Lot: 5
Arb: None

Zoning: C2-1-CA
General Plan: Community Commercial

N
W
E
S

EXHIBIT B

29 - 47 E Windward Ave

Permit #:

Plan Check #: B14LA03129

Event Code:

14020 - 10000 - 00608

Printed: 03/25/16 11:21 AM

Nonbldg-New
Commercial
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

Issued on: 03/25/2016
Last Status: Issued
Status Date: 03/25/2016

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
VENICE OF AMERICA	1	8		M B 6-126/127	106-5A143 23	4226 - 008 - 017
VENICE OF AMERICA	1	7		M B 6-126/127	106-5A143 24	4226 - 008 - 016
VENICE OF AMERICA	1	6		M B 6-126/127	106-5A143 26	4226 - 008 - 015
VENICE OF AMERICA	1	5		M B 6-126/127	106-5A143 27	4226 - 008 - 015

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 11
Certified Neighborhood Council - Venice
Community Plan Area - Venice
Census Tract - 2735.02
Coastal Zone Cons. Act - YES
District Map - 106-5A143
Energy Zone - 6
Fire District - 1 (Entire parcel)
Earthquake-Induced Liquefaction Area - Yes
Methane Hazard Site - Methane Zone
Near Source Zone Distance - 5.2
School Within 500 Foot Radius - YES
Thomas Brothers Map Grid - 671-G6

ZONES(S): C2-1-CA

4. DOCUMENTS

ZI - ZI-2406 Dir Inter of Venice SP for Small	SPA - Venice Coastal Zone	ORD - ORD-172897	MODF - 3/16/2016-EXTENSION
ZA - ZA-1985-445-CUZ	ORD - ORD-129944	ORD - ORD-173575-SA30	CPC - CPC-17631
ZA - ZA-1985-446	ORD - ORD-130337	ORD - ORD-175693	CPC - CPC-1987-648-ICO
SPA - Los Angeles Coastal Transportation Cor	ORD - ORD-172019	ORD - ORD-175694	CPC - CPC-1997-47-CPU

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
WINDWARD AVENUE ASSOC
10866 WILSHIRE BLVD 10 FLR, LOS ANGELES CA 90024 -- (310) 396-7537
Tenant:

Applicant: (Relationship: Agent for Owner)
MICHAEL O'BRYAN -
2233 HONOLULU AVE, MONTROSE, CA 91020 -- (818) 248-7636

For Cashier's Use Only

W/O #: 42000608

7. EXISTING USE

PROPOSED USE
(08) Parking Area public
(61) Use of Land

8. DESCRIPTION OF WORK

CONSTRUCTION OF: 30 double (22 double at east side for compact vehicles and 8 double at west side for standard vehicles) vehicle lift sytems - 2 levels; (DP003 - larr # 930501), mechanical car stackers (for 60 cars), additional 5 tandem parking stalls, and 3 accessible paking stalls at grade level.

9. # Bldgs on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Bidyut Rath
DAS PC By: Shine Lin
OK for Cashier: Natalie Zarate Roberts
Coord. OK:
Signature: Natalie Z
Date: 03/25/2016

11. PROJECT VALUATION Final Fee Period

Permit Valuation: $180,000
PC Valuation:

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

Plot Plan

For inspection requests, call toll-free **(888) LA4BUILD (524-2845)**. Outside LA County, call (213) 482-0000 or request inspections via **www.ladbs.org.** To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

* P 1 4 0 2 0 1 0 0 0 0 0 0 6 0 8 F N *

```
LA DAVI 104082052 3/25/2016 11:21:32 AM
BUILDING PERMIT COMM                $1,025.00
BUILDING PLAN CHECK                     $0.00
BUILDING PLAN CHECK                     $0.00
PLAN MAINTENANCE                       $20.50
EI COMMERCIAL                          $50.40
ONE STOP SURCH                         $21.92
SYSTEMS DEVT FEE                       $65.75
CITY PLANNING SURCH                    $62.73
MISCELLANEOUS                          $10.00
PLANNING GEN PLAN MAINT SURCH          $52.28
CA BLDG STD COMMISSION SURCHARGE        $8.00
BUILDING PLAN CHECK                     $0.00

                    Sub Total:      $1,316.58
Permit #: 140201000000608
Building Card #: 2016LA61873
Receipt #: 0104562313
```

13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

14020 - 10000 - 00608

(P) S2 Occ. Group: 0 Sqft / 0 Sqft
(P) Parking Req'd for Site (Auto+Bicycle): 0 Stalls / 0 Stal
(P) Provided Compact for Site: +27 Stalls / 27 Stalls
(P) Provided Disabled for Site: +3 Stalls / 3 Stalls
(P) Provided Offsite for Site: +20 Stalls / 20 Stalls
(P) Provided Standard for Site: +38 Stalls / 38 Stalls
(P) Total Provided Parking for Site: +68 Stalls / 68 Stalls
(P) Type V-B Construction

14. APPLICATION COMMENTS:

Genral covenant aggreement for off-site parking for 20 cars for use of building located at 72 Market street. Affidavit #: 88-1670989, dated 10/18/1988 Maintentance of vechicle lift system - 2 levels (Affivait #: 20160219586, dated 3/1/2016 Hold property as one parcel (Affidavit #: 20160219587, dated 3/1/2016) Covenant and agreement to provide parking attendant (Affidavit 20160303159, dated 3/21/2016) The parking lift system at 2 levels is considered as equipment (not as structure) per Engineering Mangement (Shahen Akelyan, SE)

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) DEENIHAN, JOHN GILMORE	5931 OAKDALE AVENUE,	WOODLAND HILLS, CA 9136		C9147	(818) 248-7636
(C) AYALA DEVELOPMENT INC	13300 VICTORY BLVD SUITE 507,	VALLEY GLEN, CA 91401	B	1006608	
(E) SMITH, BRADLEY WARREN	12435 VENTURA COURT,	STUDIO CITY, CA 91604		S2842	(818) 505-9409

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **1006608** Contractor: **AYALA DEVELOPMENT INC**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

( ) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

(X) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address : _____

21. FINAL DECLARATION

I certify that I have read this application **INCLUDING THE ABOVE DECLARATIONS** and state that the above information **INCLUDING THE ABOVE DECLARATIONS** is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: **FERNANDO AYALA** Sign: _____ Date: **03/25/2016** [X] Contractor [ ] Authorized Agent

29 - 47 E Windward Ave

Permit Application # : **14020 - 10000 - 00608**

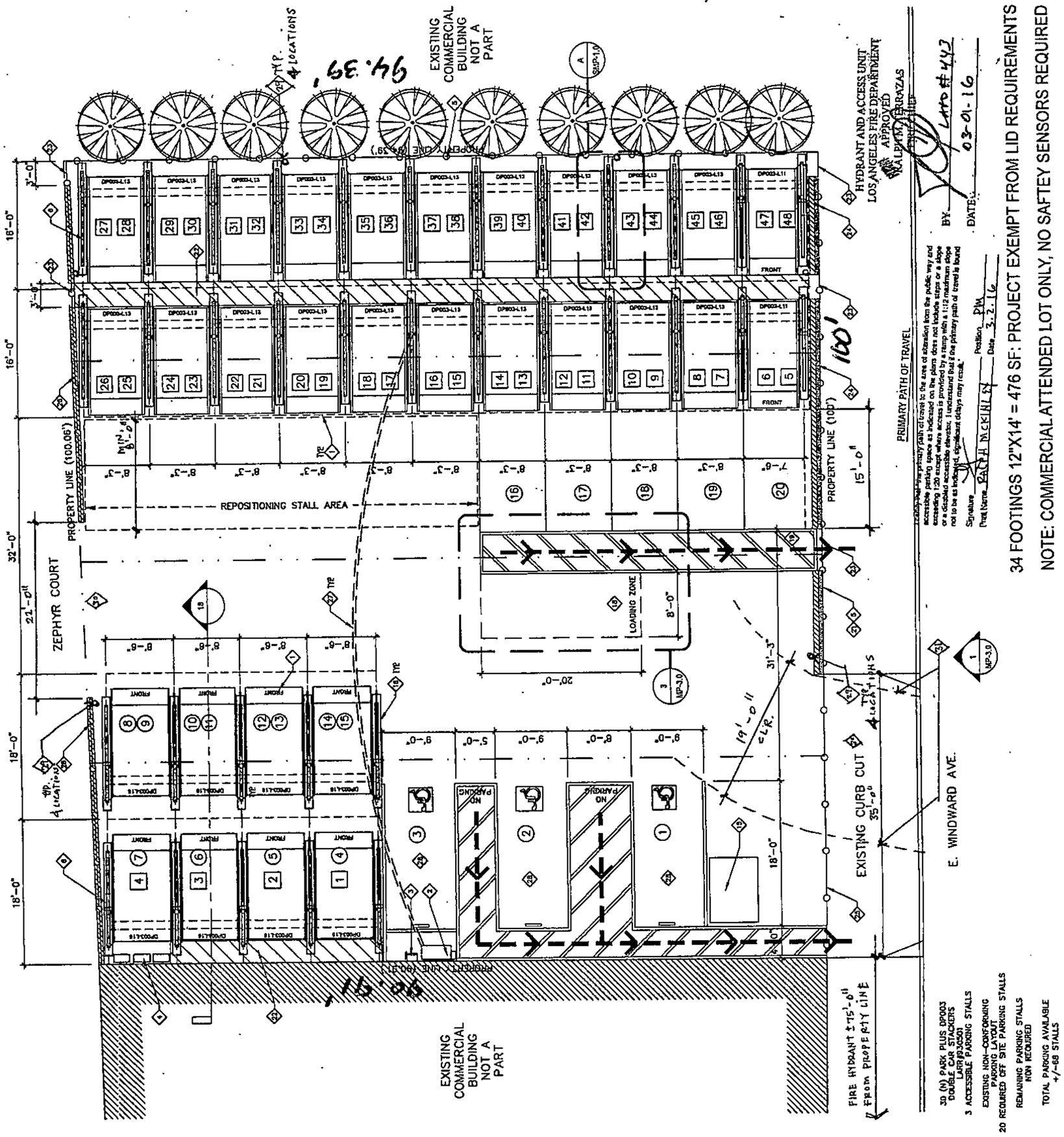
Nonbldg-New
Commercial
Plan Check

City of Los Angeles - Department of Building and Safety

PLOT PLAN ATTACHMENT

Plan Check #: B14LA03129FO
Initiating Office: METRO
Printed on: 03/10/16 11:14:53

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)



COUNCIL DISTRICT: 11

INSPECTION DISTRICT: BIGIWLA3

RTI MAR 22 2016

PLOT PLAN

29 - 47 E Windward Ave Permit Application #: **14020 - 10000 - 00608**

Nonbldg-New	City of Los Angeles - Department of Building and Safety	Plan Check #: B14LA03129FO
Commercial	**14020 - 10000 - 00608**	Plans Filed in: METRO
Regular Plan Check	**CLEARANCE SUMMARY WORKSHEET**	Printed On: 11/19/19 12:48:56

IMPORTANT: This summary documents the clearance(s) required prior to permit issuance. Most clearance(s) are granted electronically, however this form will also be completed so that in the event of a computer outage, there is evidence of the clearance action(s). Keep this form with all other documents necessary to obtain the permit.

INSTRUCTIONS

APPLICANT/REPRESENTATIVE: You are advised to initiate the approval process for the following permit application clearance(s) marked as "Not Cleared" as soon as possible, in order to allow adequate time to obtain the approvals. Certain departments (such as the Department of City Planning) may require additional plan review and approval process, which may include mandatory appeal periods. The address and phone number of the specific agency corresponding to the **"Address Code:"** shown for each clearance is indicated at the end of this form and it is recommended that you call before appearing in person. Remember to bring a copy of the permit application to the clearance agency for their reference. A "Cleared" condition requires no further action on your part.

CLEARANCE AGENCIES: For city agencies, perform electronic clearance action(s) using PCIS **and** complete this form. For non-city agencies or PCIS outages, complete this form.

Description of Work: CONSTRUCTION OF: 30 double (22 double at east side for compact vehicles and 8 double at west side for standard vehicles) vehicle lift sytems - 2 levels; (DP003 - larr # 930501), mechanical car stackers (for 60 cars), additional 5 tandem parking stalls, and 3 accessible paking stalls at grade level.

Building & Safety Contact

Plan Check Office: METRO

PC Engineer: Bidyut Rath

Status	Clearance Description and New Status
Cleared	**Agency: City Planning Department** **Description:** Coastal Development Permit **Address Code: 2** Electronic Clearance ☒ By : BWOOTEN Date: 03/14/16 Phone:_____ Comments: Approved per Conditions of Approval for ZA-2014-3650-CDP, and per "approved" plans stamped and dated 3/14/16. and California Coastal Comission permit application No. 5-15-1708
Cleared	**Agency: City Planning Department** **Description:** Parking lot w/ >20 cars per 12.21A6(g) or (h), or >6 cars per 12.42B **Address Code: 2** Electronic Clearance ☒ By : ECLAROS Date: 01/13/16 Phone:_____ Comments: Not applicable to the scope of work
Cleared	**Agency: City Planning Department** **Description:** Approval for Specific Plan: Venice Costal Zone **Address Code: 2** Electronic Clearance ☒ By : SSYUMUL Date: 04/14/14 Phone:_____ Comments: per Greg Shoop, exempt from VSP proj permit review.

Cleared	**Agency:** **City Planning Department**	**Description:** Zoning Administrator Case #: ZA-2014-3650-CDP
	Address Code: **2**	
	Electronic Clearance ☒ By : BWOOTEN	Date: 03/14/16 Phone:_____
	Comments: Approved per Conditions of Approval for ZA-2014-3650-CDP, and per "approved" plans stamped and dated 3/14/16. and California Coastal Comission permit application No. 5-15-1708	
Cleared	**Agency:** **City Planning Department**	**Description:** Zoning Administrator Case #: ZA-1985-446
	Address Code: **2**	
	Electronic Clearance ☒ By : ECLAROS	Date: 01/13/16 Phone:_____
	Comments: Not applicable to the scope of work	
Cleared	**Agency:** **City Planning Department**	**Description:** Zoning Administrator Case #: ZA-1985-445-CUZ
	Address Code: **2**	
	Electronic Clearance ☒ By : ECLAROS	Date: 01/13/16 Phone:_____
	Comments: Not applicable to the scope of work	
Cleared	**Agency:** **Department of Building and Safety**	**Description:** Approval of Disabled Access corrections
	Address Code: **4**	
	Electronic Clearance ☒ By : SCLIN	Date: 01/14/16 Phone:_____
	Comments:	
Cleared	**Agency:** **Department of Building and Safety**	**Description:** Hold applied bad check invoice #6828774
	Address Code: **4**	
	Electronic Clearance ☒ By : RBDUNCAN	Date: 04/11/16 Phone:_____
	Comments:	
Cleared	**Agency:** **Los Angeles Fire Department**	**Description:** Hydrants and access around building
	Address Code: **5**	
	Electronic Clearance ☒ By : RDUFF	Date: 03/01/16 Phone:_____
	Comments:	
Cleared	**Agency:** **Los Angeles Fire Department**	**Description:** Automated Parking Garage or Mechanical Car Lift
	Address Code: **5**	
	Electronic Clearance ☒ By : SADAMIAN	Date: 03/15/16 Phone:_____
	Comments:	

Cleared	**Agency: Department of Transportation** **Address Code: 6** Electronic Clearance ☒ By : CALLAN Comments:	**Description:** Compliance with DOT requirement in the Specific Plan: ZI-1874, Coastal Transportation Corridor Specific Plan Date: 01/13/16 Phone:_____

End of Clearance(s) for 14020 - 10000 - 00608. Refer to "ADDRESS CODES" sheet for clearance agency address/phone information.

EXHIBIT C

City of Los Angeles
Department of Building and Safety

Current Version 1

Sign Pre-Inspection Report

Pre-Inspection is valid for six months from inspection date.

Address: **29-47 E WINDWARD AVE**

Council District: **11** Permit Application: **19048-30000-02053**

Work Description:

SPI for onsite hand-painted wall sign (8x32) located along existing fence-wall.

Inspector/Telephone: **MICAH WILLIAMS, (213) 252-3088**

Inspection District: **WLA**

Inspection Date: **08/16/2019**

Sign Within 500 Feet of Freeway? **No**
Request DOT Inspection? **No**
Does the Sign Need To Be Resubmitted? **No**
If Yes, Why:
Off-Site Sign? **Yes**
Sign Face? **Single-Sided**
Plot Plan Reflect Job Site? **Yes**
Is Plot Plan Complete? **No see comments**
Sign Within Visibility Triangle? **No**
Street Sign Faces: **South**
Projecting, Monument and/or Pole Sign Within 15 Feet? **No**
All Existing Signs Shown on Polt Plan Correct? **No**
Height to Top of Sign: **8'-0"?**
Width of Sign: **8'-0"?**
Length of Sign: **32'-0"?**
Number of Signs on-Site and Off-Site: **1**
Orientation (in Degrees) from Street: **180**

Business Name: **?**

Sign Contractor/Telephone: **Daniel Freedman (310) 785-5391**

Comments: **Plan Check to determine sign type. Sign does not meet definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10. Off-site painted sign at proposed location at time of inspection. No elevation included in scanned documents. No dimensions included on plot plan.**

29 - 47 E Windward Ave

Application #:
Plan Check #: B19WL04574
Event Code:

19048 - 30000 - 02053
Printed: 08/15/19 10:35 AM

Sign
Onsite
Plan Check at Counter
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR PRE-INSPECTION

Last Status: Application Submittal
Status Date: 08/15/2019

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
VENICE OF AMERICA	1	5		M B 6-126/127	106-5A143 27	4226 - 008 - 025

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 11
Certified Neighborhood Council - Venice
Community Plan Area - Venice
Census Tract - 2735.02
Coastal Zone Cons. Act - Calvo Exclusion Area
Coastal Zone Cons. Act - Coastal Zone Commission Auth
District Map - 106-5A143
Energy Zone - 6
Fire District - 1 (Entire parcel)
Earthquake-Induced Liquefaction Area - Yes
Methane Hazard Site - Methane Zone
Near Source Zone Distance - 5.2
Thomas Brothers Map Grid - 671-G6

ZONES(S): C2-1-CA

4. DOCUMENTS

ZI - ZI-1874 LA Coastal Transportation	ZA - ZA-1985-445-CUZ	SPA - Venice Coastal Zone	ORD - ORD-172019
ZI - ZI-2273 Venice Coastal Zone	ZA - ZA-1985-446-CUZ	ORD - ORD-129944	ORD - ORD-172897
ZI - ZI-2406 Dir Inter of Venice SP for S	ZA - ZA-2014-3650-CDP	ORD - ORD-130337	ORD - ORD-173575-SA30
ZI - ZI-2452 Transit Priority Area in the	SPA - Los Angeles Coastal Transportatio	ORD - ORD-168999	ORD - ORD-175693

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
BILL, GERARD A TR TONY BILL TRUST 3163 DONALD DOUGLAS LOOP S SANTA MONICA CA 90405

Tenant:

Applicant: (Relationship: Agent for Owner)
DANIEL FREEDMAN - (310) 785-5391

7. EXISTING USE **PROPOSED USE**

8. DESCRIPTION OF WORK
SPI for onsite hand-painted wall sign (8x32) located along existing fence-wall.

9. # Bldgs on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By:
OK for Cashier
Signature:
DAS PC By.
Coord. OK:
Date:

For inspection requests, call toll-free **(888) LA4BUILD** (524-2845), or request inspections via **www.ladbs.org.** To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

For Cashier's Use Only **W/O #: 94802053**

11. PROJECT VALUATION & FEE INFORMATION Pre-Inspection Fee Period

Permit Valuation:	PC Valuation:
PRE-INSPECTION TOTAL Sign	157.62
D.S.C. Surcharge	3.63
Sys. Surcharge	7.26
Planning Surcharge	7.26
Planning Surcharge Misc Fee	10.00
Planning Gen Plan Maint Surcharg	8.47
Sign Preinspection	121.00

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

[illegible] Department of Building and Safety
WL M CA 3020001210 8/15/2019 10:[illegible] AM

BLDG PERMIT COMM	$121.00
SYSTEMS DEV SURCH	$7.26
GEN PLAN MAINT SURCH	$8.47
DEV SERV CENTER SURCH	$3.63
CITY PLAN SURCH	$7.26
MISCELLANEOUS	$10.00
Sub Total:	$157.62

Receipt #: 0002161593

29-47 E WINDWARD AV - 19048-30000-02053

Pre-Inspection Request
Not a Permit Application

B

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

APPLICATION FOR BUILDING PERMIT OR GRADING & CERTIFICATE OF OCCUPANCY

FOR OFFICE USE ONLY

PCAM #: _____ Q-Matic #: _____

PCIS #: _____

LADBS Express Permit may be obtained online at LADBS.ORG

PROJECT ADDRESS

Number & Street Name	City	Zip Code	Unit No.
29-47 Windward	Los Angeles	90291	N/A

WORK DESCRIPTION

Briefly describe the scope of work:

S.P.I. for on-site hand-painted wall sign (8x32) located along existing fence-wall.

Number of Buildings on property and their use: 0

PROJECT VALUATION: $ 500 (____ OF ____)

USE OF BUILDING:

Existing Use:
☐ Single Family Dwelling ☐ Duplex
☐ Apartment/Condo ☒ Commercial
☐ Other: _____

Proposed Use:
☐ Single Family Dwelling ☐ Duplex
☐ Apartment/Condo ☒ Commercial
☐ Other: _____

PDPP:
☐ Zoning ☐ Life Safety ☐ Structural
☐ Other: _____

APPLICANT

Name	Email	
Daniel Freedman, Representative	DFF@JMBM.COM	@

Number & Street Name	City & Zip Code	Phone Number
1900 Avenue of the Stars, 7th Floor	Los Angeles 90067	(310) 785-5391

☒ **Agent for Owner/Builder.** Original authorization letter and Owner-Builder Declaration will be required at the time the permit is issued.
☐ **Agent for Contractor.** A current, original notarized authorization letter dated within the past year will be required at the time the permit is issued.
☐ Architect ☐ Contractor ☐ Developer ☐ Engineer ☐ Owner ☐ Owner-Builder ☐ Tenant

PROPERTY OWNER

Name	Number & Street Name	City & Zip Code	Phone Number
Gerard Anthony Bill	3163 Donald Douglas Loop South	Los Angeles 90405	N/A

CONTRACTOR

Name	Number & Street Name	City & Zip Code	Phone Number

City of L.A. Business Tax Number	State License Number	Class	Waste Hauler

Worker's Compensation Carrier	Policy Number	Expiration Date

ARCHITECT

Name	State License Number	Expiration Date

Number & Street	City & Zip Code	Phone Number

ENGINEER

Name	State License Number	Expiration Date

Number & Street	City & Zip Code	Phone Number

TENANT

Name	Phone Number

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.

GRADING PRE-INSPECTION INFORMATION

Hillside Grading: ☐ Yes ☒ No

☐ The site is accessible by the Department Inspector at all times.

☐ The site is not accessible by the Department Inspector at all times (i.e. loose dogs, locked gates, etc.).

If not accessible, please provide the name and phone number of a contact person for grading Inspector to call to obtain access to the property:

Name: _____ Phone: _____

Is the site larger than one acre: ☐ Yes ☐ No

PLEASE NOTE that a $65.00 re-inspection fee will be charged if the inspector cannot access the site on the first visit and delays in the plan review may result.

FOR OFFICE USE ONLY

☐ Single Family Dwelling/Duplex ☐ Apartment/Condo ☐ Commercial
☐ Earthquake (Retrofit Only) ☐ Major Structure

☐ Building – New ☐ Grading Permit ☐ Non-Building – Addition
☐ Building – Addition ☐ Sign Permit ☐ Non-Building – Alter/Repair
☐ Building – Alter/Repair ☐ Swimming – Pool/Spa ☐ Non-Building – Demolition
☐ Building – Demolition ☐ Non-Building – New ☐ Building – Use of Land

DOCUMENT CHECKLIST:

Sets of Plans: ☐ Structural Plan Check ☐ Disabled Access Plan
☐ Grading Pre-Inspection (GPI) ☐ Green Building (Mandatory) (Tier 1) (Tier 2)

☐ Structural Calculation ☐ Joint Referral Form ☐ Methane Report
☐ Soil/Geology Report ☐ Mulholland Referral Form ☐ LAHD Checklist
☐ Energy Calculation ☐ City Planning Case(s) ☐ Modification(s)
☐ Hillside Referral Form ☐ GPI Report/Posting ☐ TOC Application Form
☐ Slope Band Analysis ☐ Lateral Support Review Acknowledgment
☐ Others: _____

PROJECT VALUATION & FEE INFORMATION:

Fee Period: ☐ Submittal Fees ☐ Submittal 2 Fees
☐ Handicap Surcharge ☐ Energy Surcharge
☐ Green Building Fee

D A C AR AD AC RW G SP S X

☐ REGULAR P.C. ☐ ECPC ☐ OTC
☐ EXPEDITE ☐ APC

Engineer: VA **Hours:** SPT

Pre-Inspection Reports:
☐ DPI ☒ SPI ☐ GPI
☐ Posting Required ☐ Oak Tree (OTPI)

For Cashier's Use Only

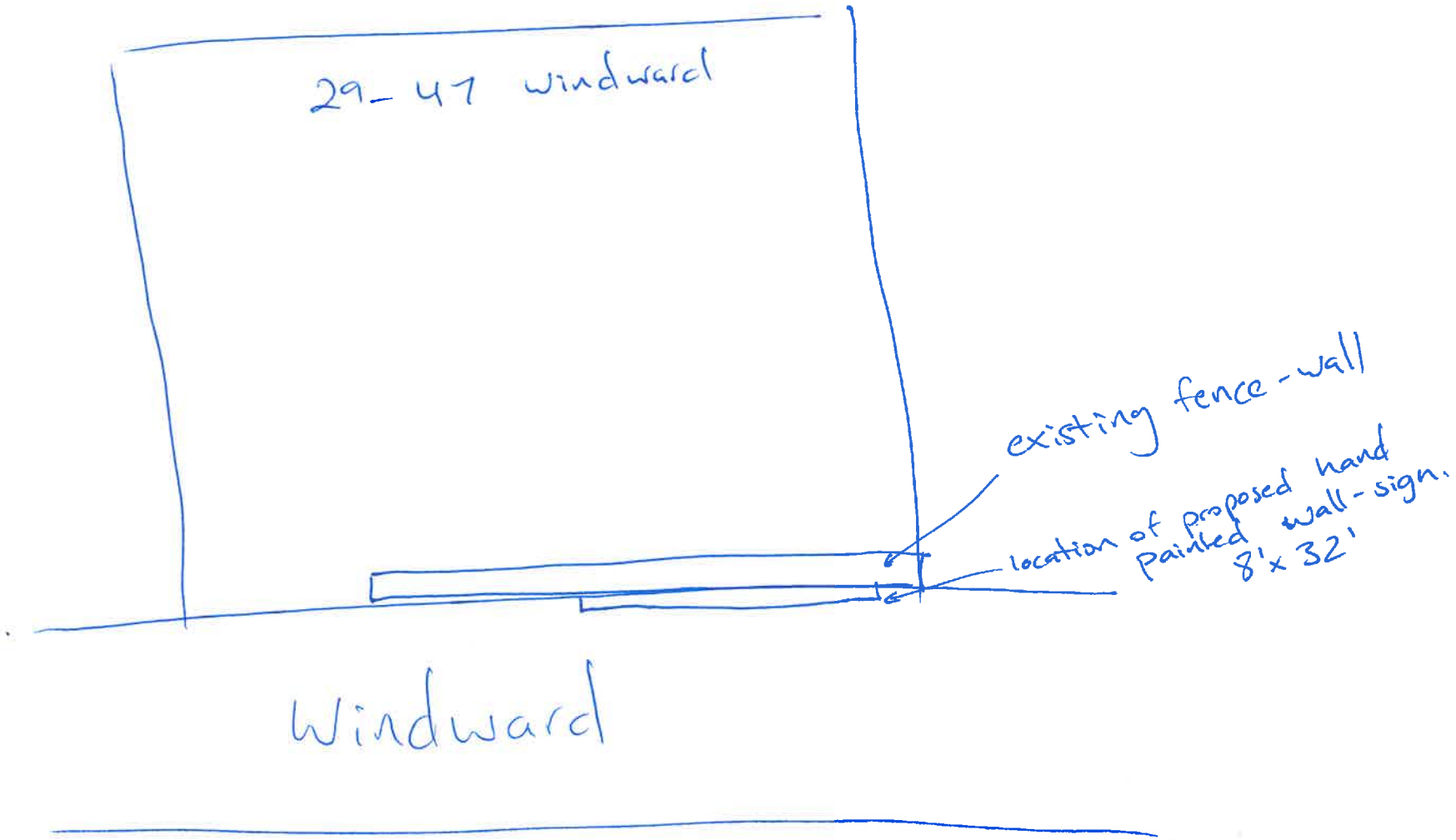

29-41 windward
existing fence-wall
location of proposed hand painted wall-sign. 8' x 32'
Windward

EXHIBIT D

LA0150180

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT
E. FELICIA BRANNON
VICE-PRESIDENT
JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

FRANK M. BUSH
GENERAL MANAGER

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

ORDER TO COMPLY AND NOTICE OF FEE

BILL,GERARD A TR TONY BILL TRUST
3163 DONALD DOUGLAS LOOP S
SANTA MONICA, CA 90405

The undersigned mailed this notice by regular mail, postage prepaid, to the addressee on this day,

MAR 22 2018

To the address as shown on the last equalized assessment roll.
Initialed by

CASE #: 807072
ORDER #: A-4660847
EFFECTIVE DATE: March 28, 2018
COMPLIANCE DATE: **April 02, 2018**

OWNER OF
SITE ADDRESS: **47 E WINDWARD AVE**
ASSESSORS PARCEL NO.: 4226-008-025
ZONE: C2; Commercial Zone

An inspection has revealed that the property (Site Address) listed above is in violation of the Los Angeles Municipal Code (L.A.M.C.) sections listed below. You are hereby ordered to correct the violation(s) and contact the inspector listed in the signature block at the end of this document for a compliance inspection by the compliance date listed above.

FURTHER, THE CODE VIOLATION INSPECTION FEE (C.V.I.F) OF **$ 356.16** ($336 fee plus a six percent Systems Development Surcharge of $20.16) **WILL BE BILLED TO THE PROPERTY OWNER.** The invoice/notice will be sent to the owner as it appears on the last equalized assessment roll. Section 98.0421 L.A.M.C.

NOTE: FAILURE TO PAY THE C.V.I.F. WITHIN 30 DAYS OF THE INVOICE DATE OF THE BILL NOTED ABOVE WILL RESULT IN A LATE CHARGE OF TWO (2) TIMES THE C.V.I.F. PLUS A 50 PERCENT COLLECTION FEE FOR A TOTAL OF **$1,176.00.**
Any person who fails to pay the fee, late charge and collection fee, shall also pay interest. Interest shall be calculated at the rate of one percent per month.

The inspection has revealed that the property is in violation of the Los Angeles Municipal Code as follows:

VIOLATION(S):

1. **Sign constructed without a valid building permit.**

You are therefore ordered to: 1) Discontinue the use of the unapproved sign constructed without permits and approvals.
2) Obtain the required permits and approvals or demolish and remove the sign and/or sign support structure.

Code Section(s) in Violation: 91.6216.3, 91.6201.2, 91.6201.4, 91.103.1, 12.21A.1.(a), 14.4.10 of the L.A.M.C.

Comments: Two approx. 8'x12' off site wall signs facing Windward Ave.

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.

NON-COMPLIANCE FEE WARNING:

YOU ARE IN VIOLATION OF THE L.A.M.C. IT IS YOUR RESPONSIBILITY TO CORRECT THE VIOLATION(S) AND CONTACT THE INSPECTOR LISTED BELOW TO ARRANGE FOR A COMPLIANCE INSPECTION BEFORE THE NON-COMPLIANCE FEE IS IMPOSED. Failure to correct the violations and arrange for the compliance inspection within 15 days from the Compliance Date, will result in imposition of the fee noted below.

In addition to the C.V.I.F. noted above, a proposed noncompliance fee in the amount of **$660.00** may be imposed for failure to comply with the order within 15 days after the compliance date specified in the order or unless an appeal or request for slight modification is filed within 15 days of the compliance date.
If an appeal or request for slight modification is not filed within 15 days of the compliance date or extensions granted therefrom, the determination of the department to impose and collect a non-compliance fee shall be final. Section 98.0411 L.A.M.C.

NOTE: FAILURE TO PAY THE NON-COMPLIANCE FEE WITHIN 30 DAYS AFTER THE DATE OF MAILING THE INVOICE, MAY RESULT IN A LATE CHARGE OF TWO (2) TIMES THE NON-COMPLIANCE FEE PLUS A 50 PERCENT COLLECTION FEE FOR A TOTAL OF **$2,310.00.**
Any person who fails to pay the non-compliance fee, late charge and collection fee shall also pay interest. Interest shall be calculated at the rate of one percent per month.

PENALTY WARNING:

Any person who violates or causes or permits another person to violate any provision of the Los Angeles Municipal Code (L.A.M.C.) is guilty of a misdemeanor which is punishable by a fine of not more than $1000.00 and/or six (6) months imprisonment for each violation. Section 11.00 (m) L.A.M.C.

INVESTIGATION FEE REQUIRED:

Whenever any work has been commenced without authorization by a permit or application for inspection, and which violates provisions of Articles 1 through 8 of Chapter IX of the Los Angeles Municipal Code (L.A.M.C.) , and if no order has been issued by the department or a court of law requiring said work to proceed, a special investigation fee which shall be double the amount charged for an application for inspection, license or permit fee, but not less than $400.00 , shall be collected on each permit, license or application for inspection. Section 98.0402 (a) L.A.M.C.

APPEAL PROCEDURES:

There is an appeal procedure established in this city whereby the Department of Building and Safety and the Board of Building and Safety Commissioners have the authority to hear and determine err or abuse of discretion, or requests for slight modification of the requirements contained in this order when appropriate fees have been paid. Section 98.0403.1 and 98.0403.2 L.A.M.C.

If you have any questions or require any additional information please feel free to contact me at (213)252-3081.
Office hours are 7:00 a.m. to 3:30 p.m. Monday through Thursday.

Inspector: _____ Date: March 15, 2018

MIKE WANG
221 N. FIGUEROA ST. SUITE 1100
LOS ANGELES, CA 90012
(213)252-3081
Mike.Wang@lacity.org

REVIEWED BY

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.

EXHIBIT E



Case No.: 807072
Date: 3/5/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Off-site painted wall sign.



Case No.: 807072
Date: 5/14/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 5/14/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



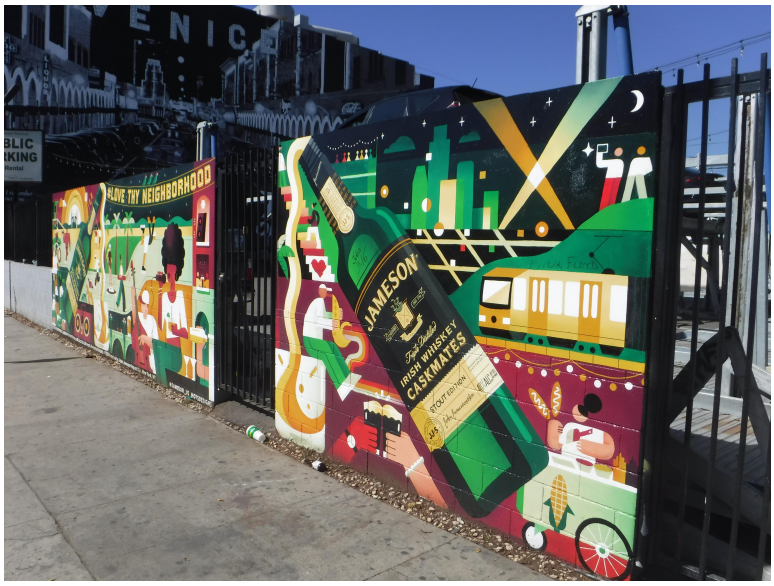
Case No.: 807072
Date: 6/19/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 6/19/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 10/17/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 3/19/2019 1:53:50 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



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Case No.: 807072
Date: 7/31/2019 4:30:00 PM
Taken By: MICAH WILLIAMS
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.

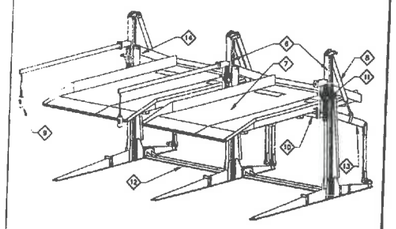


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Case No.: 807072
Date: 8/16/2019 4:30:00 PM
Taken By: MICAH WILLIAMS
Address: 47 E WINDWARD AVE

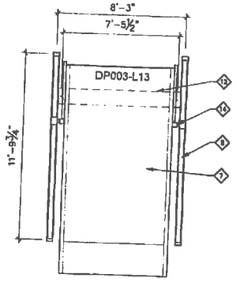
Comments: Sign remains

EXHIBIT F

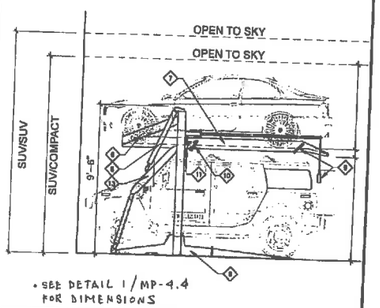


PARK PLUS MODEL: DP003-L13
LAETL GENERAL APPROVAL:
LARR# 930501

DP003-L13 EQUIP. AXON — scale: NTS — ref. no. — 20

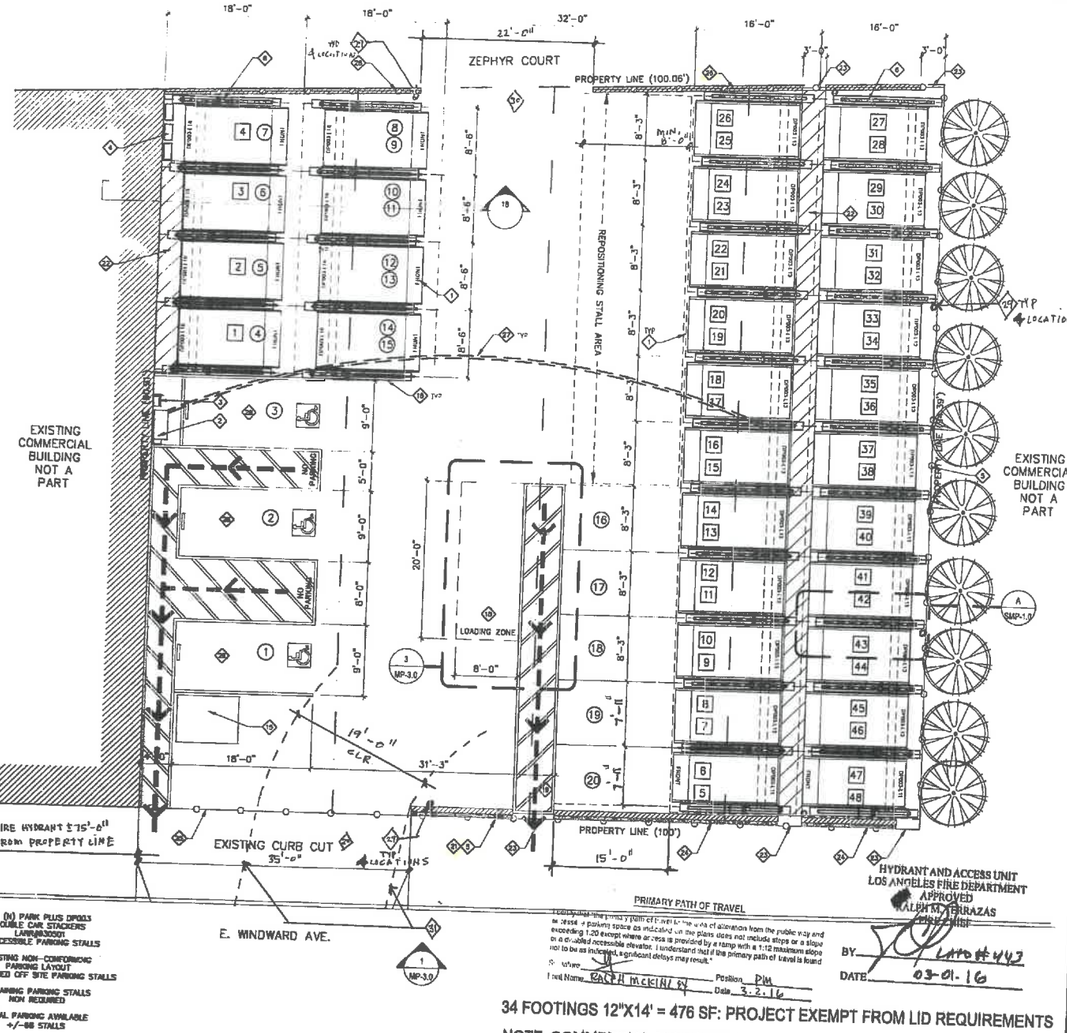


DP003-L13 EQUIP. PLAN — scale: 1/4" = 1'-0" — ref. no. — 19



• SEE DETAIL 1/MP-4.4 FOR DIMENSIONS

DP003-L13 SECTION/ELEV — scale: NTS — ref. no. — 18



MECHANICAL PARKING EQUIPMENT SITE PLAN — scale: 1/8"=1'-0" — ref. no. — 6

1 PARK PLUS DP003 L13 DOUBLE PARKING SYSTEM LARR 930501
2 HPS30-3P HYDRAULIC POWER PACK LARR 930501 (208/220V 3P~ 60HZ - 10HP - 28.4 AMPS)
3 40 AMP FUSED DISCONNECT
4 EXISTING ELECTRICAL PANEL
5 EXISTING WROUGHT IRON FENCE TO REMAIN
6 END LEG ASSEMBLY
7 PLATFORM ASSEMBLY
8 HYDRAULIC CYLINDER
9 CONTROLS
10 SAFETY LOCKS ASSEMBLY
11 ADJUSTABLE HEIGHT BOOMERET ASSEMBLY
12 SEISMIC BEAM ASSEMBLY
13 PARALLEL ARM ASSEMBLY
14 TRIPLE BASE FRAME ASSEMBLY
15 [illegible]
16 [illegible]
17 EXISTING SURFACE PARKING LOT STRIPING TO REMAIN
18 PASSENGER DROP-OFF AND LOADING ZONE PER SECTION 118-503
19 SECTION 118-503.3.3 MARKING ACCESS AISLE SHALL BE MARKED WITH A PAINTED BORDERLINE AROUND THEIR PERIMETER. THE AREA WITHIN THE BORDERLINES SHALL BE MARKED WITH HATCHED LINES A MAXIMUM OF 36 INCHES ON CENTER IN A COLOR CONTRASTING WITH THAT OF THE AISLE SURFACE
20 EACH PASSENGER LOADING ZONE MUST HAVE A SIGN PER SECTION 118-503.5
21 NEW 42" HIGH BLOCK WALL WITH EXISTING 6'-0" TALL WROUGHT IRON FENCE IN FRONT OF NEW BLOCK WALL TO REMAIN. BLOCK WALL TO HAVE ANTI GRAFFITI COATING
22 36' WIDE FIRE DEPARTMENT ACCESS PATH
23 38' WIDE WROUGHT IRON GATE AT ACCESS PATHWAY
24 LANDSCAPE VINE POCKETS - COAST MORNING GLORY
25 EXISTING WROUGHT IRON FENCE AT DRIVEWAY ENTRANCE TO REMAIN
26 EXISTING WROUGHT IRON FENCE TO BE REMOVED AND SALVAGED. NEW 42" HIGH BLOCK WALL WITH SALVAGED WROUGHT IRON FENCE UP TO 6'-0" TALL
27 TRENCH FOR NEW ELECTRICAL CONDUIT AND HYDRAULIC LINE UNDERGROUND MINIMUM 24" DEEP
28 ACCESSIBLE PARKING STALLS. SEE DETAIL 3/MP3.0
29 EXISTING LIGHT FIXTURE WITH NEW LIGHT SHIELD. SEE DETAIL 19/MP-2.0
30 EXISTING DRIVEWAY
31 TURNING RADIUS PER FIGURE 7 P/ZC 2002-001

KEY NOTES — scale: NTS — ref. no. — 16

SHEET INDEX — scale: NTS — ref. no. — 15

1. MP- 1.0 - SITE PLAN
2. MP- 1.1 - LARR
3. MP-3.0 - ELEVATION AND ACCESSIBLE PARKING
4. SMP- 1.0 - STRUCTURAL GENERAL NOTES
5. SMO-1.1 - STRUCTURAL GENERAL NOTES
6. SMP- 2.0 - FOUNDATION PLAN & DETAILS

PLACEMENT OF DETECTABLE WARNING AT DISABLED ACCESS SECTION

[illegible] set of plans and specifications has been reviewed and is approved for [illegible] compliance with state and local laws and ordinances related to accessibility to the disabled per the recommendations and housing.

[illegible] stamping of this set of plans and specifications shall not be held to permit or to be an approval of the violation of any provisions of federal, state, and local laws and ordinances related to accessibility to public accommodations.

Shine Lin 3/2/16
Total of 2 Sheets
14020-10000-00608

PROJECT INFORMATION — scale: NTS — ref. no. — 5

ADDRESS: 29-47 E. WINDWARD AVE. LOS ANGELES, CA 90291
USE: MECHANICAL ACCESS OPEN PARKING GARAGE. COMMERCIAL ATTENDED SURFACE PARKING LOT WITH MECHANICAL CAR STACKERS
WORK: CONSTRUCTION OF (30) DP003 DOUBLE MECHANICAL CAR STACKER. LARR# 930501
APN: 4226008015
LEGAL DESCRIPTION:
TRACT: VENICE OF AMERICA
MAP REFERENCE: M R 6-125/127
BLOCK: 1
LOT: 5, 6, 7, 8 & 9
ARB (LOT CUT REF.): NONE
MAP SHEET: 108-5A143
ZONING: C2-1-CA

PLANS APPROVED City of Los Angeles Department of City Planning
Date: 3/15/16 By:
Comments: ZA-2014-3650-CDP

1. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOKUP. THE CONSTRUCTION SHALL NOT BE WITHIN 10' OF ANY POERT LINES-WHEATHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.
2. AN APPROVED SEISMIC GAS SHUTOFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING." (PER ORDINANCE 170,158) (INCLUDES COMMERCIAL ADDITIONS AND TI WORK OVER $10,000.00) SEPARATE PLUMBING PERMIT REQUIRED.
3. A COPY OF THE EVALUATION REPORT AND/OR CONDITIONS OF LISTING SHALL BE MADE AVAILABLE AT THE JOB SITE.

GENERAL NOTES — scale: NTS — ref. no. — 4

1 SITE ACCESS OWNER/CONTRACTOR SHALL PROVIDE CLEAR AND UNOBSTRUCTED ACCESS TO THE WORK AREA FOR THE DURATION OF THE INSTALLATION. NO VEHICLES AND OR MATERIALS OF ANY KIND MAY BE PARKED WITHIN 10' OF THE PERIMETER OF THE INSTALLATION AREA. NOTHING SHALL BE STORED WITHIN THE PERIMETER OR WITHIN 10 FEET OF THE PERIMETER OF THE INSTALLATION AREA. THIS INCLUDES BUT IS NOT LIMITED TO CONSTRUCTION MATERIALS, DEBRIS, TRASH, VEHICLES, ETC. THE USE OF FORKLIFTS (UNLESS PROVIDED BY PARK PLUS INC.) OWNER/CONTRACTOR SHALL PROVIDE CLEAR AND ROLLABLE ACCESS FOR SAME THROUGH THE DURATION OF THE INSTALLATION. IN THE EVENT THAT CLEAR UNOBSTRUCTED ACCESS IS NOT PROVIDED PARK PLUS INC. RESERVES THE RIGHT TO CHARGE FOR ANY DELAYS CAUSED TO VERIFY SITE CONDITIONS MEET ALL EQUIPMENT SPECIFICATIONS PRIOR TO SHIPPING.
2 BUILDING POWER OWNER/CONTRACTOR SHALL PROVIDE ELECTRICAL POWER FOR TOOLS DURING INSTALLATION AS WELL AS ELECTRIC CURRENT FOR STARTING TESTING AND ADJUSTING THE LIFTS. IF POWER IS TEMPORARY IT SHALL BE OF THE PERMANENT CHARACTERISTICS AND BE PROVIDED WITH GROUNDED AND BONDED DISCONNECTS
3 SPRINKLERS IF SPRINKLERS ARE TO BE PROVIDED OWNER/CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATION OF SAME WITH PARK PLUS INC. TO MINIMIZE INTERFERENCE WITH THE LIFTS AND MAXIMIZE PARKING. IF UTILITY IF PARK PLUS MUST RELOCATE LIFTS AND OR CUSTOMIZE UP ELEVATIONS TO ACCOMMODATE NEW SPRINKLER INSTALLATIONS, WORK WILL BE DONE ON AN ADDITIONAL TIME AND MATERIAL BASIS.
4 ELECTRICAL RACEWAYS AND PLUMBING PARK PLUS INC WILL NOT BE RESPONSIBLE FOR THE RELOCATION OF ELECTRICAL RACEWAYS AND OR PLUMBING THAT MAY INTERFERE WITH THE LIFT(S) INSTALLATION AND OR OPTIMAL OPERATION
5 MECHANICAL SYSTEMS OWNER/CONTRACTOR IS RESPONSIBLE TO ENSURE ADEQUATE CLEARANCE IS MAINTAINED FOR OPTIMAL OPERATION OF THE LIFT(S). ANY OBSTRUCTION ENCROACHING INTO THE LIFT(S) IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR AND MAY REQUIRE ADDITIONAL GOVERNMENTAL APPROVALS
6 CUTTING AND PATCHING OWNER/CONTRACTOR IS RESPONSIBLE FOR CUTTING AND PATCHING ANY CONCRETE OR ASPHALT INCLUDING CUTOUTS TO ACCOMMODATE CONDUIT OR HYDRAULIC LINE RUNS. OWNER TO PROVIDE PVC CONDUIT FROM POWER PACK TO EACH ROW OF LIFTS. CONTRACTOR TO USE LARGE SWEEPS WHERE AVAILABLE
7 EPOXY AND/OR BOLTS OWNER/CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATIONS OF ALL ELECTRICAL OR OTHER SERVICES EXISTING IN SLABS TO AVOID DAMAGES CAUSED AS RESULT OF DRILLING FOR THE ANCHOR BOLTS. OWNER/CONTRACTOR TO PROVIDE ANCHOR BOLTS AND EPOXY ADHESIVE AND/OR PER THE APPROVED STRUCTURAL ENGINEERS DRAWINGS. OWNER TO PROVIDE REQUIRED DEPUTY INSPECTIONS
8 MAIN ELECTRICAL DISCONNECT OWNER/CONTRACTOR TO PROVIDE A FUSED LOCKABLE DISCONNECT SWITCH FOR EACH HYDRAULIC POWER PACK. DISCONNECT TO BE INSTALLED BY LICENSED ELECTRICAL CONTRACTOR. AN ELECTRICAL PERMIT IS REQUIRED FOR THE INSTALLATION OF THE ELECTRICAL DISCONNECT. INSTALLATION MUST CONFORM TO THE STANDARDS IN THE NATIONAL ELECTRICAL CODE WITH FEEDER OR BRANCH WIRING TO THE BUILDING POWER SUPPLY. DISCONNECT TO MEET MANUFACTURES SPECIFICATION AND MUST BE GROUNDED AND BONDED
9 CONCRETE SLAB/FOUNDATIONS ALL LIFTS MUST BE ANCHORED TO AN ENGINEERED APPROVED CONCRETE SLAB/FOUNDATION TO BE PROVIDED BY OWNER/CONTRACTOR. OWNER/CONTRACTOR TO ENSURE THAT REBAR PLACEMENT DOES NOT INTERFERE WITH THE EPOXY AND/OR BOLT SYSTEM. OWNER CONTRACTOR TO PRE DRILL ANCHOR BOLT HOLES PRIOR TO INSTALLATION OF LIFTS. RELOCATION OF ANCHOR BOLTS IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR. CONCRETE CONTROL JOINTS MUST BE LOCATED AT LEAST 3' AWAY FROM EPOXY ANCHOR BOLTS. MAXIMUM ALLOWABLE SLOPE UNDER LIFTS IS 2%
10 LIGHTING ANY MODIFICATION OF INSTALLATION OF LIGHTS AND/OR GFI ELECTRICAL OUTLETS REQUIRED AS A RESULT OF THE LIFT(S) INSTALLATION IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR FOR INDOOR INSTALLATION OWNER/CONTRACTOR SHALL PROVIDE SUFFICIENT LIGHTING TO PROVIDE A SAFE WORK AREA
11 INSTALLATION LIFTS(S) TO BE INSTALLED PER MANUFACTURES SPECIFICATION BY AN AUTHORIZED INSTALLER. A BUILDING PERMIT IS REQUIRED FOR INSTALLATION OF LIFT(S). ALL LIFT INSTALLATIONS MUST BE APPROVED BY PARK PLUS INC.'S STRUCTURAL ENGINEER. HANDICAP PARKING AND OTHER PARKING REQUIREMENTS ARE THE RESPONSIBILITY OF THE OWNER.
12 WORK BY OTHERS ALL "WORK BY OTHERS" MUST EITHER BE COMPETED PRIOR TO PARK PLUS INC MOBILIZATION OR BE PROPERLY SCHEDULED AS TO NOT OBSTRUCT THE PROGRESS OF THE LIFT(S) INSTALLATION.
13 HEAT AND SMOKE DETECTION OWNER/CONTRACTOR IS RESPONSIBLE FOR ALL HEAT AND SMOKE DETECTION. IF HEAT AND/OR SMOKE DETECTION ALREADY EXIST OWNER/CONTRACTOR AGREE TO ISOLATE AND OR INTERRUPT THE DEVICES LOCATED IN OR NEAR THE WORK AREA FOR THE DURATION OF THE WORK. IT IS THE OWNERS RESPONSIBILITY TO MODIFY EXISTING HEAT AND SMOKE DETECTION TO ALLOW PROPER PERFORMANCE OF THE LIFT
14 SIGNAGE IT IS THE OWNER/CONTRACTORS RESPONSIBILITY TO PROVIDE ALL REQUIRED SIGNAGE FOR THE PROJECT. PARK PLUS WILL PROVIDE ALL SAFETY AND WARNING LABELS REQUIRED ON THE EQUIPMENT.

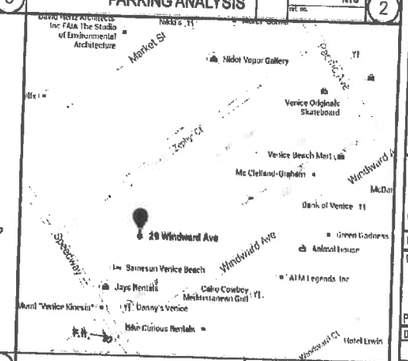
BUILDING DEPT NOTES — scale: NTS — ref. no. — 3

20 20 - OFFSITE PARKING STALLS (CODE REQUIRED PARKING FOR 72 MARKET STREET)
48 48 - NON CODE REQUIRED PARKING STALLS

66 - TOTAL NUMBER OF STALLS

1 - VAN ACCESSIBLE STALL
2 - REGULAR ACCESSIBLE STALLS
16 - STANDARD STALLS
49 - COMPACT STALLS

PARKING ANALYSIS — scale: NTS — ref. no. — 2



VICINITY MAP — scale: NTS — ref. no. — 1

OWNER
Los Angeles Department of Building & Safety
APPROVED PLANS
Approval of plans are not approval for construction until the required permit fees are paid. Approved plans will be held for two years from the date the permit fees are paid.
Permit No / Application No / Log No
DATE 3/26/16
14020 10000 00608
Permit Number "Issued" status means the permit fees have been paid
This set of plans MUST be at the job site during construction
The stamping of this plan SHALL NOT be held to permit or to be an approval of the violation of any provisions of any Ordinance or Law
SEPARATE permits are required for BUILDING, ELECTRICAL, PLUMBING, FIRE SPRINKLERS, ELEVATOR, HEATING or REFRIGERATION work, unless this permit was issued as an accommodation permit for a One or Two Family Dwelling pursuant to LAMC Section 91.0106.2.2. and the work by that trade does not require Plan Check

ARCHITECT'S/ENGINEER'S STAMP

LICENSED
JOHN GILMORE DEENIHAN
C
REN 06/31
STATE OF CALIFORNIA

NOTES

THIS CONFIDENTIAL DOCUMENT IS THE PROPERTY OF PARK PLUS INC AND SHALL NOT BE GIVEN, COPIED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT

LOS ANGELES DEPARTMENT OF BUILDING & SAFETY
BY: M. Atamia 3/26/16
14020-10000-00608
E16-00495

ISSUE	DATE
PLAN CHECK	2014/03/13
PLAN CHECK RESUBMITTAL	2016/01/14

CLIENT SIGNATURE:

PARKPLUS
HIGH DENSITY VEHICLE STORAGE

PARK PLUS CALIFORNIA - LOS ANGELES OFFICE
2233 Honolulu Ave, Suite 311 - Montrose, CA 91020
TEL: +1-818-248-7636
email: info.ca@parkplusinc.com www.parkplusinc.com

LOCATION PLAN

PROJECT NAME: SAFETY PARK
29-47 E. WINDWARD VE.
LOS ANGELES, CA 90291
CLIENT: SAFETY PARK
PROJECT NUMBER: PP4668
DRAWING DESCRIPTION: PARK PLUS MODEL DP003-L13

PARK PLUS INC. 2013©

DRAWN	CHECKED	CHECKED	DATE
MO	MO	-	2014/03/13

SCALE: As noted
DRAWING NUMBER: MP-1.0
MAR 22 2016





PARK PLUS DOUBLE PARKING SYSTEM IMAGES

SCALE: NTS | REF. NO. | 15

CITY OF LA DBS
DEPARTMENT OF BUILDING AND SAFETY

P/BC 2014-084

THESE DIAGRAMS ILLUSTRATE THE SPECIFIC REQUIREMENTS OF THESE REGULATIONS AND ARE INTENDED ONLY AS AN AID FOR BUILDING DESIGN AND CONSTRUCTION

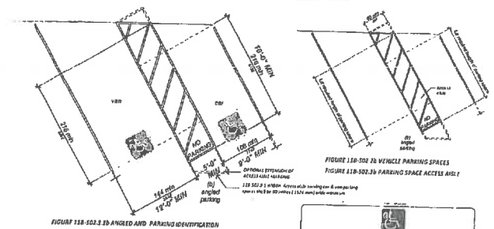


FIGURE 11B-502.3 (a) ANGLED AND PARKING IDENTIFICATION

FIGURE 11B-502.3b VEHICLE PARKING SPACES

FIGURE 11B-502.3b PARKING SPACE ACCESS AISLE

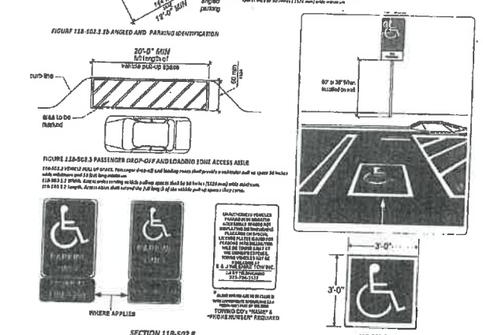


FIGURE 11B-502.3 PASSENGER DROP-OFF AND LOADING ZONE ACCESS AISLE

SECTION 11B-502.8

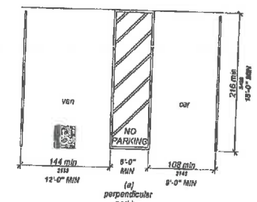
11B-502.6.4.2

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. For efficient handling of information internally and in the Internet, conversion to this new format of code related and administrative information bulletins including MGD and RGA that were previously issued will also allow flexibility and timely distribution of information to the public.

CITY OF LA DBS
DEPARTMENT OF BUILDING AND SAFETY

P/BC 2014-084

THESE DIAGRAMS ILLUSTRATE THE SPECIFIC REQUIREMENTS OF THESE REGULATIONS AND ARE INTENDED ONLY AS AN AID FOR BUILDING DESIGN AND CONSTRUCTION



FOR VAN ACCESSIBLE STALLS, NO PARKING AREA SHALL BE MINIMUM OF 8'-0" WIDE.

FIGURE 11B-502.3a, 502-3c PERPENDICULAR PARKING IDENTIFICATION

11B-502.3.1 WIDTH. Access aisle serving car & van parking spaces shall be 60 inches [1524 mm] wide minimum.

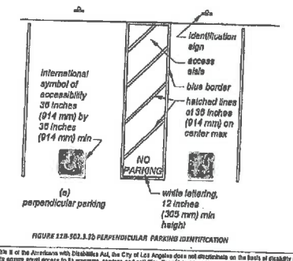
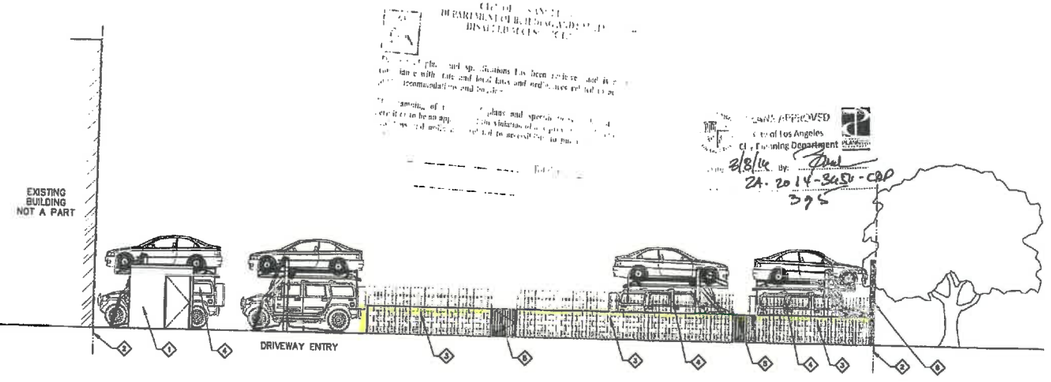


FIGURE 11B-502.3.3b PERPENDICULAR PARKING IDENTIFICATION

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. For efficient handling of information internally and in the Internet, conversion to this new format of code related and administrative information bulletins including MGD and RGA that were previously issued will also allow flexibility and timely distribution of information to the public.

ACCESSIBLE PARKING DETAILS

SCALE: NTS | REF. NO. | 3



CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
APPROVED
City of Los Angeles
City Planning Department
3/8/14 by
24-2014-3455-CDP
395

ELEVATION KEY NOTES:

1. EXISTING VALET STATION TO REMAIN
2. PROPERTY LINE
3. NEW 42" TALL BLOCK WALL WITH EXISTING 6'-0" TALL WROUGHT IRON FENCE ITS FACING TO REMAIN. ANTI-GRAFFITI PAINT TO BE ADDED TO NEW BLOCK WALL.
4. PARK PLUS DP003 DOUBLE PARKING SYSTEM
5. 36" WIDE WROUGHT IRON GATE TO ACCESS PATH
6. 10'-0" TALL EXISTING STEEL FENCE TO REMAIN

ELEVATION

SCALE: 1/16" = 1'-0" | REF. NO. | 1

OWNER

ARCHITECT'S/ENGINEER'S STAMP

LICENSED ARCHITECT
JOHN OLIVER MOORE
C-14147
REN. 8/31
STATE OF CALIFORNIA

NOTES

THIS CONFIDENTIAL DOCUMENT IS THE PROPERTY OF PARK PLUS, INC AND SHALL NOT BE GIVEN, COPIED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT

ISSUE	DATE
PLAN CHECK	2013/10/10
PLAN CHECK RESUBMITTAL	2014/01/14

CLIENT SIGNATURE:

PARKPLUS
HIGH DENSITY VEHICLE STORAGE
PARK PLUS CALIFORNIA - LOS ANGELES OFFICE
2233 Honolulu Ave, Suite 311 - Montrose, CA 91020
TEL: +1-818-248-7636
email: info.ca@parkplusinc.com www.parkplusinc.com

LOCATION PLAN

PROJECT NAME: SAFETY PARK
29-47 WINDWAD
LOS ANGELES, CA 90291

CLIENT: SAFETY PARK

PROJECT NUMBER: PP4868

DRAWING DESCRIPTION: ELEVATION AND ACCESSIBLE STALL DETAIL

PARK PLUS INC. 2013©

DRAWN	CHECKED	CHECKED	DATE
MO	MO	-	03 13 2014

SCALE: AS NOTED

DRAWING NUMBER: MP- 3.0

RTI MAR 2

APPENDIX

DCP
~~DCP~~ Cora Johnson BF DCP 190117

REQUEST FOR MODIFICATION OF BUILDING ORDINANCES

UNDER AUTHORITY OF L.A.M.C. SECTION 98.0403

LA DBS — DEPARTMENT OF BUILDING AND SAFETY

PERMIT APP. #: 19048-30000-02053	DATE: 8/26/2019	For City Dept. Use Only: Building Zoning Grading Shoring Mech. Elec. Plumb. Green D.A. Misc.
JOB ADDRESS: 29-47 Windward		
Tract: Venice of America	Block: 1 Lot: 5-7	
Owner: Gerard Anthony Bill	Petitioner: Gerard Anthony Bill (Representative: Daniel Freedman, JMBM)	
Address: 3163 Donald Douglas Loop South	Address: 3163 Donald Douglas Loop South	
City: Santa Monica State: CA Zip: 90405 Phone: N/A	City: Santa Monica State: CA Zip: 90405 Phone: N/A	

REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY) — **CODE SECTIONS:** LAPC 302.5, 1101.12

[See Attached] Applicant is seeking to erect a wall sign on a free-standing wall located at 29-47 Windward.

Determine that the Dept. of Bldg & Safety erred or abused its discretion in its determination that the wall sign does NA meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10 per Sign Pre Inspection.

JUSTIFICATION (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)

[See Attached] LAMC Sec. 14.4.2 permits wall signs to be "erected against the wall of a building or structure..." LAMC 12.03 defines the term "structure" as the "[a]nything constructed or erected... on the earth." A fence-wall is a structure under the LAMC. Accordingly, a wall sign is permitted to be erected against a fence-wall pursuant to the LAMC. LADBS has erred in refusing to permit a wall sign on a freestanding fence-wall.

Daniel Freedman, JMBM — Owner/Petitioner Name (Print) — (Signature) — Representative — Position

FOR CITY DEPARTMENT'S USE ONLY BELOW THIS LINE

Concurrences required from the following Department(s)

		Approved	Denied
☐ Los Angeles Fire Department	Print Name _____ Sign _____	☐	☐
☐ Public Works Bureau of Engineering	Print Name _____ Sign _____	☐	☐
☐ Department of City Planning	Print Name _____ Sign _____	☐	☐
☐ Department of County Health	Print Name _____ Sign _____	☐	☐
☐ Other _____	Print Name _____ Sign _____	☐	☐

DEPARTMENT ACTION

☐ GRANTED ☒ DENIED

Chikami Suzuki — *Reviewed by: (Staff) (Print)* — Sign — Date: 9/25/19

CORA JOHNSON — *Action taken by: (Supervisor) (Print)* — Sign — Date: 9/25/19

NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF THIS FORM FOR APPEAL PROCEDURES

CONDITIONS OF APPROVAL (Continued on Page 2):

FEES (DEPARTMENT USE ONLY)

Appeal Processing Fee.. (No. of Items) =	1	X $130 + $39/addl	= 130
Inspection Fee ..... (No of Insp.) =		X $ 84.00	=
Research Fee ... (Total Hours Worked) =		X $104.00	=
Subtotal.....			=
Development Services Center Surcharge		X 3%	= 3.90
Systems Development Surcharge.....		X 6%	= 7.80
Total Fees.....			= 141.70

Fees verified by:

Print and Sign CORA JOHNSON

LA Department of Building and Safety
LA NELI [illegible] 8/26/2019 11:02:53 AM
(PROCESS ONLY WHEN FEES ARE VERIFIED)
For Cashiers Use Only

BOARD APPLIC FEE	$130.00
SYSTEMS DEV SURCH	$7.80
DEV SERV CENTER SURCH	$3.90
Sub Total:	$141.70

Receipt #: 0102096031

29-47 Windward

Permit App #:	Job Address:

CONDITIONS OF APPROVAL (Continued from Page 1)

CITY OF LOS ANGELES
BOARD OF BUILDING AND SAFETY/DISABLED ACCESS COMMISSION APPEAL FORM

(Must be Attached to the Modification Request Form, Page 1)

AFFIDAVIT – LADBS BOARD OF BUILDING AND SAFETY COMMISSIONERS – RESOLUTION NO. 832-93

I, _____ do state and swear as follows:
(Print or Type Name of the Person Signing this Form)

1. The name and mailing address of the owner of the property (as defined in the resolution 832-93) at _____ as shown on the appeal application (LADBS Com 31) are correct, and
2. The owner of the property as shown on the appeal application will be made aware of the appeal and will receive a copy of the appeal.

I declare under PENALTY OF PERJURY that the forgoing is true and correct.

Owner's Name(s) _____ _____
(Please Type or Print) (Please Type or Print)

Owner's Signature(s) _____ (Two Officers' Signatures Required for Corporations)
(Please Sign)

Name of Corporation _____ _____
(Please Print Name of Corporation) (Please Type or Print)

Dated this _____ day of _____ 20_____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT----------SIGNATURE(S) MUST BE NOTARIZED

State of CALIFORNIA County of _____ on _____

before me, _____, personally appeared _____,
Name, Title of Officer (e.g. Jane Doe, Notary Public) Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument in person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. **I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.**

WITNESS my hand and official seal. Signature _____

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.

APPEAL OF DEPARTMENT ACTION TO THE BOARD OF BUILDING AND SAFETY COMMISSIONERS/DISABLED ACCESS APPEALS COMMISSION

_____ _____
Applicant's Name Applicant's Title

_____ _____
Signature Date

FEES (DEPARTMENT USE ONLY)

Board Fee ..... (No. of Items)	X	$354.00	= _____
Inspection Fee ..... (No of Insp.) =	X	$84.00	= _____
Research Fee ... (Total Hours Worked) =	X	$104.00	= _____
Subtotal.....			= _____
Development Services Center Surcharge	X	3%	= _____
Systems Development Surcharge	X	6%	= _____
Total Fees.....			= _____

Fees verified by:

Print and Sign _____

For Cashiers Use Only
(PROCESS ONLY WHEN FEES ARE VERIFIED)

Daniel Freedman
dff@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 75550-0005

August 26, 2019

BY HAND DELIVERY
Department of Building & Safety
City of Los Angeles
201 N. Figueroa Street, Suite 1030
Los Angeles, CA 90012

Re: **Appeal Attachment**
Permit No. 19048-30000-02053
Site Address: 29-47 E. Windward Avenue, Los Angeles

To whom it may concern:

This office represents the owner of 29-47 E. Windward Avenue, Los Angeles ("Property"). On or around August 15, 2019, on behalf of the owner, our office submitted a Sign Pre-Inspection ("SPI") application to the Department of Building and Safety ("DBS") seeking to permit a hand painted wall-sign constructed against an existing fence-wall located on the Property. Attached as **Exhibit A** is a copy of the SPI application and the SPI findings. In reviewing the proposed sign, the DBS inspector found that the "[s]ign does not meet definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10." This finding is based on DBS's policy of not permitting wall signs on freestanding walls, notwithstanding the fact that such signs are expressly permitted under the LAMC. As this determination makes it impossible for our client to obtain a permit he would otherwise be entitled to, we bring this appeal against the SPI correction and the associated policy.

A. The City's sign ordinance expressly permits wall signs on the "wall of a building" or a "structure."

The primary issue concerns DBS's interpretation of a defined term in the City's sign ordinance as set forth in LAMC Section 14.4.3. Specifically, the definition of the term "Wall Sign" - the type of sign requested in this application - is provided by ordinance as follows:

> **Wall Sign.** Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

For reference, the term "structure" is defined in LAMC Section 12.03 as follows

> **Structure**. Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.

Based on the plain reading of these definitions, there is no prohibition against a wall sign being placed on a freestanding wall. LAMC Section 14.4.3 provides that wall signs may "painted on or erected against the wall of a building *or structure*." The term structure, concerns "[a]nything constructed or erected which is supported directly or indirectly on the earth." A fence-wall unquestionably meets the definition of the term "structure." Accordingly, the text of the LAMC is unambiguous, and a wall sign may be permitted on a wall, a nearly self-evident assertion. DBS has a mandatory and ministerial duty to issue the permit consistent with this ordinance. Notwithstanding the express text of the LAMC, DBS maintains a policy and practice of refusing to issue wall sign permits for signs placed against freestanding walls based on its own interpretation concerning the definition of wall signs. This interpretation, however, ignores the critical text of the wall-sign definition, which provides that wall signs may be erected against the "wall of a building" or a "*structure*." DBS's interpretation is counter to the text of the LAMC.

B. DBS is violating a mandatory and ministerial duty by refusing to issue wall sign permits for signs constructed against freestanding walls.

Here, the DBS has a ministerial duty to implement the City's sign ordinance and zoning code as adopted by the City Council. (See *Terminal Plaza Corp. v. City & Cty. of San Francisco* (Ct. App. 1986) 186 Cal. App. 3d 814, 832, "[w]here a statute or ordinance clearly defines the specific duties or course of conduct that a governing body must take, that course of conduct becomes mandatory and eliminates any element of discretion." The ordinance does not provide DBS with any discretion to implement or create policies that *modify or disregard* the express text ordinance, or to arbitrarily apply defined terms. DBS's refusal to permit the placement of wall signs on freestanding walls misinterprets the unambiguous definition of a wall-sign and is a clear violation of DBS's ministerial duty. For these reasons, and any other reasons presented at the hearing before the Board of Building and Safety Commissioners or the Department of City Planning, this appeal should be granted.

Very truly yours,

DANIEL FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

Enclosure(s)

JMBM Jeffer Mangels Butler & Mitchell LLP
jmbm.com

EXHIBIT A

#33

City of Los Angeles
Department of Building and Safety

Current Version 1

Sign Pre-Inspection Report

Pre-Inspection is valid for six months from inspection date.

Address: **29-47 E WINDWARD AVE**
Council District: **11** Permit Application: **19048-30000-02053**

Work Description:
SPI for onsite hand-painted wall sign (8x32) located along existing fence-wall.

Inspector/Telephone: **MICAH WILLIAMS, (213) 252-3088**
Inspection District: **WLA**
Inspection Date: **08/16/2019**

Sign Within 500 Feet of Freeway? **No**	Request DOT Inspection? **No**
Does the Sign Need To Be Resubmitted? **No**	If Yes, Why:
Off-Site Sign? **Yes**	Sign Face? **Single-Sided**
Plot Plan Reflect Job Site? **Yes**	Is Plot Plan Complete? **No see comments**
Sign Within Visibility Triangle? **No**	Street Sign Faces: **South**
Projecting, Monument and/or Pole Sign Within 15 Feet? **No**	
All Existing Signs Shown on Polt Plan Correct? **No**	
Height to Top of Sign: **8'-0"?**	Width of Sign: **8'-0"?**
Length of Sign: **32'-0"?**	Number of Signs on-Site and Off-Site: **1**
Orientation (in Degrees) from Street: **180**	

Business Name: **?**
Sign Contractor/Telephone: **Daniel Freedman (310) 785-5391**

Comments: **Plan Check to determine sign type. Sign does not meet definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10. Off-site painted sign at proposed location at time of inspection. No elevation included in scanned documents. No dimensions included on plot plan.**

29 - 47 E Windward Ave

Application #: **19048 - 30000 - 02053**
Plan Check #: B19WL04574 Printed: 08/15/19 10:35 AM
Event Code:

Sign
Onsite
Plan Check at Counter
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR PRE-INSPECTION

Last Status: Application Submittal
Status Date: 08/15/2019

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
VENICE OF AMERICA	1	5		M B 6-126/127	106-5A143 27	4226 - 008 - 025

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 11
Certified Neighborhood Council - Venice
Community Plan Area - Venice
Census Tract - 2735.02
Coastal Zone Cons. Act - Calvo Exclusion Area
Coastal Zone Cons. Act - Coastal Zone Commission Auth
District Map - 106-5A143
Energy Zone - 6
Fire District - 1 (Entire parcel)
Earthquake-Induced Liquefaction Area - Yes
Methane Hazard Site - Methane Zone
Near Source Zone Distance - 5.2
Thomas Brothers Map Grid - 671-G6

ZONES(S): C2-1-CA

4. DOCUMENTS

ZI - ZI-1874 LA Coastal Transportation
ZI - ZI-2273 Venice Coastal Zone
ZI - ZI-2406 Dir Inter of Venice SP for S
ZI - ZI-2452 Transit Priority Area in the
ZA - ZA-1985-445-CUZ
ZA - ZA-1985-446-CUZ
ZA - ZA-2014-3650-CDP
SPA - Los Angeles Coastal Transportatio
SPA - Venice Coastal Zone
ORD - ORD-129944
ORD - ORD-130337
ORD - ORD-168999
ORD - ORD-172019
ORD - ORD-172897
ORD - ORD-173575-SA30
ORD - ORD-175693

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
BILL, GERARD A TR TONY BILL TRUST 3163 DONALD DOUGLAS LOOP S SANTA MONICA CA 90405

Tenant:

Applicant: (Relationship: Agent for Owner)
DANIEL FREEDMAN - (310) 785-5391

7. EXISTING USE **PROPOSED USE**

8. DESCRIPTION OF WORK
SPI for onsite hand-painted wall sign (8x32) located along existing fence-wall.

9. # Bldgs on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By:
OK for Cashier:
Signature:
DAS PC By:
Coord. OK:
Date:

For inspection requests, call toll-free **(888) LA4BUILD** (524-2845), or request inspections via **www.ladbs.org.** To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

11. PROJECT VALUATION & FEE INFORMATION Pre-Inspection Fee Period

Permit Valuation: PC Valuation:

PRE-INSPECTION TOTAL Sign	157.62
D.S.C. Surcharge	3.63
Sys. Surcharge	7.26
Planning Surcharge	7.26
Planning Surcharge Misc Fee	10.00
Planning Gen Plan Maint Surcharg	8.47
Sign Preinspection	121.00

Sewer Cap ID: Total Bond(s) Due:

12. ATTACHMENTS

For Cashier's Use Only **W/O #: 94802053**

LA Department of Building and Safety
WL M CA 302061210 08/15/2019 10:14:48 AM

BLDG PERMIT SURCH	3[illegible].0
SYSTEMS DEV SURCH	7.26
GEN PLAN MAINT SURCH	8.47
DEV SERV CENTER SURCH	3.63
CITY PLAN SURCH	7.26
MISCELLANEOUS	310.00
Sub Total:	357.62

Receipt #: 0105261593

29 47 E WINDWARD AV - 19048-30000-02053

Pre-Inspection Request
Not a Permit Application

B

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

APPLICATION FOR BUILDING PERMIT OR GRADING & CERTIFICATE OF OCCUPANCY

FOR OFFICE USE ONLY

PCAM #: _____ Q-Matic #: _____

PCIS #: _____

LADBS Express Permit may be obtained online at LADBS.ORG

PROJECT ADDRESS

29-47 Windward	Los Angeles	90291	N/A
Number & Street Name	City	Zip Code	Unit No.

WORK DESCRIPTION Briefly describe the scope of work:

S.P.I. for on-site hand-painted wall sign (8x32) located along existing fence-wall.

Number of Buildings on property and their use: 0

PROJECT VALUATION: $ 500 (OF)

USE OF BUILDING:

Existing Use:
☐ Single Family Dwelling ☐ Duplex
☐ Apartment/Condo ☒ Commercial
☐ Other: _____

Proposed Use:
☐ Single Family Dwelling ☐ Duplex
☐ Apartment/Condo ☒ Commercial
☐ Other: _____

PDPP:
☐ Zoning ☐ Life Safety ☐ Structural
☐ Other: _____

APPLICANT

Daniel Freedman, Representative	DFF@JMBM.COM	@
Name	Email	
1900 Avenue of the Stars, 7th Floor	Los Angeles 90067	(310) 785-5391
Number & Street Name	City & Zip Code	Phone Number

☒ **Agent for Owner/Builder.** Original authorization letter and Owner-Builder Declaration will be required at the time the permit is issued.
☐ **Agent for Contractor.** A current, original notarized authorization letter dated within the past year will be required at the time the permit is issued.
☐ Architect ☐ Contractor ☐ Developer ☐ Engineer ☐ Owner ☐ Owner-Builder ☐ Tenant

PROPERTY OWNER

Gerard Anthony Bill	3163 Donald Douglas Loop South	Los Angeles 90405	N/A
Name	Number & Street Name	City & Zip Code	Phone Number

CONTRACTOR

Name	Number & Street Name	City & Zip Code	Phone Number
City of L.A. Business Tax Number	State License Number	Class	Waste Hauler
Worker's Compensation Carrier	Policy Number	Expiration Date	

ARCHITECT

Name	State License Number	Expiration Date
Number & Street	City & Zip Code	Phone Number

ENGINEER

Name	State License Number	Expiration Date
Number & Street	City & Zip Code	Phone Number

TENANT

Name	Phone Number

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.

GRADING PRE-INSPECTION INFORMATION

Hillside Grading: ☐ Yes ☒ No

☐ The site is accessible by the Department Inspector at all times.

☐ The site is not accessible by the Department Inspector at all times (i.e. loose dogs, locked gates, etc.).

If not accessible, please provide the name and phone number of a contact person for grading Inspector to call to obtain access to the property:

Name: _____ Phone: _____

Is the site larger than one acre: ☐ Yes ☐ No

PLEASE NOTE that a $65.00 re-inspection fee will be charged if the inspector cannot access the site on the first visit and delays in the plan review may result.

FOR OFFICE USE ONLY

☐ Single Family Dwelling/Duplex	☐ Apartment/Condo	☐ Commercial
☐ Earthquake (Retrofit Only)	☐ Major Structure	
☐ Building – New	☐ Grading Permit	☐ Non-Building – Addition
☐ Building – Addition	☐ Sign Permit	☐ Non-Building – Alter/Repair
☐ Building – Alter/Repair	☐ Swimming – Pool/Spa	☐ Non-Building – Demolition
☐ Building – Demolition	☐ Non-Building – New	☐ Building – Use of Land

DOCUMENT CHECKLIST:

Sets of Plans: ☐ Structural Plan Check ☐ Grading Pre-Inspection (GPI) ☐ Disabled Access Plan ☐ Green Building (Mandatory) (Tier 1) (Tier 2)

☐ Structural Calculation	☐ Joint Referral Form	☐ Methane Report
☐ Soil/Geology Report	☐ Mulholland Referral Form	☐ LAHD Checklist
☐ Energy Calculation	☐ City Planning Case(s)	☐ Modification(s)
☐ Hillside Referral Form	☐ GPI Report/Posting	☐ TOC Application Form
☐ Slope Band Analysis	☐ Lateral Support Review Acknowledgment	

☐ Others: _____

PROJECT VALUATION & FEE INFORMATION:

Fee Period: ☐ Submittal Fees ☐ Submittal 2 Fees ☐ Handicap Surcharge ☐ Energy Surcharge ☐ Green Building Fee

D A C AR AD AC RW G SP S X

☐ REGULAR P.C. ☐ ECPC ☐ OTC

☐ EXPEDITE ☐ APC

Engineer: VA **Hours:** SPT

Pre-Inspection Reports:

☐ DPI ☒ SPI ☐ GPI

☐ Posting Required ☐ Oak Tree (OTPI)

For Cashier's Use Only

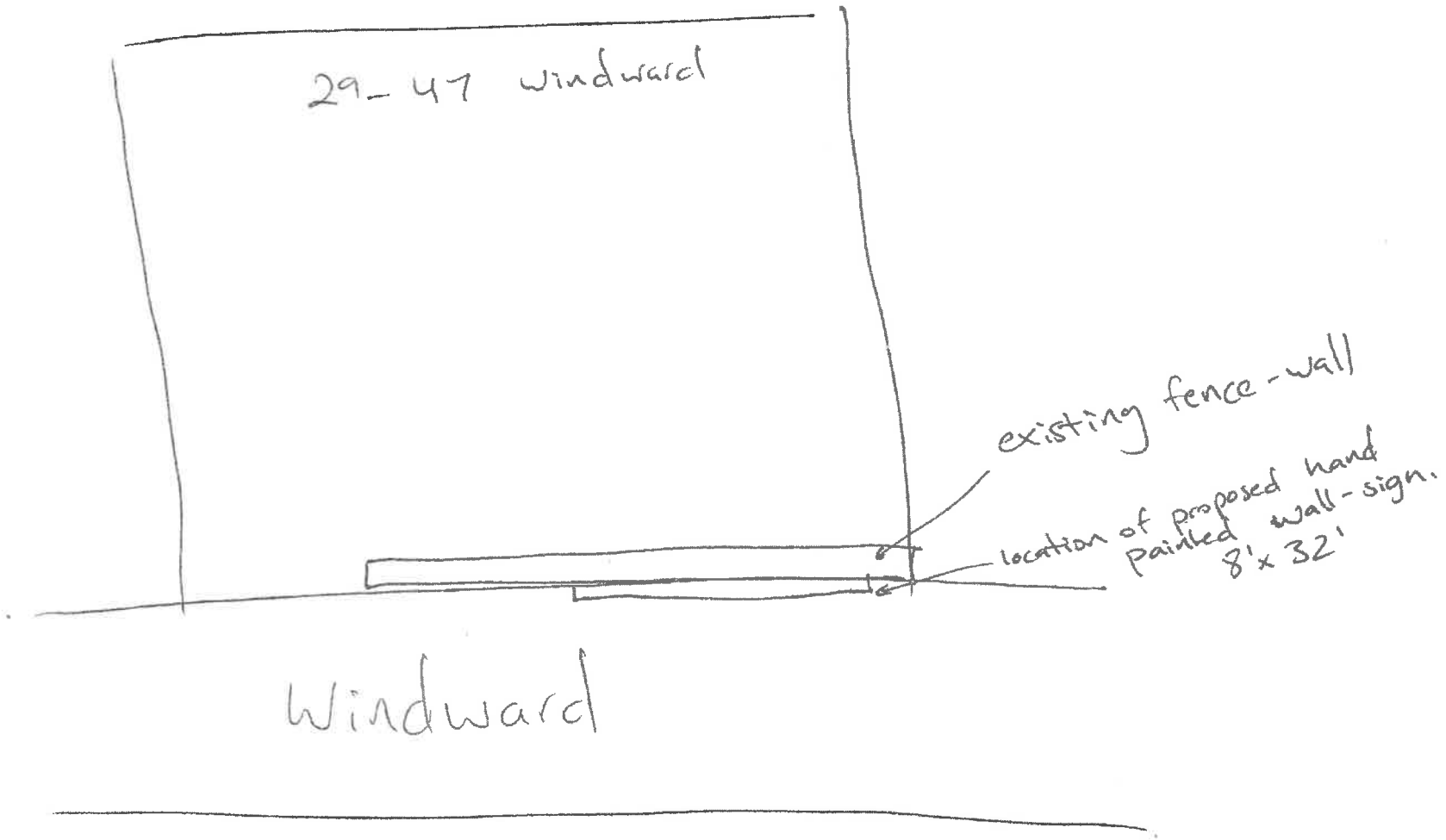

29-47 windward
existing fence-wall
location of proposed hand painted wall-sign. 8' x 32'
Windward

EXHIBIT E

DCP
~~DCP~~ Cora Johnson BF DCP 190117

REQUEST FOR MODIFICATION OF BUILDING ORDINANCES

UNDER AUTHORITY OF L.A.M.C. SECTION 98.0403

LA DBS — DEPARTMENT OF BUILDING AND SAFETY

PERMIT APP. #: 19048-30000-02053	DATE: 8/26/2019	For City Dept. Use Only: Building Zoning Grading Shoring Mech. Elec. Plumb. Green D.A. Misc.
JOB ADDRESS: 29-47 Windward		
Tract: Venice of America	Block: 1 Lot: 5-7	
Owner: Gerard Anthony Bill	Petitioner: Gerard Anthony Bill (Representative: Daniel Freedman, JMBM)	
Address: 3163 Donald Douglas Loop South	Address: 3163 Donald Douglas Loop South	
City: Santa Monica State: CA Zip: 90405 Phone: N/A	City: Santa Monica State: CA Zip: 90405 Phone: N/A	

REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY) — **CODE SECTIONS:** LAPC 302.5, 1101.12

[See Attached] Applicant is seeking to erect a wall sign on a free-standing wall located at 29-47 Windward.

Determine that the Dept. of Bldg & Safety erred or abused its discretion in its determination that the wall sign does NA meet the definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10 per Sign Pre Inspection.

JUSTIFICATION (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)

[See Attached] LAMC Sec. 14.4.2 permits wall signs to be "erected against the wall of a building or structure..." LAMC 12.03 defines the term "structure" as the "[a]nything constructed or erected... on the earth." A fence-wall is a structure under the LAMC. Accordingly, a wall sign is permitted to be erected against a fence-wall pursuant to the LAMC. LADBS has erred in refusing to permit a wall sign on a freestanding fence-wall.

Daniel Freedman, JMBM — Owner/Petitioner Name (Print) — (Signature) — Representative — Position

FOR CITY DEPARTMENT'S USE ONLY BELOW THIS LINE

Concurrences required from the following Department(s)

		Approved	Denied
☐ Los Angeles Fire Department	Print Name _____ Sign _____	☐	☐
☐ Public Works Bureau of Engineering	Print Name _____ Sign _____	☐	☐
☐ Department of City Planning	Print Name _____ Sign _____	☐	☐
☐ Department of County Health	Print Name _____ Sign _____	☐	☐
☐ Other _____	Print Name _____ Sign _____	☐	☐

DEPARTMENT ACTION

☐ GRANTED ☒ DENIED

Chikami Suzuki — *Reviewed by: (Staff) (Print)* — Sign — Date: 9/25/19

CORA JOHNSON — *Action taken by: (Supervisor) (Print)* — Sign — Date: 9/25/19

NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF THIS FORM FOR APPEAL PROCEDURES

CONDITIONS OF APPROVAL (Continued on Page 2):

FEES (DEPARTMENT USE ONLY)

Appeal Processing Fee.. (No. of Items) =	1	X $130 + $39/addl	= 130
Inspection Fee ..... (No of Insp.) =		X $ 84.00	=
Research Fee ... (Total Hours Worked) =		X $104.00	=
Subtotal.....			=
Development Services Center Surcharge		X 3%	= 3.90
Systems Development Surcharge.....		X 6%	= 7.80
Total Fees.....			= 141.70

Fees verified by:

Print and Sign CORA JOHNSON

LA Department of Building and Safety
LA NELI [illegible] 8/26/2019 11:02:53 AM
(PROCESS ONLY WHEN FEES ARE VERIFIED)
For Cashiers Use Only

BOARD APPLIC FEE	$130.00
SYSTEMS DEV SURCH	$7.80
DEV SERV CENTER SURCH	$3.90
Sub Total:	$141.70

Receipt #: 0102096031

29-47 Windward

Permit App #:	Job Address:

CONDITIONS OF APPROVAL (Continued from Page 1)

CITY OF LOS ANGELES
BOARD OF BUILDING AND SAFETY/DISABLED ACCESS COMMISSION APPEAL FORM

(Must be Attached to the Modification Request Form, Page 1)

AFFIDAVIT – LADBS BOARD OF BUILDING AND SAFETY COMMISSIONERS – RESOLUTION NO. 832-93

I, _____ do state and swear as follows:
(Print or Type Name of the Person Signing this Form)

1. The name and mailing address of the owner of the property (as defined in the resolution 832-93) at _____ as shown on the appeal application (LADBS Com 31) are correct, and
2. The owner of the property as shown on the appeal application will be made aware of the appeal and will receive a copy of the appeal.

I declare under PENALTY OF PERJURY that the forgoing is true and correct.

Owner's Name(s) _____ _____
(Please Type or Print) (Please Type or Print)

Owner's Signature(s) _____ (Two Officers' Signatures Required for Corporations)
(Please Sign)

Name of Corporation _____ _____
(Please Print Name of Corporation) (Please Type or Print)

Dated this _____ day of _____ 20_____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT----------SIGNATURE(S) MUST BE NOTARIZED

State of CALIFORNIA County of _____ on _____

before me, _____, personally appeared _____,
Name, Title of Officer (e.g. Jane Doe, Notary Public) Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument in person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. **I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.**

WITNESS my hand and official seal. Signature _____

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.

APPEAL OF DEPARTMENT ACTION TO THE BOARD OF BUILDING AND SAFETY COMMISSIONERS/DISABLED ACCESS APPEALS COMMISSION

_____ _____
Applicant's Name Applicant's Title

_____ _____
Signature Date

FEES (DEPARTMENT USE ONLY)

Board Fee ..... (No. of Items)	X	$354.00	= _____
Inspection Fee ..... (No of Insp.) =	X	$84.00	= _____
Research Fee ... (Total Hours Worked) =	X	$104.00	= _____
Subtotal.....			= _____
Development Services Center Surcharge	X	3%	= _____
Systems Development Surcharge	X	6%	= _____
Total Fees.....			= _____

Fees verified by:

Print and Sign _____

For Cashiers Use Only
(PROCESS ONLY WHEN FEES ARE VERIFIED)

Daniel Freedman
dff@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 75550-0005

August 26, 2019

BY HAND DELIVERY
Department of Building & Safety
City of Los Angeles
201 N. Figueroa Street, Suite 1030
Los Angeles, CA 90012

Re: **Appeal Attachment**
Permit No. 19048-30000-02053
Site Address: 29-47 E. Windward Avenue, Los Angeles

To whom it may concern:

This office represents the owner of 29-47 E. Windward Avenue, Los Angeles ("Property"). On or around August 15, 2019, on behalf of the owner, our office submitted a Sign Pre-Inspection ("SPI") application to the Department of Building and Safety ("DBS") seeking to permit a hand painted wall-sign constructed against an existing fence-wall located on the Property. Attached as **Exhibit A** is a copy of the SPI application and the SPI findings. In reviewing the proposed sign, the DBS inspector found that the "[s]ign does not meet definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10." This finding is based on DBS's policy of not permitting wall signs on freestanding walls, notwithstanding the fact that such signs are expressly permitted under the LAMC. As this determination makes it impossible for our client to obtain a permit he would otherwise be entitled to, we bring this appeal against the SPI correction and the associated policy.

A. The City's sign ordinance expressly permits wall signs on the "wall of a building" or a "structure."

The primary issue concerns DBS's interpretation of a defined term in the City's sign ordinance as set forth in LAMC Section 14.4.3. Specifically, the definition of the term "Wall Sign" - the type of sign requested in this application - is provided by ordinance as follows:

> **Wall Sign.** Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

For reference, the term "structure" is defined in LAMC Section 12.03 as follows

> **Structure**. Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.

Based on the plain reading of these definitions, there is no prohibition against a wall sign being placed on a freestanding wall. LAMC Section 14.4.3 provides that wall signs may "painted on or erected against the wall of a building *or structure*." The term structure, concerns "[a]nything constructed or erected which is supported directly or indirectly on the earth." A fence-wall unquestionably meets the definition of the term "structure." Accordingly, the text of the LAMC is unambiguous, and a wall sign may be permitted on a wall, a nearly self-evident assertion. DBS has a mandatory and ministerial duty to issue the permit consistent with this ordinance. Notwithstanding the express text of the LAMC, DBS maintains a policy and practice of refusing to issue wall sign permits for signs placed against freestanding walls based on its own interpretation concerning the definition of wall signs. This interpretation, however, ignores the critical text of the wall-sign definition, which provides that wall signs may be erected against the "wall of a building" or a "*structure*." DBS's interpretation is counter to the text of the LAMC.

B. DBS is violating a mandatory and ministerial duty by refusing to issue wall sign permits for signs constructed against freestanding walls.

Here, the DBS has a ministerial duty to implement the City's sign ordinance and zoning code as adopted by the City Council. (See *Terminal Plaza Corp. v. City & Cty. of San Francisco* (Ct. App. 1986) 186 Cal. App. 3d 814, 832, "[w]here a statute or ordinance clearly defines the specific duties or course of conduct that a governing body must take, that course of conduct becomes mandatory and eliminates any element of discretion." The ordinance does not provide DBS with any discretion to implement or create policies that *modify or disregard* the express text ordinance, or to arbitrarily apply defined terms. DBS's refusal to permit the placement of wall signs on freestanding walls misinterprets the unambiguous definition of a wall-sign and is a clear violation of DBS's ministerial duty. For these reasons, and any other reasons presented at the hearing before the Board of Building and Safety Commissioners or the Department of City Planning, this appeal should be granted.

Very truly yours,

DANIEL FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

Enclosure(s)

JMBM Jeffer Mangels Butler & Mitchell LLP
jmbm.com

EXHIBIT F

APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

☐ Area Planning Commission ☑ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: DIR-2019-7545-BSA

Project Address: 29-57 Windward Avenue

Final Date to Appeal: 11/19/2021

2. APPELLANT

Appellant Identity: (check all that apply)
❒ Representative ☑ Property Owner
☑ Applicant ❒ Operator of the Use/Site

❒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

_____

☐ Person affected by the determination made by the **Department of Building and Safety**

❒ Representative ❒ Owner ❒ Aggrieved Party
❒ Applicant ❒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Gerard Anthony Bill

Company/Organization: _____

Mailing Address: 3163 Donald Douglas Loop South

City: Santa Monica State: CA Zip: 90405

Telephone: _____ E-mail: _____

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☑ Self ☐ Other: _____

b. Is the appeal being filed to support the original applicant's position? ☑ Yes ☐ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Daniel F. Freedman

Company: Jeffer Mangels Butler & Mitchell LL)

Mailing Address: 1900 Avenue of the Stars, 7th Floor

City: Los Angeles State: CA . Zip: 90067

Telephone: (310) 785-5391 E-mail: DFF@jmbm.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☑ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☑ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☑ The reason for the appeal
- ☑ How you are aggrieved by the decision
- ☑ Specifically the points at issue
- ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____ Date: 11/17/2021

GENERAL APPEAL FILING REQUIREMENTS

B. ***ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES***

1. Appeal Documents

a. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- ☑ Appeal Application (form CP-7769)
- ☑ Justification/Reason for Appeal
- ☑ Copies of Original Determination Letter

b. Electronic Copy

☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.

☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

☑ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC

☑ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC
Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:
- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.

- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:
- Waivers for By-Right Projects, can only be appealed by the owner.

- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

☐ **1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement
☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

☐ **2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee
☑ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement
☑ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
☑ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:
- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
☐ Determination authority notified	☐ Original receipt and BTC receipt (if original applicant)	

Daniel Freedman
dff@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 77361-0001

November 17, 2021

SUBMITTED ONLINE

Samantha Millman, President
City of Los Angeles Planning Commission
Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012
E-Mail: cpc@lacity.org

Re: Case No. DIR-2019-7545-BSA
Project Site: 29-47 E. Windward Avenue

Dear President Millman:

This office represents the owner of 29-47 E. Windward Avenue, the Appellant in the above referenced appeal. We submit this letter to provide additional legal and factual grounds in support of our request that the Planning Commission ("Commission") overturn the Zoning Administrator's ("ZA") erroneous interpretation of the City's legislatively adopted sign code set forth in Chapter I, Article 4.4 of the Los Angeles Municipal Code ("LAMC")(collectively, the "Sign Ordinance"). As our appeal details, the issue before the LADCP is simple: Can a "wall sign" be placed on a "wall"? The LAMC unambiguously states that they may. The Los Angeles Department of Building and Safety ("LADBS"), however, refuses to issue permits for wall signs on walls, and has adopted – in excess of its legal authority – an unwritten code amendment that forbids it. This practice directly conflicts with the express text of the LAMC.

In addressing this issue in a prior appeal in 2019, the Zoning Administrator similarly denied an appeal on this same issue, finding that "[t]o an extent, both parties are incorrect and correct." That determination then went on to adopt a new interpretation that essentially claims that wall-signs are permitted on walls, but only in one "inapplicable" instance. To achieve this result, the ZA stretched the language of the LAMC to great lengths, and generated a new and equally arbitrary interpretation of the LAMC where it twists the limitations for wall signs adjacent to parking lots, into a de-facto prohibition of wall signs in all other instances. When that prior appeal was heard by the City Planning Commission ("Commission") on June 27, 2019, the Commission voted 3-2 to grant the appeal and overturn this same erroneous interpretation. Due to a lack of quorum, this constituted a failure to act, which is why this same issue is being returned to the Commission in this appeal for a new hearing and a new vote.

As detailed below, neither LADBS's or the ZA's "interpretation" of the sign ordinance reflect the actual text of the Sign Ordinance, and thus we therefore appeal these determinations to the Commission in the hopes that common sense and reasonableness will prevail with respect to this case.

A. This appeal concerns LADBS's conduct of refusing to issue wall-sign permits on walls, citywide.

The only issue presented to the Zoning Administrator in this appeal concerns LADBS's refusal to issue permits consistent with the plain reading of the LAMC. LAMC Section 14.4.2 specifies that a wall-sign may be permitted on any "wall of a building or structure." Notwithstanding the fact that a free-standing wall is certainly a "structure" as defined in the LAMC, LADBS's determination explained that, "in the context of the definition of wall signs, this structure definition is not applicable." (*See* DIR-2019-7545-BSA, at p. 9.) It states that "LADBS interprets the term 'structure' within the wall sign definition to be a reference from the definition of a 'building' pursuant to LAMC 12.03." (*Id.*) Not only is LADBS's reasoning fundamentally flawed, but the arguments and "evidence" put forward by LADBS fail to support its position.

B. Legal standards for interpreting statutes and the LAMC.

Case law provides guidance on the interpretation of statutes. Significantly, courts have found that it cannot be presumed that the Legislature "engaged in an idle act or enacted a superfluous statutory provision," when interpreting certain words or sections of a statute. (*Shoemaker v. Myers* (1990) 52 Cal.3d 1, 22.) This effectively means that each word in a statue has a purpose or meaning. In determining the intent of legislation, the words themselves must be consulted first, giving them their "usual and ordinary meaning." (*DaFonte v. Up-Right, Inc.* (1992) 2 Cal.4th 593, 601.) A "plain meaning" is one "without ambiguity, uncertainty, contradiction, or absurdity." (*Oden v. Bd. of Admin.* (1994) 23 Cal.App. 4th 194, 201.) The "plain meaning" of a statute will be adopted by courts because it is believed that the Legislature uses words in "their usual sense and does not attach private meanings to commonly used words." (*Id.*)

If a statute clearly references scenarios where certain defined words apply, but is silent as to other defined words, it can be assumed that the Legislature intended to include and exclude the words that they did. (*Franklin Nat'l Bank v. New York* (1954) 347 U.S. 373, 378 [finding "no indication that Congress intended to make this phase of national banking subject to local restrictions, as it has done be express language in several other instances."]. This does not render the word that was excluded in that particular section meaningless. (*Whitfield v. United States* (2005) 543 U.S. 209, 216 ["Congress has included an express overt-act requirement in at least 22 other current conspiracy statutes, clearly demonstrating that it knows how to impose such a requirement when it wishes to do so."].)

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C. The LAMC expressly permits wall signs on any structure, which includes freestanding walls.

The plain reading of the LAMC makes it clear that wall signs may be permitted on any "structure," including freestanding walls. Pursuant to LAMC § 14.4.10, the definition of the term "Wall Sign" is provided as follows:

> **Wall Sign.** Any sign attached to, painted on or erected against the wall of a building **or structure**, with the exposed face of the sign in a plane approximately parallel to the plane of the wall. (emphasis added)

Clearly then, a wall sign may be permitted on a "structure." "Structure" is defined within LAMC § 12.03, which sets forth the definitions for terms used in "Article 2 to 6" of Chapter I of the LAMC. This section defines the term "structure" as follows:

> **Structure**. Anything constructed or erected which is supported directly or indirectly on the earth, but not including any vehicle which conforms to the California State Vehicle Act.

Based on this definition, a large cinderblock wall unquestionably meets the definition of the term "structure." The LADBS determination does not even dispute this fact. As a wall sign may be "erected against the wall of a… **structure**," then by implication a wall sign may be placed on a free-standing wall which falls squarely within the definition of a **structure**. DBS has a mandatory and ministerial duty to issue the permit consistent with this ordinance.

D. LADBS's Determination fails to support its "interpretation."

In support of its erroneous interpretation, which conveniently ignores the essential word "structure" within the definition of the "wall-sign", LADBS's cites to several other sections of the LAMC. None of these references support its position. First, and most significantly, LADBS argues that "LADBS interprets the term 'structure' within the wall-sign definition to be a reference from the definition of a 'building' pursuant to LAMC § 12.03." (*See* DIR-2019-7545-BSA, at p. 9.) This section defines a "building" as "[a]ny *structure* having a roof supported by columns or walls for the housing, shelter or enclosure of persons… or property of any kind." *(Id*.) emphasis added Clearly this construct makes little to no sense given that the term "structure" is used within the definition of the term "building", meaning that a "building is a type of "structure", but a "structure" is not a type of "building." It is nonsensical to suggest that the LAMC would use the term "structure" to "reference" the term "building," when a building is already a "structure" by definition. LADBS's reasoning here supports the basis for this appeal, by confirming LADBS's understanding that the definitions of specifically defined terms in LAMC § 12.03 must be applied to the interpretation and reading of the Sign Ordinance.

LADBS also argues that the use of the term "building" in several sections supports its interpretation. For example, LADBS cites to LAMC § 14.4.10(A)(3), which provides that

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"[f]or wall signs that are made up of individual letters that use **the wall of the building** as background, the allowable sign area may be increased by 20 percent…." (emphasis added) LADBS argues that the fact that the term structure is not used in this provision – and others like it – supports its position that a wall-sign can only be placed on the wall of a building. This is simply incorrect, and in fact, undermines their own argument. This provision specifies a particular benefit that accrues to wall-signs that "**use the wall of the building** as a background." By implication, this excludes wall-signs located on structures and wall-signs located on buildings that do not use the wall of the building as a background from receiving the same benefit. The use of the word "building" here does not negate the meaning of the defined term "structure" in other sections.

This provision, and others like it, also illustrates that the City Council knows how to apply a regulation to the "wall of a **building**" when that is its intention. Instead of limiting wall-signs to the wall of a building, however, the City Council chose to add the word "structure," the same key word that LADBS chooses to ignore.[1] In fact, the Sign Ordinance refers specifically to "walls of a building" in some fashion no less than fifteen times, each time without reference to the word "structure." The Sign Ordinance, with these terms highlighted, is included as **Exhibit A**. The fact that the Sign Ordinance uses these terms, without reference to "structure", a term separately defined by City Council, exhibits its intention to have the two terms stand independently from each other, not as merely as a "reference" to the other.

E. DBS is violating a mandatory and ministerial duty by refusing to issue a building permit which complies with the express text of the Sign Ordinance.

LADBS's position here is so dramatically inconsistent with the express text of the LAMC, that it is obviously not an interpretation at all, it is an amendment. In this instance, LADBS apparently believes the inclusion of the word structure in the definition of the term "wall-sign" is erroneous. To address this perceived "error," LADBS is simply attempting to change the law on its own initiative, without any legislative authority to do so. Not only is this conduct inconsistent with the City Charter, it is an unlawful ultra-vires act.

As explained in the appeal, LADBS has a ministerial duty to approve Applicant's building permit. As a general rule, a building official is required to issue a permit if the application is in order, the proposed use is one permitted by the zoning ordinance, the proposed structures comply both with zoning conditions and with the applicable building codes, and any other conditions imposed on the development or subdivision approval. (See *Ellis v. City Council of City of Burlingame* (1963) 222 Cal. App. 2d 490, 497; *Munns v. Stenman* (1957) 152 Cal. App. 2d 543.) A building official generally has no discretion to deny a building permit application for a project in compliance with applicable codes and ordinances. *Cal. Code Regs*., Tit. 24, pt. 2, § 105.3.1.

[1] *FCC v. NextWave Personal Communications, Inc.* (2003) 537 U.S. 293, 302 (when Congress has intended to create exceptions to bankruptcy law requirements, "it has done so clearly and expressly").

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Accordingly, the building official's role in the issuance of a building permit is limited to considering whether the project meets the criteria of the zoning ordinance and the Uniform Building Code. If the application satisfies the objective standards and criteria of the laws and ordinances, the permit must be issued as a ministerial act, as unwritten policies cannot be manufactured by the building official to overrule the standards in an otherwise unambiguous ordinance. (*Munns v. Stenman* (1957) 152 Cal. App. 2d 543, 557; Also see *Terminal Plaza Corp. v. City & Cty. of San Francisco* (1986) 186 Cal. App. 3d 814, 832 ["[w]here a statute or ordinance clearly defines the specific duties or course of conduct that a governing body must take, that course of conduct becomes mandatory and eliminates any element of discretion."].)

E. The Zoning Administrator's decision puts forward a new arbitrary interpretation that relies on an inapplicable section of the Sign Ordinance.

It is not very often that the denial of a DBS appeal justifies its denial based on a completely different interpretation of the LAMC than DBS's original decision. After generally accepting the arguments and interpretation put forward by the Appellant, the ZA's decision takes a left turn to try and deny the appeal based on a yet a new section of the Sign Ordinance that has little to do with the issue in dispute. After concluding that "Planning Staff finds… [that] a wall sign is permitted on both a building and a structure" – as argued by the Appellant - the Zoning Administrator limits the relevance of this interpretation by claiming that you can only have a sign on a free-standing wall in one particular instance. The section of the LAMC relied on by the ZA to reach this opinion is as follows:

> **LAMC § 14.4.10-F: Parking Lots**. Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

The Zoning Administrator uses this provision as support to flip the case around on its head. Originally, LADBS made it clear in their original opinion that because "a freestanding wall does not meet the definition of a [the word] 'building,' a wall sign is not permitted to be attached." (LADBS Determination, Pg. 3.) Accordingly, LADBS made a blanket finding that wall-signs are not permitted on any free-standing walls because a free-standing wall is not a "building." On review by the LADCP, the ZA said that LADBS's interpretation was wrong, and that in fact you are permitted to have wall-signs on non-buildings; but based on LAMC § 14.4.10-F, this can only happen in one particular instance where there is a parking lot involved. This conclusion makes no sense.

Nowhere in LAMC § 14.4.10-F does it state that this section limits the use of wall-signs on structures or walls in any other scenario not expressly contemplated by the section itself.

The Section applies, by its terms, to situations where a "**parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street**." If there is no parking lot at issue, as in this case, then this provision is simply inapplicable. The Zoning Administrator is attempting to hide the ball from both appellant and the public by accepting appellant's position, and at the same time stretching to great lengths to avoid granting the appeal by other means. This is simply not possible. LAMC § 14.4.10-F does not state that wall signs may *only* be placed on free-standing walls when they are "between a wall sign and the street," and the Zoning Administrator's attempt to reach this conclusion is arbitrary and capricious.

Here, the City has a ministerial duty to implement the City's Sign Ordinance and zoning code as adopted by the City Council. The ordinance does not provide LADBS or LADCP with any discretion to implement or create policies that *modify or disregard* the express text ordinance, particularly with respect to defined terms. LADBS's refusal to issue the requested sign permit, based on an unwritten policy that clearly misinterprets the unambiguous definition of a wall-sign, is a clear violation of LADBS's ministerial duty. For these reasons, and any other reasons presented at the hearing before the hearing officer, this appeal should be granted.

Very truly yours,

DANIEL FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

DF:df
Enclosure

JMBM Jeffer Mangels Butler & Mitchell LLP
jmbm.com

EXHIBIT G

City of Los Angeles
Department of Building and Safety

Current Version 1

Sign Pre-Inspection Report

Pre-Inspection is valid for six months from inspection date.

Address: **29-47 E WINDWARD AVE**

Council District: **11** Permit Application: **19048-30000-02053**

Work Description:

SPI for onsite hand-painted wall sign (8x32) located along existing fence-wall.

Inspector/Telephone: **MICAH WILLIAMS, (213) 252-3088**

Inspection District: **WLA**

Inspection Date: **08/16/2019**

Sign Within 500 Feet of Freeway? **No**
Request DOT Inspection? **No**
Does the Sign Need To Be Resubmitted? **No**
If Yes, Why:
Off-Site Sign? **Yes**
Sign Face? **Single-Sided**
Plot Plan Reflect Job Site? **Yes**
Is Plot Plan Complete? **No see comments**
Sign Within Visibility Triangle? **No**
Street Sign Faces: **South**
Projecting, Monument and/or Pole Sign Within 15 Feet? **No**
All Existing Signs Shown on Polt Plan Correct? **No**
Height to Top of Sign: **8'-0"?**
Width of Sign: **8'-0"?**
Length of Sign: **32'-0"?**
Number of Signs on-Site and Off-Site: **1**
Orientation (in Degrees) from Street: **180**

Business Name: **?**

Sign Contractor/Telephone: **Daniel Freedman (310) 785-5391**

Comments: **Plan Check to determine sign type. Sign does not meet definition of a wall sign per LAMC 14.4.2 and LAMC 14.4.10. Off-site painted sign at proposed location at time of inspection. No elevation included in scanned documents. No dimensions included on plot plan.**

29 - 47 E Windward Ave

Application #:
Plan Check #: B19WL04574
Event Code:

19048 - 30000 - 02053
Printed: 08/15/19 10:35 AM

Sign
Onsite
Plan Check at Counter
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR PRE-INSPECTION

Last Status: Application Submittal
Status Date: 08/15/2019

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
VENICE OF AMERICA	1	5		M B 6-126/127	106-5A143 27	4226 - 008 - 025

3. PARCEL INFORMATION

Area Planning Commission - West Los Angeles
LADBS Branch Office - WLA
Council District - 11
Certified Neighborhood Council - Venice
Community Plan Area - Venice
Census Tract - 2735.02
Coastal Zone Cons. Act - Calvo Exclusion Area
Coastal Zone Cons. Act - Coastal Zone Commission Auth
District Map - 106-5A143
Energy Zone - 6
Fire District - 1 (Entire parcel)
Earthquake-Induced Liquefaction Area - Yes
Methane Hazard Site - Methane Zone
Near Source Zone Distance - 5.2
Thomas Brothers Map Grid - 671-G6

ZONES(S): C2-1-CA

4. DOCUMENTS

ZI - ZI-1874 LA Coastal Transportation	ZA - ZA-1985-445-CUZ	SPA - Venice Coastal Zone	ORD - ORD-172019
ZI - ZI-2273 Venice Coastal Zone	ZA - ZA-1985-446-CUZ	ORD - ORD-129944	ORD - ORD-172897
ZI - ZI-2406 Dir Inter of Venice SP for S	ZA - ZA-2014-3650-CDP	ORD - ORD-130337	ORD - ORD-173575-SA30
ZI - ZI-2452 Transit Priority Area in the	SPA - Los Angeles Coastal Transportatio	ORD - ORD-168999	ORD - ORD-175693

5. CHECKLIST ITEMS

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
BILL, GERARD A TR TONY BILL TRUST 3163 DONALD DOUGLAS LOOP S SANTA MONICA CA 90405

Tenant:

Applicant: (Relationship: Agent for Owner)
DANIEL FREEDMAN - (310) 785-5391

7. EXISTING USE **PROPOSED USE**

8. DESCRIPTION OF WORK
SPI for onsite hand-painted wall sign (8x32) located along existing fence-wall.

9. # Bldgs on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By:
OK for Cashier
Signature:
DAS PC By.
Coord. OK:
Date:

For inspection requests, call toll-free **(888) LA4BUILD** (524-2845), or request inspections via **www.ladbs.org.** To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

For Cashier's Use Only **W/O #: 94802053**

11. PROJECT VALUATION & FEE INFORMATION Pre-Inspection Fee Period

Permit Valuation:	PC Valuation:
PRE-INSPECTION TOTAL Sign	157.62
D.S.C. Surcharge	3.63
Sys. Surcharge	7.26
Planning Surcharge	7.26
Planning Surcharge Misc Fee	10.00
Planning Gen Plan Maint Surcharg	8.47
Sign Preinspection	121.00

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

[illegible] Department of Building and Safety
WL M CA 3020001210 8/15/2019 10:[illegible] AM

BLDG PERMIT COMM	$121.00
SYSTEMS DEV SURCH	$7.26
GEN PLAN MAINT SURCH	$8.47
DEV SERV CENTER SURCH	$3.63
CITY PLAN SURCH	$7.26
MISCELLANEOUS	$10.00
Sub Total:	$157.62

Receipt #: 0002161593

29-47 E WINDWARD AV - 19048-30000-02053

Pre-Inspection Request
Not a Permit Application

B

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

APPLICATION FOR BUILDING PERMIT OR GRADING & CERTIFICATE OF OCCUPANCY

FOR OFFICE USE ONLY

PCAM #: _____ Q-Matic #: _____

PCIS #: _____

LADBS Express Permit may be obtained online at LADBS.ORG

PROJECT ADDRESS

Number & Street Name	City	Zip Code	Unit No.
29-47 Windward	Los Angeles	90291	N/A

WORK DESCRIPTION

Briefly describe the scope of work:

S.P.I. for on-site hand-painted wall sign (8x32) located along existing fence-wall.

Number of Buildings on property and their use: 0

PROJECT VALUATION: $ 500 (____ OF ____)

USE OF BUILDING:

Existing Use:
☐ Single Family Dwelling ☐ Duplex
☐ Apartment/Condo ☒ Commercial
☐ Other: _____

Proposed Use:
☐ Single Family Dwelling ☐ Duplex
☐ Apartment/Condo ☒ Commercial
☐ Other: _____

PDPP:
☐ Zoning ☐ Life Safety ☐ Structural
☐ Other: _____

APPLICANT

Name	Email	
Daniel Freedman, Representative	DFF@JMBM.COM	@

Number & Street Name	City & Zip Code	Phone Number
1900 Avenue of the Stars, 7th Floor	Los Angeles 90067	(310) 785-5391

☒ **Agent for Owner/Builder.** Original authorization letter and Owner-Builder Declaration will be required at the time the permit is issued.
☐ **Agent for Contractor.** A current, original notarized authorization letter dated within the past year will be required at the time the permit is issued.
☐ Architect ☐ Contractor ☐ Developer ☐ Engineer ☐ Owner ☐ Owner-Builder ☐ Tenant

PROPERTY OWNER

Name	Number & Street Name	City & Zip Code	Phone Number
Gerard Anthony Bill	3163 Donald Douglas Loop South	Los Angeles 90405	N/A

CONTRACTOR

Name	Number & Street Name	City & Zip Code	Phone Number

City of L.A. Business Tax Number	State License Number	Class	Waste Hauler

Worker's Compensation Carrier	Policy Number	Expiration Date

ARCHITECT

Name	State License Number	Expiration Date

Number & Street	City & Zip Code	Phone Number

ENGINEER

Name	State License Number	Expiration Date

Number & Street	City & Zip Code	Phone Number

TENANT

Name	Phone Number

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.

GRADING PRE-INSPECTION INFORMATION

Hillside Grading: ☐ Yes ☒ No

☐ The site is accessible by the Department Inspector at all times.

☐ The site is not accessible by the Department Inspector at all times (i.e. loose dogs, locked gates, etc.).

If not accessible, please provide the name and phone number of a contact person for grading Inspector to call to obtain access to the property:

Name: _____ Phone: _____

Is the site larger than one acre: ☐ Yes ☐ No

PLEASE NOTE that a $65.00 re-inspection fee will be charged if the inspector cannot access the site on the first visit and delays in the plan review may result.

FOR OFFICE USE ONLY

☐ Single Family Dwelling/Duplex ☐ Apartment/Condo ☐ Commercial
☐ Earthquake (Retrofit Only) ☐ Major Structure

☐ Building – New ☐ Grading Permit ☐ Non-Building – Addition
☐ Building – Addition ☐ Sign Permit ☐ Non-Building – Alter/Repair
☐ Building – Alter/Repair ☐ Swimming – Pool/Spa ☐ Non-Building – Demolition
☐ Building – Demolition ☐ Non-Building – New ☐ Building – Use of Land

DOCUMENT CHECKLIST:

Sets of Plans: ☐ Structural Plan Check ☐ Disabled Access Plan
☐ Grading Pre-Inspection (GPI) ☐ Green Building (Mandatory) (Tier 1) (Tier 2)

☐ Structural Calculation ☐ Joint Referral Form ☐ Methane Report
☐ Soil/Geology Report ☐ Mulholland Referral Form ☐ LAHD Checklist
☐ Energy Calculation ☐ City Planning Case(s) ☐ Modification(s)
☐ Hillside Referral Form ☐ GPI Report/Posting ☐ TOC Application Form
☐ Slope Band Analysis ☐ Lateral Support Review Acknowledgment
☐ Others: _____

PROJECT VALUATION & FEE INFORMATION:

Fee Period: ☐ Submittal Fees ☐ Submittal 2 Fees
☐ Handicap Surcharge ☐ Energy Surcharge
☐ Green Building Fee

D A C AR AD AC RW G SP S X

☐ REGULAR P.C. ☐ ECPC ☐ OTC
☐ EXPEDITE ☐ APC

Engineer: VA **Hours:** SPT

Pre-Inspection Reports:
☐ DPI ☒ SPI ☐ GPI
☐ Posting Required ☐ Oak Tree (OTPI)

For Cashier's Use Only

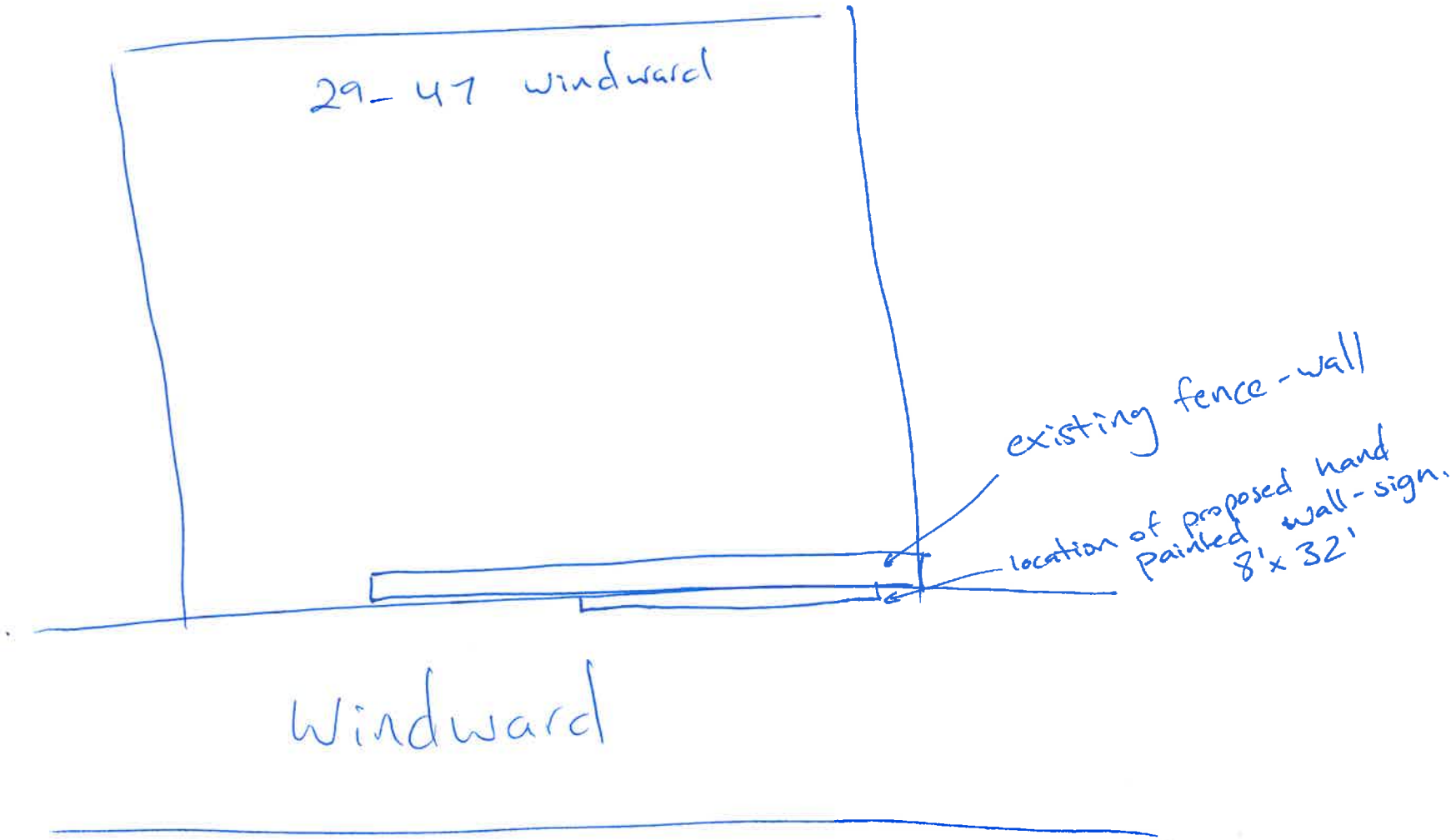

29-41 windward
existing fence-wall
location of proposed hand painted wall-sign. 8' x 32'
Windward

EXHIBIT H



Case No.: 807072
Date: 3/5/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Off-site painted wall sign.



Case No.: 807072
Date: 5/14/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 5/14/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



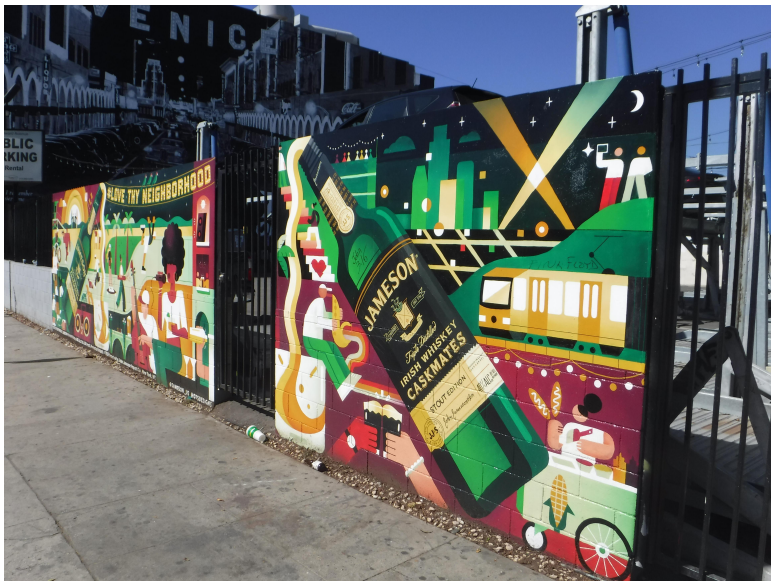
Case No.: 807072
Date: 6/19/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 6/19/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 10/17/2018 4:30:00 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



Case No.: 807072
Date: 3/19/2019 1:53:50 PM
Taken By: MIKE WANG
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



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Case No.: 807072
Date: 7/31/2019 4:30:00 PM
Taken By: MICAH WILLIAMS
Address: 47 E WINDWARD AVE

Comments: Sign remains, copy changed.



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Case No.: 807072
Date: 8/16/2019 4:30:00 PM
Taken By: MICAH WILLIAMS
Address: 47 E WINDWARD AVE

Comments: Sign remains

EXHIBIT I

LA0150180

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT
E. FELICIA BRANNON
VICE-PRESIDENT
JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

FRANK M. BUSH
GENERAL MANAGER

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

ORDER TO COMPLY AND NOTICE OF FEE

BILL,GERARD A TR TONY BILL TRUST
3163 DONALD DOUGLAS LOOP S
SANTA MONICA, CA 90405

The undersigned mailed this notice by regular mail, postage prepaid, to the addressee on this day,

MAR 22 2018

To the address as shown on the last equalized assessment roll.
Initialed by

CASE #: 807072
ORDER #: A-4660847
EFFECTIVE DATE: March 28, 2018
COMPLIANCE DATE: **April 02, 2018**

OWNER OF
SITE ADDRESS: **47 E WINDWARD AVE**
ASSESSORS PARCEL NO.: 4226-008-025
ZONE: C2; Commercial Zone

An inspection has revealed that the property (Site Address) listed above is in violation of the Los Angeles Municipal Code (L.A.M.C.) sections listed below. You are hereby ordered to correct the violation(s) and contact the inspector listed in the signature block at the end of this document for a compliance inspection by the compliance date listed above.

FURTHER, THE CODE VIOLATION INSPECTION FEE (C.V.I.F) OF **$ 356.16** ($336 fee plus a six percent Systems Development Surcharge of $20.16) **WILL BE BILLED TO THE PROPERTY OWNER.** The invoice/notice will be sent to the owner as it appears on the last equalized assessment roll. Section 98.0421 L.A.M.C.

NOTE: FAILURE TO PAY THE C.V.I.F. WITHIN 30 DAYS OF THE INVOICE DATE OF THE BILL NOTED ABOVE WILL RESULT IN A LATE CHARGE OF TWO (2) TIMES THE C.V.I.F. PLUS A 50 PERCENT COLLECTION FEE FOR A TOTAL OF **$1,176.00.**
Any person who fails to pay the fee, late charge and collection fee, shall also pay interest. Interest shall be calculated at the rate of one percent per month.

The inspection has revealed that the property is in violation of the Los Angeles Municipal Code as follows:

VIOLATION(S):

1. **Sign constructed without a valid building permit.**

You are therefore ordered to: 1) Discontinue the use of the unapproved sign constructed without permits and approvals.
2) Obtain the required permits and approvals or demolish and remove the sign and/or sign support structure.

Code Section(s) in Violation: 91.6216.3, 91.6201.2, 91.6201.4, 91.103.1, 12.21A.1.(a), 14.4.10 of the L.A.M.C.

Comments: Two approx. 8'x12' off site wall signs facing Windward Ave.

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.

NON-COMPLIANCE FEE WARNING:

YOU ARE IN VIOLATION OF THE L.A.M.C. IT IS YOUR RESPONSIBILITY TO CORRECT THE VIOLATION(S) AND CONTACT THE INSPECTOR LISTED BELOW TO ARRANGE FOR A COMPLIANCE INSPECTION BEFORE THE NON-COMPLIANCE FEE IS IMPOSED. Failure to correct the violations and arrange for the compliance inspection within 15 days from the Compliance Date, will result in imposition of the fee noted below.

In addition to the C.V.I.F. noted above, a proposed noncompliance fee in the amount of **$660.00** may be imposed for failure to comply with the order within 15 days after the compliance date specified in the order or unless an appeal or request for slight modification is filed within 15 days of the compliance date.
If an appeal or request for slight modification is not filed within 15 days of the compliance date or extensions granted therefrom, the determination of the department to impose and collect a non-compliance fee shall be final. Section 98.0411 L.A.M.C.

NOTE: FAILURE TO PAY THE NON-COMPLIANCE FEE WITHIN 30 DAYS AFTER THE DATE OF MAILING THE INVOICE, MAY RESULT IN A LATE CHARGE OF TWO (2) TIMES THE NON-COMPLIANCE FEE PLUS A 50 PERCENT COLLECTION FEE FOR A TOTAL OF **$2,310.00.**
Any person who fails to pay the non-compliance fee, late charge and collection fee shall also pay interest. Interest shall be calculated at the rate of one percent per month.

PENALTY WARNING:

Any person who violates or causes or permits another person to violate any provision of the Los Angeles Municipal Code (L.A.M.C.) is guilty of a misdemeanor which is punishable by a fine of not more than $1000.00 and/or six (6) months imprisonment for each violation. Section 11.00 (m) L.A.M.C.

INVESTIGATION FEE REQUIRED:

Whenever any work has been commenced without authorization by a permit or application for inspection, and which violates provisions of Articles 1 through 8 of Chapter IX of the Los Angeles Municipal Code (L.A.M.C.) , and if no order has been issued by the department or a court of law requiring said work to proceed, a special investigation fee which shall be double the amount charged for an application for inspection, license or permit fee, but not less than $400.00 , shall be collected on each permit, license or application for inspection. Section 98.0402 (a) L.A.M.C.

APPEAL PROCEDURES:

There is an appeal procedure established in this city whereby the Department of Building and Safety and the Board of Building and Safety Commissioners have the authority to hear and determine err or abuse of discretion, or requests for slight modification of the requirements contained in this order when appropriate fees have been paid. Section 98.0403.1 and 98.0403.2 L.A.M.C.

If you have any questions or require any additional information please feel free to contact me at (213)252-3081.
Office hours are 7:00 a.m. to 3:30 p.m. Monday through Thursday.

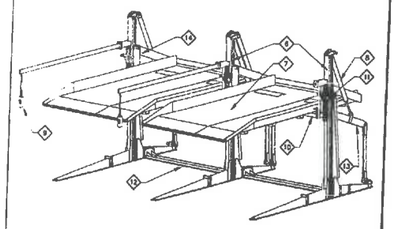
Inspector: _____ Date: March 15, 2018

MIKE WANG
221 N. FIGUEROA ST. SUITE 1100
LOS ANGELES, CA 90012
(213)252-3081
Mike.Wang@lacity.org

REVIEWED BY

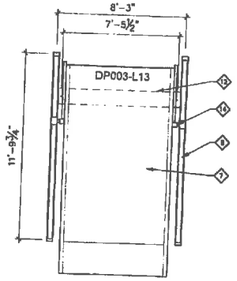
As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

EXHIBIT J

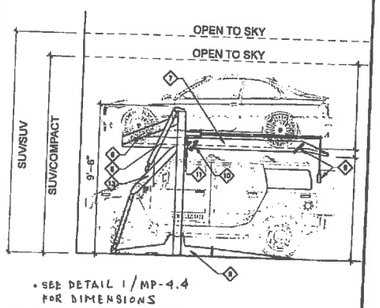


PARK PLUS MODEL: DP003-L13
LAETL GENERAL APPROVAL:
LARR# 930501

DP003-L13 EQUIP. AXON — scale: NTS — ref. no. — 20

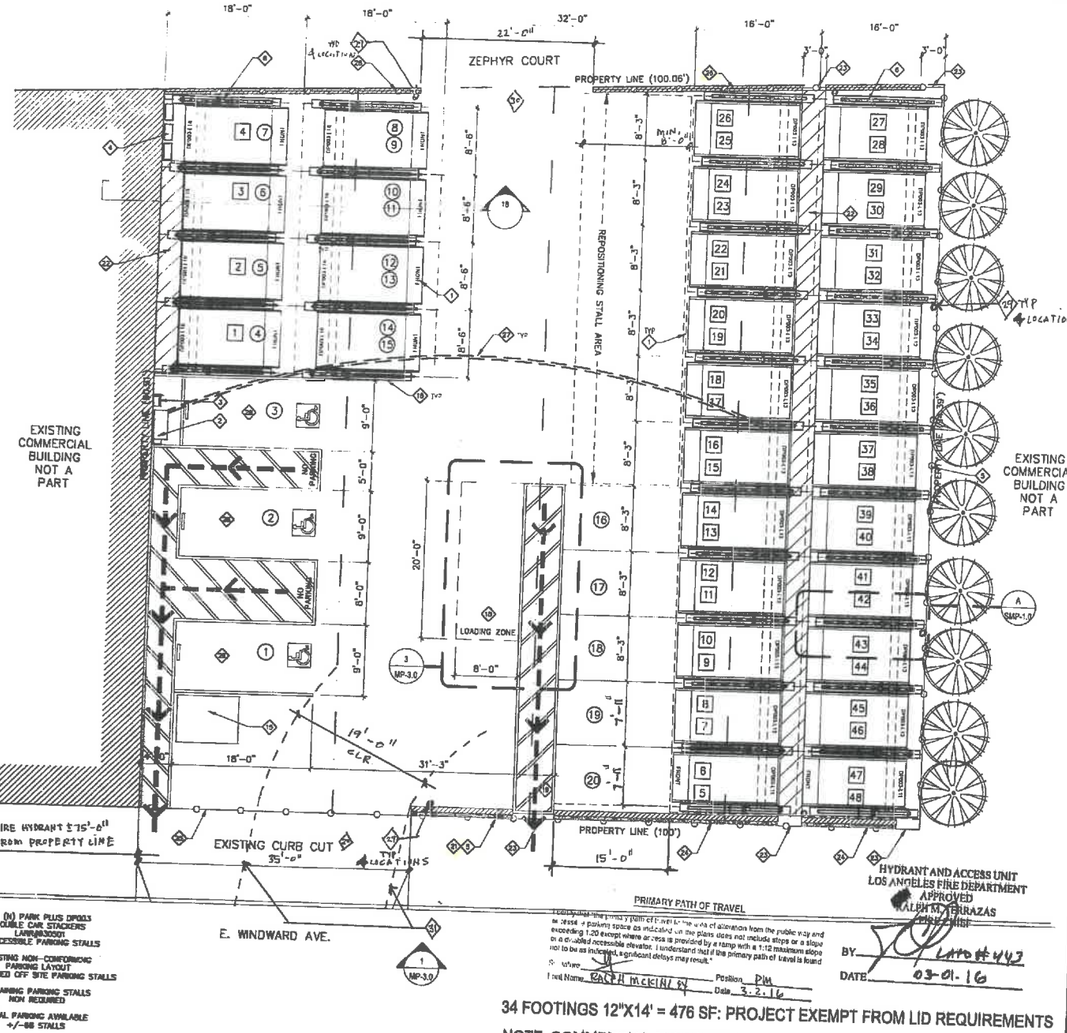


DP003-L13 EQUIP. PLAN — scale: 1/4" = 1'-0" — ref. no. — 19



• SEE DETAIL 1/MP-4.4 FOR DIMENSIONS

DP003-L13 SECTION/ELEV — scale: NTS — ref. no. — 18



MECHANICAL PARKING EQUIPMENT SITE PLAN — scale: 1/8"=1'-0" — ref. no. — 6

1 PARK PLUS DP003 L13 DOUBLE PARKING SYSTEM LARR 930501
2 HPS30-3P HYDRAULIC POWER PACK LARR 930501 (208/220V 3P~ 60HZ - 10HP - 28.4 AMPS)
3 40 AMP FUSED DISCONNECT
4 EXISTING ELECTRICAL PANEL
5 EXISTING WROUGHT IRON FENCE TO REMAIN
6 END LEG ASSEMBLY
7 PLATFORM ASSEMBLY
8 HYDRAULIC CYLINDER
9 CONTROLS
10 SAFETY LOCKS ASSEMBLY
11 ADJUSTABLE HEIGHT BOOMERET ASSEMBLY
12 SEISMIC BEAM ASSEMBLY
13 PARALLEL ARM ASSEMBLY
14 TRIPLE BASE FRAME ASSEMBLY
15 [illegible]
16 [illegible]
17 EXISTING SURFACE PARKING LOT STRIPING TO REMAIN
18 PASSENGER DROP-OFF AND LOADING ZONE PER SECTION 118-503
19 SECTION 118-503.3.3 MARKING ACCESS AISLE SHALL BE MARKED WITH A PAINTED BORDERLINE AROUND THEIR PERIMETER. THE AREA WITHIN THE BORDERLINES SHALL BE MARKED WITH HATCHED LINES A MAXIMUM OF 36 INCHES ON CENTER IN A COLOR CONTRASTING WITH THAT OF THE AISLE SURFACE
20 EACH PASSENGER LOADING ZONE MUST HAVE A SIGN PER SECTION 118-503.5
21 NEW 42" HIGH BLOCK WALL WITH EXISTING 6'-0" TALL WROUGHT IRON FENCE IN FRONT OF NEW BLOCK WALL TO REMAIN. BLOCK WALL TO HAVE ANTI GRAFFITI COATING
22 36' WIDE FIRE DEPARTMENT ACCESS PATH
23 38' WIDE WROUGHT IRON GATE AT ACCESS PATHWAY
24 LANDSCAPE VINE POCKETS - COAST MORNING GLORY
25 EXISTING WROUGHT IRON FENCE AT DRIVEWAY ENTRANCE TO REMAIN
26 EXISTING WROUGHT IRON FENCE TO BE REMOVED AND SALVAGED. NEW 42" HIGH BLOCK WALL WITH SALVAGED WROUGHT IRON FENCE UP TO 6'-0" TALL
27 TRENCH FOR NEW ELECTRICAL CONDUIT AND HYDRAULIC LINE UNDERGROUND MINIMUM 24" DEEP
28 ACCESSIBLE PARKING STALLS. SEE DETAIL 3/MP3.0
29 EXISTING LIGHT FIXTURE WITH NEW LIGHT SHIELD. SEE DETAIL 19/MP-2.0
30 EXISTING DRIVEWAY
31 TURNING RADIUS PER FIGURE 7 P/ZC 2002-001

KEY NOTES — scale: NTS — ref. no. — 16

SHEET INDEX — scale: NTS — ref. no. — 15

1. MP- 1.0 - SITE PLAN
2. MP- 1.1 - LARR
3. MP-3.0 - ELEVATION AND ACCESSIBLE PARKING
4. SMP- 1.0 - STRUCTURAL GENERAL NOTES
5. SMO-1.1 - STRUCTURAL GENERAL NOTES
6. SMP- 2.0 - FOUNDATION PLAN & DETAILS

PLACEMENT OF DETECTABLE WARNING AT DISABLED ACCESS SECTION

[illegible] set of plans and specifications has been reviewed and is approved for [illegible] compliance with state and local laws and ordinances related to accessibility to the disabled per the recommendations and housing.

[illegible] stamping of this set of plans and specifications shall not be held to permit or to be an approval of the violation of any provisions of federal, state, and local laws and ordinances related to accessibility to public accommodations.

Shine Lin 3/2/16
Total of 2 Sheets
14020-10000-00608

PROJECT INFORMATION — scale: NTS — ref. no. — 5

ADDRESS: 29-47 E. WINDWARD AVE. LOS ANGELES, CA 90291
USE: MECHANICAL ACCESS OPEN PARKING GARAGE. COMMERCIAL ATTENDED SURFACE PARKING LOT WITH MECHANICAL CAR STACKERS
WORK: CONSTRUCTION OF (30) DP003 DOUBLE MECHANICAL CAR STACKER. LARR# 930501
APN: 4226008015
LEGAL DESCRIPTION:
TRACT: VENICE OF AMERICA
MAP REFERENCE: M R 6-125/127
BLOCK: 1
LOT: 5, 6, 7, 8 & 9
ARB (LOT CUT REF.): NONE
MAP SHEET: 108-5A143
ZONING: C2-1-CA

PLANS APPROVED City of Los Angeles Department of City Planning
Date: 3/15/16 By:
Comments: ZA-2014-3650-CDP

1. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOKUP. THE CONSTRUCTION SHALL NOT BE WITHIN 10' OF ANY POERT LINES-WHEATHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.
2. AN APPROVED SEISMIC GAS SHUTOFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING." (PER ORDINANCE 170,158) (INCLUDES COMMERCIAL ADDITIONS AND TI WORK OVER $10,000.00) SEPARATE PLUMBING PERMIT REQUIRED.
3. A COPY OF THE EVALUATION REPORT AND/OR CONDITIONS OF LISTING SHALL BE MADE AVAILABLE AT THE JOB SITE.

GENERAL NOTES — scale: NTS — ref. no. — 4

1 SITE ACCESS OWNER/CONTRACTOR SHALL PROVIDE CLEAR AND UNOBSTRUCTED ACCESS TO THE WORK AREA FOR THE DURATION OF THE INSTALLATION. NO VEHICLES AND OR MATERIALS OF ANY KIND MAY BE PARKED WITHIN 10' OF THE PERIMETER OF THE INSTALLATION AREA. NOTHING SHALL BE STORED WITHIN THE PERIMETER OR WITHIN 10 FEET OF THE PERIMETER OF THE INSTALLATION AREA. THIS INCLUDES BUT IS NOT LIMITED TO CONSTRUCTION MATERIALS, DEBRIS, TRASH, VEHICLES, ETC. THE USE OF FORKLIFTS (UNLESS PROVIDED BY PARK PLUS INC.) OWNER/CONTRACTOR SHALL PROVIDE CLEAR AND ROLLABLE ACCESS FOR SAME THROUGH THE DURATION OF THE INSTALLATION. IN THE EVENT THAT CLEAR UNOBSTRUCTED ACCESS IS NOT PROVIDED PARK PLUS INC. RESERVES THE RIGHT TO CHARGE FOR ANY DELAYS CAUSED TO VERIFY SITE CONDITIONS MEET ALL EQUIPMENT SPECIFICATIONS PRIOR TO SHIPPING.
2 BUILDING POWER OWNER/CONTRACTOR SHALL PROVIDE ELECTRICAL POWER FOR TOOLS DURING INSTALLATION AS WELL AS ELECTRIC CURRENT FOR STARTING TESTING AND ADJUSTING THE LIFTS. IF POWER IS TEMPORARY IT SHALL BE OF THE PERMANENT CHARACTERISTICS AND BE PROVIDED WITH GROUNDED AND BONDED DISCONNECTS
3 SPRINKLERS IF SPRINKLERS ARE TO BE PROVIDED OWNER/CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATION OF SAME WITH PARK PLUS INC. TO MINIMIZE INTERFERENCE WITH THE LIFTS AND MAXIMIZE PARKING. IF UTILITY IF PARK PLUS MUST RELOCATE LIFTS AND OR CUSTOMIZE UP ELEVATIONS TO ACCOMMODATE NEW SPRINKLER INSTALLATIONS, WORK WILL BE DONE ON AN ADDITIONAL TIME AND MATERIAL BASIS.
4 ELECTRICAL RACEWAYS AND PLUMBING PARK PLUS INC WILL NOT BE RESPONSIBLE FOR THE RELOCATION OF ELECTRICAL RACEWAYS AND OR PLUMBING THAT MAY INTERFERE WITH THE LIFT(S) INSTALLATION AND OR OPTIMAL OPERATION
5 MECHANICAL SYSTEMS OWNER/CONTRACTOR IS RESPONSIBLE TO ENSURE ADEQUATE CLEARANCE IS MAINTAINED FOR OPTIMAL OPERATION OF THE LIFT(S). ANY OBSTRUCTION ENCROACHING INTO THE LIFT(S) IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR AND MAY REQUIRE ADDITIONAL GOVERNMENTAL APPROVALS
6 CUTTING AND PATCHING OWNER/CONTRACTOR IS RESPONSIBLE FOR CUTTING AND PATCHING ANY CONCRETE OR ASPHALT INCLUDING CUTOUTS TO ACCOMMODATE CONDUIT OR HYDRAULIC LINE RUNS. OWNER TO PROVIDE PVC CONDUIT FROM POWER PACK TO EACH ROW OF LIFTS. CONTRACTOR TO USE LARGE SWEEPS WHERE AVAILABLE
7 EPOXY AND/OR BOLTS OWNER/CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATIONS OF ALL ELECTRICAL OR OTHER SERVICES EXISTING IN SLABS TO AVOID DAMAGES CAUSED AS RESULT OF DRILLING FOR THE ANCHOR BOLTS. OWNER/CONTRACTOR TO PROVIDE ANCHOR BOLTS AND EPOXY ADHESIVE AND/OR PER THE APPROVED STRUCTURAL ENGINEERS DRAWINGS. OWNER TO PROVIDE REQUIRED DEPUTY INSPECTIONS
8 MAIN ELECTRICAL DISCONNECT OWNER/CONTRACTOR TO PROVIDE A FUSED LOCKABLE DISCONNECT SWITCH FOR EACH HYDRAULIC POWER PACK. DISCONNECT TO BE INSTALLED BY LICENSED ELECTRICAL CONTRACTOR. AN ELECTRICAL PERMIT IS REQUIRED FOR THE INSTALLATION OF THE ELECTRICAL DISCONNECT. INSTALLATION MUST CONFORM TO THE STANDARDS IN THE NATIONAL ELECTRICAL CODE WITH FEEDER OR BRANCH WIRING TO THE BUILDING POWER SUPPLY. DISCONNECT TO MEET MANUFACTURES SPECIFICATION AND MUST BE GROUNDED AND BONDED
9 CONCRETE SLAB/FOUNDATIONS ALL LIFTS MUST BE ANCHORED TO AN ENGINEERED APPROVED CONCRETE SLAB/FOUNDATION TO BE PROVIDED BY OWNER/CONTRACTOR. OWNER/CONTRACTOR TO ENSURE THAT REBAR PLACEMENT DOES NOT INTERFERE WITH THE EPOXY AND/OR BOLT SYSTEM. OWNER CONTRACTOR TO PRE DRILL ANCHOR BOLT HOLES PRIOR TO INSTALLATION OF LIFTS. RELOCATION OF ANCHOR BOLTS IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR. CONCRETE CONTROL JOINTS MUST BE LOCATED AT LEAST 3' AWAY FROM EPOXY ANCHOR BOLTS. MAXIMUM ALLOWABLE SLOPE UNDER LIFTS IS 2%
10 LIGHTING ANY MODIFICATION OF INSTALLATION OF LIGHTS AND/OR GFI ELECTRICAL OUTLETS REQUIRED AS A RESULT OF THE LIFT(S) INSTALLATION IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR FOR INDOOR INSTALLATION OWNER/CONTRACTOR SHALL PROVIDE SUFFICIENT LIGHTING TO PROVIDE A SAFE WORK AREA
11 INSTALLATION LIFTS(S) TO BE INSTALLED PER MANUFACTURES SPECIFICATION BY AN AUTHORIZED INSTALLER. A BUILDING PERMIT IS REQUIRED FOR INSTALLATION OF LIFT(S). ALL LIFT INSTALLATIONS MUST BE APPROVED BY PARK PLUS INC.'S STRUCTURAL ENGINEER. HANDICAP PARKING AND OTHER PARKING REQUIREMENTS ARE THE RESPONSIBILITY OF THE OWNER.
12 WORK BY OTHERS ALL "WORK BY OTHERS" MUST EITHER BE COMPETED PRIOR TO PARK PLUS INC MOBILIZATION OR BE PROPERLY SCHEDULED AS TO NOT OBSTRUCT THE PROGRESS OF THE LIFT(S) INSTALLATION.
13 HEAT AND SMOKE DETECTION OWNER/CONTRACTOR IS RESPONSIBLE FOR ALL HEAT AND SMOKE DETECTION. IF HEAT AND/OR SMOKE DETECTION ALREADY EXIST OWNER/CONTRACTOR AGREE TO ISOLATE AND OR INTERRUPT THE DEVICES LOCATED IN OR NEAR THE WORK AREA FOR THE DURATION OF THE WORK. IT IS THE OWNERS RESPONSIBILITY TO MODIFY EXISTING HEAT AND SMOKE DETECTION TO ALLOW PROPER PERFORMANCE OF THE LIFT
14 SIGNAGE IT IS THE OWNER/CONTRACTORS RESPONSIBILITY TO PROVIDE ALL REQUIRED SIGNAGE FOR THE PROJECT. PARK PLUS WILL PROVIDE ALL SAFETY AND WARNING LABELS REQUIRED ON THE EQUIPMENT.

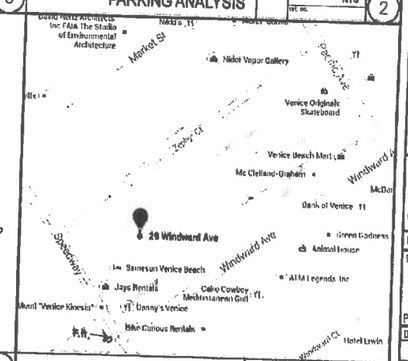
BUILDING DEPT NOTES — scale: NTS — ref. no. — 3

20 20 - OFFSITE PARKING STALLS (CODE REQUIRED PARKING FOR 72 MARKET STREET)
48 48 - NON CODE REQUIRED PARKING STALLS

66 - TOTAL NUMBER OF STALLS

1 - VAN ACCESSIBLE STALL
2 - REGULAR ACCESSIBLE STALLS
16 - STANDARD STALLS
49 - COMPACT STALLS

PARKING ANALYSIS — scale: NTS — ref. no. — 2



VICINITY MAP — scale: NTS — ref. no. — 1

OWNER
Los Angeles Department of Building & Safety
APPROVED PLANS
Approval of plans are not approval for construction until the required permit fees are paid. Approved plans will be held for two years from the date the permit fees are paid.
Permit No / Application No / Log No
DATE 3/26/16
14020 10000 00608
Permit Number "Issued" status means the permit fees have been paid
This set of plans MUST be at the job site during construction
The stamping of this plan SHALL NOT be held to permit or to be an approval of the violation of any provisions of any Ordinance or Law
SEPARATE permits are required for BUILDING, ELECTRICAL, PLUMBING, FIRE SPRINKLERS, ELEVATOR, HEATING or REFRIGERATION work, unless this permit was issued as an accommodation permit for a One or Two Family Dwelling pursuant to LAMC Section 91.0106.2.2. and the work by that trade does not require Plan Check

ARCHITECT'S/ENGINEER'S STAMP

LICENSED
JOHN GILMORE DEENIHAN
C
REN 06/31
STATE OF CALIFORNIA

NOTES

THIS CONFIDENTIAL DOCUMENT IS THE PROPERTY OF PARK PLUS INC AND SHALL NOT BE GIVEN, COPIED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT

LOS ANGELES DEPARTMENT OF BUILDING & SAFETY
BY: M. Atamia 3/26/16
14020-10000-00608
E16-00495

ISSUE	DATE
PLAN CHECK	2014/03/13
PLAN CHECK RESUBMITTAL	2016/01/14

CLIENT SIGNATURE:

PARKPLUS
HIGH DENSITY VEHICLE STORAGE

PARK PLUS CALIFORNIA - LOS ANGELES OFFICE
2233 Honolulu Ave, Suite 311 - Montrose, CA 91020
TEL: +1-818-248-7636
email: info.ca@parkplusinc.com www.parkplusinc.com

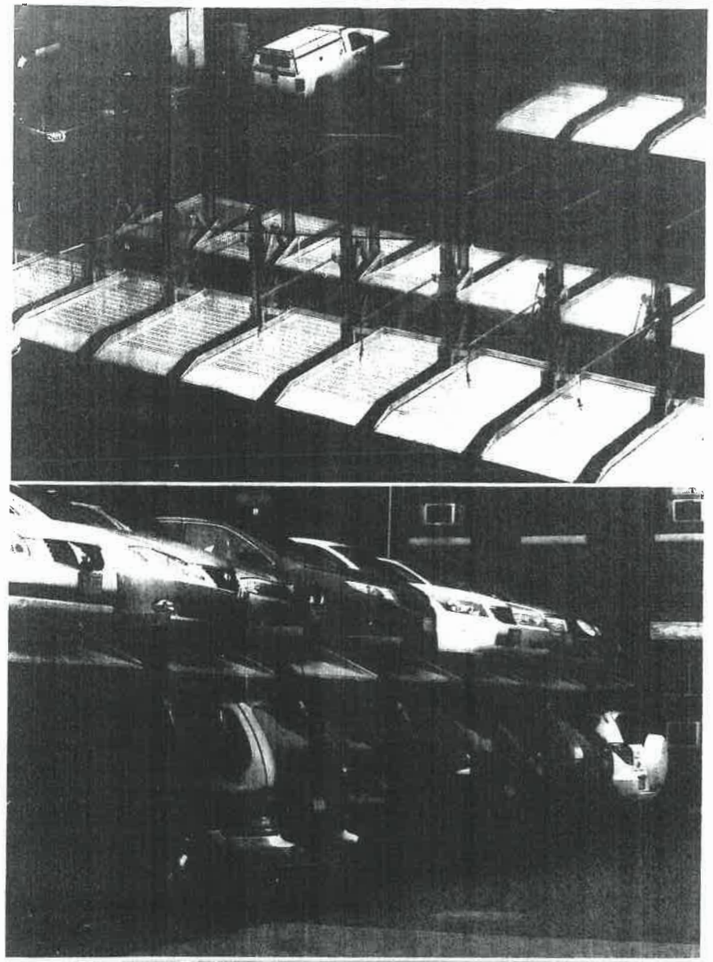
LOCATION PLAN

PROJECT NAME: SAFETY PARK
29-47 E. WINDWARD VE.
LOS ANGELES, CA 90291
CLIENT: SAFETY PARK
PROJECT NUMBER: PP4668
DRAWING DESCRIPTION: PARK PLUS MODEL DP003-L13

PARK PLUS INC. 2013©

DRAWN	CHECKED	CHECKED	DATE
MO	MO	-	2014/03/13

SCALE: As noted
DRAWING NUMBER: MP-1.0
MAR 22 2016





PARK PLUS DOUBLE PARKING SYSTEM IMAGES | NTS | 15

P/BC 2014-084

THESE DIAGRAMS ILLUSTRATE THE SPECIFIC REQUIREMENTS OF THESE REGULATIONS AND ARE INTENDED ONLY AS AN AID FOR BUILDING DESIGN AND CONSTRUCTION

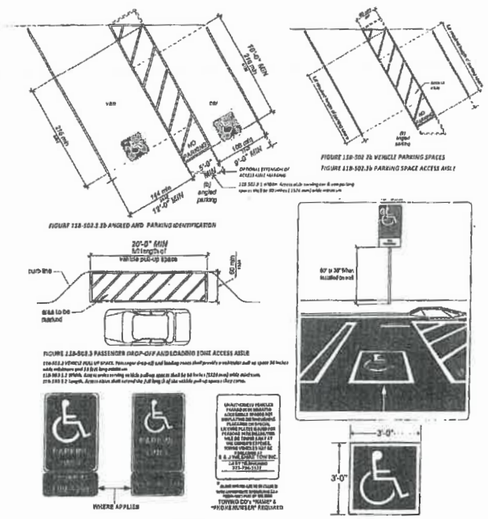


FIGURE 11B-502.3 ANGLED AND PARKING IDENTIFICATION

FIGURE 11B-502.3b VEHICLE PARKING SPACES
FIGURE 11B-502.3b PARKING SPACE ACCESS AISLE

FIGURE 11B-502.5 PASSENGER DROP-OFF AND LOADING ZONE ACCESS AISLE

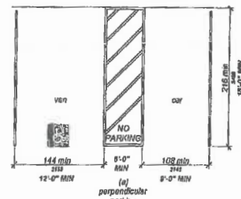
SECTION 11B-502.6

11B-502.6.4.2

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. For efficient handling of information internally and in the Internet, conversion to this new format of code related and administrative information bulletins including MDO and RSA that were previously issued will also allow flexibility and timely distribution of information to the public.

P/BC 2014-084

THESE DIAGRAMS ILLUSTRATE THE SPECIFIC REQUIREMENTS OF THESE REGULATIONS AND ARE INTENDED ONLY AS AN AID FOR BUILDING DESIGN AND CONSTRUCTION



FOR VAN ACCESSIBLE STALLS, NO PARKING AREA SHALL BE MINIMUM OF 8'-0" WIDE.

FIGURE 11B-502.3a, 502.3b PERPENDICULAR PARKING IDENTIFICATION

11B-502.3.1 WIDTH. Access aisle serving car & van parking spaces shall be 60 inches (1524 mm) wide minimum.

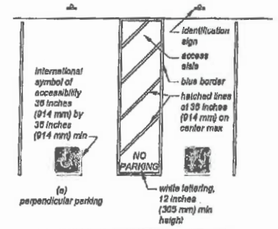
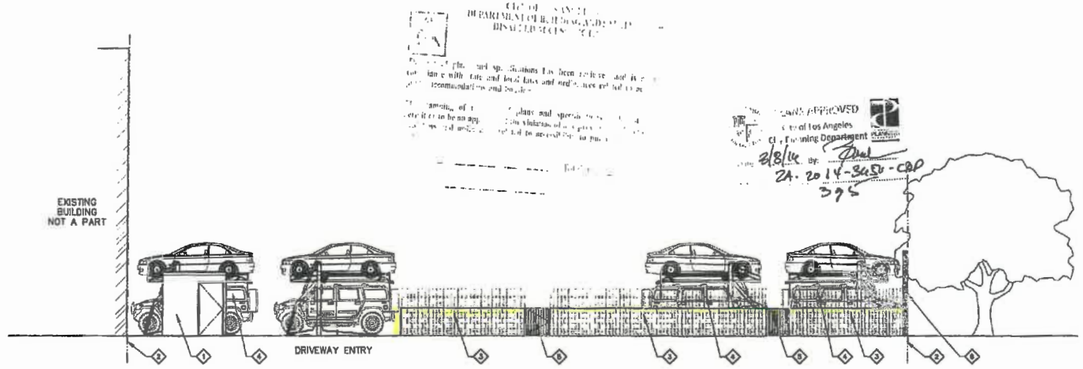


FIGURE 11B-502.3.3b PERPENDICULAR PARKING IDENTIFICATION

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. For efficient handling of information internally and in the Internet, conversion to this new format of code related and administrative information bulletins including MDO and RSA that were previously issued will also allow flexibility and timely distribution of information to the public.

ACCESSIBLE PARKING DETAILS | NTS | 3



ELEVATION | 1/8" = 1'-0" | 1

OWNER

ARCHITECT'S/ENGINEER'S STAMP



NOTES

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ISSUE	DATE
PLAN CHECK	2013/10/10
PLAN CHECK RESUBMITTAL	2016/01/14

CLIENT SIGNATURE:

PARKPLUS
HIGH DENSITY VEHICLE STORAGE
PARK PLUS CALIFORNIA - LOS ANGELES OFFICE
2233 Honolulu Ave, Suite 311 - Montrose, CA 91020
TEL: +1-818-248-7636
email: info.ca@parkplusinc.com www.parkplusinc.com



LOCATION PLAN

PROJECT NAME: SAFETY PARK
29-47 WINDWAD
LOS ANGELES, CA 90291

CLIENT: SAFETY PARK

PROJECT NUMBER: PP4868

DRAWING DESCRIPTION:
ELEVATION AND ACCESSIBLE STALL DETAIL

PARK PLUS INC. 2013©

DRAWN	CHECKED	CHECKED	DATE
MO	MO	-	03 13 2014

SCALE: AS NOTED
DRAWING NUMBER: MP- 3.0

RECEIVED MAR 2

EXHIBIT K

No correspondence has been received.

INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that "compliance" means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission's ROPs can be accessed at **http://planning.lacity.org**, by selecting "Commissions & Hearings" and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

**If you are using Explorer, you will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

Daniel Freedman
dff@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 75550-0004

February 18, 2025

VIA EMAIL ONLY

Hon. Members of the City of Los Angeles
City Planning Commission
Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012
E-Mail: cpc@lacity.org

Re: **Appeal Hearing Presentation Materials**
Case No. DIR-2019-7545-BSA-1A
Project Site: 29-47 E. Windward Avenue

Dear Honorable Members of the City of Los Angeles Planning Commission:

This office represents the owner of 29-47 E. Windward Avenue, the Appellant in the above referenced appeal. As discussed in the staff report, the question presented by this appeal concerns whether or not the Los Angeles Municipal Code ("LAMC") permits wall signs on freestanding walls. To assist you in considering this question, attached as **Exhibit A** are the relevant sections of the City's sign ordinance for your review. Before reviewing any other materials, I encourage you to review the plain language of the ordinance, and reach your own determination as to this simple and straightforward issue.[1] In our view, the conclusion is self-evident. LAMC § 14.4.2 defines a "Wall Sign" as [a]ny sign attached to, painted on or erected against the wall of a building or structure…" As a freestanding wall is a "structure" as defined by LAMC § 12.03, and because wall signs are permitted on structures, wall signs are also permitted on freestanding walls.

In reaching a different conclusion, the City's Zoning Administrator ("ZA") found that wall signs are in-fact permitted on freestanding walls pursuant to LAMC § 14.4.10-F, however only in circumstances "[w]here a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street…" This does not make sense. LAMC § 14.4.10-F provides regulations applicable to wall signs "[w]here a parking lot exists between a wall sign and

[1] Attached as **Exhibit B** is a presentation our office has prepared to facilitate discussion at the upcoming hearing.

the street," and the ZA's view that this language should be interpreted to include a presumed prohibition against wall signs on freestanding walls in all other instances is a stretch too far.

We urge the Planning Commission to avoid re-writing the LAMC in this fashion. City constituents have a right to rely on a straightforward and plain municipal code that means what it says. Thank you in advance for your consideration.

Very truly yours,



DANIEL FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

DF:df
Enclosure

CC: Luis Lopez, Assistant Planner, Department of City Planning.

EXHIBIT A

ARTICLE 4.4

SIGN REGULATIONS

(Article Added by Ord. No. 179,416, Eff. 12/20/07, Oper. 1/1/08.)

Section

14.4.1 Purpose.
14.4.2 Definitions.
14.4.3 Application.
14.4.4 General Provisions.
14.4.5 Hazard to Traffic.
14.4.6 Freeway Exposure.
14.4.7 Information Signs.
14.4.8 Monument Signs.
14.4.9 Projecting Signs.
14.4.10 Wall Signs.
14.4.11 Illuminated Architectural Canopy Signs.
14.4.12 Pole Signs.
14.4.13 Roof Signs.
14.4.14 Window Signs.
14.4.15 Marquee Signs.
14.4.16 Temporary Signs.
14.4.17 Temporary Signs on Temporary Construction Walls and on Solid Wood Fences Surrounding Vacant Lots.
14.4.18 Off-Site Signs.
14.4.19 Awning Signs.
14.4.20 Original Art Murals, Vintage Original Art Murals, and Public Art Installations.

SEC. 14.4.1. PURPOSE.

The purpose of this article is to promote public safety and welfare by regulating signs in keeping with the following objectives:

A. That the design, construction, installation, repair and maintenance of signs will not interfere with traffic safety or otherwise endanger public safety.

B. That the regulations will provide reasonable protection to the visual environment by controlling the size, height, spacing and location of signs.

C. That both the public and sign users will benefit from signs having improved legibility, readability and visibility.

D. That consideration will be given to equalizing the opportunity for messages to be displayed.

E. That adequacy of message opportunity will be available to sign users without dominating the visual appearance of the area.

F. That the regulations will conform to judicial decisions, thereby limiting further costly litigation and facilitating enforcement of these regulations. **(Added by Ord. No. 180,841, Eff. 8/14/09.)**

SEC. 14.4.2. DEFINITIONS.

The following terms shall apply to this article. Other terms used in this article shall have the meanings set forth in Section 12.03 of this Code, if defined in that section.

Bisecting Line. A line that equally divides the angle created by the projection of intersecting lot lines of a lot adjoining the street of a corner lot as illustrated in Diagram C of this article.

Building Frontage. The projection of the building walls upon the street used for street frontage.

Digital Display. A sign face, building face, and/or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation, through the use of grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of or attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means. **(Added by Ord. No. 180,841, Eff. 8/14/09.)**

Face of Building. The general outer surface, not including cornices, bay windows or architectural projections, of any exterior

wall of a building.

Freeway. A highway in respect to which the owners or those in possession of abutting lands have no right or easement of access to or from their abutting lands or in respect to which the owners have only limited or restricted right or easement of access, and which is declared to be a freeway, in compliance with the Streets and Highways Code of the State of California.

Identification Sign. A wall sign that is limited to a company logo, generic type of business, or the name of a business or building.

Illuminated Architectural Canopy Sign. An enclosed illuminated structure that is attached to the wall of a building with the face of the sign approximately parallel to the wall and with the message integrated into its surface.

Inflatable Device. A sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method. The term inflatable device shall not include any object that contains helium, hot air or a lighter-than-air substance.

Information Sign. A sign that is limited to a message giving directions, instructions, menus, selections or address numerals.

Main Traveled Roadway of a Freeway. The portion of a freeway, including interchange roadways connecting one freeway with another, which is designed for the movement of large volumes of vehicular traffic, efficiently and safely at high speed, but not including service roadways, landscape areas, or ingress or egress ramps connecting the freeway with other streets.

Monument Sign. A sign that is erected directly upon the existing or artificially created grade, or that is raised no more than 12 inches from the existing or artificially created grade to the bottom of the sign, and that has a horizontal dimension equal to or greater than its vertical dimension.

Nuisance, Public. Trash, debris, rubbish, weeds, graffiti, unpermitted posters/handbills, or illegal postings. **(Added by Ord. No. 187,145, Eff. 9/30/21.)**

Off-Site Sign. A sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where the sign is located.

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

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

Original Art Mural. A one-of-a-kind, hand- painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold. **(Added by Ord. No. 182,706, Eff. 10/12/13.)**

Perpendicular Line. A straight line between the point on a sign face that is closest to the street and the point where the line intersects the street lot line at a 90 degree angle, as illustrated in Diagram C of this article.

Pole Sign. A freestanding sign that is erected or affixed to one or more poles or posts and that does not meet the requirements of a monument sign.

Projecting Sign. A sign, other than a wall sign, that is attached to a building and projects outward from the building with one or more sign faces approximately perpendicular to the face of the building.

Projection. The distance by which a sign extends beyond the building line.

Public Art Installation. A facility, amenity or project that does not contain any commercial message and which is either an "approved public arts project" as defined by Section 19.85.4 of the Los Angeles Administrative Code or approved pursuant to Section 91.107.4.6 of the Los Angeles Municipal Code. For definition purposes, a commercial message is any message that advertises a business conducted, services rendered, or goods produced or sold. **(Added by Ord. No. 182,706, Eff. 10/12/13.)**

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

Sign. Any whole or part of a display board, wall, screen or object, used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public.

Sign Area. An area circumscribed by the smallest geometric shape created with a maximum of eight straight lines, which will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas and attention-attracting devices, forming an integral part of an individual message except that:

1. Wall signs having no discernible boundary shall have the areas between letters, words intended to be read together and any device intended to draw attention to the sign message included in any computation of surface area.

2. For spherical, cylindrical or other three-dimensional signs the area of the sign shall be computed from the smallest two-dimensional geometrical shape or shapes, which will best approximate the greatest actual surface area visible from any one direction.

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

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

Sign Face. The surface upon which the sign message is placed.

Street Frontage. The length of a line separating a lot from one street.

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

Temporary Construction Wall. A temporary solid fence or barrier of wood or similar material that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site. **(Amended by Ord. No. 187,145, Eff. 9/30/21.)**

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

Vintage Original Art Mural. An Original Art Mural that existed prior to the operative date of this definition. **(Added by Ord. No. 182,706, Eff. 10/12/13.)**

Wall Sign. Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

Window Sign. Any sign, except for a supergraphic sign, that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the sign is visible from outside the building.

SEC. 14.4.3. APPLICATION.

A. **Scope.** All exterior signs and sign support structures shall conform to the requirements of this article and all other applicable provisions of this Code, except that the provisions of Subsections 14.4.4 E. and G.; 14.4.4 I.; 14.4.5; 14.4.6; 14.4.12; 14.4.18; 91.6205.2; and 91.6216 of this Code shall not apply to the relocation of signs or sign support structures that existed on January 17, 1993, that were erected or are maintained by the Los Angeles Memorial Coliseum Commission (Commission) on property owned or controlled, in whole or in part, by the Commission. The regulations in this Article do not apply to signs located primarily within a public right-of-way. **(Amended by Ord. No. 187,145, Eff. 9/30/21.)**

B. **On-Site Signs.** The following provisions of this Code, as applicable, shall apply to on-site signs: Sections 14.4.4 A.; 14.4.5; 14.4.6; 14.4.7; 14.4.9; 14.4.10; 14.4.11; 14.4.12; 14.4.13; 14.4.14; 14.4.15; 14.4.19; 91.6205; 91.6207; and 91.6216.

C. **Off-Site Signs.** The following provisions of this Code, as applicable, shall apply to off-site signs: Sections 14.4.4 A.; 14.4.5; 14.4.6; 14.4.18; 91.6205; and 91.6207.

D. **Temporary Signs.** The following provisions of this Code, as applicable, shall apply to temporary on-site and off-site signs: Sections 14.4.4 A.; 14.4.5; 14.4.6; 14.4.16; 14.4.17; 91.6205; and 91.6207.

E. **(Deleted by Ord. No. 182,706, Eff. 10/12/13.)**

SEC. 14.4.4. GENERAL PROVISIONS.

A. **Ideological and Political Signs.** No provision of this article shall prohibit an ideological, political or other noncommercial message on a sign otherwise permitted by this article.

B. **Prohibited Signs.** Signs are prohibited if they:

1. Contain obscene matters, as defined in Section 311 of the Penal Code of the State of California.

2. Contain or consist of posters, pennants, banners, ribbons, streamers or spinners, except as permitted by Sections 14.4.16 and 14.4.17 of this Code.

3. Contain flashing, mechanical and strobe lights in conflict with the provisions of Sections 80.08.4 and 93.0107 of this Code.

4. Are revolving and where all or any portion rotate at greater than six revolutions per minute.

5. Are tacked, pasted or otherwise temporarily affixed on the walls of buildings, barns, sheds, trees, poles, posts or fences, except as permitted by Sections 14.4.16 and 14.4.17 of this Code.

6. Are affixed to any vehicle or trailer on private property if the vehicle or trailer is not intended to be otherwise used in the business and the sole purpose of attaching the sign to the vehicle or trailer is to attract people to a place of business.

7. Emit audible sounds, odor or visible matter.

8. Use human beings, live animals, animated figures, motion pictures or slide projectors in connection with any sign.

9. Are supergraphic signs. **(Amended by Ord. No. 187,712, Eff. 1/23/23, Oper. 1/22/24; Ord. No. 187,930, Eff. 7/7/23.)**

EXCEPTIONS: This prohibition shall not apply to supergraphic signs that are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement. This exception shall become operative only to the extent that Subdivision 9. is deemed constitutional upon the reversal of the trial court decision in the case of *World Wide Rush, LLC v. City of Los Angeles* , United States District Court Case No. CV 07-238 ABC.

In addition, notwithstanding the provisions of Sec. 13B.10.1. (General Provisions) of Chapter 1A of this Code, this prohibition shall not apply to any building permit issued prior to the effective date of this ordinance if the Department of Building and Safety determines that both substantial liabilities have been incurred, and substantial work has been performed on site, in accordance with the terms of that permit pursuant to Section 91.106.4.3.1 of Chapter 9 of this Code.

10. **(Deleted by Ord. No. 182,706, Eff. 10/12/13.)**

11. Are off-site signs, including off-site digital displays. This prohibition shall also apply to alterations, enlargements or conversions to digital displays of legally existing off-site signs with regard to the following exceptions: **(Amended by Ord. No. 187,145, Eff. 9/30/21.)**

EXCEPTIONS: This prohibition shall not apply to:

(a) alterations that conform to the provisions of Section 91.6216 and all other requirements of this Code; or

(b) off-site signs specifically permitted pursuant to a relocation agreement entered into pursuant to California Business and Professions Code Section 5412; or

(c) off-site signs, including off-site digital displays, that are specifically permitted pursuant to a legally adopted specific plan, supplemental use district or an approved development agreement; or

(d) non-digital off-site signs that are authorized by a valid building permit for a temporary sign on temporary construction walls or on fences of solid wood or similar material surrounding vacant lots pursuant to Section 14.4.17.

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

C. **Prohibited Locations.**

1. No sign or sign support structure shall project into any public alley, except that a sign or sign support structure above a height of 14 feet may project no more than six inches into a public alley.

2. No sign or sign support structure shall be located less than six feet horizontally or 12 feet vertically from overhead electrical conductors, which are energized in excess of 750 volts. The term "**overhead electrical conductors**" as used here shall mean any electrical conductor, either bare or insulated, installed above ground, except electrical conductors that are enclosed in iron pipe or other material covering of equal strength. Arcs of six foot radius may be used to define corners of prohibition area.

3. No sign or sign support structure shall be erected in a visibility triangle as defined by Sections 12.21 C.7. and 62.200 of this Code.

4. No sign or sign support structure shall be located within two feet of the curb or edge of any roadway.

D. **Maintenance.**

1. **Appearance.** Every sign shall be maintained in a clean, safe and good working condition, including the replacement of defective parts, defaced or broken faces, lighting and other acts required for the maintenance of the sign. The display surfaces shall be kept neatly painted or posted at all times.

2. **Debris Removal.** The base of any sign erected on the ground shall be kept clear of weeds, rubbish or other combustible material at all times.

3. **Abandoned Signage.** Ninety days after the cessation of a business activity, service or product, the related signs shall be removed, or the face of the signs shall be removed and replaced with blank panels or shall be painted out.

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

F. **Combination Signs.** A sign, which is subject to more than one classification, shall meet the requirements for the classification to which each portion is subject.

G. **Flag Lots.** For purposes of this article, flag lots containing less than 50 feet of street frontage shall be allotted 50 feet of street frontage for the purpose of determining the type of sign permitted and for the allowable sign area.

H. **Street Address Numbers.** No sign shall be maintained on any property unless the street address of the property is maintained in accordance with the provisions of Section 63.113 of this Code.

I. **Sign Permit Priority Status.**

1. To maintain location, area, frontage, or spacing status, signs must be installed within six months of issuance of a building permit or prior to expiration of any permit extension granted by the Department of Building and Safety.

2. Where more than one permit has been issued and the effect of those permits when considered together results in a violation of this article, all permits except the permit with the earlier date and time of issuance shall be invalid.

J. **Relief.** Notwithstanding the provisions of Sections 12.24, 12.27, 12.28 or any other section of this Code to the contrary, no relief from the provisions of Subsection B.9. or 11. of this section shall be granted. **(Added by Ord. No. 180,841, Eff. 8/14/09.)**

SEC. 14.4.5. HAZARD TO TRAFFIC.

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

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

1. All permit applications for signs that will be visible from and are located within 500 feet of the main traveled roadway of a freeway; and

2. All other permit applications and any signs that are determined by the Department of Building and Safety to have a potential for hazard.

C. **Hazard Determination.** The Department of Transportation shall return to the Department of Building and Safety each application so referred to it together with a statement of its determination. If the Department of Transportation determines that the sign or sign support structure will constitute a hazard, the Department of Building and Safety shall deny the application for permit.

SEC. 14.4.6. FREEWAY EXPOSURE.

(Amended by Ord. No. 180,841, Eff. 8/14/09.)

A. **New Signs.** No person shall erect, construct, install, paint, maintain, and no building or electrical permit shall be issued for, any sign or sign support structure within 2,000 feet of a freeway unless the Department of Building and Safety has first determined that the sign will not be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp. However, at the termination of an off-ramp, any wall sign located along the front line may be viewed primarily from the off-ramp.

The phrase "**viewed primarily from**" shall mean that the message may be seen with reasonable clarity for a greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off-ramp than by a person traveling on the street adjacent to the sign.

B. **Exemption.** The wall signs specified in Subdivisions 1. and 2. below are exempt from the limitation of Subsection A. above. These signs shall not have moving parts or any arrangement of lights that create the illusion of movement.

1. Identification signs identifying the building where the sign is located, providing the area of the sign is not more than 50 square feet or is not larger than five percent of the area of the side of the building, which faces primarily to the freeway, whichever is greater; and

2. Wall signs on which the advertising is limited to the name of any person, firm or corporation occupying the building, or the type of business, services rendered, or the name of any product manufactured or sold on the premises. The total area of all wall signs on a building permitted in this subdivision shall not exceed 100 square feet. Any one sign shall not exceed 50 square feet in area.

C. **Existing Signs.** Within three years of the opening of a freeway to public travel, all signs that existed prior to the opening of the freeway and that are in conflict with the provisions of this section and/or Section 14.4.5 of this Code shall be removed, or shall be rearranged or relocated so as to eliminate any conflict with the provisions of this section and/or Section 14.4.5 of this Code.

The Department of Building and Safety and the Department of Transportation shall determine whether or not the sign or sign support structure is in conflict with the provisions of this section and/or Section 14.4.5 of this Code. If it is determined that any sign or sign support structure is in conflict with any of the provisions of this section and/or Section 14.4.5 of this Code, then the permittee and/or other responsible person shall be advised and shall remove, rearrange or relocate the sign or sign support structure within this three-year period.

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

SEC. 14.4.7. INFORMATION SIGNS.

A. **Area.** Information signs shall not exceed 25 square feet in area.

B. **Height.** Information signs shall be limited to a maximum overall height of six feet six inches above the sidewalk grade or edge of roadway grade nearest the sign.

SEC. 14.4.8. MONUMENT SIGNS.

A. **Area.**

1. The sign area of monument signs shall not exceed 1.5 square feet per foot of street frontage nor a maximum of 75 square feet for the sign face visible to the same direction of traffic.

2. The combined sign area of monument signs, projecting signs, wall signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

B. **Height.** Monument signs shall be limited to a maximum overall height of eight feet above sidewalk grade or edge of roadway grade nearest the sign.

C. **Location.** Monument signs shall be located at least 7.5 feet from interior lot lines and at least 15 feet from any other monument sign, projecting sign or pole sign. The location of monument signs shall not interfere or present a hazard to pedestrian or vehicular traffic.

D. **Shape.** Monument signs shall have a horizontal dimension equal to or greater than their vertical dimension.

E. **Projection.** Monument signs shall not project over the roof of a building or over the building line.

SEC. 14.4.9. PROJECTING SIGNS.

A. **Permitted.** Projecting signs shall not be permitted on that portion of a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a projecting sign for each 200 feet or fraction of that area of street frontage, if the street frontage does not contain an existing projecting sign or a pole sign.

B. **Area.**

1. The sign area of projecting signs visible to the same direction of traffic shall not exceed 25 square feet plus 1.5 square feet for each foot of street frontage up to a maximum sign area of 300 square feet. Any projecting sign located at the street corner of a corner lot may use the greater street frontage in computing area limitations.

2. The combined sign area of projecting signs, wall signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

C. **Height.** A projecting sign shall not be located lower than eight feet above sidewalk grade or edge of roadway grade nearest the sign and shall not extend above the top of the wall.

D. **Location.**

1. A projecting sign shall be located at least 7.5 feet from any interior lot line.

2. A projecting sign shall be located at least 15 feet from any other projecting sign, monument sign or pole sign.

3. The plane of the sign face of a projecting sign shall be within 15 degrees of being perpendicular to the face of the building, except at the corner of the building.

E. **Projections.** A projecting sign may project over the building line, but shall not extend beyond the limits shown in Diagram A of this article. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel with the building line. In no event, may a projecting sign project more than eight feet from the face of a building.

EXCEPTION: For projecting signs located above a 16-foot height and on a lot having a street frontage greater than 50 feet, projections over the building line may vary linearly from five feet at 50 feet to eight feet at 100 feet of street frontage.

SEC. 14.4.10. WALL SIGNS.

A. **Area.**

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

2. For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.

3. For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.

4. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.

5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

B. **Height.** A wall sign shall not extend above the top of the wall of the building.

EXCEPTION: Where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.

C. **Location.**

1. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.

2. Wall signs installed on a wall that faces the rear lot line and that is located within 30 feet of property that is zoned R3 or more restrictive shall not be illuminated.

D. **Projection.**

1. No wall sign shall have a projection over any public street, other public property or building line greater than that permitted in Diagram A of this article.

2. No wall sign shall project more than 24 inches from the face of the building. If any message is placed on the edge of a wall sign, then that portion of the wall sign shall be regulated as a projecting sign.

E. **High Rise Signs.** Any wall signs located over 100 feet above grade shall be used as identification signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Notwithstanding the provisions of Subsection A. above, the area of these signs may constitute up to five percent of the area of the wall where the signs are attached and may be in addition to the area permitted in Subsection A. above.

F. **Parking Lots.** Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

SEC. 14.4.11. ILLUMINATED ARCHITECTURAL CANOPY SIGNS.

A. **Area.**

1. The area of illuminated architectural canopy signs shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.

2. In applying sign area limits, only the area occupied by the message of the illuminated architectural canopy signs will be used.

3. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.

4. The combined sign area of illuminated architectural canopy signs, projecting signs, monument signs, wall signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

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

C. **Clearance.** Illuminated architectural canopy signs shall have a minimum clearance of eight feet above the sidewalk grade or edge of roadway grade nearest the sign and shall not be located closer than two feet from the curb of any roadway.

D. **Emergency Personnel Access.** Illuminated architectural canopy signs shall not occupy a four-foot distance along the exterior wall at one corner of the building's street frontage and an additional four-foot distance along every 50 feet of the building frontage.

E. **Illumination.** The sign shall be internally illuminated so as to illuminate the canopy and the exterior wall below. The illuminated architectural canopy sign shall bear the electric sign label of an approved testing agency with a re-inspection service.

F. **Projections.** Illuminated architectural canopy signs may project over a building line. However, in no event may an illuminated architectural canopy sign project more than three feet from the face of the building.

SEC. 14.4.12. POLE SIGNS.

A. **Permitted.** Pole signs shall not be permitted on that portion of a lot having less than 50 feet of street frontage. Lots having a street frontage of at least 50 feet may have a pole sign for each 200 feet or fraction of that area of street frontage, if the street frontage does not contain an existing pole sign or projecting sign.

B. **Area.**

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

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

3. Any pole sign that is located at the street corner of a corner lot may use the greater street frontage for area limitations.

4. The combined sign area of pole signs, projecting signs, monument signs, illuminated architectural canopy signs, wall signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

C. **Height.** Height shall be measured from the nearest sidewalk or edge of roadway grade to the top of the sign. The overall height limitation shall be determined by street frontage as follows:

1. 25 feet for lots having 50 feet of street frontage;

2. 35 feet for lots having more than 50 feet and less than 100 feet of street frontage; and

3. 42 feet for lots having at least 100 feet of street frontage.

Any pole sign that is located at the street corner of a corner lot may use the greater street frontage for determining height limitations. In no event shall a sign exceed the height specified for the height district in which the sign is located.

D. **Location.**

1. Pole signs shall be located at least ten feet from interior lot lines; however, on corner lots and flag lots, pole signs may be located five feet from interior lot lines.

2. A pole sign shall be located at least 15 feet from any other pole sign, projecting sign or monument sign.

3. Pole signs shall be located so as not to interfere or present a hazard to pedestrian or vehicular traffic.

4. Where the lower part of a pole sign is less than eight feet above sidewalk grade or the edge of roadway grade nearest the sign, the sign shall extend to grade or shall be installed in a planter that extends beyond the edges of the sign and sign support structure and that is a minimum of 18 inches in height.

E. **Projections.** A pole sign may project over a building line, but shall not extend beyond the limits shown in Diagram A of this article. Sign projections shall fall within an area that is perpendicular to the building line and has a width of three feet as measured parallel to the building line.

F. **Other Requirements.** A maximum of two poles shall be permitted for any pole sign. The maximum cross- sectional dimension of a pole shall not exceed ten percent of the overall height of the sign.

SEC. 14.4.13. ROOF SIGNS.

A. **Permitted.** Roof signs shall be permitted only when placed directly upon a roof that slopes downward toward and extends to or over the top of an exterior wall.

B. **Area.**

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

2. The maximum area of any one roof sign shall not exceed 300 square feet.

3. The combined area of roof signs, illuminated architectural canopy signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.

4. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

C. **Height.** The top of the roof sign shall be located at least two feet below the ridge of the roof.

D. **Location.**

1. Roof signs shall be located at least ten feet from interior lot lines.

2. Roof signs shall be located at least two feet from the edge of the roof.

3. The plane of the sign face of a roof sign shall be approximately parallel to the face of the building.

SEC. 14.4.14. WINDOW SIGNS.

A. **Area.** The total area of all window signs shall not exceed ten percent of the area of the window.

B. **Combined Area.** The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

SEC. 14.4.15. MARQUEE SIGNS.

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

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

SEC. 14.4.16. TEMPORARY SIGNS.

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

B. **Area.**

1. The combined sign area of temporary signs shall not exceed two square feet for each foot of street frontage.

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

C. **Time Limit.**

1. Temporary signs that require a permit shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days of the date of removal of the previous sign. The installation of temporary signs shall not exceed a total of 90 days in any calendar year.

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

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

E. **Construction.** Temporary signs may contain or consist of posters, pennants, ribbons, streamers or spinners. Temporary signs may be made of paper or any other material. If the temporary sign is made of cloth, it shall be flameproofed when the aggregate area exceeds 100 square feet. Every temporary cloth sign shall be supported and attached with stranded cable of 1/16-inch minimum diameter or by other methods as approved by the Department of Building and Safety.

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

(Amended by Ord. No. 187,145, Eff. 9/30/21.)

A. **Permit Required.** A valid building permit for a sign, issued by the Department of Building and Safety (LADBS) in accordance with Section 91.6201.2, shall be required to place and maintain a temporary sign on a temporary construction wall, as defined in Section 14.4.2 of this Code, or on a fence of solid wood or similar material surrounding a vacant lot.

For the purposes of Section 14.4.17 and pursuant to Section 91.3306 of the Los Angeles Municipal Code, Temporary Construction Walls are deemed required when the City determines construction work is more than 8 feet in height and within 5 feet from the lot line, or more than 8 feet in height and within a distance of half the height of the construction work from the lot line.

The Department of Building and Safety shall issue a building permit for a temporary sign, pursuant to this section, after verifying that the plans comply with all applicable code provisions and all permit clearances have been approved upon confirmation of the following, as applicable:

1. **Initial Permit Application.**

(a) If the temporary sign is to be placed on a temporary construction wall:

(1) There is a separate valid building permit issued by the Department of Building and Safety authorizing construction work on the lot(s);

(2) At least a portion of the temporary construction wall is required pursuant to Section 91.3306 of the Los Angeles Municipal Code:

(3) A previous building permit for a temporary sign was not issued in conjunction with the same building permit referenced in A.1.(a)(1) of this subsection;

(4) A previous building permit for a temporary sign on the site was not expired or revoked within the preceding 12 months pursuant to Paragraph 14.4.17 C.1.(a) or Subdivision 14.4.17 G.4.; and

(5) When a business is operating on the site, temporary signage must comply with the following:

(i) the location of temporary signage is limited to the portion of the temporary construction wall that is required pursuant to Section 91.3306 of the Los Angeles Municipal Code; and

(ii) a minimum 40 linear feet of required temporary construction wall, not exceeding the boundaries of the site, may be installed and used for temporary signage; and

(iii) no site may exceed a maximum of 250 square feet of temporary signage.

(b) If the temporary sign is to be placed on a fence surrounding a vacant lot:

(1) There are no buildings or uses of land on the lot.

(2) A previous building permit for a temporary sign was not expired or revoked within the preceding 12 months pursuant to Subdivision 14.4.17 G.4.

2. **Subsequent Permit Application.**

(a) If Department of Building and Safety records indicate that a building permit for a temporary sign on a fence of solid wood or similar material surrounding a vacant lot on the site was previously issued:

(1) The sign complies with Paragraph A.1.(b) of Section 14.4.17 as applicable;

(2) A previous building permit for a temporary sign on the site was not expired or revoked within the preceding 12 months pursuant to Subdivision 14.4.17 G.4.;

(3) No more than one initial building permit for a temporary sign and one subsequent building permit for a temporary sign, for a total of two years, have been issued at the same site; and

(4) The Director of the Office of Community Beautification reviews and consents to the subsequent building permit in a written statement and determines an abatement area pursuant to Subdivision 14.4.17 G.1.

The Office of Community Beautification's response for consent shall be provided within ten days of written request and based solely on its assessment as to whether a public nuisance exists indicated by the presence of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds on public property pursuant to the review described in Subsection 14.4.17 G.1.

B. **Area.** Notwithstanding the provisions of Subsection 14.4.16 B. of this Code, signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots pursuant to the terms of this section shall not extend above the top of the wall or fence and shall comply with the following:

1. The combined sign area of temporary signs shall not exceed 8 square feet for each foot of street frontage.

2. Individual signs shall not exceed a sign area of 250 square feet.

3. Signs may be grouped to form a maximum sign area of 250 square feet.

4. Signs or groups of signs having an area of 250 square feet shall be separated from any other sign on the temporary construction walls and/or solid wood fences surrounding vacant lots by at least 10 feet measured horizontally.

C. **Time Limit.** Notwithstanding the provisions of Subsection 14.4.16 C. of this article, a building permit for a temporary sign is time limited by the following:

1. A building permit for a temporary sign placed on a temporary construction wall shall remain valid for two years, or during the duration of the construction work, under a separate valid building permit, requiring a barrier, pursuant to Section 91.3306 of Los Angeles Municipal Code, whichever is less.

(a) If the construction work authorized by the separate building permit has not commenced by the 180th day following the permit issuance date, or the 90th day when an operating business exists on the site, or work has been suspended, discontinued or abandoned for a continuous period of 180 days, or 90 days when an operating business exists on the site, the building permit for the temporary sign permitted pursuant to Subsection 14.4.17 A. shall be expired. If the separate building permit is revoked or expired, the building permit for the temporary sign shall be expired. Subsequent building permits for a temporary sign at the same site, issued in conjunction with the original separate construction permit, shall not be authorized.

2. A building permit for a temporary sign placed on a fence of solid wood or similar material surrounding a vacant lot shall remain valid for one year, or for as long as the lot remains vacant, whichever is less. Subsequent building permits for temporary signs on a fence of solid wood or similar material surrounding a vacant lot at the same site shall be issued under the terms of Subsection A. of this Section, not to exceed two additional permits, for a total of three years.

D. **Height.** Signs may only be placed to a maximum height of 8 feet.

E. **Location.** Temporary signs placed on the exterior surfaces of any required temporary construction walls, and/or solid wood fences surrounding vacant lots are limited to lots located in a commercial, industrial or RAS zone.

F. **Construction.** Notwithstanding the provisions of Subsection 14.4.16 E. of this Code, Temporary signs on Temporary Construction Walls or on fences of solid wood or similar material surrounding vacant lots shall be made of paper, vinyl, or other similar material.

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

1. **Review by the Office of Community Beautification.** For the purposes of determining whether to consent to a subsequent building permit under this section, or at any time after the issuance of a building permit for a sign under this section, the Office of Community Beautification may investigate an area around the permitted site or lot to determine whether there exists a public nuisance due to the presence of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds on public property within the abatement radius.

For a subsequent building permit for a sign, if the Office of Community Beautification cannot establish that a public nuisance exists because of the presence of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish and weeds on public property within a 750-foot abatement radius around the permitted site or lot, then the Office of Community Beautification shall expand the radius around the site or lot in 250-foot increments, up to a maximum abatement radius of 1,500 feet. If the Office of Community Beautification finds the existence of a public nuisance on public property within the expanded radius area beyond the original 750-foot radius, then it shall require the sign company or property owner to abate the public nuisance in the expanded radius area in accordance with Subdivision G.3., Nuisance Abatement, below.

2. **Notification and Reporting.** Upon issuance of a building permit for a sign and installation of any signs on temporary construction walls, and/or solid wood or similar material fences surrounding vacant lots, the sign company or property owner shall install an 18" x 24" placard in a conspicuous location on the wall or fence. The placard shall be made of a durable laminated paper, vinyl or other weather resistant material with contrasting black letters on white background at least 2 inches in height. The placard shall conspicuously display the following information that the City wishes to display in lettering at least 1 inch high:

a. This is an Official Notice of the City of Los Angeles and shall not be defaced.

b. Temporary Signs have been placed on this wall or fence pursuant to Los Angeles Municipal Code Section 14.4.17, “Temporary Signs on Temporary Construction Walls and on Solid Wood Fences Surrounding Vacant Lots.”

c. Building permit number: _____ and expiration date: _____.

d. Phone number of the Department of Public Works’ Office of Community Beautification: _____.

e. Name and phone number of the sign operator’s representative for public reporting of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds for removal within the required abatement radius: _____.

Within ten days after the issuance of the building permit for a sign, the sign company or property owner shall provide written notification to the Office of Community Beautification and the Council District Office of the council district in which the construction site or vacant lot is located. The notification shall contain the name and address of the sign company or property owner and the property address where the signs will be placed. The notification to the Office of Community Beautification shall include a copy of the sign company’s contract with the property owner to post signs at the specified location.

Permit holders shall report the amount, type, and location of clean-ups within the abatement area to the Office of Community Beautification every 30 days for the duration of the building permit for the sign. Reporting shall be thorough and include before and after photo documentation, City of Los Angeles MyLA311 App request confirmation and/or other documentation stating date and time of clean up, as well as receipts for where materials were disposed.

Any building permit for a sign issued pursuant to this section may be immediately expired by the Department of Building and Safety, provided that a written and signed notification of the sign company or property owner’s failure to meet the notification and reporting requirements of this subdivision is sent to the Department of Building and Safety by the Director of the Office of Community Beautification. For all permits expired pursuant to this section, the Department of Building and Safety shall issue a notification to the permit holder upon expiration of the permit, including information about the appeals process.

3. **Nuisance Abatement.** It shall be the sign company and property owner’s responsibility to clean and maintain free from graffiti public property and rights-of-way within an area consisting of a 750-foot radius or any expanded radius required by the Office of Community Beautification around the permitted site or lot. The property owner’s representative shall patrol the abatement area every 24 hours to search for and remove any graffiti within 24 hours of its discovery. The removal of graffiti shall include, but not be limited to, spray paint on walls, poles, and fences on public property. In addition, the property owner’s representative shall also be responsible for removing any posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property. At the time of graffiti removal, the property owner’s representative shall also remove from public property any trash, debris, rubbish, and weeds, as well as report bulky items within the abatement area around the

permitted site. The sign company and property owner shall comply with the administrative policies and procedures set by the Office of Community Beautification. The Office of Community Beautification shall enforce the provisions of this subsection.

4. **Permit Revocation.** Any building permit for a sign issued pursuant to this section may be revoked by the Department of Building and Safety for any of the following reasons, provided a written and signed notification of the sign company or property owner's failure to comply with Paragraphs (c), (d), (e), (f) or (g) of this subdivision is sent to the Department of Building and Safety by the Director of the Office of Community Beautification:

(a) Failure by the sign company or property owner to comply with the terms of the permit.

(b) Failure by the sign company or property owner to maintain the bond required in Section 91.6201.2 2. of the Los Angeles Municipal Code.

(c) Failure by the sign company or property owner to maintain the temporary construction wall and/or solid wood fences surrounding vacant lots free from graffiti.

(d) Failure by the sign company or property owner to eliminate graffiti within a 750-foot radius or any expanded radius required by the Office of Community Beautification of the temporary construction wall, and/or solid wood or similar material fences surrounding vacant lots within 24 hours of receiving notification of the presence of graffiti from the Office of Community Beautification or the City Council district office of the district in which the construction site or vacant lot is located.

(e) Failure by the sign company or property owner to remove posters/handbills placed on light poles, utility poles, bus stops and any other illegal postings on public property within a 750-foot radius or any expanded radius required by the Office of Community Beautification of the site, within 24 hours of receiving notification from the Office of Community Beautification or the City Council district office of the district in which the construction site or vacant lot is located.

(f) Failure by the sign company or property owner, at the time of graffiti removal, to report bulky items and/or remove trash, debris, rubbish and weeds from public property within a 750-foot radius or any expanded radius required by the Office of Community Beautification of the permitted site.

(g) The Office of Community Beautification sends three or more notifications of failure to comply with paragraphs (c), (d), (e) or (f) of this subdivision to the sign company or property owner within a three-month period.

5. **Removal of Signs.** The sign company or property owner must remove the temporary signs authorized by this section by the date the sign permit becomes invalid due to its time limit or no later than the permit expiration or revocation date.

6. **Public Nuisance.** Any signs remaining on temporary construction walls, and/or solid wood or similar material fences surrounding vacant lots after the building permit has expired or is revoked are deemed to be a public nuisance that can be abated by utilizing the procedure contained in Section 91.8904 et seq. of the Code.

7. **Office of Community Beautification.** The Office of Community Beautification is hereby designated the authorized representative of the City for the purpose of enforcing and implementing the provisions of Section 91.8904.1.2 of the Los Angeles Municipal Code for compelling the removal of a sign which is a public nuisance under Subdivision 14.4.17 G.6.

SEC. 14.4.18. OFF-SITE SIGNS.

A. **Area.** The sign area of a single face shall not exceed 800 square feet.

B. **Height.**

1. The height to the top of the off-site sign shall be limited to a maximum of 42 feet above the sidewalk grade or edge of roadway grade nearest the sign, except that a sign that is more than 80 percent above a roof of a building may extend to the top of the sign a maximum of 30 feet above the surface of the roof under the sign.

2. In no event shall the height to the top of the off-site sign exceed a height greater than that height specified for the height district in which the sign is located, or a height of 60 feet above the sidewalk grade or edge of roadway grade nearest the sign, whichever is more restrictive.

3. The bottom of the off-site sign shall be at least eight feet above the sidewalk grade or edge of roadway grade nearest the sign.

C. **Location.**

1. No portion of an off-site sign with a sign area greater than 80 square feet shall be placed within 200 feet of a residentially zoned lot, which is located on the same side of the same street as the lot on which the sign is placed. However, where a lot has two or more street frontages, a sign may be located on that street frontage, which is not on the same street as the residentially

zoned lot; provided the sign and sign support structure are placed in that half of the lot that is the farthest from the street frontage on which the residentially zoned lot is located.

2. No portion of an off-site sign or sign support structure shall be located in that half of a lot located farthest from the street frontage when residentially zoned property is located to the rear of that street frontage.

3. Off-site signs are not permitted along that portion of a lot having a street frontage of less than 50 feet.

4. No more than four off-site signs shall be located at the intersection of two or more streets when the off-site signs are located within 150 feet of the intersection of two street frontages.

5. An off-site sign face shall not be located within one foot of an interior lot line.

D. **Frontage Determination on Lots with Lot Lines Adjoining More Than One Street.**

1. An off-site sign shall be considered to be on a single street for purposes of Sections 14.4.18 A. and 14.4.18 D. of this Code if the sign and its support structure are located entirely on the side of the bisecting line closest to that street and the sign face is placed at the same angle as the perpendicular line or at an angle not to exceed 20 degrees from either side of the perpendicular line as shown on Diagram C of this article.

2. An off-site sign located on a through lot shall be located on a single street if the sign and its support structure are located entirely on that half of the lot closest to the lot line adjoining that street.

Any off-site sign not in conformance with either Subdivision 1. or 2. above shall be considered to be located on more than one street frontage.

E. **Spacing.**

1. An off-site sign, which is either single-faced or parallel double-faced, shall be spaced as specified in Table No. B of this article from any other existing or previously permitted off-site sign, which is single- faced or parallel double-faced.

2. For any double-faced off-site sign, the spacing requirements shall be based on the area of the largest sign face.

3. For double-faced off-site signs whose faces are not parallel, the spacing between any proposed, permitted or existing off-site sign shall be determined by the following formula:

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

WHERE:

D= required spacing between signs, in feet.

S= sign spacing determined from Table No. B below in feet.

B= widest edge separation of sign faces in feet.

4. Spacing shall be measured between off-site signs that are located on the same side of the same street. Spacing shall be measured from a line that is perpendicular to the building line and that passes through a point on the building line that is closest to the nearest sign face edge. Spacing shall be measured along the center line of the street.

F. **Double-faced Off-Site Signs.**

1. Off-site signs may be either single or double-faced.

2. For double-faced off-site signs whose faces are parallel, the distance between sign faces shall not exceed six feet.

3. For double-faced off-site signs whose faces are not parallel, the distance between sign faces at their widest point shall not exceed 35 feet. The separation of sign faces at their closest point shall not exceed six feet. In no event shall the angle between sign faces exceed 37 degrees.

G. **Projection.** Off-site signs shall not project beyond the building line.

H. **Covering.** The backs of off-site signs exposed to public view shall be covered with a finished surface or material and shall be properly maintained.

I. **Other Requirements.**

1. A maximum of two poles shall be permitted for any off-site sign. The maximum cross-sectional dimension of a pole shall not exceed ten percent of the overall height of the sign.

2. Off-site sign supports shall be structurally independent of a building.

3. Sign support structures must be located directly under the sign face as viewed from the front of the sign. The maximum horizontal distance between the center of the sign support structure and the sign face shall not exceed ten feet.

SEC. 14.4.19. AWNING SIGNS.

No sign shall be placed on any portion of an awning except the valance. The sign area is limited to a maximum of 12 inches in height on the portion of the valance that is parallel to the building face, and only when the awning complies with all applicable provisions of Sections 91.3202 and 91.3202.3.1 of this Code. Signs are not permitted on awnings with a valance above a height of 14 feet as measured from the nearest sidewalk or edge of roadway grade to the top of the valance.

SEC. 14.4.20. ORIGINAL ART MURALS, VINTAGE ORIGINAL ART MURALS, AND PUBLIC ART INSTALLATIONS.

(Title and Section Amended by Ord. No. 182,706, Eff. 10/12/13.)

An Original Art Mural that conforms to the requirements of Section 22.119 of the Los Angeles Administrative Code is not considered a sign and therefore is not subject to the provisions of this Article or any other ordinance that regulates signs. Any supposed "mural" that does not conform to the requirements of Section 22.119 of the Los Angeles Administrative Code shall be considered a sign and subject to the provisions of this Article or any other ordinance that regulates signs and digital displays. A Public Art Installation registered pursuant to the requirements of Section 19.85.4 of the Los Angeles Administrative Code or the requirements of Section 91.107.4.6 of the Los Angeles Municipal Code is not a sign, but is subject to Section 14.4.4 E. of this Article and any other applicable zoning and land use regulations set forth in the Los Angeles Municipal Code. A building permit from the Department of Building and Safety is required for a new hand-tiled or digitally printed Original Art Mural or any Public Art Installation.

Severability. If any part, sentence, phrase, clause, term or word in Section 14.4.2 or Section 14.4.20 of this Code relating to Original Art Murals is declared invalid or unconstitutional by a valid court judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the constitutionality or lawfulness of the remainder of this Code, the Los Angeles Administrative Code or any other City regulation regulating signage, billboards or Original Art Murals.

DIAGRAM A

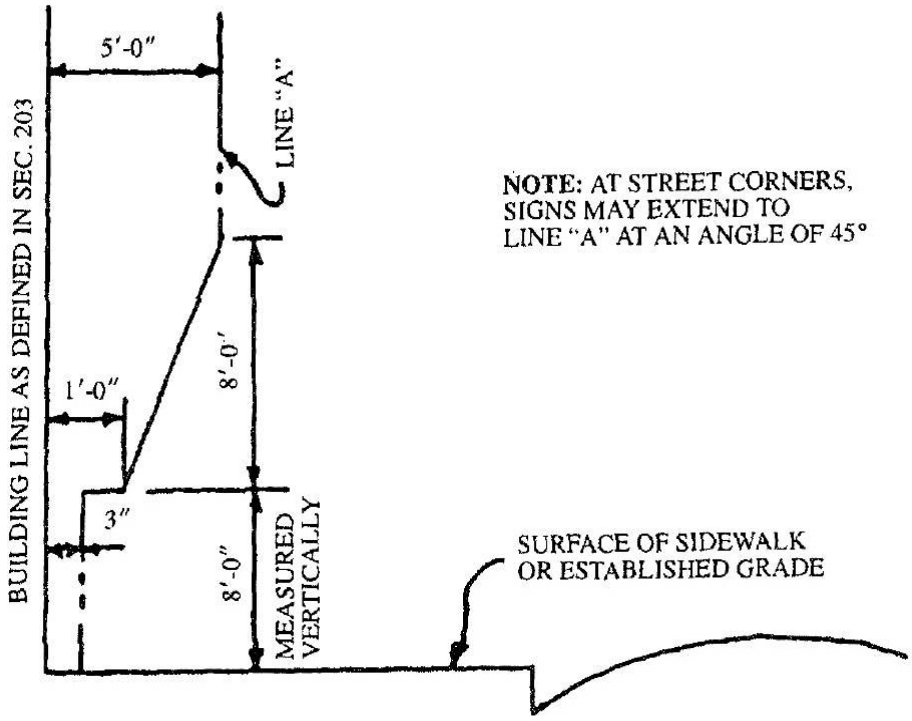
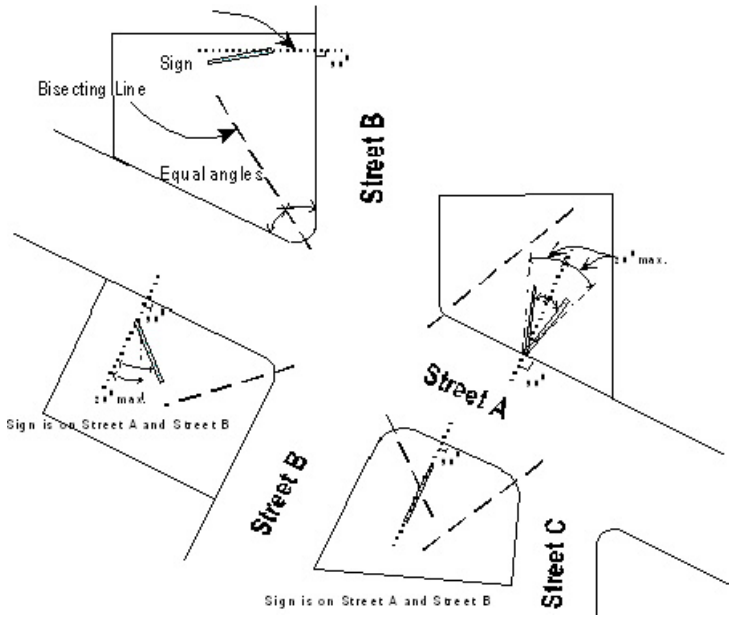


TABLE NO. B

SPACING REQUIREMENTS BETWEEN OFF-SITE SIGNS

	Sign Area	**PROPOSED SIGN**		
		Less than 80 sq. ft.	**80 sq. ft. to 300 sq. ft.**	**Greater than 300 sq. ft.**
Existing or Permitted Sign	Less than 80 sq. ft.	100 ft.	100 ft.	200 ft.
	80 sq. ft. to 300 sq. ft.	100 ft.	300 ft.	300 ft.
	Greater than 300 sq. ft.	200 ft.	300 ft.	600 ft.

DIAGRAM C



City Planning Commission
February 18, 2025

EXHIBIT B

29-47 E. Windward Appeal to CPC

CASE NO. DIR-2019-7545-BSA

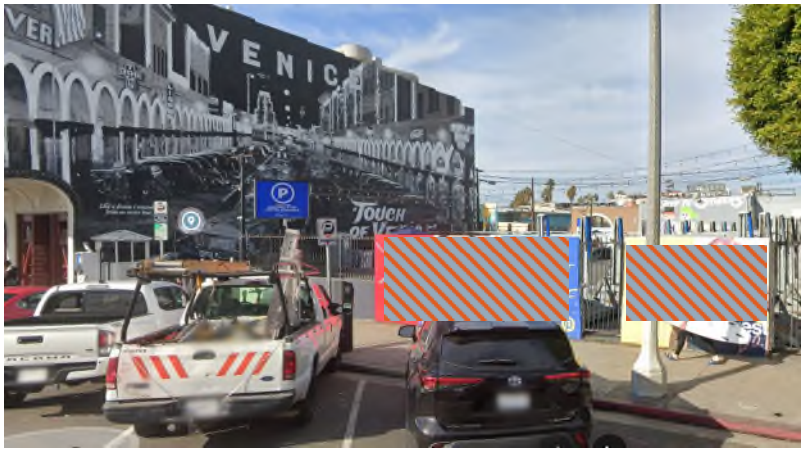
REPRESENTATIVE: DANIEL FREEDMAN, JMBM

HEARING DATE: FEBRUARY 27, 2024

Permit for On-Site Sign

Project Location: 29-47 East Windward Avenue.

Requested Permit: Wall sign for a hand-painted sign placed on an existing freestanding wall that is located along the front property line, adjacent to Windward Avenue.



JMBM Jeffer Mangels Butler & Mitchell LLP
jmbm.com

Wall Sign Regulations

Wall Sign. Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

SEC. 14.4.10. WALL SIGNS.

A. **Area.**

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

2. For buildings more than one story in height, the combined wall sign area shall not exceed that permitted for a single story by more than ten percent for each additional story. In no event, shall the combined wall sign area exceed by 50 percent that area permitted for a single-story building.

3. For wall signs that are made up of individual letters that use the wall of the building as background, the allowable sign area may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.

4. The combined sign area of illuminated architectural canopy signs, roof signs and wall signs facing the same direction shall not exceed two square feet for each foot of street frontage, plus one square foot for each foot of building frontage.

5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs and window signs shall not exceed four square feet for each foot of street frontage.

B. **Height.** A wall sign shall not extend above the top of the wall of the building.

EXCEPTION: Where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.

C. **Location.**

1. No wall sign shall be located on a wall that faces and is within five feet of an interior lot line.

2. Wall signs installed on a wall that faces the rear lot line and that is located within 30 feet of property that is zoned R-3 or more restrictive shall not be illuminated.

D. **Projection.**

1. No wall sign shall have a projection over any public street, other public property or building line greater than that permitted in Diagram A of this article.

2. No wall sign shall project more than 24 inches from the face of the building. If any message is placed on the edge of a wall sign, then that portion of the wall sign shall be regulated as a projecting sign.

E. **High Rise Signs.** Any wall signs located over 100 feet above grade shall be used as identification signs only. Identification signs shall comprise no more than 80 percent of the width of that portion of the building where the signs are attached. Notwithstanding the provisions of Subsection A. above, the area of these signs may constitute up to five percent of the area of the wall where the signs are attached and may be in addition to the area permitted in Subsection A. above.

F. **Parking Lots.** Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches and three feet six inches in height above the finished grade at the base of the wall generally facing the street.

Issue on Appeal

Relevant LAMC Provisions:

- Definition of **Wall Sign**: Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a place approximately parallel to the plane of the wall.

- Definition of **Structure**: Anything constructed or erected which is supported directly or indirectly on the earth… (LAMC 12.03.)

Appeal Claim: LADBS erred by refusing to issue a wall sign permit based on its claim that wall signs are not permitted on freestanding walls. The LAMC explicitly states that wall signs may be permitted on "structures," and a free standing wall is a structure.

The LADBS "Interpretation"

LADBS Response: "In the context of the definition of a wall sign, [the LAMC definition of the term 'structure'] is not applicable. LADBS interprets the term 'structure' within the wall sign definition to be a reference from the definition of a 'building' pursuant to LAMC 12.03. LAMC 12.03, defines a building as, 'Any structure having a roof supported by columns or walls….'"

Analysis: LADBS's "interpretation" transforms the word "structure" into the term "building," meaning they interpret the definition of wall sign as a sign "painted… against the wall of a building or [a building]…" This interpretation was appealed to City Planning.

Planning's Alt. Interpretation

- Section 14.4.10-F limit[s] wall signs on free standing walls to only when they are located between an existing wall sign on a building, a parking lot, the freestanding wall and the street in front of the freestanding wall.

- Notwithstanding this finding, any wall sign permitted on a freestanding wall must comply with LAMC Subsection 14.4.10F, which provides:
  - **Parking Lots.** Where a parking lot exists between a wall sign and the street, and there is a wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the wall located between the parking lot and the street so long as the sign does not project beyond the lot line. The sign shall be restricted to that portion of the wall between two feet six inches in height above finished grade at the based of the wall generally facing the street.

Appeal to CPC

- LAMC Subsection 14.4.10F is irrelevant to the underlying conclusion that a **“wall sign is permitted on both a building and a structure.”** It only acts to restricts wall signs where there is a ““a parking lot [] between a wall sign and the street,” and the City should not be assuming an unwritten prohibition in all other instances.
- This interpretation misconstrues a limitation on wall signs in one instance, as a prohibition of wall signs on freestanding walls in all others, in conflict with the express text of the sign ordinance.
- On June 29, 2019, this same issue was brought before the CPC. (See Case No. DIR-2018-6787-BSA) The Commission voted 3-2 to grant the appeal, but was deemed denied for a “failure to act.”

Prior Appeal to CPC

- On June 29, 2019, this same appeal was brought before the City Planning Commission. (See Case No. DIR-2018-6787-BSA)
- The Commission voted 3-2 in support of granting the appeal.
- Appeal deemed denied based on a “failure to act.”

Analysis & Requested Action

- LAMC 14.4.10-F does not then support the ZA's conclusion that wall signs on freestanding walls are prohibited in all other instances.
- Requested Action: Find that the ZA *erred* in finding that LAMC 14.4.10F operates to limit the use of wall signs on free-standing walls in all other possible applications.