



PACIFIC PALISADES COMMUNITY COUNCIL

#3

October 17, 2011

Councilmembers Reyes, Huizar & Kerkorian
c/o Michael Espinosa
Los Angeles City PLUM Committee
200 North Spring Street
Los Angeles, CA 90012

Date: 10/18/11
Submitted in PLUM Committee
Council File No: 08-2020
Item No.: 3
Deputy: Comm from Public

RE: Opposed to Citywide Sign Ordinance as Revised on 10.5.11; Council File No.'s 08-2020, CF 11-1705

Dear Councilmembers Reyes, Huizar and Kerkorian;

Pacific Palisades Community Council has twelve major objections to the proposed sign ordinance. But above all else, PPCC demands that off-site signs and digital displays adhere to its Specific Plan as well as all Specific and Community Plans throughout the City of Los Angeles. Communities worked on these plans with the CPC in good faith to assure that signage remains consistent with the low-intensity character of certain neighborhoods (i.e., single family residences, multiple residential structures, commercial uses, community oriented uses, significant open space, and parkland).

The Pacific Palisades Community Council is part of a large coalition of neighborhood and community councils, homeowner and resident organizations, and park groups who want balance and neighborhood protections restored to the Citywide Sign Ordinance ("Ordinance"). The Ordinance now pending before PLUM must be remanded back to the City Planning Commission for further public workshops and public hearings. The City Charter requires remand because of substantial procedural and substantive changes to the ordinance that the City has made since public hearings were held in 2009.

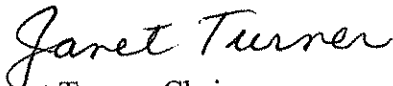
What follows are the twelve (12) reasons we object to the proposed ordinance. The specifics behind each of these 12 objections and the changes stakeholders want to see are articulated on the chart attached.

1. The 'interior sign exception' enables the proliferation of on-site signs throughout the City AND off-site signs in our parks, recreation centers, schools and other sensitive uses. It must be re-written.
2. There is no net reduction in off-site signs required. The stated purpose and affect of the ordinance has changed to eliminate the net reduction in signage. Thus, the current ordinance is wholly inconsistent with the City's 2002 billboard ban and 2009 hearings.
3. Sign Districts can abut scenic highways, parks, recreation centers and other sensitive uses. There are no restrictions or distance limits.
4. The City can permit Sign Districts, Sign Adjustments and Sign Variances without considering any findings that include residential properties as part of the surrounding environment.

5. The City can permit Sign Districts without any consideration of visibility, or light trespass, upon residential areas.
6. "Community Benefit Measures", as an alternative to a net reduction in signage, are vague and subjective. They must be re-written.
7. It must be made clear that planning documents (specific plans, overlays, etc.) that regulate signage more restrictively than the ordinance prevail.
8. Sign illumination limits should be cumulative and not just based on one sign.
9. Wall signs, including "supergraphic" signs, should not be allowed to cover windows or doors in sign districts and comprehensive sign programs.
10. Digital displays are not adequately regulated – and they should be.
11. Comprehensive sign programs should not include off-site signs, recreation centers, schools and other sensitive uses.
12. The ordinance should not grandfather in fourteen (14) sign districts instead of two (2) without a significant allowance of time for public hearings, CEQA study, equity and social justice analysis and study of the community benefit program proposed.

If you have any questions about this material, please feel free to call me at 310-496-9896 (cell) or Jennifer Malaret, the author of the chart at 310-773-7881 (cell).

Sincerely,



Janet Turner, Chair
Pacific Palisades Community Council
310-573-0382 home/office

cc's: Councilmember Bill Rosendahl bill.rosendahl@lacity.org, Alan Bell alan.bell@lacity.org

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 13, Art. 4.4, Sec. 14.4.9 (C)(3), 14.4.9(C)(4) of the LAMC</p> <p>WALL SIGNS</p> <p><u>PROBLEM (9): WALL SIGNS SHOULD NOT COVER DOORS OR WINDOWS</u></p>	<p>The ordinance should not allow wall sign to cover windows or doors in sign districts and comprehensive sign programs even if the Fire Department determines that the sign would not create a hazardous condition. Safety is not the only issue. Such signage degrades the view to the outside, degrading the quality of life for office and apartment building tenants. In addition, this allowance opens the door to multi-story vinyl and fabric supergraphic signs covering entire sides of buildings.</p>	<p>Strike the language that allows wall signs to cover windows or doors, i.e., “unless the Fire Department determines that the sign would not create a hazardous condition.” This would also resolve the conflict with Sec. 14.4.4(D)(5) that states that no sign can obstruct the free operation of a door or window. The latter requirement is preferred.</p>
<p>Sec. 13, Art. 4.4, Sec. 14.4.19 of the LAMC</p> <p>REGULATIONS FOR DIGITAL DISPLAYS</p> <p><u>PROBLEM (10): DIGITAL DISPLAYS ARE NOT ADEQUATELY REGULATED – AND THEY SHOULD BE</u></p>	<ol style="list-style-type: none"> 1. The only regulations for electronic signs are that messages can't change faster than 8 seconds and brightness limits (day and evening) cannot be exceeded. Thus, the ordinance fails to address many, many problematic aspects of digital displays. 2. In 2009, the CPC prohibited electronic signage outside of sign districts. The revised ordinance allows electronic signs as on-site business signs anywhere in the City. 	<ol style="list-style-type: none"> 1. The ordinance must have new subparagraphs that regulate: (D) the distance and spacing between digital signs, (E) hours of sign operation (preferably absolute AM and PM limits; other static measurements could be based on zoning, property size, building height, street width and classification, or traffic speed), (F) light trespass or spillover effects on residentially zoned property, (G) limits on energy use and mandated reductions in carbon footprints, (H) glare, and (I) the timing of message transition periods when multiple signs are in close proximity (i.e., a specified number of yards) to each other. 2. At minimum, a citywide moratorium should be placed on the installation of any new electronic signs and conversion of existing signs until regulations are in place that protects residents, motorists, communities and others from adverse effects.

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 13, Art. 4.4, Sec. 14.4.24 of the LAMC</p> <p>COMPREHENSIVE SIGN PROGRAMS</p> <p><u>PROBLEM (11):</u> <u>COMPREHENSIVE SIGN PROGRAMS SHOULD NOT INCLUDE OFF-SITE SIGNS, RECREATION CENTERS, SCHOOLS AND OTHER SENSITIVE USES</u></p>	<ol style="list-style-type: none"> 1. In 2009, the CPC prohibited off-site signs and other electronic signage within comprehensive sign programs. Now, off-site signs are allowed (provided that they are not visible from the public rights of way or adjacent property). Strike entirely 14.4.24(E)(5) and 14.4.24(E)(6)(d); modify 14.4.24(D) and 14.4.24(E)(1). 2. Comprehensive sign programs should not be allowed in any area of a specific plan, overlay, supplemental use district or other applicable code, that contains special signage requirements. 3. While the 10.5.11 revisions prohibit any comprehensive sign program from including a portion of a "public park", this language should be clarified and expanded to protect recreation centers, schools, and other sensitive uses. 	<ol style="list-style-type: none"> 1. There should be no off-site signs in comprehensive sign programs. 2. Restore stricken word 'Overlay' to Sec. 14.4.24(B)(2). It is not clear whether a Supplemental Use District necessarily includes an Overlay. 3. Expand 14.4.24(B)(3) such that comprehensive sign programs cannot be requested to include schools, recreation centers, libraries, museums, Historic-Cultural Monuments, and Historic Districts.

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 14, Art. 4.4 of the LAMC</p> <p>APPLICATION OF REGULATIONS TO EXISTING PROJECTS AND INTIATED OR APPLIED FOR SIGN DISTRICTS AND SPECIFIC PLANS</p> <p><u>PROBLEM (12): 14 SIGN DISTRICTS SHOULD NOT NOW BE 'GRANDFATHERED' INSTEAD OF ONLY 2 SIGN DISTRICTS</u></p>	<ol style="list-style-type: none"> 1. In 2009, the CPC considered 'grandfathering' in just two sign districts for which the new sign regulations would not apply. The existing ordinance grandfathers in 12 more districts for a total of 14 grandfathered sign districts. These new districts are not entitled to grandfathering (no vested rights) and undermine the ordinance's requirements for sign districts under the standards articulated by the Ninth Circuit. 2. This grandfathering creates the risk of significant environmental impacts under CEQA. Planning has promise, but not yet provided, a CEQA update. 3. There has been no equity analysis done by the City to ensure that the benefits and burdens of sign districts are distributed equally and do not disproportionately burden low income communities and communities of color. 4. The inclusion of a new 'community benefit program' makes it unclear how much, if any, sign reduction will take place in these grandfathered districts. 	<ol style="list-style-type: none"> 1. Remand this ordinance back to the CPC for additional public hearings and notice. Provide workshops with Planning, the City Attorney and stakeholders so that we can work together to evaluate the impact and consequences. 2. Allows sufficient time for publication, review and public hearing on an updated CEQA study. 3. The city must perform an equity analysis to ensure that the ordinance has no disproportionate impact on low-income communities and communities of color, and that social justice issues have been adequately considered. 4. Remand to CPC for time to evaluate the impact, consequence and valid "purpose" of a community benefit program as an alternative to any required billboard takedown.

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 12, Sec. 13.11(B)(4)(d) and Sec. 13, Art. 4.4, Sec. 14.4.22(B)(2), 14.4.22(B)(4) of the LAMC</p> <p>SIGN DISTRICT, SIGN ADJUSTMENT AND SIGN VARIANCE FINDINGS</p> <p><u>PROBLEM (4): COMPATIBILITY FINDINGS FOR RESIDENTIAL AREAS ARE NEEDED FOR ADJUSTMENTS OR VARIANCES</u></p>	<p>In considering a sign district, the ordinance's compatibility finding is 'other nearby signs, other elements of street and site furniture and adjacent properties. Residential properties should be expressly considered as part of what makes the "surrounding environment", particularly when it is expressed that other signs and street furniture are going to be considered.</p>	<ol style="list-style-type: none"> 1. Modify these code sections to read "The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas". 2. Even with a finding that consider residential areas, adjustment should not be allowed and Section 14.4.22 should be stricken.
<p>Sec. 12, Sec. 13.11(B)(4) of the LAMC</p> <p>SIGN DISTRICT FINDINGS</p> <p><u>PROBLEM (5): SIGN DISTRICT FINDINGS SHOULD INCLUDE VISIBILITY, OR LIGHT TRESSPASS, UPON RESIDENTIAL AREAS</u></p>	<p>In considering a sign district, the City's findings do not consider or protect residential areas from visible signs and light trespass. There should be a new finding to protect residential areas.</p>	<p>A new subsection (g) should be added which states that no signs within a Sign District shall be visible from any adjacent or surrounding residential property, nor shall they create light trespass into any adjacent or surrounding residential property. The word "visible" would mean that signs or light emitted from such signs could be seen.</p>

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 12, Sec. 13.11(C) of the LAMC</p> <p>COMMUNITY BENEFITS AS AN ALTERNATIVE TO SIGN REDUCTION</p> <p><u>PROBLEM(6): NET REDUCTION IN SIGNAGE MUST BE REQUIRED / COMMUNITY BENEFIT MEASURES ARE VAGUE, SUBJECTIVE AND MUST BE RE-WRITTEN</u></p>	<p>1. See discussion of PURPOSE OF THE LAW above.</p> <p>2. A new provision, first disclosed on 10.05.11, allows sign credits to be transferred. The transfer of credits can be a significant issue in other areas such as air rights and parking credits. This is a substantive change with unknown impacts and consequences.</p> <p>3 Any community benefits program must contain objective standards. The new community benefit ‘Measures’ are vague and subjective, such as “Other Improvements”, and expose the city to further litigation over off-site signs.</p>	<p>1. Restore stricken language that requires a net reduction in signage.</p> <p>2. Provide at least sixty (60) days for Planning, the City Attorney and stakeholders to work together to evaluate the impact and consequences of a ‘community benefit program’ before any future hearing on this matter. This language must be objective, unambiguous and enable all parties to quantify a “community benefit” that replaces net reduction in signage was central to the 2009 ordinance.</p>
<p>Sec. 13, Art. 4.4, Sec. 14.4.3 (F) of the LAMC</p> <p>RELATIONSHIP OF SIGN REGULATIONS TO OTHER CODE PROVISIONS</p> <p><u>PROBLEM (7): PLANNING DOCUMENTS THAT REGULATE SIGNAGE MUST PREVAIL</u></p>	<p>The ordinance does not unambiguously state that more restrictive planning documents prevail over less restrictive regulations in the code. Such a statement is necessary to protect the local planning process, neighborhoods and the hard work that has gone into many specific plans, overlays, etc.</p>	<p>Add language at the end of Sec. 14.4.3(F) to ensure that any provision of a Planning Document (including but not limited to Specific Plans, Overlay Districts, or conditions imposed under any discretionary approval, permit, development agreement or entitlement) regulating signage that is more restrictive than provided under this article shall prevail.</p>
<p>Sec. 13, Art. 4.4, Sec. 14.4.4 (F) of the LAMC</p> <p>SIGN ILLUMINATION LIMITS</p> <p><u>PROBLEM (8): CUMULATE LIGHT IMPACTS SHOULD BE REGULATED</u></p>	<p>The ordinance only regulates the light intensity of a single sign and says nothing about a grouping of signs. The ordinance should regulate the impacts of cumulate light intensities (particularly the impact on nearby residentially zoned properties) and not just the light intensity of a single sign.</p>	<p>Modify language at the start of Sec. 14.4.4 (F) to read: “No one sign or grouping of two or more signs shall be arranged and illuminated . . .”</p>

PACIFIC PALISADES COMMUNITY COUNCIL

CITYWIDE SIGN ORDINANCE – SUMMARY OF STAKEHOLDER ISSUES & DESIRED CHANGES

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 13, Art. 4.4, Sec. 14.4.3, 14.4.3(A) of the LAMC</p> <p>APPLICATION OF SIGN REGULATIONS</p> <p><u>PROBLEM (1): THE INTERIOR SIGN EXCEPTION MUST BE RE-WRITTEN BECAUSE IT ALLOWS (1) A PROLIFERATION OF ON-SITE SIGNS, AND (2) OFF-SITE SIGNS IN PARKS, RECREATION CENTERS, SCHOOLS AND OTHER SENSITIVE USES</u></p>	<ol style="list-style-type: none"> 1. Qualifying interior signs are not required to conform to all other provisions of the code. Planning has not made it clear to the public that this exception applies to both on-site and off-site signs. It is also not clear that specific plans, overlays and other plans that regulate signage must be complied with. This change is new, first disclosed to the public on 10.5.11. 2. Qualifying interior signs will be allowed anywhere (provided they are not visible from public rights of way or adjacent property). The ample public record states that off-site signs should not be allowed in parks, recreation centers and schools where children are captive advertising audiences. 3. 'Interior signs' can now face outward and be taller than surrounding buildings or walls. These allowances are completely new, first disclosed to the public on 10.5.11. 4. In 2009, the exception for interior signs was supposed to be for large campus type properties such as entertainment, sports, cultural and academic facilities and destinations (reference Weiss Motion, 2009). The ordinance now allows unregulated signs in park recreation facilities, atrium office and apartment buildings, retail plazas and school courtyards. 	<ol style="list-style-type: none"> 1. All provisions of the LAMC to apply to those provisions that regulate signage, including general plan, community plans, specific plans, overlays supplemental use districts and all applicable codes. 2. Exempt parks, recreation centers and schools from the interior sign exception. Also exclude other "sensitive uses", i.e., libraries, museums, Historic-Cultural Monuments, and Historic Districts. 3. So called "interior signs" must face inward and not be higher than surrounding buildings or walls. 4. That the exception must apply to large, campus type properties - or, at minimum, should be limited to sign districts and comprehensive sign programs.

LAMC Section & Problem	Concerns / Substantive Changes from '09 Public Hearings	What Neighborhood Stakeholders Want NOW!
<p>Sec. 12, Sec. 13.11(A) of the LAMC</p> <p>PURPOSE OF THE LAW THAT REGULATES OFF-SITE SIGNS</p> <p><u>PROBLEM (2): A NET REDUCTION IN OFF-SITE SIGNS MUST BE REQUIRED, CONSISTENT WITH THE CITY'S 2002 BAN ON OFF-SITE SIGNS.</u></p>	<p>1. The original purpose of the ordinance has been stricken. A net reduction in signage is no longer required. Without requiring billboard takedown, thousands of square feet in new off-site signage can be put up in the City without a single billboard being taken down. This is a substantive change from 2009 and wholly inconsistent with the 2002 ban on off-site signs.</p> <p>2. An added purpose to the ordinance is to 'eliminate blight or improve aesthetics or traffic safety' using a 'community benefits program'. First disclosed to the public on 10.5.11, this is a substantive change.</p>	<p>1. Restore stricken "purpose" language that requires a net reduction in signage.</p> <p>2. Remand this ordinance back to the CPC for additional public hearings. Provide workshops with Planning, the City Attorney and stakeholders so that we can work together to evaluate the impact and consequences of a community benefit program. The public deserves time to evaluate the impact, consequence and valid "purpose" of a community benefit program as an alternative to any required billboard takedown.</p>
<p>Sec. 12, Sec. 13.11(B)(3) of the LAMC</p> <p>SIGN DISTRICT BOUNDARIES</p> <p><u>PROBLEM (3): SCENIC HIGHWAYS, PARKS AND OTHER SENSITIVE USES CAN ABUT SIGN DISTRICTS AND ARE NOT PROTECTED FROM IMPACTS</u></p>	<p>The ordinance fails to adequately protect scenic highways, parkways, corridors, and secondary highways – along with parks, recreation centers, schools and other sensitive uses from commercial blight because sign districts can abut them. There is no buffer zone or legal "distance limit". There are also no distance limits or buffer zones from residentially zoned properties.</p>	<p>1. There should be no sign districts along scenic highways, parkways or corridors identified as such on state and local planning documents.</p> <p>2. Provide a 1,000-foot distance limit from any sign district boundary to a park, recreation center, school, library, museum, Historical-Cultural Monument, Historic District or residentially zoned property.</p>