

April 14, 2016

Client-Matter: 26881-047

VIA E-MAIL

Los Angeles City Council
Planning and Land Use Management Committee
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012
Attention: Sharon Dickinson, Office of the City Clerk, Legislative Assistant

Re: Citywide Sign Ordinance (CPC-2015-3059-CA/Council File 11-1705):
Sign Reduction Credits
April 19, 2016 PLUM Committee Meeting

Dear Chair Huizar and Honorable Councilmembers:

On behalf of our client, Regency Outdoor Advertising, Inc. ("Regency"), we previously submitted a letter, dated January 26, 2016 (the "January 26 Letter"), in which we expressed concern that the proposed Citywide Sign Ordinance (the "Ordinance") misses a significant opportunity to facilitate the removal of existing billboards and other off-site signage throughout the entire City of Los Angeles (the "City"). Citywide signage removal has been a frequently-stated goal of the City Council. As explained in the January 26 Letter, the Ordinance provides absolutely no incentive to remove such signage throughout most of the Westside, South Los Angeles, the San Fernando Valley, and numerous other areas that would greatly benefit from a further revision to the Ordinance that would encourage sign removal citywide.

Under the Ordinance's proposed "sign reduction credit" program, the removal of off-site signage is purportedly encouraged by granting sign owners credits toward the installation of new static or digital off-site signs within a Sign District in exchange for removing existing, static off-site signs.¹ However, in order to obtain sign reduction credits, the removed signage must be located within (i) the Sign District; or (ii) an adjoining, to-be-defined, "sign impact area". This limitation significantly restricts the sign reduction benefits to a few isolated geographical areas.

The January 26 Letter explained that the establishment of a citywide sign reduction credit provision is squarely within the City's legal authority and raised a number of concerns regarding

¹ The proposed sign reduction provision is set forth in Section 17 of Ordinance "Version B", amending Los Angeles Municipal Code ("LAMC") Section 13.11 F(1). (See City Attorney's Report, dated March 21, 2016.)

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the draft Ordinance (“Version B+”) that was prepared and circulated following the City Planning Commission (the “Planning Commission”) meeting concerning the Ordinance on October 22, 2015. At that meeting, the Planning Commission vocalized its support for allowing credit for off-site signage removed throughout the City and indicated that (i) removing and consolidating off-site signage citywide has broad aesthetic, safety and other benefits to the City’s residents; (ii) these are legitimate objectives of City policy; and (iii) in order for the Ordinance’s sign reduction program to be effective and equitable in accomplishing these objectives and providing these benefits, it needs to extend beyond the immediate vicinity of future Sign Districts. Version B+ included revisions presumably intended to broaden the geographical scope of the sign reduction program, but as these revisions presented both legal and policy problems, the January 26 Letter proposed a number of subsequent modifications that were specific to Version B+.

We understand that the Planning and Land Use Management (“PLUM”) Committee may take action on Version B, in which case the proposed revisions to the draft Ordinance submitted with the January 26 Letter are no longer applicable. Instead, Regency respectfully requests that the PLUM Committee modify the Ordinance’s sign reduction program to allow credit for off-site signage removed throughout the entire City, rather than only within Sign Districts or adjoining “sign impact areas”, consistent with the Planning Commission’s intent. Specifically, proposed LAMC Section 13.11 F should be revised as shown on Exhibit A.² This modification of the Ordinance would significantly contribute to the City Council’s stated goal of reducing off-site signage throughout the City, is squarely within the City’s legal authority, and is consistent with programs in other cities throughout the country.

Thank you for your consideration.

Sincerely,



C.J. Laffer

cc: Lisa Webber, AICP, City Planning Department, Deputy Director
Tom Rothman, City Planning Department, Senior City Planner
Phyllis Nathanson, City Planning Department, City Planning Associate
Michael Bostrom, Esq., City Attorney’s Office, Deputy City Attorney
Victor De la Cruz, Esq., Manatt, Phelps & Phillips, LLP

² The proposed revisions also include a minor technical revision clarifying the City’s intent to establish fixed ratios that would apply to the sign reduction credit programs for new off-site signage in all Sign Districts.

EXHIBIT A

SECTION 13.11. "SN" SIGN DISTRICT

F. Sign Reduction and Community Benefits.

1. Sign Reduction. If the ordinance establishing a Tier 1 Sign District allows off-site signs, which are otherwise prohibited by Section 14.4.4 B 9 of this Code, then the ordinance shall:

(a) Identify the boundaries of a "sign impact area," which shall have at least one boundary adjacent to the Sign District.

(b) Require, at a minimum, that every square foot of sign area of a new off-site sign be offset by a reduction of ~~more than~~ one square foot of existing off-site sign area, or a reduction of ~~more than~~ two square feet of existing off-site sign area if the new off-site sign has a digital display. The reduction of off-site sign area ~~must~~ may occur ~~within either the Sign District or the "sign impact area."~~ anywhere within the City.

(c) Establish procedures for sign reduction credits, to include the following requirements:

(i) Credits for reduction of off-site sign area shall be assigned to the owner of the sign from which sign area is being reduced. Credits are transferrable and can be used to acquire rights to establish new off-site signage within the boundaries of the Sign District.

(ii) Any credit for reduction of off-site sign area shall be requested by the sign owner from the Director of Planning through a Project Permit Compliance application pursuant to Section 11.5.7 C of this Code. Any application for sign reduction credit shall include a signed statement under penalty of perjury that the applicant is the sign owner.

(iii) Notice of the Director's determination on the Project Permit Compliance application shall be provided to the sign owner, the owner of the property on which the sign is located, and any other parties as required by Section 11.5.7 of this Code. Notice shall also be provided to the sign operator if the sign operator is identified in the application or in the off-site sign inventory maintained by the Department of Building and Safety pursuant to Section 91.6205.18.5 of this Code. Such determination shall inform the aforementioned parties of their right to appeal and contain instructions for filing an appeal.

(iv) Any appeal of a determination on sign reduction credits shall be filed pursuant to Paragraph 6 of Subsection C of Section 11.5.7 of this Code.

(d) The sign reduction requirement established by this subsection can only be met through the removal of existing, legally permitted off-site signs, including nonconforming off-site signs, in existence as of the effective date of the ordinance establishing the Sign District. The reduction in existing sign area shall be accomplished prior to issuance of a building permit for the new off-site sign. The applicant shall obtain the required demolition permits from the Department of Building and Safety prior to any demolition work.