

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

| | | |
|---|------------------------------------|------------------------------|
| CITY PLANNING CASE: | ENVIRONMENTAL DOCUMENT: | COUNCIL DISTRICT: |
| CPC 2015-3059-CA | ENV 2009-9-CE | ALL |
| PROJECT ADDRESS: | | |
| CITYWIDE | | |
| APPLICANT/REPRESENTATIVE: | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| CITY OF LOS ANGELES | | |
| <input type="checkbox"/> New/Changed | | |
| APPELLANT/REPRESENTATIVE: | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| NA | | |
| PLANNER CONTACT INFORMATION: | TELEPHONE NUMBER: | EMAIL ADDRESS: |
| Phyllis Nathanson | 213-978-1474 | phyllis.nathanson@lacity.org |
| APPROVED PROJECT DESCRIPTION: | | |
| Revised proposed citywide sign regulations. | | |

COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)

Disapproved PLUM's Version B of the sign ordinance.

Approved Version B+ of the sign ordinance.

Considered the following provisions from PLUM's Version A:

- Allow existing off-site signs that have no permit: Not approved, but merits further study.
- Allow existing off-site signs out of compliance with permit: Not approved, but merits further study.
- Allow relocation of an existing off-site sign within the same site with Zoning Administrator's approval: Disapproved.
- Allow digital signs on facades of designated historic buildings within existing sign districts: Disapproved.
- Allow vinyl replacements for pre-1986 mural signs: Disapproved.

Considered the following additional provisions:

- Allow digital signs on rooftops of designated historic buildings within existing sign districts: Disapproved.
- Establish a CUP or other discretionary process to entitle off-site signs outside sign districts: Disapproved.
- Allow off-site signs (static & digital) outside sign districts: Disapproved.
- Allow on-site digital signs citywide: Disapproved.
- Allow off-site digital signs on publicly-owned property: Not approved, but merits further study.
- Establish cap for off-site signs (static & digital) within and outside sign districts: Disapproved.
- Establish cap for off-site signs (static & digital) outside sign districts: Disapproved.

Redelegated the authority to the Director to act on behalf of the City Planning Commission on the subject case.

Approved Categorical Exemption ENV 2009-9-CE.

ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:

Revised version of the sign ordinance (Version B+)

Categorical Exemption ENV 2009-9-CE

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

| ATTACHMENTS: | REVISED: | ENVIRONMENTAL CLEARANCE: | REVISED: |
|---|-------------------------------------|---|--------------------------|
| <input checked="" type="checkbox"/> Letter of Determination | <input type="checkbox"/> | <input checked="" type="checkbox"/> Categorical Exemption | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Findings of Fact | <input checked="" type="checkbox"/> | <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> |
| <input type="checkbox"/> Staff Recommendation Report | <input type="checkbox"/> | <input type="checkbox"/> Mitigated Negative Declaration | <input type="checkbox"/> |
| <input type="checkbox"/> Conditions of Approval | <input type="checkbox"/> | <input type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> | <input type="checkbox"/> Mitigation Monitoring Program | <input type="checkbox"/> |
| <input type="checkbox"/> Zone Change Map | <input type="checkbox"/> | <input type="checkbox"/> Other _____ | <input type="checkbox"/> |
| <input type="checkbox"/> GPA Resolution | <input type="checkbox"/> | | |
| <input type="checkbox"/> Land Use Map | <input type="checkbox"/> | | |
| <input type="checkbox"/> Exhibit A - Site Plan | <input type="checkbox"/> | | |
| <input checked="" type="checkbox"/> Mailing List | <input type="checkbox"/> | | |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> | | |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> | | |

NOTES / INSTRUCTION(S):

The CPC decided more study is needed regarding whether to allow off-site signs on publicly-owned property and how to motivate the removal or compliance of existing off-site signs without a permit or out of compliance with an existing permit. If further study results in additional provisions, these would be presented to the CPC as an amendment.

Cover letter to PLUM accompanies ordinance.

FISCAL IMPACT STATEMENT:
☐ Yes

☒ No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- ☒ City Planning Commission (CPC)
☐ Cultural Heritage Commission (CHC)
☐ Central Area Planning Commission
☐ East LA Area Planning Commission
☐ Harbor Area Planning Commission

- ☐ North Valley Area Planning Commission
☐ South LA Area Planning Commission
☐ South Valley Area Planning Commission
☐ West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:

September 24, 2015 and October 22, 2015

COMMISSION VOTE:

7 - 0

LAST DAY TO APPEAL:

N/A

APPEALED:

No

TRANSMITTED BY:

JAMES K. WILLIAMS


TRANSMITTAL DATE:

DEC 18 2015

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

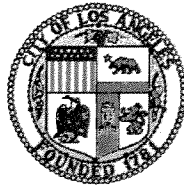
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COMMISSION EXECUTIVE ASSISTANT II
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CITY OF LOS ANGELES
CALIFORNIA



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INFORMATION
<http://planning.lacity.org>

DEC 18 2015

December 16, 2015

Council of the City of Los Angeles
Planning and Land Use Management Committee
200 North Spring Street
Los Angeles, CA 90012

Re: **Proposed Ordinance Revising the Citywide Sign Regulations**
Council Files 08-2020, 11-0724, 11-1705, 12-1611

Honorable Members of the Planning and Land Use Management (PLUM) Committee:

On September 24 and October 22, 2015, the City Planning Commission considered PLUM's Version B and Version A of an ordinance revising the citywide sign regulations, as well as other proposals for regulating signs.

Version B contains the following significant changes to the City's existing sign regulations:

- Consolidates sign provisions currently scattered in the Zoning Code into Article 4.4 Sign Regulations.
- Eliminates message or content-based language.
- Revises criteria for establishing sign districts and adds on-site digital signs to the types of signs (off-site static and digital) allowed only within sign districts.
- Requires sign area reduction and community benefits in exchange for new off-site and digital signs.
- Establishes new illumination standards.
- Creates a sign-specific adjustment and variance.
- Imposes heightened penalties for off-site sign violations.

Version A is a combination of Version B plus four additional provisions:

- Creates a process by which an existing off-site sign could be relocated on the same lot.
- Establishes amnesty for existing off-site signs without a permit or out of compliance with a permit.
- Creates a process by which design standards regulating digital signs on facades of City-designated historic buildings within existing sign districts could be modified.
- Allows vinyl changes of copy on mural signs painted by muralist Barry Blue for the 1984 Olympics.

The City Planning Commission disapproved Version B, as submitted, and approved a modified form of Version B, which the Commission is referring to as Version B+. Version B+ being transmitted to you in a “strike and add” form, which indicates the changes from Version B.

The following is a brief summary of the **Version B+** modifications made by the City Planning Commission:

- Revised wording to enable the proposed Los Angeles Football Club Sign District to contain off-site signs, as requested by PLUM.
- Increased the required sign-area reduction for new static signs from a ratio of 1:1 to 5:1 and for new digital signs from a ratio of 2:1 to 10:1.
- Allowed the reduction of off-site sign area to occur not only within the Sign District or the “sign impact area” but also within “an area with a reasonable relationship to the new signage”.
- Changed the “grandfather” date from December 16, 2014 to March 26, 2009. Sign Districts initiated prior to the “grandfather” date would not be subject to the new ordinance provisions.
- Incorporated additional form and legality modifications recommended by the City Attorney's office, primarily eliminating references to message content.
- Replaced brightness/illumination provisions with provisions from the Historic Broadway Sign District, which are more restrictive.

The table below summarizes the differences in standards for brightness/illumination between Version B and Version B+.

| Version B | Version B+ |
|--|--|
| General Provisions | |
| Limitation of 3 foot candles above ambient lighting. | Limitation of 0.3 foot candles above ambient lighting. |
| | Maximum nighttime brightness of 300 candelas per square meter and maximum daytime brightness of 5,000 per square meter. |
| | Neon, neon-like, or LED elements must be dimmable and controlled by a timer. |
| | No use of highly reflective materials such as mirrored glass. |
| | Maximum lumen output of no more than 20 lumens per square foot. |
| | Light emitting diodes restricted to maximum horizontal beam spread of 165 degrees and a maximum vertical beam spread of 65 degrees, oriented downward. |
| Digital Sign Provisions | |
| Limitation of 0.3 foot candles above ambient lighting. | Same as above, under General Provisions. |
| Maximum nighttime brightness of 450 candelas per square meter and maximum daytime brightness of 7,500 candelas per square meter. | |
| | Maximum operation hours of 7 a.m. to midnight. |
| Digital Sign Testing/Measurement | |
| Measure at an angle within 6 degrees of perpendicular to the sign face; | Test prior to operation and 12 months after. |
| Measure at a distance in feet = $\sqrt{DisplayArea \times 100}$ | Testing from each sign face by Department of Building and Safety-approved testing agency at applicant's expense. |
| | Retesting at applicant's or successor's expense if cause to believe sign not in compliance. |

The City Planning Commission also considered the additional provisions from Version A with the following results:

- Allow existing off-site signs without a permit or out of compliance with a permit (amnesty): **Not approved, but merits further study.**
- Allow relocation of an existing off-sign within the same site if approved by the Zoning Administrator: **Disapproved.**
- Allow digital signs on facades of designated historic buildings within existing sign districts (Director's adjustment to existing sign districts): **Disapproved.**
- Allow vinyl replacements for pre-1986 mural signs: **Disapproved.**

Further, the City Planning Commission considered additional proposals with the following results:

- Allow digital signs on rooftops of designated historic buildings within existing sign districts: **Disapproved.**
- Establish a Conditional Use Permit or other discretionary process to entitle off-site signs outside sign districts: **Disapproved.**
- Allow off-site signs (static and digital) outside sign districts: **Disapproved.**
- Allow on-site digital signs citywide: **Disapproved.**
- Allow off-site digital signs on publicly-owned property: **Not approved, but merits further study.**
- Establish cap for off-site signs (static and digital) within and outside sign districts: **Disapproved.**
- Establish cap for off-site signs (static and digital) outside sign districts: **Disapproved.**

In addition, the City Planning Commission agreed that a new, dedicated Sign Unit would be needed to:

- Study whether to allow existing off-site signs without a permit or out of compliance with a permit,
- Study whether to allow off-site digital signs on publicly-owned property, and
- Review and process Sign District applications.

Finally, Version B+ incorporates a provision that was inadvertently omitted from the previous iteration regarding allowing a sign for a business on an adjoining lot to be considered an on-site sign if pedestrian access to the lot is provided across the common property line.

For further information, please contact my staff members Phyllis Nathanson at (213)978-1474 or Tom Rothmann at (213)978-1891.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael J. LoGrande".

For ML

Michael J. LoGrande
Director of Planning



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
<http://planning.lacity.org/>

Determination Letter Mailing Date: DEC 18 2015

CASE NO.: CPC-2015-3059-CA
CEQA: ENV-2009-9-CE

Location: Citywide
Council Districts: All
Plan Areas: All
Request: Code Amendment

Applicant: City of Los Angeles

At its meeting of September 24, 2015, the Los Angeles City Planning Commission took the following action:

1. **Disapproved** Version B of the sign ordinance.
2. **Modified** the provisions of Version B, now referred to as Version B+.
3. **Directed** staff to draft a supplemental ordinance incorporating the four items (Version A) added by the Planning and Land Use Management Committee on June 30, 2015 that were not previously vetted by the City Planning Commission.
4. **Provided** direction to staff regarding whether to allow digital or non-digital off-site signs outside of sign districts.
5. **Redelegated** the authority to the Director to act on behalf of the City Planning Commission on the related Council File numbers.
6. **Found** that Categorical Exemption No. **ENV-2009-9-CE** was adequate environmental clearance for the project.

This action was taken by the following vote:

Moved: Dake-Wilson
Seconded: Millman
Ayes: Ahn, Ambroz, Katz, Mack, Perlman
Absent: Choe, Segura

Vote: 7 - 0



James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeal: The decision of the Los Angeles City Planning Commission is final and not further appealable.

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.

Attachment: Ordinance, Findings
Senior City Planner: Thomas Rothmann
City Planning Associate: Phyllis Nathanson

ORDINANCE NO. _____

A proposed ordinance amending Sections 12.05, 12.06, 12.07, 12.08, 12.10.5, 12.11.5, 12.21, 12.21.1, 12.22, 12.23, 12.32, 13.11, Article 4.4 of Chapter I, Section 19.01, and Section 91.6216.4.3 of Chapter IX of the Los Angeles Municipal Code to enact new criteria for the establishment of Sign Districts, create new relief provisions for certain deviations from the sign regulations, establish administrative civil penalties for violations of the sign regulations, and enact related technical corrections and other measures to control the potential impacts of signs on traffic safety and the visual environment.

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

Section 1. Subdivision 14 of Subsection A of Section 12.05 of the Los Angeles Municipal Code is deleted.

Sec. 2. Subparagraph (2) of Paragraph (a) of Subdivision 16 of Subsection A of Section 12.05 of the Los Angeles Municipal Code is deleted.

Sec. 3. Paragraph (j) of Subdivision 2 of Subsection A of Section 12.06 of the Los Angeles Municipal Code is deleted.

Sec. 4. Subdivision 14 of Subsection A of Section 12.07 of the Los Angeles Municipal Code is deleted.

Sec. 5. Subdivision 9 of Subsection A of Section 12.08 of the Los Angeles Municipal Code is deleted.

Sec. 6. Subdivision 4 of Subsection B of Section 12.10.5 of the Los Angeles Municipal Code is deleted.

Sec. 7. Subdivision 4 of Subsection B of Section 12.11.5 of the Los Angeles Municipal Code is deleted.

Sec. 8. Subdivision 7 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is deleted.

Sec. 9. Paragraph (b) of Subdivision 3 of Subsection B of Section 12.21.1 of the Los Angeles Municipal Code is deleted.

Sec. 10. Subparagraph (6) of Paragraph (a) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read as follows:

(6) **Signs.**

(i) In addition to the requirements set forth in Article 4.4 of this chapter, no person shall erect on the lot or lots the following signs, as defined in Section 14.4.2 of this Code, unless a Sign Adjustment is obtained per Section 14.4.22 of this Code: pole signs; projecting signs; or roof signs.

(ii) Monument signs and information signs shall be located only within the planted areas of the lot or lots.

Sec. 11. Subparagraph (5) of Paragraph (b) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read as follows:

(5) **Covenant.** Prior to the issuance of a building permit or land use permit, the owner of the lot or lots shall execute and record a covenant and agreement in a form satisfactory to the Director of Planning, acknowledging that the owner shall implement each of the conditions set forth in Paragraph (b) of this subdivision, and shall not permit the establishment of any uses enumerated in Section 12.24 W 27 of this Code without first obtaining a conditional use approval, and shall not permit the erection of any of the signs enumerated in Paragraph (a)(6)(i) of this subdivision without first obtaining a Sign Adjustment. The covenant and agreement shall run with the land and be binding upon the owners, and any assignees, lessees, heirs, and successors of the owners. The City's right to enforce the covenant and agreement is in addition to any other remedy provided by law.

Sec. 12. Subsubparagraph (iii) of Subparagraph (1) of Paragraph (c) of Subdivision 23 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read as follows:

(iii) All signs proposed to be located on the site comply with Paragraph (a)(6) of this subdivision; and

Sec. 13. Subparagraph (6) of Paragraph (a) of Subdivision 28 of Subsection A of Section 12.22 of the Los Angeles Municipal Code is amended to read as follows:

(6) **Signs.**

(i) In addition to the requirements set forth in Article 4.4 of this chapter, no person shall erect a pole sign or projecting sign, as defined in Section 14.4.2 of this Code, on the lot or lots unless a Sign Adjustment is obtained per Section 14.4.22 of this Code.

(ii) Monument signs and information signs may only be located within the landscape-planted areas of the lot or lots.

Sec. 14. Paragraph (j) of Subdivision 20 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is deleted.

Sec. 15. Subdivision 3 of Subsection C of Section 12.23 of the Los Angeles Municipal Code is deleted.

Sec 16. Paragraph (c) of Subdivision 4 of Subsection S of Section 12.32 of the Code shall be amended to read as follows:

(c) **Procedures.** Applicants for Projects that comply with the provisions of an adopted Commercial and Artcraft District, Pedestrian Oriented District, Community Design Overlay District, Mixed Use District, Community Plan Implementation Overlay District or Sign District shall submit plans to the Director for an Administrative Clearance. The Director or his/her designee shall review the Project for compliance with the applicable Supplemental Use District development regulations. Projects that do not qualify for Administrative Clearance shall follow the procedures set forth in the applicable Supplemental Use District.

Sec. 17. Section 13.11 of the Los Angeles Municipal Code is hereby amended in its entirety to read as follows:

SEC. 13.11. "SN" SIGN DISTRICT

A. Purpose. This section sets forth procedures and guidelines for the legislative creation of "SN" Sign Districts. The purpose of each Sign District is to facilitate the creation of a unique quality, theme or character within districts that have a distinctive identity and that serve as destinations or hubs of commerce, culture, entertainment or international transport. The creation of a unique quality, theme or character will be supported by a design or architectural theme that is compatible with the surrounding environment. A further purpose of each Sign District is to eliminate blight or improve aesthetics or traffic safety.

B. Tier 1 and Tier 2 Sign Districts. There shall be two types of Sign Districts. Tier 1 Sign Districts have a larger minimum size than Tier 2 Sign Districts and can allow off-site signs. Tier 2 Sign Districts can only allow off-site signs that are not visible from the public right-of-way or any property other than the subject property.

C. Establishment of Tier 1 Sign Districts.

1. The procedures set forth in Section 12.32 S of this Code shall be followed; however, each Tier 1 Sign District shall only include properties that:

(a) are located in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial" and also zoned C or R5, or rezoned from C or R5 to a new specific plan zone; or

(b) are located in the area of the Los Angeles International Airport (LAX) Specific Plan or the Port of Los Angeles Plan, if such plan authorizes off-site signage through a Sign District; or

(c) are located in the "Greater Downtown Housing Incentive Area," as defined in Section 12.03 of this Code and also zoned C, M or R5, or rezoned from C, M or R5 to a new specific plan zone; or

(d) include a stadium or arena with a seating capacity of 20,000 or more; or

(e) include a zoo and botanical garden of 60 acres or greater, where the sign face of any requested off-site sign shall not be visible from any public right-of-way not on the subject property, nor from any property other than the subject property.

2. Any Sign District shall contain at least 5,000 linear feet of street frontage or be 15 acres in area, except that in the Greater Downtown Housing

Incentive Area, the minimum street frontage shall be 2,640 linear feet. For purposes of applying this provision, "street frontage" shall be as defined in Section 14.4.2 of this Code, and "linear feet" does not mean that all street frontage must be in one straight line.

3. Except for Sign Districts involving a stadium or arena with a seating capacity of 20,000 or more, Within within a Sign District, no off-site sign shall be located:

(a) within 500 feet of an RW1 zone or a more restrictive zone; an ecological preserve, as defined by California Fish and Game Code Section 1584; a state or national park; or an adopted River Implementation Overlay; or

(b) along the frontage of, or on public land within 500 feet of the center line of, a major highway or secondary highway identified as a scenic highway, scenic parkway, scenic corridor or scenic route as designated on an adopted specific plan, community plan or adopted element of the General Plan.

4. In addition to the findings required by Section 12.32 C 2 of this Code, the findings below shall be made in establishing a Sign District. The review of an initial Sign District, or any amendment to an approved Sign District, shall not consider the content or message of any proposed signs.

(a) The area of the proposed Sign District comprises an existing or future district with a unique regional identity that serves or will serve as a regional destination or hub of commerce, culture, entertainment, or international transport; and

(b) The area of the proposed Sign District possesses a unique quality, theme or character, or zoning regulations have been established to create a unique quality, theme or character; and

(c) The proposed signs include special design or architectural attributes that support the maintenance or creation of the Sign District's unique quality, theme or character; and

(d) The proposed design or architectural attributes of the proposed signage are compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas; and

(e) If the Sign District provides an exception to the citywide ban on off-site signs or any other provision of the citywide sign regulations, the ban or other provision continues to directly advance the purposes of aesthetics and traffic safety despite the exception; and

(f) The elimination of blight, or the improvement of aesthetics or traffic safety, resulting from establishment of the Sign District outweighs any aesthetic or traffic safety harm resulting from signage within the Sign District that would otherwise be prohibited by the citywide sign regulations.

D. Establishment of Tier 2 Sign Districts.

1. The procedures set forth in Section 12.32 S of this Code shall be followed; however, each Tier 2 Sign District shall only include properties that are not zoned OS or PF and that have:

(a) a minimum of three acres of non-residential development or at least 50,000 square feet of non-residential floor area if the site is located in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial" or is located in the "Greater Downtown Housing Incentive Area," as defined in Section 12.03 of this Code; or

(b) a minimum of five acres of non-residential development or at least 100,000 square feet of non-residential floor area if the site is located in any area other than those set forth in Subsection (a), above.

2. A Tier 2 Sign District cannot be requested for property within an established Sign District or within any Specific Plan, Historic Preservation Overlay Zone, or Supplemental Use District that contains special signage regulations.

3. In a Tier 2 Sign District, off-site signs may be allowed as long as they are consistent with the purpose of Section 13.11 of this Code and each sign face is not visible from any public right-of-way or any property other than the subject property.

4. In addition to the findings required by Section 12.32 C 2 of this Code, the findings in Section 13.11 C 4 of this Code shall be made in establishing a Tier 2 Sign District.

E. Contiguous Parcels in Sign Districts. Every parcel within a Sign District must be contiguous to at least one other parcel within the Sign District. Parcels that are only separated by public streets, ways, alleys or other physical features shall still be considered contiguous. Precise boundaries are required at the time of application for or initiation of an individual 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 D 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~~ five square ~~foot~~ feet of existing off-site sign area, or a reduction of more than ~~two~~ ten 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 occur within either the Sign District, ~~or the “sign impact area”~~, or an area with a reasonable relationship to the new signage.

(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.

2. **Community Benefits Program.** In addition to the sign reduction requirements set forth in Subdivision 1 above Community Benefits Measures that directly eliminate blight or improve aesthetics or traffic safety shall also be implemented within either the Sign District or the "sign impact area". The ordinance establishing the Sign District shall designate the City department that will oversee and administer the Community Benefits Program and set forth administrative procedures and fees. The ordinance establishing the Sign District must establish a nexus between any Community Benefits and negative impacts caused by signs in the Sign District.

(a) **Community Benefits Measures**

(i) **Sidewalk Widening and Landscaping.** The widening and repaving of the sidewalk and narrowing of the adjacent roadway shall include permanent public landscaping integrated into the sidewalk, the roadway median, or both.

(ii) **Undergrounding of Utilities.** The undergrounding of all visible utilities within a defined area shall include electric, phone and cable wiring and the removal from view of all associated poles, boxes and other equipment.

(iii) **Streetscape Improvements.** Improvements shall be planned and adopted through a Streetscape Plan.

(iv) **Lighting Improvements.** Improvements shall be planned and adopted through an assessment district or other appropriate vehicle.

(v) **Original Art Murals and Public Art Installations.** Public Art Installations shall be 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. Original Art Murals shall be registered pursuant to the requirements of Section 22.119 of the Los Angeles Administrative Code.

(vi) **Public Parking Structures to Serve Pedestrian Centers.** Such public parking structures must serve a significant number of commercial, employment, or residential destinations that are easily accessible via a short walk of 750 feet or less from the parking structure.

(vii) **Facade Improvements.** Improvements to building facades may include repair or replacement of old or worn building surfaces, grill work, paint, and signage.

(viii) **Other Improvements.** Improvements shall be of a permanent nature and shall directly eliminate blight or improve aesthetics or traffic safety within either the Sign District or the "sign impact area."

(b) A Community Benefits Program shall include only those Community Benefits Measures directly attributable to the establishment of the new Sign District. No credit for community benefits shall be granted for measures already implemented or that would be implemented even if no Sign District were established.

(c) All approved Community Benefits Measures shall be implemented before any sign permit may be issued for new signs allowed in conjunction with the Community Benefits Program.

3. **Exception for the Rehabilitation of Historic Buildings within the Greater Downtown Housing Incentive Area.** For Sign Districts located within the Greater Downtown Housing Incentive Area, neither sign reduction nor community benefits shall be required for the rehabilitation of historic buildings, where off-site sign rights are being used to incentivize blight reduction through the rehabilitation of buildings within a National Register Historic District and approved signs have been determined by the Department of City Planning's Office of Historic Resources to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. In such Sign Districts, off-site sign rights may be granted only after the completion of a rehabilitation project, as that term is defined in the ordinance that creates the Sign District. The City Council finds that because these types of projects provide a uniquely significant reduction in blight and improvement in aesthetics for the historically blighted and economically pivotal Greater Downtown Housing Incentive Area, they inherently meet required findings (e) and (f) enumerated in Paragraph 4 of Subsection C of

this Section without the provision of sign reduction or community benefits, as otherwise required by this Subsection.

G. Sign Regulations. The ordinance establishing a “SN” Sign District may be more restrictive than the sign regulations set forth in Article 4.4 of this chapter. The ordinance may also be less restrictive than Article 4.4 and may allow signs prohibited by that article. In no case, however, may such an ordinance supersede Article 7, Chapter 5 of this Code (Fire Code) or Chapter IX of this Code (Building regulations). If all or a portion of a defined geographic area is governed by both a specific plan and a “SN” Sign District, the “SN” Sign District regulations applicable to that area shall not conflict with or supersede the specific plan’s special sign regulations applicable to the same area. Only signs as defined in Section 14.4.2 of this Code may be permitted in a Sign District.

H. Conformance. The Department of Building and Safety shall not issue a building permit for a sign within a “SN” Sign District unless the sign conforms to the regulations set forth in the specific ordinance establishing that “SN” Sign District.

I. Administration. The Director may grant an Administrative Clearance for all proposed signage that complies with the applicable regulations of the Sign District, relying on the procedures set forth in Section 12.32 S 4 of this Code. Signage not eligible for an Administrative Clearance must follow the procedures set forth in Section 11.5.7 of this Code, except that the findings for a Project Permit Adjustment for signage shall be the same as the findings for a Sign Adjustment, as set forth in Section 14.4.22 of this Code, and the findings for an Exception for signage shall be the same as the findings for a Sign Variance, as set forth in Section 14.4.23 of this Code.

Sec. 18. Article 4.4 of Chapter I of the Los Angeles Municipal Code is amended in its entirety to read as follows:

ARTICLE 4.4

SIGN REGULATIONS

| Section | Purpose. |
|---------|---|
| 14.4.1 | Purpose. |
| 14.4.2 | Definitions. |
| 14.4.3 | Application. |
| 14.4.4 | General Provisions. |
| 14.4.5 | Freeway Exposure. |
| 14.4.6 | Information Signs. |
| 14.4.7 | Monument Signs. |
| 14.4.8 | Projecting Signs. |
| 14.4.9 | Wall Signs. |
| 14.4.10 | Illuminated Architectural Canopy Signs. |

- 14.4.11 Pole Signs.
- 14.4.12 Roof Signs.
- 14.4.13 Window Signs.
- 14.4.14 Marquee Signs.
- 14.4.15 Temporary Signs.
- 14.4.16 Temporary Signs on Temporary Construction Walls.
- 14.4.17 Off-Site Signs.
- 14.4.18 Awning Signs.
- 14.4.19 Digital Displays.
- 14.4.20 Original Art Murals, Vintage Original Art Murals and Public Art Installations.
- 14.4.21 Signs in A and R Zones.
- 14.4.22 Sign Adjustments.
- 14.4.23 Sign Variances.
- 14.4.24 Continuation of Nonconforming Signs.
- 14.4.25 Violations and Civil Penalties.
- 14.4.26 Appeal Procedures.
- 14.4.27 Recovery of Costs.

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.

SEC. 14.4.2. DEFINITIONS.

The definitions of the following terms shall apply to this article. Any other term used in this article shall have the meaning given to that term in Section 12.03 of this Code.

Aerial View Sign. A sign that is applied or placed upon the roof surface, approximately parallel with the roof plane, and intended to be viewed from the sky. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District.

Architectural Ledge Sign. A wall sign with individual channel letters or a pre-fabricated image, attached to a horizontal projection forming a narrow shelf on a wall or architectural projection.

Awning Sign. A sign displayed on a canopy that projects over a deck, door, or window of a building.

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 Face. The general outer surface, not including cornices, bay windows or architectural projections, of any exterior wall of a building.

Building Frontage. The projection of the exterior building walls upon the street used for street frontage, as measured perpendicular to the edge of the street. For walls that are not parallel to the street, the building frontage shall be measured along the wall that, other than open parking spaces, has direct and unimpeded access to the street.

Building Line. A line established on a property as defined in Section 91.202 of this Code.

Can Sign. A wall sign whose text, logos and symbols are placed on the plastic face of an enclosed cabinet.

Captive Balloon Sign. Any object inflated with hot air or lighter-than-air gas that is tethered to the ground or a structure. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District.

Channel Letters. Individually cut letters, numbers or figures, illuminated or non-illuminated, affixed to a building or structure.

Digital Display. A sign face, building face, 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, attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means.

Freeway. A highway that the owners or those in possession of abutting lands have no right or easement of access to or from their abutting lands or that owners have only limited or restricted right or easement of access, and that is declared to be a freeway, in compliance with the Streets and Highways Code of the State of California.

Hanging Sign. A sign with individual channel letters or a prefabricated image that is suspended from a horizontal architectural ledge or projection, or from the ceiling of an architectural recess.

Identification Sign. A wall sign that ~~is limited to~~ that may display a company logo, generic type of business, or the name of a business or building, or any other message allowed on an on-site sign.

Illuminated Architectural Canopy Sign. An enclosed illuminated canopy listed in accordance with the National Electrical Code 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~~ may display a message giving directions, instructions, menus, selections or address numerals, or any other message allowed on an on-site sign.

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.

Marquee Sign. A sign displayed on a roof-like structure that projects over the entrance to a building or structure.

Monument Sign. A freestanding 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.

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.

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.

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.

Pillar Sign. A freestanding sign, consisting of rectangular sign faces or a sculptural themed shape, which is erected directly upon the existing or artificially created grade and not on any visible poles or posts, with a horizontal dimension that does not exceed 25 percent of the length of the vertical dimension. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District.

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 or a pillar 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 face.

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.

Roof Sign. A sign erected upon a roof of a building.

Sandwich Board Sign. A portable sign consisting of two sign faces that connect at the top and extend outward at the bottom of the sign and for which a building permit is required. This type of sign may only be allowed through a Tier 1 or Tier 2 Sign District.

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 that 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. For wall signs having no discernible boundary, each of the following shall be included in any computation of surface area: (a) the areas between letters, (b) words intended to be read together and (c) any device intended to draw attention to the sign message.
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.

Sign Face. The surface upon which the sign message is placed.

Sign Support Structure. A structure of any kind or character, erected, used or maintained for a sign upon which any poster, bill, printing, painting, projected image or other message may be placed.

Street Frontage. The length of a line separating a lot from one street.

Temporary Construction Wall. A wooden fence or wooden barrier that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site pursuant to Sections 3303 and 3306 of the California Building Code (CBC).

Temporary Sign. Any sign that is to be maintained for a limited duration, 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.

Wall Sign. A sign on 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, that has been attached to, painted on, or erected against the wall; projected onto the wall; or printed on any material which is supported and attached to the wall by an adhesive or other materials or methods.

Window. An operable or inoperable opening constructed in a wall that admits light or air into an enclosure and is often framed and spanned with glass or other translucent material.

Window Sign. A sign that is attached to, affixed to, leaning against, or otherwise placed within 6 feet of a window or door in a manner so that the sign is visible from outside the building. The term window sign shall not include the display of merchandise in a store window.

SEC. 14.4.3. APPLICATION.

A. **Scope.** All exterior signs and sign support structures shall conform to the requirements of this article and Article 7 of Chapter V (Fire) of this Code.

EXCEPTION: A sign that is enclosed by permanent, opaque architectural features on the project site, including building walls, freestanding walls, roofs, or overhangs, shall not be subject to the requirements of this article except for the ~~general brightness limitation~~ illumination standards set forth in Section 14.4.4 E of this Code. No sign face shall be visible from any public right-of-way or any property other than the subject property. Such features may have necessary openings for ingress and egress.

B. **Permissive Sign Regulations.** The sign regulations set forth in Article 4.4 of Chapter I of this Code are permissive. Thus, only those uses or structures expressly enumerated in Article 4.4 of Chapter I are allowed. Any use or structure that is not so enumerated is prohibited. This amendment clarifies the City Council's long-standing interpretation and does not change existing law. Thus, it shall be unlawful for any person to erect, construct, install, enlarge, alter, repair, move, remove, convert, demolish, use or maintain any sign or sign support structure, or cause or permit those actions to be done, in violation of any of the provisions of Article 4.4 of Chapter I.

C. **On-Site Signs.** Information signs, monument signs, projecting signs, wall signs, illuminated architectural canopy signs, pole signs (not including pole signs permitted by Section 14.4.17 of this Code), window signs, marquee signs and awning signs may only display on-site or noncommercial messages. On-site signs must comply with the following provisions of the Code, as applicable: Sections 14.4.4; 14.4.5; 14.4.6; 14.4.7; 14.4.8; 14.4.9; 14.4.10; 14.4.11; 14.4.12; 14.4.13; 14.4.14; 14.4.18; 14.4.19; 14.4.20; 14.4.21; 14.4.22; 14.4.23; 14.4.24; 14.4.25; 14.4.26; 14.4.27; 91.6205; 91.6207; and 91.6216.

D. **Off-Site Signs.** Legally existing non-conforming off-site signs may display off-site or noncommercial messages. Such off-site signs must, to the extent applicable, comply with the following provisions of the Code: 14.4.4; 14.4.5; 14.4.17; 14.4.22; 14.4.24; 14.4.25; 14.4.26; 14.4.27; 91.6205; 91.6206; and 91.6207.

E. **Temporary Signs.** Temporary signs may display only on-site or noncommercial messages, except that temporary signs on temporary construction walls may display off-site messages. The following sections of this Code, as applicable, shall apply to temporary signs: 14.4.4; 14.4.5; 14.4.15; 14.4.16; 14.4.21; 14.4.25; 14.4.26; 14.4.27; 91.6205; and 91.6207.

F. **Zones.**

1. Signs are allowed on any lot in the A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, R4 or R5 zones, provided that these signs comply with the requirements of the zone and with the provisions of the following sections of this Code, as applicable: 14.4.4; 14.4.5; 14.4.6; 14.4.9; 14.4.11; 14.4.15; 14.4.16; 14.4.18; 14.4.21 and 14.4.24.

2. Signs are allowed on any lot in a RAS or other A or R zone where C or M uses are permitted by right; on any lot in an A or R zone where the use was permitted pursuant to Section 12.24 or Section 12.27 of this Code, and on any lot in the C, M, OS, PF or SL zones, provided that these signs comply with the requirements of the zone and with the provisions of the following sections of this Code, as applicable: 14.4.4; 14.4.5; 14.4.6; 14.4.7, 14.4.8, 14.4.9; 14.4.10, 14.4.11; 14.4.12, 14.4.13, 14.4.14; 14.4.15; 14.4.16; 14.4.18; 14.4.19; and 14.4.24.

3. Signs are allowed on any lot in the P and PB zones, provided that these signs comply with the requirements of the zone and all applicable provisions of this article and Section 12.12.1 of this Code.

4. A sign located on a lot comprising two or more zones shall be regulated by the provisions of this Code applicable to the zone where the sign is located.

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 allowed 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, spinners, or similar devices, except as permitted by Sections 14.4.15 and 14.4.16 of this Code.
3. Contain flashing, mechanical or 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 14.4.15 and 14.4.16 of this Code.
6. Are affixed to any vehicle or trailer on private property if the vehicle or trailer is not 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 continuous motion in connection with any sign.
9. Are off-site signs, including off-site digital displays, except when off-site signs are specifically permitted pursuant to a Tier 1 or Tier 2 Sign District. This prohibition shall also apply to alterations, enlargements or conversions to digital displays of legally existing off-site signs, except for alterations that conform to the provisions of Section 91.6216 and all other requirements of this Code.
10. Are inflatable devices.
11. Are on-site signs with a digital display, except when on-site signs with a digital display are specifically permitted pursuant to a Tier 1 or Tier 2 Sign District or pursuant to a specific plan or other supplemental use district that specifically permits on-site signs with a digital display.

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 6 inches into a public alley.

2. No sign or sign support structure shall be located less than 6 feet horizontally or 12 feet vertically from an overhead electrical conductor, which is energized in excess of 750 volts. The term “overhead electrical conductor” shall mean any electrical conductor, either bare or insulated, installed above ground, except an electrical conductor that is enclosed in iron pipe or other material covering of equal strength. Arcs of 6-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 2 feet of the curb or edge of any roadway, as measured horizontally.

5. Under no circumstances shall a sign obstruct the free operation of a door or window, or ingress or egress through a door or window.

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 and free of graffiti 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. ~~General Brightness Limitation~~ Illumination Standards (all signs, including digital displays).

1. All illuminated signs shall have a brightness limitation of 0.3 foot candles above ambient lighting.

2. All illuminated signs shall have a nighttime brightness no greater than 300 candelas per square meter and a daytime brightness no greater than 5,000 candelas.

3. The brightness of any sign that includes neon, neon-like, or LED elements shall be fully dimmable and controlled by a timer which shall be maintained in good working order.

4. No sign shall use highly reflective materials such as mirrored glass.

5. All signs shall have a maximum total lumen output of no more than 20 lumens per square foot.

6. All light emitting diodes used within any sign shall have a maximum horizontal beam spread of 165 degrees and a maximum vertical beam spread of 65 degrees. All light emitting diodes shall be oriented downwards towards the street, rather than towards the sky.

~~No sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than 3 foot candles above ambient lighting.~~

Notwithstanding Section 14.4.3 A of this Code, the aforementioned ~~general brightness limitation~~ illumination standards shall also apply to interior signs.

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 6 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. **Lots with Multiple Street Frontages.** If a lot is a corner lot or other lot with two or more street frontages, then the following regulations shall apply:

1. A freestanding sign shall be considered to be located along a particular street 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. On a through lot, a freestanding sign shall be considered to be located along a particular 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.

K. **Sign Height.** The height of all signs permitted by this article shall be measured as the distance in a straight vertical line from the top of the sign to the sidewalk grade or edge of roadway grade nearest the sign. No sign may be located at a height that exceeds the height limit above grade established by any land use ordinance, including the height limit established for the underlying zone or height district.

L. **Relief.** Notwithstanding the provisions of Sections 12.24, 12.27, 12.28 or any other section of this Code, no relief from the sign regulations set forth in this article shall be granted, except as provided by Sections 14.4.22 and 14.4.23 of this Code. Nevertheless, pursuant to Section 12.24 F of this Code, the decision-maker may adjust the height and area of signs, so long as the findings set forth in Section 14.4.22 of this Code are made in addition to all other required findings.

M. **Replacement of Signs on Historic Buildings.** Signs on historic buildings may be reconstructed or re-created if the Department of City Planning's Office of Historic Resources determines that sufficient photographic documentation or a building permit has been submitted to prove that a historic sign once existed at that location, and that the reconstructed or re-created sign will enhance the historic nature of the building or historic district and comply with the Secretary of the Interior's Standards. For the purposes of this section, a "historic building" shall be defined as a building that is a City-designated Historic-Cultural Monument, is listed in or formally determined eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, or is a Contributor in an established Historic Preservation Overlay Zone. Signs reconstructed or re-created pursuant to this provision shall retain any applicable non-conforming rights.

N. Legal Access on Adjoining Lots.

A sign providing advertising for a business located on an immediately adjoining lot shall not be considered an off-site sign if pedestrian access for the benefit of the lot where the business is located is provided across the common property line continuously to where the sign is located. Such access shall be provided on grade and not less than 4' in width and shall be documented through a recorded easement to the satisfaction of the Department of Building and Safety.

SEC. 14.4.5. FREEWAY EXPOSURE.

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 5 percent of the area of the side of the building that 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, or any other on-site message. 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 shall be removed, or shall be rearranged or relocated so as to eliminate any conflict with the provisions of this section 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 14.4.5. If it is determined that any sign or sign support structure is in conflict with any of the provisions of this Section 14.4.5, then the permittee or other responsible person shall be advised and shall remove, rearrange or relocate the sign or sign support structure within this three-year period.

SEC. 14.4.6. INFORMATION SIGNS.

A. **Area.** Information signs shall not exceed 25 square feet in area.

B. **Height.** No information sign shall exceed a height of 6 feet 6 inches.

SEC. 14.4.7. MONUMENT SIGNS.

A. **Area.**

1. The sign area of monument signs shall not exceed 1.5 square feet per foot of street frontage on which the signs are located 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, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

B. **Height.** Monument signs shall be limited to a maximum overall height of 8 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 with 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. 14.4.8. PROJECTING SIGNS.

A. **Permitted.** Projecting signs shall not be permitted on 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 of street frontage or fraction thereof. Projecting signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

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 on which the signs are located, up to a maximum sign area of 300 square feet for one face and 600 square feet on all faces combined. 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, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

C. **Height.** A projecting sign shall not be located lower than 8 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. **Projection.** 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 3 feet as measured parallel with the building line. In no event may a projecting sign project more than 8 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 5 feet at 50 feet to 8 feet at 100 feet of street frontage.

SEC. 14.4.9. WALL SIGNS.

A. **Area.**

1. For a single-story building, the total sign area of wall signs facing a street shall not exceed 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.
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 10 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 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.

5. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

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

EXCEPTION: Where there is less than 3 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 3 feet.

C. **Location.**

1. No wall sign shall be located on a wall that faces and is within 5 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.

3. No wall sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents, unless the Fire Department determines that the sign would not create a hazardous condition and the sign is approved through a Tier 1 or Tier 2 Sign District.

4. No wall sign shall cross the perimeter of any opening of a building, including its windows, doors, and vents, at any point 24 inches or less of the exterior building face measured perpendicularly to the surface of the opening; unless the Fire Department determines that the sign would not create a hazardous condition and the sign is approved through a Tier 1 or Tier 2 Sign District.

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 5 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.** Notwithstanding the provisions of Section 14.4.4 B 5 of this Code, where a parking lot exists between a wall sign and the street, and there is a fence or freestanding wall between the parking lot and the street, a portion of the total sign area permitted by this section may be used on the fence or freestanding 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 fence or freestanding wall between 2 feet 6 inches and 3 feet 6 inches in height above the finished grade at the base of the fence or freestanding wall generally facing the street.

G. **Architectural Ledge and Hanging Signs.** Architectural ledge and hanging signs shall be regulated pursuant to Subsections A through D1 of this Section.

SEC. 14.4.10. ILLUMINATED ARCHITECTURAL CANOPY SIGNS.

A. **Area.**

1. The area of illuminated architectural canopy signs shall not exceed 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.
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 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.
4. The combined sign area of illuminated architectural canopy signs, projecting signs, monument signs, wall signs, pole signs, roof signs, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

B. **Height.** An illuminated architectural canopy sign shall not extend above the top of the wall of the building on which it is located.

C. **Clearance.** Illuminated architectural canopy signs shall have a minimum clearance of 8 feet above the sidewalk grade or edge of roadway grade nearest the sign and shall not be located closer than 2 feet from the curb of any roadway, as measured horizontally.

D. **Emergency Personnel Access.** Illuminated architectural canopy signs shall not occupy a 4-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. **Projection.** Illuminated architectural canopy signs may project over a building line. However, in no event may an illuminated architectural canopy sign project more than 3 feet from the face of the building.

SEC. 14.4.11. 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 of street frontage or fraction thereof. Pole signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. **Area.**

1. Pole sign area visible to the same direction of traffic shall not exceed 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.

2. The maximum area of any one pole sign shall not exceed 400 square feet for one face and 800 square feet on all faces combined.

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, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

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 10 feet from interior lot lines; however, on corner lots and flag lots, pole signs may be located no less than 5 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. Notwithstanding the requirements of Subsection F of this Section, where the lower part of a pole sign is less than 8 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. Projection. 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 3 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. 14.4.12. 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. Roof signs shall not be permitted for mini-shopping centers and commercial corners unless a Sign Adjustment is granted.

B. Area.

1. Roof sign area shall not exceed 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.

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 2 square feet for each foot of street frontage on which the signs are located, plus 1 square foot for each foot of building frontage along the same street.

4. The combined sign area of wall signs, projecting signs, monument signs, illuminated architectural canopy signs, pole signs, roof signs, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

C. **Height.** The top of the roof sign shall be located at least 2 feet below the ridge of the roof.

D. **Location.**

1. Roof signs shall be located at least 10 feet from interior lot lines.

2. Roof signs shall be located at least 2 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. 14.4.13. WINDOW SIGNS.

A. **Area.** The total area of all window signs shall not exceed 10 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, architectural ledge signs, hanging signs and window signs shall not exceed 4 square feet for each foot of street frontage on which the signs are located.

SEC. 14.4.14. MARQUEE SIGNS.

A. **General Requirements.** Marquee signs shall comply with the requirements set forth in Sections 14.4.3 A, 14.4.4 B, 91.3106, 91.3106.1, 91.6205, and 91.6207 of this Code.

B. **Location.** Signs shall not be attached to any portion of the marquee except on the periphery. Wall signs on the periphery of a marquee shall not extend above or below the periphery of the marquee. Signs shall not be extended above nor suspended below the exterior periphery of a marquee sign.

SEC. 14.4.15. TEMPORARY SIGNS.

A. **General Requirements.** No temporary sign shall also be an off-site sign, except for temporary signs on temporary construction walls.

B. **Permit Required.** Notwithstanding any other provision of this Code, a building permit shall be required for a temporary sign, pennant, banner, ribbon, streamer or spinner. The permit application shall specify the dates being requested for authorized installation and the proposed location.

EXCEPTION: Pursuant to Section 91.6201.2(1)(c) of this Code, no building permit shall be required for a temporary sign, pennant, banner, ribbon streamer or spinner of less than 20 square feet of sign area that contains a political, ideological or other noncommercial message.

C. **Area.**

1. The combined sign area of temporary signs shall not exceed 2 square feet for each foot of street frontage on which the signs are located.

2. The combined sign area of temporary signs, when placed upon a window and with any other window signs, shall not exceed a maximum of 10 percent of the window area.

D. **Time Limit.** Temporary signs shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days from 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.

EXCEPTION: Temporary signs that do not require a building permit may be installed for a period of greater than 30 days, provided that such signs shall not exceed a total of 90 days in any calendar year.

E. **Location.** Temporary signs may be allowed on fences, on the interior surface of windows and doors, and at any location where any permanent sign of any type is allowed by this article. Pennants, ribbons, streamers or spinners are allowed between light standards on private property.

F. **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 flame retardant when the aggregate area exceeds 100 square feet. Every temporary 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. 14.4.16. TEMPORARY SIGNS ON TEMPORARY CONSTRUCTION WALLS.

A. **Permit Required.** A building permit shall be required for a temporary sign on a temporary construction wall. Temporary signs on temporary construction walls shall comply with the construction requirements of Section 14.4.15 E of this Code. For purposes of this Section 14.4.16, the term “applicant” shall mean the owner of the sign company or, if there is no sign company, the owner of the property.

B. **Area.** Notwithstanding the provisions of Section 14.4.15 C 1 and 2 of this Code, signs placed on temporary construction walls 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 on which the signs are located.
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 or solid wood fences surrounding vacant lots by at least 10 feet measured horizontally, except that information signs governed by Paragraph 8 of Subsection F of this section may be placed within such 10-foot spaces.

C. **Time Limit.** Notwithstanding the provisions of Section 14.4.15 C of this Code, signs placed on temporary construction walls or solid wood fences surrounding vacant lots pursuant to the terms of this section shall be allowed to remain for as long as the building permits associated with the construction site remain in effect or for a period of two years, whichever is less. Building permits for signs on solid wood fences surrounding vacant lots, which are not construction sites, shall be issued for a time period not to exceed one year. The Department of Building and Safety shall grant a new building permit for a period equal to the original building permit term upon the receipt of (i) an application for a new building permit, (ii) the payment of the building permit fee and (iii) a written statement from the Director of the Office of Community Beautification of the Department of Public Works (Office of Community Beautification) consenting to the new building permit.

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 temporary construction walls, or solid wood fences surrounding vacant lots are limited to lots located in the C, M, or RAS zones.

F. Special Requirements for Signs on Temporary Construction Walls or Solid Wood Fences Surrounding Vacant Lots.

1. **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 Sections 91.8904.1.2 and 91.8307 of this Code to remove the nuisances described in this Section 14.4.16.

2. **Review by the Office of Community Beautification.** At any time after the issuance of a building permit under this section and upon request of the Council district office of the Council district in which the site or lot is located, the Office of Community Beautification shall investigate an area consisting of a 500-foot radius around the permitted site or lot to determine whether there exists a public nuisance due to the presence of graffiti or posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property. If the Office of Community Beautification cannot establish that the area constitutes a public nuisance because of the presence of graffiti, posters/handbills and any other illegal postings on public property within a 500-foot 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 radius of 1500-feet.

3. **Notification of Locations for Placement of Signs.** Within 10 days after the issuance of the building permit, the applicant 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 applicant and the property address where the signs will be placed. The notification to the Office of Community Beautification shall include a copy of the applicant's contract with the property owner to post signs at the specified location.

4. **Nuisance Abatement.** It shall be the applicant's responsibility to clean and maintain free from graffiti public property and rights-of-way within an area consisting of a 500-foot radius or any expanded radius required by the Office of Community Beautification around the permitted site or lot. The applicant shall patrol the abatement area every 24 four hours to search for graffiti 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 applicant 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 applicant shall also remove any trash, debris or rubbish from the public sidewalks within the abatement area around the permitted site. The Office of Community Beautification shall enforce the provisions of this subsection.

5. **Permit Revocation.** Any building permit 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 applicant's failure to comply with the following Paragraphs (a), (d), (e) or (f) of this subsection is sent to the Department of Building and Safety by the Director of the Office of Community Beautification:

(a) Failure by the applicant to maintain the temporary construction wall or solid wood fence surrounding a vacant lot free from graffiti.

(b) Failure by the applicant to comply with the terms of the permit.

(c) Failure by the applicant to maintain the bond required in Subsection A of this section.

(d) Failure by the applicant to eradicate graffiti within a 500-foot radius, or any expanded radius required by the Office of Community Beautification, of the temporary construction wall or solid wood fence surrounding a vacant lot within 20 hours of receiving notification of the presence of graffiti from the Office of Community Beautification or the Council staff in the Council district in which the construction site or vacant lot is located.

(e) Failure by the applicant to remove posters/handbills placed on light poles, utility poles, bus stops and any other illegal postings on public property within a 500-foot radius or any expanded radius required by the Office of Community Beautification of the temporary construction wall or solid wood fence surrounding a vacant lot within 20 hours of receiving notification of the presence of posters/handbills or other illegal postings from the Office of Community Beautification or the Council staff in the Council district in which the construction site or vacant lot is located.

(f) Failure by the applicant, at the time of graffiti removal, to remove trash, debris or rubbish from the public sidewalks within the abatement area around the permitted site.

6. **Removal of Signs.** If the Department of Building and Safety revokes the building permit allowing signs on temporary construction walls or solid wood fences surrounding vacant lots then any signs placed on the temporary construction walls or solid wood fences surrounding vacant lots shall be removed by the applicant within seventy two hours after receipt of written notification.

7. **Public Nuisance.** Any signs remaining on temporary construction walls or solid wood fences surrounding vacant lots after the building permit 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 this Code.

8. **Information Sign.** Each temporary construction wall or solid wood fence surrounding vacant lots shall display an information sign that provides the following governmental safety information, identifies the date the wall was erected or permitted, the address and telephone number of the person responsible for maintaining the property, and the address and telephone number of the Office of Community Beautification. If the Office of Community Beautification maintains a graffiti hotline, this telephone number shall also be displayed on the information sign. The information sign shall conform to the requirements of Section 14.4.6 of this Code, and may be located within the 10-foot spaces between signs on the temporary construction wall or solid wood fence.

SEC. 14.4.17. OFF-SITE SIGNS.

A. **Area.** The sign area of a single sign 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. Notwithstanding the foregoing, where more than 80 percent of an off-site sign or sign structure is located above a roof of a building, the top of the sign may be 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 the height allowed by the height district, specific plan, or zone in which the sign is located, or by any applicable land use ordinance, 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 8 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 1 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 Subsections C and E of this section if (1) the sign and its support structure are located entirely on the side of the bisecting line closest to that street and (2) 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 considered to 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. If an off-site sign is located within a California Department of Transportation jurisdiction area, then the spacing rules set forth in Section 5408 of the Business and Professions Code must be followed, but spacing shall not be less than what this article requires.

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 6 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 6 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 10 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 10 feet.

SEC. 14.4.18. AWNING SIGNS.

No awning 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 Section 3202 of the California Building Code and Section 91.3202.3.1 of this Code. Awning 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. 14.4.19. DIGITAL DISPLAYS.

A. Digital displays with changing messages shall observe a minimum duration of 8 seconds for each message. The message shall remain static between transitions.

B. Digital displays with changing messages shall utilize either an instant transition between messages, or a fading transition with a transition time between messages of not less than 1 second and not more than 2 seconds. At no time shall a digital display go blank during a transition.

C. All digital displays shall be equipped with a sensor or other device that automatically adjusts the brightness of the display according to changes in ambient lighting to comply with the a brightness limitation of 0.3 foot candles above ambient lighting illumination standards set forth in Section 14.4.4.E.1.a. ~~In addition, the maximum brightness of any digital display shall not exceed 450 candelas per square meter during the nighttime and 7,500 candelas per square meter during the daytime.~~

D. Digital displays shall transition smoothly at a consistent rate from the permitted daytime brightness to the permitted nighttime brightness levels, beginning at 45 minutes prior to sunset and concluding 45 minutes after sunset.

E. Digital displays shall only operate between the hours of 7:00 a.m. and 12:00 a.m.

F. Illumination Testing. Prior to the operation of any digital sign, and again 12 months after the sign has become operational, the applicant shall conduct testing to indicate that illumination and intensity levels from each sign face are in compliance with the provisions in Section 14.4.4.E and provide a copy of the results along with a certification from a Department of Building and Safety-approved testing agency to the Department of Building and Safety stating that the testing results demonstrate compliance. The testing shall be at the applicant's expense.

In addition, if as a result of a complaint, the Department of Building and Safety has cause to believe the subject sign illumination is not in compliance with the Municipal Code or the regulations in Section 14.4.4.E, the Department of Building and Safety may request that the subject sign be retested at the applicant's or its successor's expense to determine compliance. If the testing reveals that the sign is not in compliance with the illumination standards in Section 14.4.4.E or elsewhere in the Municipal Code, the applicant or its successor shall adjust the signage to bring it into compliance immediately or pay penalties per Section 14.4.25.

~~Sign brightness shall be measured at an angle that is within 6 degrees of perpendicular to the sign face, and from a distance as defined by the following formula:~~

$$\text{Measurement Distance (in feet)} = \sqrt{\text{DisplayArea} \times 100}$$

~~where Display Area is the area of the sign display in square feet.~~

~~Measurements shall be performed by a testing agency approved by the Department of Building and Safety, and shall be paid for and submitted by the owner of the sign when requested by that Department.~~

FG. Based on new or updated information and studies, the City Council reserves the right to amend the standards and other provisions set forth in this Section and the general brightness/illumination limitations set forth in Section 14.4.4 E of this Code in order to mitigate impacts on the visual environment on residential or other properties, to reduce driver distractions or other hazards to traffic, or to otherwise protect and promote the public health, safety and welfare. Further, the City Council reserves the right to apply these amended standards to existing signs and digital displays.

SEC. 14.4.20. ORIGINAL ART MURALS, VINTAGE ORIGINAL ART MURALS, AND PUBLIC ART INSTALLATIONS.

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.

SEC. 14.4.21. SIGNS IN A AND R ZONES.

A. General Provisions.

1. No freestanding sign shall exceed a height of 6 feet.
2. No sign which is attached to a building shall project above the lowest portion of any roof, eave or ridge of the building.
3. A sign may be single-faced or double-faced and may be located in any required front yard, side yard, rear yard, passageway or other required open space.
4. No sign shall contain any flashing, moving, or digital display.

B. Temporary Signs. Temporary signs shall be allowed in the A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, R4 or R5 zones, subject to the following regulations:

1. The sign area of any temporary sign shall not exceed 10 square feet.
2. The sign area of all temporary signs on a lot shall be included in the total sign area limit for the zone as listed in Subsection C of this Section.
3. Temporary signs shall comply with the time limit specified in Section 14.4.15 of this Code.

C. Permanent Signs. Permanent signs shall be allowed in the zones and subject to the provisions listed below:

1. **A1 and A2 Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 20 square feet in area. No individual pole sign or monument sign shall exceed 9 square feet in area. The sign area of all signs on a lot in the A1 or A2 zones shall not exceed 30 square feet.

2. **RA, RE, RS, R1, RU, RZ, RW1, R2 and RW2 Zones.** Any number of wall signs and one free standing sign with a maximum height of 6 feet shall be permitted on each lot. No individual wall sign shall exceed 10 square feet in area. No individual free standing sign shall exceed 12 square feet in area. The sign area of all signs on a lot in the RA, RE, RS, R1, RU, RZ, RW1, R2 or RW2 zones shall not exceed 20 square feet.

3. **RD Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 15 square feet in area. No individual pole sign or monument sign shall exceed 9 square feet in area. The sign area of all signs on a lot in the RD zones shall not exceed 20 square feet in area for all the sign faces.

4. **R3, R4, and R5 Zones.** Any number of awning signs or wall signs and one pole sign or monument sign shall be permitted on each lot. No individual awning sign or wall sign shall exceed 20 square feet in area. No individual pole sign or monument sign shall exceed 9 square feet in area. The sign area of all signs on a lot in the R3, R4 or R5 zones shall not exceed 30 square feet in area for all the sign faces.

5. **RMP Zone.** Any number of awning signs or wall signs shall be permitted on each lot. No individual awning sign or wall sign shall exceed 10 square feet in area. The sign area of all signs on a lot in the RMP zone shall not exceed 15 square feet.

SEC. 14.4.22. SIGN ADJUSTMENTS.

A. Authority. The Zoning Administrator shall have the authority to grant an adjustment of the provisions of this article pertaining to height, location, sign area of an individual sign, shape, projection, and clearance of signs; time limit of temporary signs; and sign type for commercial corners and mini-shopping centers. Any request for an adjustment pertaining to height or sign area of an individual sign is limited to an increase of 20 percent beyond what is otherwise permitted by this Code.

B. Procedures. No Sign Adjustment may be granted unless the Zoning Administrator makes all of the findings specified in this section. In making determinations on applications for a Sign Adjustment, no consideration shall be given to

the content or message of the sign. The procedures for considering applications for a Sign Adjustment shall be the same as the procedures for Adjustments set forth in Section 12.28 of this Code, except that the findings for approval shall be as follows:

1. site characteristics or existing improvements make strict adherence to the sign regulations impractical or infeasible; and
2. the requested signage shall be compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas.

C. **Plan Approvals.** The procedures for considering an application for a plan approval for a Sign Adjustment shall be the same as the procedures for variances set forth in Section 12.27 U of this Code, except that the findings for approval shall be the findings set forth under subsection B of this Section.

D. **No Adjustments for Off-site Signs.** No Sign Adjustment shall allow any sign prohibited by Section 14.4.4 B of this Code or allow any sign prohibited by an individual Sign District.

SEC. 14.4.23. SIGN VARIANCES.

A. **Authority.** The Zoning Administrator shall have the authority to grant a variance to the provisions of this article pertaining to height, location, sign area of an individual sign, location of combined sign area, shape, projection, clearance, time limit of temporary signs, sign type, and number of signs. No sign variance shall allow any sign prohibited by Section 14.4.4 B of this Code.

B. **Procedures.** No sign variance may be granted unless the Zoning Administrator makes all of the findings specified in this Section 14.4.23. In making determinations on applications for a sign variance, no consideration shall be given to the content or message of the sign. The procedures for considering applications for a sign variance shall be the same as the procedures for variances set forth in Section 12.27 of this Code, except that the findings for approval shall be as follows:

1. the strict application of the sign regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the sign regulations; and
2. there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity; and

3. the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question; and

4. the requested signage shall be compatible with the surrounding environment. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size and the size and style of lettering. The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent and surrounding properties, including residential areas.

C. **Plan Approvals.** The procedures for considering an application for a plan approval for a sign variance shall be the same as the procedures for variances set forth in Section 12.27 U of this Code, except that the findings for approval shall be the findings set forth under Subsection B of this Section 14.4.23.

SEC. 14.4.24. CONTINUATION OF NONCONFORMING SIGNS

Any existing sign that lawfully existed at the time the regulations with which it does not conform became effective may be continued, repaired and rehabilitated, including changes or replacement of copy and necessary structural, electrical and mechanical alterations to be conducted as set forth in Section 91.6216 of this Code. If the sign or sign support structure is a qualified historical structure, then the applicant may comply with the applicable provisions of the California Historical Building Code in lieu of Division 62 of this Code, including but not limited to Section 91.6216 of this Code. The replacement of nonconforming signs is allowed as permitted by Section 16.03 or Section 12.23 A 4 of this Code, or when the work is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition.

SEC. 14.4.25. VIOLATIONS AND ADMINISTRATIVE CIVIL PENALTIES.

A. **Purpose.** This Section 14.4.25 applies only to the sign regulations set forth in Article 4.4 of Chapter I and in Chapter IX of this Code and to violations of any other sign regulations established by ordinance. The City Council finds there is a need for alternative methods of enforcing all provisions of this Code pertaining to signage. The City Council further finds that the assessment of additional civil administrative penalties for violations of these sign regulations is a necessary alternative method for gaining compliance with the sign regulations. The assessment of the civil penalties established in this Section 14.4.25 is in addition to any other administrative or judicial remedies established by law which may be pursued to address violations of the sign regulations.

B. Authority and General Provisions.

1. The Department of Building and Safety shall have the authority to issue an order to comply and assess penalties against any responsible party for violation of any provisions of this Code pertaining to signage.

2. The owner of the property on which a sign is located and the owner of the sign and sign support structure are both responsible parties for complying with all provisions of this Code pertaining to signage. In addition, the owner of the property and the owner of the sign or sign support structure are jointly and severally liable for the civil penalties assessed pursuant to this section.

3. A violation of the sign regulations is deemed a continuing violation and each day that a violation continues is deemed to be a new and separate offense.

4. The order to comply shall be mailed via U.S. First-Class Mail to each responsible party.

5. Penalties shall begin to accrue on the 16th day after the effective date shown on the order to comply, unless the violation is corrected or the sign copy is removed before midnight on the 15th day after the effective date.

6. The amount of penalties shall follow the chart in Subsection C below. These penalty amounts shall be in addition to any other fees required by Chapter IX of this Code.

7. After correcting the violation or removing the sign copy, the responsible party must contact the representative of the Department of Building and Safety who issued the order to comply to request a re-inspection. Any penalties assessed will cease to accrue starting on the day that the Department of Building and Safety determines through its re-inspection that the violation has been corrected or that the sign copy has been removed.

8. If the Department of Building and Safety rescinds an order to comply, the violation shall be considered corrected, and no penalties shall be due.

9. All other matters pertaining to the issuance of orders to comply and assessment of penalties for violation of sign regulations not addressed by this Section 14.4.25 or Section 14.4.26 of this Code, including, but not limited to, the processing of appeals, shall be as regulated by Chapter IX of this Code.

C. Amount of Penalties.

1. The amount of administrative civil penalties for off-site signs are as set forth in the following table:

| SIGN AREA OF OFF-SITE SIGN IN VIOLATION | CIVIL PENALTIES PER DAY OF VIOLATION | | |
|--|--------------------------------------|---------------------|---|
| | First Violation | Second Violation | Third Violation and All Subsequent Violations |
| Less than 150 square feet | \$2,500 | \$4,000 | \$8,000 |
| 150 to less than 300 square feet | \$4,000 | \$8,000 | \$16,000 |
| 300 to less than 450 square feet | \$6,000 | \$12,000 | \$24,000 |
| 450 to less than 600 square feet | \$8,000 | \$16,000 | \$32,000 |
| 600 to less than 750 square feet | \$10,000 | \$20,000 | \$40,000 |
| 750 or more square feet | \$12,000 | \$24,000 | \$48,000 |

2. The amount of administrative civil penalties for on-site or noncommercial signs of any size shall be the same as the general civil penalty defined in Section 11.00 L of this Code, for the first and all subsequent violations.

3. For signs of less than 20 square feet in sign area, civil penalties per day for a violation of Section 14.4.21 of this Code shall be \$500 per day of violation for the first and all subsequent violations.

D. **Effective Date.** The penalties and other provisions in this Section 14.4.25 and Section 14.4.26 shall become effective 90 days after the effective date of Los Angeles Ordinance No. _____.

SEC. 14.4.26. APPEALS OF ADMINISTRATIVE CIVIL PENALTIES.

The procedures set forth in this section govern appeals of the administrative civil penalties assessed pursuant to Section 14.4.25 of this Code. Such appeals shall be reviewed and determined by the Director of Planning, who is granted authority to handle such appeals, including any aspects of an appeal involving ordinances or laws relating to the construction, alteration, repair or demolition of signs or sign structures. Further, such appeals shall not require review by the Board of Building and Safety Commissioners as would otherwise be required by Section 91.105.5.5 of this Code.

A. Filing of Appeals.

1. An appeal of civil penalties must be filed within 15 days of the effective date shown on the order to comply issued to the responsible party by the Department of Building and Safety. An appeal may only be filed by a responsible party.

2. The appeal must be filed at a public counter of the Department of City Planning, on a form provided by the Department of City Planning, and accompanied by the applicable fees. The appeal shall set forth specifically the points at issue, the reasons for the appeal, and the basis upon which the appellant claims there was an error or abuse of discretion by the Department of Building and Safety. The appeal shall be accompanied by a copy of the order to comply and any other relevant correspondence between the Department of Building and Safety and the responsible party. The submittal of the appeal shall follow the mailing procedures as published by the Department of City Planning, to include mailing recipients as specified in Paragraph 1 of Subsection D of this Section.

3. Upon the filing of any appeal made pursuant to this Section 14.4.26, the Department of City Planning shall provide a copy of the appeal to the Department of Building and Safety. The Department of Building and Safety shall provide to the Department of City Planning a written report addressing the assertions contained in the appeal and any other relevant information.

4. The Director of Planning shall assign the review of the appeal to an Administrative Hearing Officer. An Administrative Hearing Officer shall be a qualified employee of the Department of City Planning or other person whom the Director of Planning has deemed qualified to hear the appeal. The appellant may opt to apply for an expedited appeal by paying the fees required to cover the cost of expedited review.

5. The City Attorney, upon the request of the Director of Planning, may assign a deputy or assistant city attorney to attend any hearing and give advice on any and all legal matters pertaining to the proceeding.

B. Filing Fees.

1. The fee to file an appeal under this Section 14.4.26 shall be as specified in Table 4-A of Section 98.0403.2 of this Code.

2. The fee to file an expedited appeal shall be as specified in Section 19.01 B 3 of this Code.

3. If the responsible party withdraws its appeal of civil penalties, any portion of the fee not expended to process the hearing and review of the appeal shall be refunded.

C. Expedited Appeal Review. A hearing for an expedited appeal shall be scheduled no later than 30 days upon filing of the appeal.

D. Notification and Hearing Procedures.

1. The Department of City Planning shall ensure that notice is sent by mail of the date, time and location of the hearing to the appellant, all responsible parties, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, the applicable Certified Neighborhood Council, and to all persons known to the Department of City Planning to have an interest in the matter. The notices shall be mailed at least 24 days prior to the hearing and shall contain instructions for the submittal of comments in writing.

2. Any comments on the appeal must be received in writing, and shall be made available to members of the public upon request.

3. No less than 20 days before the hearing, the responsible party shall post notice of the hearing in a conspicuous location on the premises where the sign or sign structure that is the subject of the appeal is located.

E. Decision.

1. The Administrative Hearing Officer may overturn or modify, in whole or in part, the order to comply, and may reduce the amount of the civil penalties. The decision of the Administrative Hearing Officer shall be based solely on the record and evidence that relates to whether or not the responsible party violated the sign regulations and whether the Department of Building and Safety erred or abused its discretion as well as testimony introduced at the hearing. In making his or her decision, the Administrative Hearing Officer may consider the seriousness of the violation, previous violations, the number of days the violation has occurred, and good faith efforts taken by the responsible party to correct prior violations. The Administrative Hearing Officer, as part of the determination, shall make a finding regarding whether the matter may have a citywide impact, as described in Subdivision 4 of Section 12.26 K of this Code.

2. If the Administrative Hearing Officer overturns the order to comply, the case shall be abated and all accrued penalties shall be rescinded. If penalties have been paid, the penalties shall be refunded.

3. If the responsible party withdraws its appeal of civil penalties prior to the hearing, civil penalties shall accrue from the date the citation was issued until the date the violation is corrected.

4. If the Administrative Hearing Officer upholds the civil penalties, the responsible party shall correct the violation(s) (or remove the sign copy in its entirety) within 15 days of the date the decision is mailed to the responsible party, or within another time period as determined by the Administrative Hearing Officer. If the violation(s) are not corrected, or the sign copy not removed in its entirety (and no replacement sign copy installed in its place), within this 15-day period, or other period as determined by the Administrative Hearing Officer,

penalties shall begin accruing after the end of the period. After the end of the period, the penalties shall resume until the violation is corrected (or the sign copy is removed in its entirety).

5. The decision of the Administrative Hearing Officer shall be in writing. A copy of the decision shall be provided to the appellant, all responsible parties, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, the applicable Certified Neighborhood Council, all persons who have filed written requests for this notice with the Department of City Planning, and all persons known to have an interest in the matter.

6. The decision of the Administrative Hearing Officer may be appealed following the procedures set forth in Subdivisions 6 through 10 of Section 12.26 K of this Code. The City Planning Commission or the Area Planning Commission is granted authority to handle such appeals, including any aspects of an appeal involving ordinances or laws relating to the construction, alteration, repair or demolition of signs or sign structures.

7. The Administrative Hearing Officer shall issue a decision on an administrative appeal within 75 days. If the Administrative Hearing Officer determines that he or she needs an extension of time beyond the 75-day period to make the decision, the Administrative Hearing Officer may at his or her sole discretion extend that time beyond the 75 days and during that time extension the accrual of penalties shall be suspended notwithstanding Section 14.4.25 B 5 of this Code. If the decision of the Administrative Hearing Officer is then appealed to the City Planning Commission or an Area Planning Commission, the suspension shall stop and penalties shall once again commence accruing. The City Planning Commission or Area Planning Commission shall then issue a decision on the administrative appeal within 75 days. If the City Planning Commission or Area Planning Commission determines that it needs an extension of time beyond the 75 -day period to make the decision, the City Planning Commission or Area Planning Commission may at its sole discretion extend that time beyond the 75 -day period and during that time extension the accrual of penalties shall be suspended notwithstanding Section 14.4.25 B 5 of this Code. Penalties shall continue to accrue during any extension of time requested by the party bringing the administrative appeal, unless the decision-maker determines at its sole discretion that the penalties should be suspended during that extension of time.

SEC. 14.4.27. RECOVERY OF COSTS.

Pursuant to the procedures and authority found in Los Angeles Administrative Code Section 7.35.3, any City department shall be entitled to recover any fee, charge or cost incurring in enforcing the sign regulations that is collectible under Government Code Section 54988. Collectible fees, charges or costs shall include permit fees, fines,

late charges, interest and costs incurred in performing inspections and otherwise enforcing the sign regulations.

SEC. 14.4.28. SEVERABILITY.

If any part, sentence, phrase, clause, term, or word of Section 13.11 or Article 4.4 of the Code, which deal with Sign Districts and sign regulations, respectively, 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 any other provision or section of this Code regulating signage, billboards, or Original Art Murals.

DIAGRAM A

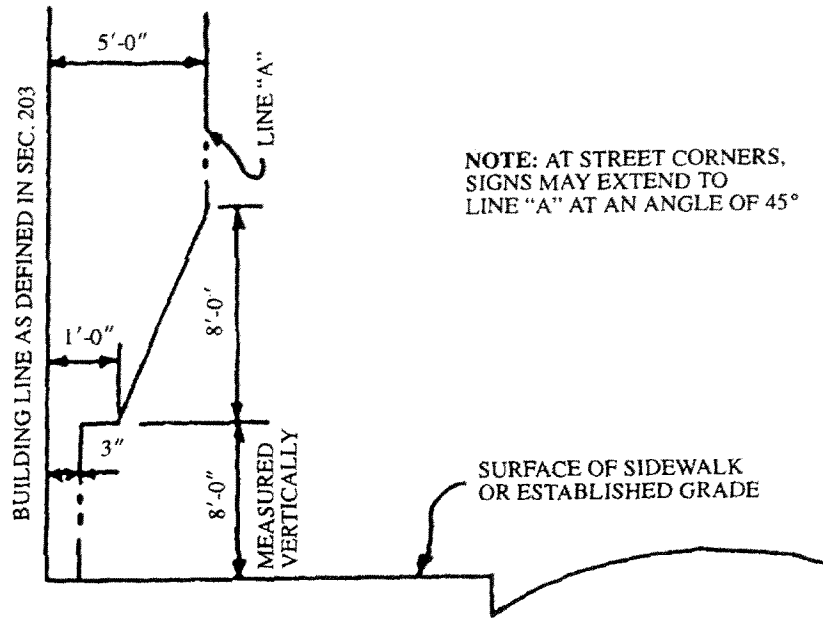
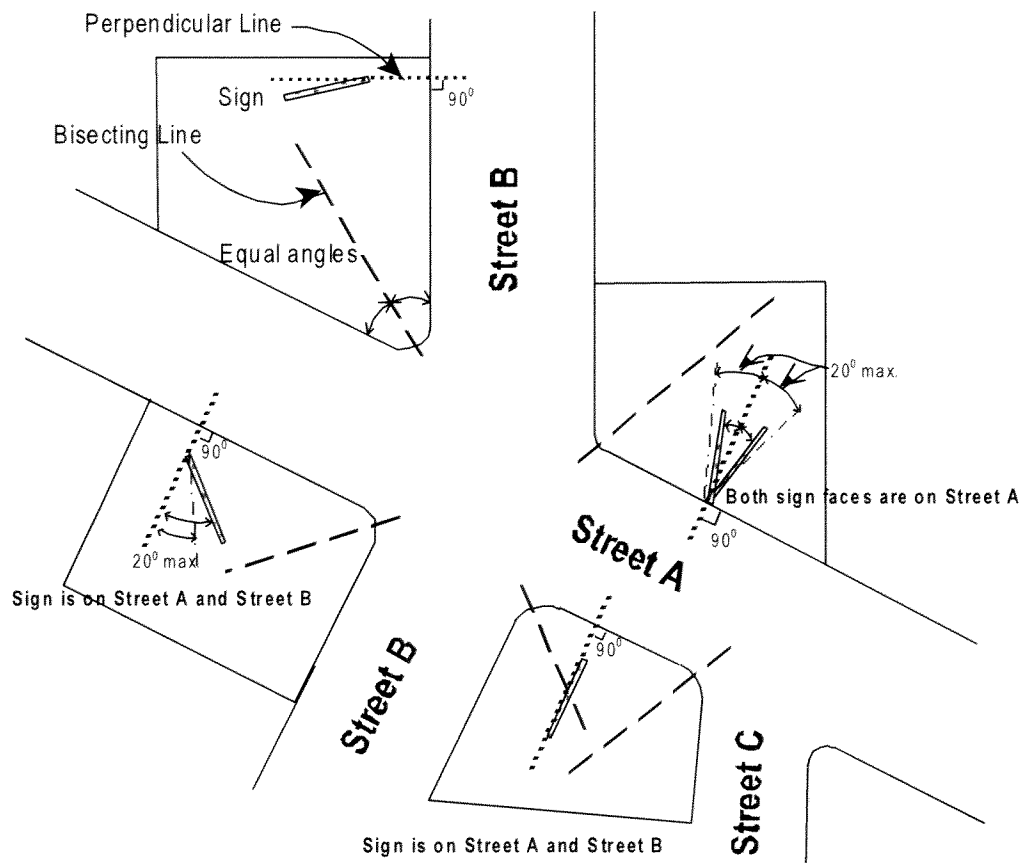


TABLE NO. B
SPACING REQUIREMENTS BETWEEN OFF-SITE SIGNS

| | 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



Sec. 19. Subsection B of Section 19.01 of the Los Angeles Municipal Code is amended to read:

B. Appeal Fees.

1. Except as expressly provided in Subdivisions 2 and 3 below, the following fees shall be charged and collected with the filing of all appeals.

(a) A fee equal to 85 percent of the underlying application or \$13,277 for first level appeal and \$11,211 for additional level appeals, whichever is less when the appeal is made by the applicant.

(b) A fee of \$89 in the case of an appeal by a person, other than the applicant, claiming to be aggrieved.

2. An appeal filed pursuant to Section 12.26 K 2 of this Code shall be accompanied by a filing fee as specified in Table 4-A of Section 98.0403.2 of the Code, to be collected by the Department. An appeal filed pursuant to Section 12.26 K 6 of this Code shall be charged a fee in accordance with Subdivision 1, above.

3. **Expedited Sign Appeal.** An appeal filed pursuant to Section 14.4.26 C of this Code shall be accompanied by an initial filing fee of \$6,000. Any additional costs to the City for human and physical resources necessary to process the appeal in an expedited fashion shall be charged to the appellant.

Sec. 20. The table in Subsection A of Section 19.01 of the Los Angeles Municipal Code is amended to read as follows:

| Type of Application | Fee (1) |
|---|----------------|
| Zone Change - Single Family and Multi-Family dwelling up to 49 units (Section 12.32) | \$11,734 (2) |
| Zone Change - Single Family and Multi-Family dwelling - additional fee for each 50 units over 49 (Section 12.32) | \$5,747 (2) |
| Zone Change - Non-residential less than and including 49,999 square feet (Section 12.32) | \$11,737 |
| Zone Change - Non-residential 50,000 square feet and greater (Section 12.32) | \$16,440 |
| Clarification of Q Classifications or D Limitations - each (Section 12.32 H) | \$4,428 |
| Land Use Determinations by City Planning Commission (Section 12.24.1) | \$11,060 |

| | |
|--|-----------|
| Amendment of Council's Instructions involving (T) Tentative Classifications (Section 12.32) | \$4,264 |
| Height District Change (Section 12.32) | \$11,123 |
| Supplemental Use District: Change or Removal including, but not limited to, O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, NSO and Tier 1 SN Districts (Section 12.32 S) | \$67,915 |
| Supplemental Use District: Establishment including, but not limited to, O, S, G, RPD, K, CA, POD, CDO, MU, FH, RFA, NSO and Tier 1 SN Districts (Section 12.32 S) | \$134,608 |
| Tier 2 Sign District – Establishment (Section 13.11 D) | \$67,915 |
| Tier 2 Sign District - Change or Removal (Section 13.11 D) | \$31,316 |
| Conditions of Approval for Oil Drilling (Section 13.01 H) | \$7,650 |
| Zone Boundary Line Adjustment (Section 12.30 H) | \$5,473 |
| Building Line - Establishment, Change or Removal (Section 12.32) | \$8,833 |
| Surface Mining Permits (Section 13.03) | \$2,640 |

Sec. 21. Subsection G of Section 19.01 of the Los Angeles Municipal Code is amended to read:

G. Sign Applications.

[FILING FEE]

| Type of Application | Fee |
|--|------------|
| Sign Variance (Section 14.4.23) | \$6,448 |
| Sign Adjustment (Section 14.4.22) | \$5,370 |
| Plan Approval – Sign Variance (Section 14.4.23 C) | \$5,754 |

| | |
|--|---------|
| Plan Approval – Sign Adjustment (Section 14.4.22 C) | \$5,754 |
|--|---------|

Sec. 22. Section 91.6216.4.3 of the Los Angeles Municipal Code is hereby amended to read as follows:

91.6216.4.3. The alteration, repair or rehabilitation of any existing sign or sign support structure that exceeds 50 percent of the replacement cost of both the sign and sign support structure must comply with all the requirements of this Code.

EXCEPTION: If the sign or sign support structure is a qualified historical structure, then the applicant may comply with the California Historical Building Code in lieu of Division 62 of this Code.

Sec. 23. **APPLICATION OF REGULATIONS TO EXISTING PROJECTS, AND INITIATED OR APPLIED FOR SIGN DISTRICTS AND SPECIFIC PLANS, AND APPROVED SIGN DISTRICTS.**

This ordinance amends Article 4.4 and related provisions of the Los Angeles Municipal Code to enact new requirements and provisions regulating signs. This ordinance also amends Section 13.11 of the Code to enact new findings and other criteria for the establishment of “SN” Sign Districts. This Section sets forth the rules for application of this ordinance to granted discretionary land use approvals and initiated or applied for Sign Districts and specific plans.

A. Discretionary Land Use Approvals.

This ordinance shall not apply to any discretionary land use approval set forth in Section 16.05 B 2 or Section 11.5.7 of the Los Angeles Municipal Code granted prior to the effective date of this ordinance, provided the approval is still valid and specifically allowed signs or otherwise granted relief from the sign regulations. In particular, this ordinance shall not supersede any of the provisions set forth in the approval related to signs, nor shall it supersede any of the procedures set forth in Chapter I of the Los Angeles Municipal Code that authorize a decision-maker to modify the provisions set forth in the approval related to signs.

B. Initiated or Applied for Sign Districts.

Any Sign District initiated or applied for prior to March 26, 2009 shall be subject to the Sign District regulations in this Code ~~as of December 16, 2014~~ rather than to the subsequently updated regulations.

A “Sign District initiated or applied for ~~Sign District~~” is one which was not approved before March 26, 2009; December 16, 2014 but was initiated or applied for before this date, pursuant to Section 12.32 of this Code; or any Sign District for which geographically defined boundaries were identified in a notice of preparation or an

environmental impact report issued by the Department of City Planning before ~~December 16, 2014~~ March 26, 2009. The term "initiated" shall refer to any proposed Sign District for which a motion was introduced by a City Councilmember or Councilmembers and referred to the Department of City Planning.

After an initiated or applied for Sign District is adopted, any proposed amendments that would allow signs prohibited by Section 14.4.4 C of this Code shall be subject to the Sign District provisions in this Code at the time such amendments are proposed.

C. Initiated or Applied for Specific Plans.

Within any initiated or applied for specific plan, any regulations governing signage shall be removed from the proposed specific plan and set forth in a proposed Sign District. The proposed Sign District shall be reviewed concurrently with the specific plan, shall not require an application fee, may be allowed in any zone, and shall be subject to the regulations governing specific plans in this Code as of December 16, 2014 rather than the regulations governing Sign Districts.

An "initiated or applied for specific plan" is one which was not approved before December 16, 2014 but was initiated or applied for before this date, pursuant to Section 12.32 of this Code; or any specific plan for which geographically defined boundaries were identified in a notice of preparation or an environmental impact report issued by the Department of City Planning before December 16, 2014. The term "initiated" shall refer to any proposed Sign District for which a motion was introduced by a City Councilmember or Councilmembers and referred to the Department of City Planning.

After an initiated or applied for specific plan is adopted and a Sign District is adopted as provided above, any proposed amendments to the Sign District shall be subject to the Sign District provisions in this Code at the time such amendments are proposed.

D. Approved Sign Districts

Sign Districts approved by the City Planning Commission prior to the effective date of this ordinance shall be subject to the Sign District regulations in effect at the time of approval rather than to the subsequently updated regulations.

Sec. 24. **STATEMENT OF INTENT.**

This ordinance amends Article 4.4 of Chapter 1 of the Los Angeles Municipal Code to clarify that the sign regulations are permissive. This ordinance affirms the Council's intent that a use or structure is only allowed if the codes and ordinances of the City of Los Angeles expressly allow it. Any use or structure that is not regulated by

these codes and ordinances is prohibited. This amendment clarifies the Council's long-standing interpretation and does not change existing law.

In addition, when supergraphic signs, which are extremely large wall signs, first appeared they were regulated as either wall signs or temporary signs. In 2002, the Council added a definition to the Code for supergraphic signs and enacted a ban. This ordinance deletes the definition of supergraphic signs. It is the intent of Council in enacting the new provisions of this ordinance to again require that supergraphic signs comply with the provisions of wall signs or temporary signs.

LAND USE FINDINGS

1. In accordance with Charter Section 556, that the proposed ordinance is in substantial conformance with the purposes, intent and provisions of the General Plan in that it will support Goal 5A of the Citywide General Plan Framework by helping to further shape “a livable city for existing and future residents and one that is attractive to future investment,” by supporting Objective 5.5, to “enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm”; Objective 5.5.3, to “formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide” by protecting and enhancing neighborhood character and livability through appropriate time, place and manner regulations on signage; and Policy 5.8.4 to “encourage that signage be designed to be integrated with the architectural character of the buildings and convey a visually attractive character” by curbing the proliferation of intensive sign types and reducing visual clutter; and
2. in accordance with Charter Section 558 (b) (2), that the proposed ordinance is directly related to the General Plan, specific plans or other plans being prepared by the Department of City Planning, in that it supports Goal 3C of the Citywide General Plan Framework by helping to protect and promote “multi-family neighborhoods that enhance the quality of life for the City’s existing and future residents” by restricting intensive sign types that can disrupt the visual environment and detract from quality of life within and near residences; and also supports General Plan Framework Policy 3.7.4, to “improve the quality of new multi-family dwelling units based on the standards in Chapter 5 (Urban Form and Neighborhood Design Chapter) of this Element” by limiting the height, area and spacing of signage citywide, including in the city’s many mixed-use areas where commercial signage can visually impact residential environments.

The proposed ordinance supports the Citywide General Plan Framework’s Livable Neighborhoods Subsection (under the Land Use Section), which provides that “all neighborhoods in the City deserve to have well designed buildings and a safe, secure, and attractive public realm” by establishing restrictive standards for signage citywide that will provide both short and long-term improvements in the quality of the public realm.

The proposed ordinance is in substantial conformance with the public necessity, convenience, general welfare and good zoning practice in that it supports Goal 9P of the Citywide General Plan Framework by helping to “protect and preserve the nighttime environment, views, driver visibility, and otherwise minimize or prevent light pollution, light trespass, and glare” and Policy 9.40.3, to “develop regulations to ensure quality lighting to minimize or eliminate the adverse impact

of lighting due to light pollution, light trespass, and glare for façade lighting, security lighting, and advertising lighting, including billboards” by establishing a baseline citywide prohibition on, and illumination and operational restrictions of, digital displays, which have been shown to dangerously distract drivers and have such land use impacts as light pollution, light trespass, and excessive glare.

ENVIRONMENTAL FINDING

On October 22, 2015, a Notice of Exemption, ENV-2009-0009-CE, for a Categorical Exemption, Class 3 and 11, Article III, Section 1, City CEQA Guidelines, was approved by the City Planning Commission.



DEPARTMENT OF CITY PLANNING

SUPPLEMENTAL RECOMMENDATION REPORT



CITY PLANNING COMMISSION

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

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


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

RECOMMENDED ACTIONS:

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

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

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SUMMARY

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

INTRODUCTION

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

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

Summary of CPC Meeting, September 24, 2015

Public Testimony and Letters

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

Opposition:

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

Support:

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

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

Summary of Specific Proposals from City Councilmembers:

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

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

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

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

City Planning Commission Discussion

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

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

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

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

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

REPORT BACK TO CITY PLANNING COMMISSION

Summary of Selected Sign Provisions in Other Cities

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

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

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

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

The following is a brief summary of conclusions drawn:

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

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

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

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

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

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

Grandfathering

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

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

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

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

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

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

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

On-Site Relocation of Off-Site Signs

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

Community Benefits

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

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

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

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

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

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

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

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

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

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

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

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

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

Examples of Tier 1 and Tier 2 Sign Districts

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

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

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

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

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

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

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

Freeway Exposure

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

No person shall erect, construct, install, paint, maintain, and no building or electrical permit shall be issued for, any sign or sign support structure within 2,000 feet of a freeway unless the Department of Building and Safety has first determined that the sign will not be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp. However, at the termination of an off-ramp, any wall sign located along the front line may be viewed primarily from the off-ramp.

*The phrase "**viewed primarily from**" shall mean that the message may be seen with reasonable clarity for a greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off-ramp than by a person traveling on the street adjacent to the sign.*

Exemption. *The wall signs specified in Subdivisions 1. and 2. below are exempt from the limitation above. These signs shall not have moving parts or any arrangement of lights that create the illusion of movement.*

1. Identification signs identifying the building where the sign is located, providing the area of the sign is not more than 50 square feet or is not larger than five percent of the area of the side of the building, which faces primarily to the freeway, whichever is greater; and

2. Wall signs on which the advertising is limited to the name of any person, firm or corporation occupying the building, or the type of business, services rendered, or the name of any product manufactured or sold on the premises. The total area of all wall signs on a building permitted in this subdivision shall not exceed 100 square feet. Any one sign shall not exceed 50 square feet in area.

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

No person shall erect, construct, install, or maintain any sign or sign support structure within 660 feet of a freeway unless the sign conforms to the requirements of California Business and Professions Code Sections 5403, 5404, 5405, 5406, 5408, 5440, 5440.1, 5442.11 and 5442.13.

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

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

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

Digital Displays Provisions in Historic Broadway Sign Supplemental Use District

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

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

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

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

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

The following is the proposed testing protocol:

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

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

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

Digital signs are also subject to the following:

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

Table 9.11.1

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

Citywide Cap

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

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

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

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

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

ADDITIONAL INFORMATION

Clarification Regarding Penalties

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

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

Clarification Regarding Version B

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

RECOMMENDATIONS AND CONCLUSION

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

ATTACHMENTS

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

Selected Sign Provisions in Selected Cities

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

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

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

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

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

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

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

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

BUSINESS AND PROFESSIONS CODE

SECTION 5400-5419

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

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

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

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

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

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

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

(d) If not maintained in safe condition.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A temporary political sign is a sign which:

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

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

(c) Is no larger than 32 square feet.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

display removed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

available to any public entity requesting a copy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BUSINESS AND PROFESSIONS CODE

SECTION 5440-5443.5

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

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

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

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

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

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

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

property on which they are located.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ATTACHMENT III

HISTORIC BROADWAY SIGN SUPPLEMENTAL USE DISTRICT

ADOPTED BY CITY PLANNING COMMISSION – August 13, 2015

Revised Proposed Ordinance

SECTION 1. ESTABLISHMENT

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

SECTION 2. PURPOSES

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

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

SECTION 3. APPLICATION OF REGULATIONS

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

SECTION 4. GENERAL STANDARDS

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

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

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

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

SECTION 5. ILLUMINATION STANDARDS

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

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

SECTION 6. PROHIBITED SIGN TYPES

The following sign types are prohibited:

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

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

SECTION 7. ADMINISTRATIVE PROCEDURES

- A. Building Permits.** The Department of Building and Safety (LADBS) shall not issue a permit for a sign, a sign structure, sign illumination, recreation / reconstruction of a sign, or alteration of an existing sign unless the sign complies with the requirements of this Ordinance and zoning regulations in the LAMC, as determined by the Director. The Department of Building and Safety shall ensure compliance with all other LAMC requirements.
- B. Office of Historic Resources Review.** This ordinance does not exempt review by the Office of Historic Resources, when otherwise required.
- C. Planning Department Sign-Off Required.** A permit may be issued by LADBS for the following signs with only a sign-off by the Department of City Planning and Office of Historic Resources on the permit application:
1. Architectural Ledge Sign
 2. Awing Sign
 3. Historic Designation Identification and Description Sign
 4. Information Sign
 5. Illuminated Projection Sign
 6. Pedestrian Sign
 7. Sandwich Board Sign
 8. Storefront Vacancy Sign
 9. Temporary Sign
 10. Temporary Sign on Temporary Construction Wall
 11. Wall Sign
 12. Window Sign

7.1 PROJECT PERMIT

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

B. Application Submittal Requirements.

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

7.2 OFF-SITE ADVERTISING INCENTIVE PROGRAM

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

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

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

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

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

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

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

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

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

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

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

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

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

7.3 REQUIRED PROJECT PERMIT FINDINGS

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

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

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

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

7.4 FURTHER FINDINGS FOR HISTORIC BUILDINGS

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

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

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

7.5 TEMPORARY SIGNS

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

7.6 ADJUSTMENTS AND EXCEPTIONS

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

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

7.7 RECONSTRUCTED/RECREATED HISTORIC BLADE SIGNS & SECONDARY FACADE SIGNS

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

7.8 FINES

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

SECTION 8 DEFINITIONS

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

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

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

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

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

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



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



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

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

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

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

Off-Site Messaging. A sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution, or any other commercial message, which is generally conducted, sold, manufactured, offered, or occurs elsewhere than on the premises where the sign is located.

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

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

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

Example of Sequential Lighting Element:



Sign Support Structure - A structure of any kind or character, erected, used or maintained for a sign upon which any poster, bill, printing, painting, projected image or other message may be placed.

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

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

SECTION 9.1 ARCHITECTURAL CANOPY SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Architectural Canopy Signs shall:

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

Table 9.1.1

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

C. LOCATION STANDARDS

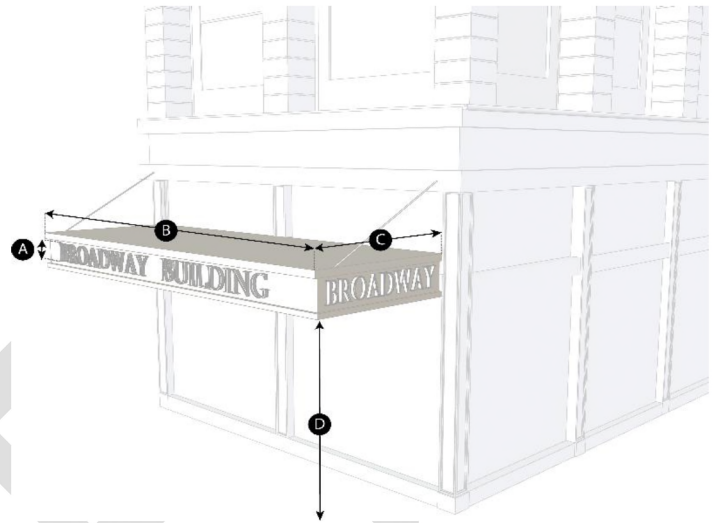


Table 9.1.2

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

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.2 ARCHITECTURAL LEDGE SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Architectural Ledge Signs shall:

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

Table 9.2.1

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

C. LOCATION & SIZE STANDARDS



Table 9.2.2

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

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.3 AWNING SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Awning Signs shall:

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

Table 9.3.1

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

C. LOCATION & SIZE STANDARDS

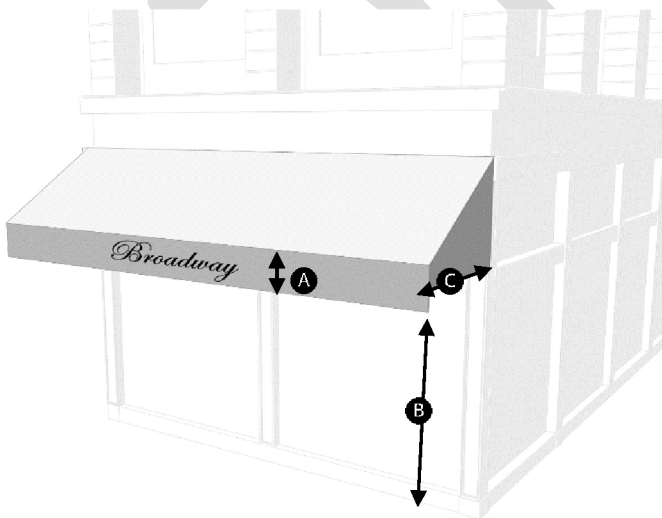


Table 9.3.2

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

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.4 BLADE SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Blade Signs shall:

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

Table 9.4.1

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

B. LOCATION STANDARDS

Table 9.4.2

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

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

D. SIZE STANDARDS

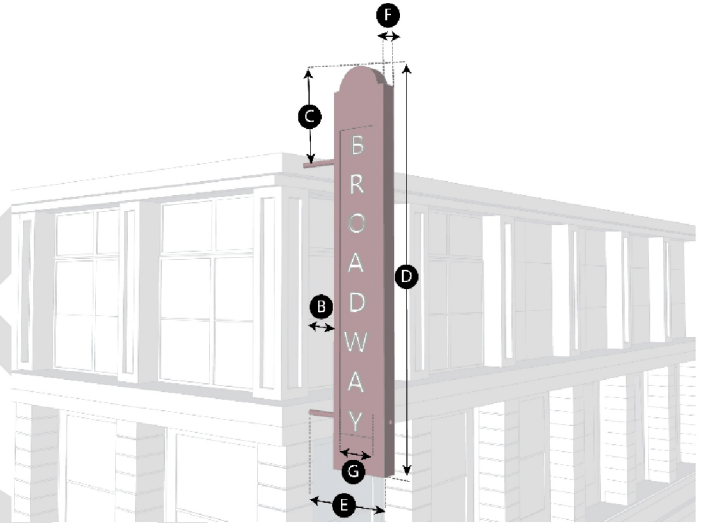


Table 9.4.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.5 BUILDING IDENTIFICATION SIGNS

A. DEFINITION & INTENT

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

C. SIZE STANDARDS

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

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.7. HIGH RISE SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

High Rise Signs shall:

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

Table 9.7.1

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

C. LOCATION STANDARDS

Table 9.7.2

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

D. SIZE STANDARDS

Table 9.7.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.8. HISTORIC IDENTIFICATION & DESCRIPTION SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Historic Identification and Description Signs shall:

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

Table 9.8.1

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

C. LOCATION STANDARDS

Table 9.8.2

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

D. SIZE STANDARDS

Table 9.8.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.8. INFORMATION SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Information Signs shall:

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

Table 9.9.1

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

C. LOCATION STANDARDS

Table 9.9.2

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

D. SIZE STANDARDS

Table 9.9.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.10. ILLUMINATED PROJECTION SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

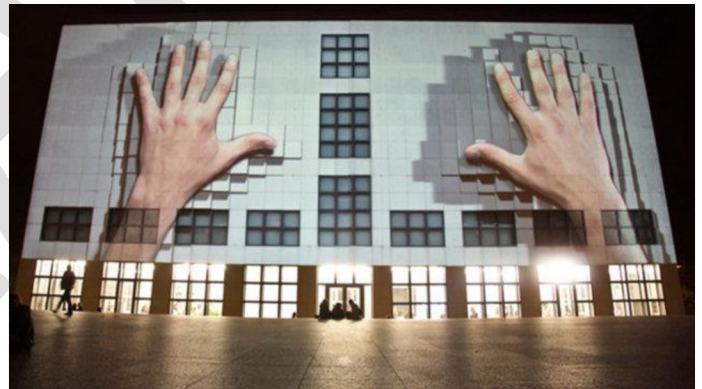
Illuminated Projection Signs shall:

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

Table 9.10.1

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

C. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.11. MARQUEE DIGITAL SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Marquee Digital Signs shall:

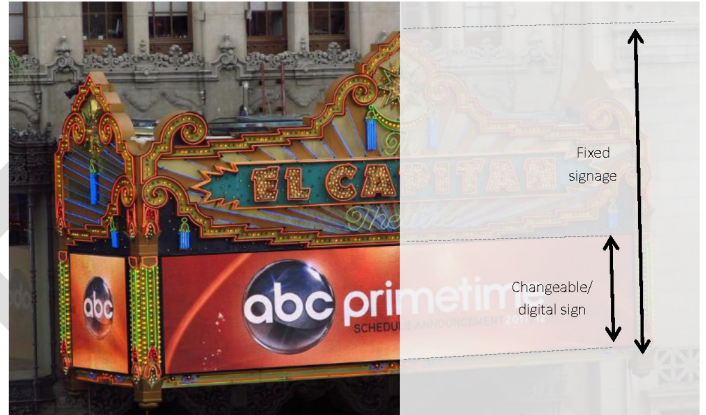
1. Be limited to existing or recreated marquee signs associated with the:
 - a. Million Dollar Theater
 - b. Roxie Theater
 - c. Cameo Theater
 - d. Arcade Theater
 - e. Los Angeles Theater
 - f. Palace Theater
 - g. The State Theater
 - h. Globe Theater
 - i. Tower Theater
 - j. Rialto Theater
 - k.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

Table 9.11.1

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

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

D. EXAMPLES OF INTENDED PHYSICAL CHARACTER



C. LOCATION & SIZE STANDARDS

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

SECTION 9.12. OPEN PANEL ROOF SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Open Panel Roof Signs shall:

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

Table 9.12.1

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

C. LOCATION STANDARDS

Table 9.12.2

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

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

D. SIZE STANDARDS

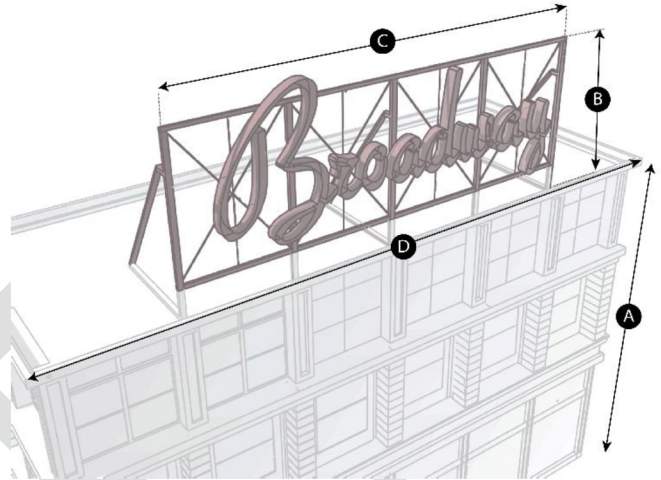


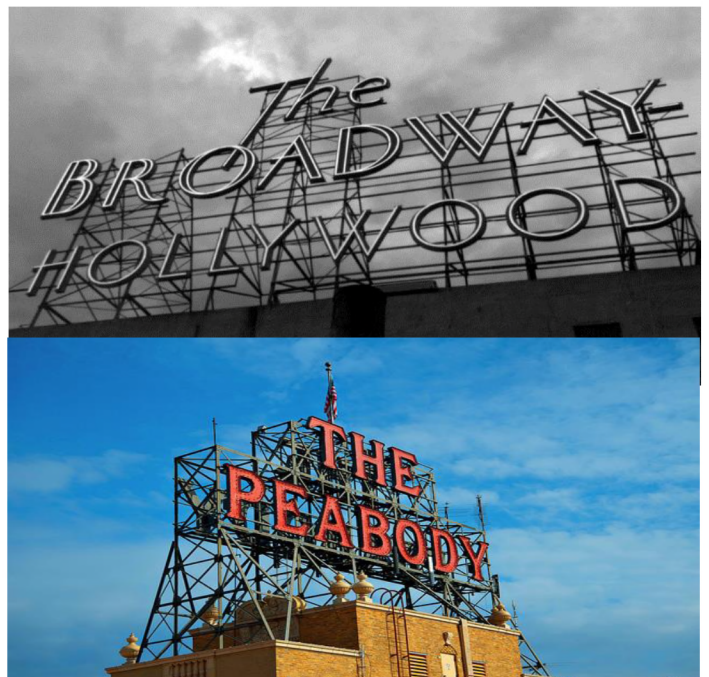
Table 9.12.3

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

²Including 3D Sculptural Elements

³Except for such signs that are not parallel to Broadway

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.13. PAINTED SECONDARY FAÇADE SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Secondary Façade Signs shall:

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

Table 9.13.1

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

C. LOCATION STANDARDS

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

D. SIZE STANDARDS

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.14. PEDESTRIAN SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Pedestrian Signs shall:

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

Table 9.14.1

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

C. LOCATION STANDARDS

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

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

Table 9.14.2

D. SIZE STANDARDS

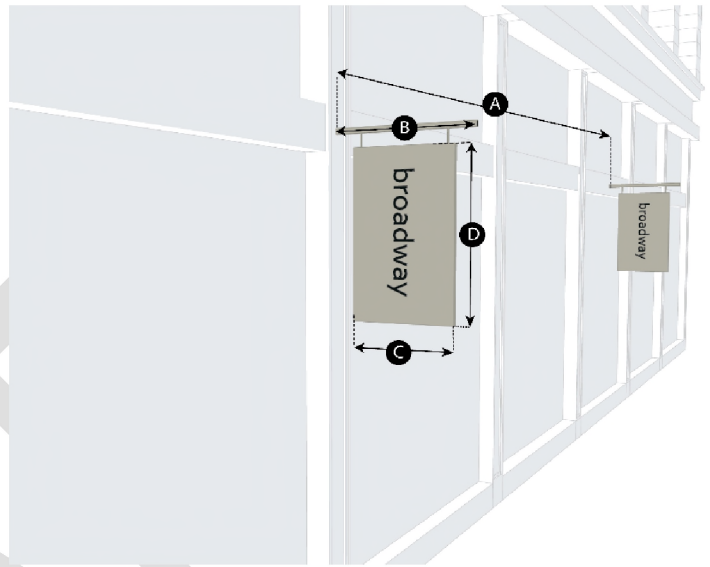


Table 9.14.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.15. SANDWICH BOARD SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Sandwich Board Signs shall:

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

Table 9.15.1

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

C. LOCATION STANDARDS

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

D. SIZE STANDARDS

Table 9.15.2

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER

SECTION 9.16. STOREFRONT VACANCY SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Storefront Vacancy Signs shall:

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

D. SIZE STANDARDS

Table 9.16.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



Table 9.16.1

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

C. LOCATION STANDARDS

Table 9.16.2

| Storefront Vacancy Sign Standards | MIN | MAX |
|-----------------------------------|-----|-----|
| Height from grade | | 15' |

SECTION 9.17. WALL SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Wall Signs shall:

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

Table 9.17.1

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

C. LOCATION STANDARDS

| Storefront Vacancy Sign Standards | MIN | MAX |
|-----------------------------------|-----|-----|
| Height from grade | | 20' |

D. SIZE STANDARDS

Table 9.18.2

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER



SECTION 9.18. WINDOW SIGNS

A. DEFINITION & INTENT

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

B. DESIGN STANDARDS

Window Signs shall:

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

Table 9.18.1

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

C. LOCATION STANDARDS

Table 9.18.2

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

D. SIZE STANDARDS

Table 9.18.3

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

E. EXAMPLES OF INTENDED PHYSICAL CHARACTER

