

Channel Law Group, LLP

8383 Wilshire Blvd.
Suite 750
Beverly Hills, CA 90211

Phone: (310) 347-0050
Fax: (323) 723-3960
www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III
JAMIE T. HALL *
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

*ALSO Admitted in Texas

November 7, 2023

VIA ELECTRONIC MAIL

Hon. Paul Krekorian, President
Los Angeles City Council
c/o City Clerk
200 North Spring Street
Los Angeles, CA 90012

Hon. Marqueece Harris-Dawson, Chair
Planning and Land Use Committee
200 North Spring Street
Los Angeles, CA 90012
(luigi.verano@lacity.org)
(clerk.plumcommittee@lacity.org)
(LACouncilComment.com)

RE: Opposition to Agenda Item #10 PLUM Meeting of November 7, 2023: Council File 22-0392, CPC-2022-5401-CA, CPC-2023-3653-ZC and ENV-2022-5286-EIR for Metro's Transportation Communications Network (TCN) – SCH #2022040363

Dear Council President Krekorian, Chair Harris-Dawson, Members of the Planning and Land Use Committee (“PLUM”), and City Clerk:

This firm represents the Coalition for a Beautiful Los Angeles.¹ As detailed in this comment letter, the Final Environmental Impact Report (“FEIR”) for the Transportation Communication Network (“TCN”) (“Project” or “proposed Project” or “TCN Program”)² is

¹ The Coalition for a Beautiful Los Angeles (formerly Coalition to Ban Billboard Blight), established in 1986, is a non-profit dedicated to preserving, protecting and enhancing the scenic beauty and visual character of Los Angeles through education, outreach, and advocacy.

² The Draft and Final EIRs are available at:
<https://www.dropbox.com/sh/713vazv99twwo2/AACpUExTf80X3bLjEuk2TQ4da?dl=0>

fatally flawed and the City’s process is also fatally flawed and does not comply with the requirements of the California Environmental Quality Act (“CEQA”).

As detailed in this comment letter, the City of Los Angeles (“City”) cannot proceed with the adoption of the proposed Ordinance(s)³ without preparing a Subsequent EIR for the proposed Project and assuming Lead Agency status. The Ordinance(s) under consideration were not drafted or released to the public until nearly six months after the Los Angeles County Metropolitan Transportation Authority (“Metro”) FEIR for the Transportation Communications Network was certified by Metro. The potential impacts of these Ordinance(s) and the associated changes to the General Plan and various Specific Plans have therefore not received adequate environmental review. The existing environmental documentation for the proposed Project is insufficient for the actions before you. In the absence of the preparation of a Subsequent EIR, the approval of the Ordinance(s) and other actions before you would be in violation of CEQA.

1. THE PROPOSED PROJECT

According to DEIR page II-1:

1. Project Summary

The Los Angeles County Metropolitan Transportation Authority (Metro) proposes to implement the Transportation Communication Network (TCN) Program (Project or TCN Program), which would provide a network of structures with digital displays (TCN Structures) that would incorporate intelligent technology components to promote roadway efficiency, improve public safety, augment Metro’s communication capacity, provide for outdoor advertising where revenues would fund new and expanded transportation programs consistent with the goals of the Metro 2028 Vision Plan, and result in an overall reduction in static signage displays throughout the City of Los Angeles (City). Implementation of the Project would include the installation of up to 34 Freeway-Facing TCN Structures and 22 Non-Freeway Facing TCN Structures all on Metro-owned property. The total maximum amount of digital signage associated with the TCN Structures would be up to approximately 55,000 square feet. As part of TCN Program, a take-down component would be implemented including the removal of at least 110,000 square feet (2 to 1 square footage take-down ratio) of existing off-premise static displays. Signage to be removed would include, at a minimum approximately 200 off-premise static displays located within the City of Los Angeles.

As part of the Project, the City must amend the City’s sign regulations in Chapter I of the Los Angeles Municipal Code (the Zoning Code) to create a mechanism to review and approve the TCN Structures (Zoning

³ The latest version of the Ordinance(s), dated September 14, 2023, is available at: https://clkrep.lacity.org/onlinedocs/2022/22-0392_misc_1_11-02-23.pdf

Ordinance) and associated static display take-down program. The Zoning Ordinance regulations would generally affect the location, design, operations, take-down program and community benefits of the TCN Structures. General digital display and illumination standards would be adopted to support the implementation of the TCN Structures, including but not limited to, an 8-second refresh rate for the digital displays as well as a limit of 6,000 candelas during daytime and 300 candelas during nighttime for the digital displays. **The Zoning Ordinance, and other potential associated Zoning Code and General and/or Specific Plan amendments**, would create a new class of signage for the TCN Structures given their unique attributes and intelligent technology. However, due to its inclusion of off-premise advertising, an exception to the City's general ban on new off-premise signs outside of Sign Districts, Specific Plans, and Supplemental Use Districts would be needed. Importantly, the Zoning Ordinance would not authorize any signage beyond the potential 56 TCN Structures on Metro-owned property identified in this Project Description. (Emphasis added).

According to DEIR page II-17 to 18:

5. Requested Permits and Approvals

Discretionary entitlements, reviews, permits and approvals required to implement the Project include, but are not necessarily limited to, the following:

- City adoption of Ordinance Amending Chapter I of the Los Angeles Municipal Code to authorize TCN Structures (Zoning Ordinance), including takedown requirements; and
- **City adoption of any other necessary LAMC and General and/or Specific Plan amendments to provide for the implementation of the TCN Program.**
- Issuance of a Coastal Development Permit by the California Coastal Commission and/or City for Site Locations FF-29 and FF-30.
- Other Metro and City discretionary and/or ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary lane closure permits, demolition/removal permits, grading permits, and sign approvals. (Emphasis added)

According to the Addendum to the EIR prepared by the City, the number of TCN Structures has been reduced from 56 to 49 as part of the Modified Project under consideration by the City Council via the Ordinance(s). In order to implement the Project, Council is being asked to approve Ordinance(s) containing a number of zoning code amendments, the details of which are of substantial importance and were not known at the time the EIR was certified as complete. The City Council has not been asked to consider any amendments to Specific Plans or the General Plan.

2. PROJECT HISTORY

- On **December 8, 2021**, City Council authorized the City Administrative Officer (CAO) to execute a Memorandum of Agreement (MOA) between the City of Los Angeles and Metro that would allow for the development of Metro’s Transportation Communication Network digital display offsite sign project.⁴
- City Council approved the MOA in the 2021/2022 budget, signed and executed the contract agreement (MOA C-139852) on **February 3, 2022**.⁵ The contract allows for the City and Metro to split the revenues from off-site advertising in a 50/50 split.⁶ Paragraph 4.1.1 of the contract also specifies Metro as the Lead Agency for preparation of the EIR for the Project.⁷
- On **April 5, 2022**, a motion was introduced instructing the Department of City Planning, with the assistance of the City Attorney, to prepare and present an Ordinance(s) to allow off-site digital signs that are part of Metro’s TCN Program.⁸
- On **April 18, 2022** Metro issued a Notice of Preparation (“NOP”) of a Draft Environmental Impact Report⁹ (“DEIR”) and Initial Study.¹⁰ In addition to the Initial Study, and NOP issuance, a Scoping meeting was held. As shown in DEIR Appendix A, the only comment letters received from the City of Los Angeles on the NOP were a letter from Councilmember Mike Bonin dated June 1, 2022 expressing concerns about the proposed Project and the potential for impacts,¹¹ and an email from Albert Lew of the Los Angeles Bureau of Sanitation Wastewater Engineering Services Division dated June 2, 2022 asking if a response to the NOP from LASAN was still needed.¹²

⁴ PLUM Staff Report, PDF page 4. The PLUM Staff Report is available at: https://clkrep.lacity.org/online/docs/2022/22-0392_misc_300_10-26-23.pdf

⁵ PLUM Staff Report, PDF page 90. The MOA is included in Plum Staff Report Exhibit B. The Council motion is available at: https://clkrep.lacity.org/online/docs/2022/22-0392_mot_4-05-22.pdf

⁶ PLUM Staff Report, PDF page 8

⁷ PLUM Staff Report, PDF page 83 showing Metro designated as Lead Agency in MOA.

⁸ PLUM Staff Report, PDF page 8

⁹ A copy of the NOP is available at:

[https://www.dropbox.com/sh/713vazv99twwo2/AABY2hlrLn1VKf1Pid12eKJa/EIR%20Scoping/NOP?dl=0&preview=Notice+of+Preparation+\(English\).pdf&subfolder_nav_tracking=1](https://www.dropbox.com/sh/713vazv99twwo2/AABY2hlrLn1VKf1Pid12eKJa/EIR%20Scoping/NOP?dl=0&preview=Notice+of+Preparation+(English).pdf&subfolder_nav_tracking=1)

¹⁰ A copy of the NOP is available at:

[https://www.dropbox.com/sh/713vazv99twwo2/AABY2hlrLn1VKf1Pid12eKJa/EIR%20Scoping/NOP?dl=0&preview=Transportation+Communication+Network+Initial+Study+\(April+2022\).pdf&subfolder_nav_tracking=1](https://www.dropbox.com/sh/713vazv99twwo2/AABY2hlrLn1VKf1Pid12eKJa/EIR%20Scoping/NOP?dl=0&preview=Transportation+Communication+Network+Initial+Study+(April+2022).pdf&subfolder_nav_tracking=1)

¹¹ See DEIR Appendix A, beginning on PDF page 86.

¹² See DEIR Appendix A, beginning on PDF page 90.

- On **June 28, 2022**, Los Angeles City Council adopted an amended motion (CF-22-0392) instructing the Department of City Planning to draft an amendment to the Zoning Code to permit digital signage related to the TCN Project.
- The DEIR¹³ was circulated for public review **from September 9, 2022 through October 24, 2022**. The DEIR was published on Metro’s website and at fifteen public libraries. Metro also conducted public outreach that consisted of publication in the LA Times newspaper, mailing out 17,247 information postcards and sending 250,000 emails. Metro held two public hearings on October 6, 2022 and October 7, 2022.¹⁴
- On **January 26, 2023**, Metro’s Board certified the Final EIR (“FEIR”) for the TCN Program (“Certified FEIR”), and approved the TCN Program with minor changes to the program as analyzed in the Certified FEIR.¹⁵
- On **February 28, 2023 and March 1, 2023** respectively, lawsuits were brought challenging Metro’s EIR for the TCN Program by the Coalition for a Scenic Los Angeles, now doing business as Coalition for a Beautiful Los Angeles (Case No. 23STCP00626) and Citizens for a Better Los Angeles (Case No. 23STCP00670). That litigation is ongoing.
- **A draft of the proposed Metro TCN Ordinance(s) was first released to the public on June 14, 2023 (PLUM Staff Report, Exhibit D), nearly six months after certification of the Final EIR.**
- After the release of the draft proposed Ordinance(s), numerous written public comments were submitted on the draft Ordinance(s), and a public hearing occurred on **July 12, 2023**.¹⁶ The City received a substantial number of comments raising concerns with the draft Ordinance(s).¹⁷ Those comments are incorporated herein by reference and are available from the City.
- Since subsequent to the Metro Board’s adoption of the FEIR, the proposed Project was modified as part of the City’s consideration of the Ordinance(s) for the TCN Program, **in August 2023** an Addendum¹⁸ to the previously Certified FEIR (contained in PLUM Staff Report Exhibit G) was prepared by the City to include minor modifications and clarifications to the Certified EIR Final EIR. According to PLUM Staff Report, PDF page

¹³ The Draft EIR is available at:

<https://www.dropbox.com/sh/713vazv99twwo2/AACpUEXtF80X3bLjEuk2TQ4da?dl=0>

See also: <https://www.metro.net/projects/transportation-communication-network/#documents>

¹⁴ PLUM Staff Report, PDF page 24

¹⁵ PLUM Staff Report, PDF page 24

¹⁶ PLUM Staff Report, PDF page 18

¹⁷ PLUM Staff Report, PDF pages 26 - 29

¹⁸ The Addendum is also available at: https://clkrep.lacity.org/onlinedocs/2022/22-0392_misc_400_10-26-23.pdf

24, the changes addressed in the Addendum only considered the following Project modifications:¹⁹

The project modifications include: reducing the total number of TCN Structures from 56 to 49, reducing the number of digital displays from 97 to 86, making minor height revisions for three TCN Structures, a revision to the dimensions for one TCN Structure (sign area would remain the same), changing the hours of operation from 7 a.m. to 12 a.m. daily to 5 a.m. to 12 a.m. daily, modification of the static signage reduction requirements, and modification to the assessor parcel numbers (APNs) for 21 TCN Structures. The updates to the APNs do not reflect any changes in the general locations of the TCN Structures, but instead, correctly identify the APNs as the location analyzed in the Certified Final EIR, or would allow for minor adjustments in the placement of the proposed TCN Structures.

- On **August 31, 2023** The City Planning Commission received a letter from Metro’s legal counsel Sheppard Mullin requesting changes to the draft Ordinance(s).²⁰
- Significant revisions were made to the Metro TCN Ordinance(s) (see PLUM Staff Report, pages 18-19 and PLUM Staff Report Exhibit E) and Revised Proposed Ordinance(s) were issued dated **September 1, 2023** (PLUM Staff Report Exhibit E).
- On **October 26, 2023** the Los Angeles City Planning Commission issued a Letter of Determination which:²¹

1. **Found**, based on the independent judgment of the decision maker, after consideration of the whole of the administrative record, the Project was assessed in the previously certified Environmental Impact Report No. ENV-2022-5286-EIR (State Clearinghouse No. 2022040363), certified by the Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors on January 26, 2023; and pursuant to CEQA Guidelines, Sections 15162 and 15164 and the Addendum, dated August 2023, that no major revisions to the EIR are required and no subsequent EIR or negative declaration is required for approval of the Project;
2. **Approved and Recommended** that City Council **adopt** the proposed Ordinance, dated September 14, 2023, as revised by the City Planning Commission to include:

¹⁹ Detailed explanation of modifications to the Project is included in the Addendum attached to the PLUM Staff Report as Exhibit G.

²⁰ PLUM Staff Report, PDF pages 595-641

²¹ The City Planning Commission’s Report is available at:
https://clkrep.lacity.org/onlinedocs/2022/22-0392_misc_3_11-02-23.pdf

The Letter of Determination is Available at:
<https://planning.lacity.org/pdiscaseinfo/document/MTAyODc0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>

- a. A minimum distance requirement between signs resulting in the removal of one sign (APN: 5409021902);
 - b. Removal of two signs due to proximity to a State Park (Assessor's Parcel Number: 5436033906, APN: 5442001900);
 - c. A public art requirement for specific single-faced TCN structures; and
 - d. Changes in the takedown provisions relative to the building permit requirement and the number of signs to be removed prior to the approval of Freeway Facing sign structures;
3. **Approved and Recommended** that the City Council **adopt** the Zone Change to permit the establishment of a contiguous and non-contiguous Supplement Use District, called the Transportation Communication Network, on property owned by Metro, as revised by the City Planning Commission to remove three proposed locations (APN: 5436033906; and APNs: 5442001900 and 5409021902);
 4. **Recommended** that the City Council **instruct** the City Attorney to incorporate the proposed amendments herein to Article 8 of Chapter 1A (New Zoning Code) as part of the ongoing Form and Legality review underway on CPC-2014-1582-CA and Council File 22-0617 for consideration by the City Council before final adoption;
 5. **Adopted** the Staff Recommendations Report as the Commission's Report on the subject; and
 6. **Adopted** the attached Amended Findings.
- On November 7, PLUM is scheduled to consider the proposed Ordinance(s). Specifically, PLUM is being asked to:²²

Consider:

1. CPC-2022-5401-CA - Code Amendment (CA); Supplemental Use District (SUD); Final Environmental Impact Report and Addendum (FEIR); and Mitigation Monitoring Program (MMP) (Note: Please note that the CA Action will necessitate the preparation of a draft ordinance by the City Attorney.)
2. CPC-2023-3653-ZC - Zone Change (ZC); Final Environmental Impact Report and Addendum (FEIR); and Mitigation Monitoring Program (MMP) (Note: Please note that the ZC Action will not necessitate the preparation of a draft ordinance by the City Attorney.)

PLUM is being asked to recommend the following actions to the City Council:²³

²² https://clkrep.lacity.org/onlinedocs/2022/22-0392_misc_11-02-23.pdf
 Agenda available at: <https://lacity.primegov.com/Portal/Meeting?meetingTemplateId=121107>

²³ Ibid.

Updated Recommendation to City Council:

(Note: This supersedes the recommendation in the Transmittal Form dated October 26, 2023.)

1. **Found**, based on the independent judgment of the decision maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified Environmental Impact Report No. ENV-2022-5286-EIR (State Clearinghouse No. 2022040363) and Mitigation Monitoring Reporting Program (MMRP) dated November 2022, certified by the Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors on January 26, 2023 and pursuant to CEQA Guidelines, Sections 15162 and 15164 and the Addendum, dated August 2023, that no major revisions to the EIR are required and no subsequent EIR or negative declaration is required for approval of the project; and all sign structures and sign faces permitted pursuant to the Metro TCN Ordinance must comply with all project design features and mitigation measures identified in the certified EIR and referenced in the MMRP;
2. **Approved and Recommended** that City Council adopt the proposed Ordinance, dated September 14, 2023, as revised by the City Planning Commission to include:
 - a. a minimum distance requirement between signs resulting in the removal of one sign (APN: 5409021902);
 - b. removal of two signs due to proximity to a State Park (APN: 5436033906, APN: 5442001900);
 - c. a public art requirement for specific single-faced TCN structures; and
 - d. changes in the takedown provisions relative to the building permit requirement and the number of signs to be removed prior to the approval of Freeway Facing sign structures;
- **Approved and Recommend** that the City Council adopt the Zone Change to permit the establishment of a contiguous and non-contiguous Supplemental Use District, called the Transportation Communication Network, on property owned by Metro, as revised by the City Planning Commission to remove three proposed locations (APNs: 5436033906; APN: 5442001900, 5409021902);
- **Recommended** that the City Council instruct the City Attorney to incorporate the proposed amendments herein to Article 8 of Chapter 1A (New Zoning Code) as part of the ongoing Form and Legality review underway on CPC-2014-1582-CA and Council File 22-0617 for consideration by the City Council before final adoption;
- **Adopted** the Staff Recommendation Report as the Commission’s Report on the subject; and

- **Adopted** the amended Findings.

3. IMPROPER PRE-COMMITMENT TO THE PROJECT PRIOR TO CEQA COMPLIANCE

Prior to initiating preparation of the EIR, both the City and Metro engaged in actions that predisposed the two agencies to approval of the proposed Project. Prior to initiating preparation of the EIR for this Project, Metro and the City of Los Angeles (“City”) entered into a Privileged & Confidential Memorandum of Agreement (“MOA”) dated January 12, 2022.²⁴ Although the agreement specifies CEQA compliance, the agreement and the various actions taken by the two agencies essentially as a practical and financial matter, have committed the two agencies to the Project.²⁵ As detailed in *Save Tara v. City of West Hollywood*, 45 Cal.4th 116 (Cal. 2008), which dealt with public-private, rather than public-public agreements:

A CEQA compliance condition can be a legitimate ingredient in a preliminary public-private agreement for exploration of a proposed project, but if the agreement, viewed in light of all the surrounding circumstances, commits the public agency as a practical matter to the project, the simple insertion of a CEQA compliance condition will not save the agreement from being considered an approval requiring prior environmental review. . .

A public entity that, in theory, retains legal discretion to reject a proposed project may, by executing a detailed and definite agreement . . . and by lending its political and financial assistance to the project, have as a practical matter committed itself to the project. When an agency has not only expressed its inclination to favor a project, but has increased the political stakes by publicly defending it over objections, putting its official weight behind it, devoting substantial public resources to it, and announcing a detailed agreement to go forward with the project, the agency will not be easily deterred from taking whatever steps remain toward the project’s final approval.

As part of the MOA, the City agreed that:²⁶

4.1.2 Implementation. The implementation of this Agreement shall be contingent upon City enacting legislation that allows off-site advertising to be displayed on the TCN Structures and subject to any design and development standards, including any Mitigation Measures. LACMTA’s CEQA reports and analysis for the project shall encompass any City legislative changes needed to allow for the furtherance of this

²⁴ https://clkrep.lacity.org/onlinecontracts/2022/C-139852_c_2-3-22.pdf

²⁵ We request that the full history of actions by Metro and the City of Los Angeles regarding this Project be included in the administrative record.

²⁶ PLUM Staff Report, PDG page 83 (Exhibit B).

TCN Program. **The City agrees to pay for fifty percent (50%) of LACMTA's (or its agent's) cost of the CEQA Compliance Document(s) in the event of a "no build" alternative scenario as described under Section 4.1.3(i). The City's financial obligation under the "no build" alternative scenario is not expected to exceed \$1,000,000.** Any amount over \$1,000,000 shall be subject to the City reviewing and approving further costs prior to their programming and commitment by LACMTA. (Emphasis added).

The MOA thus imposes a financial penalty on the City should the "no build" alternative be selected. This penalty would also accrue should the City fail to approve the required Ordinance(s) and permits for the Project. This condition of the agreement thus represents improper pre-commitment of the City to the Project and has thus prejudiced the ability of the City to either challenge the EIR for the Project, acknowledge impacts of the Project not addressed in the EIR, or opt to oppose implementation of the Project and deny the Project.²⁷

4. THE CITY HAS FAILED TO COMPLY WITH ITS RESPONSIBILITIES AS A RESPONSIBLE AGENCY

As previously noted, DEIR page II-17 indicates that the requested permits and approvals for the Project include:

- City adoption of Ordinance Amending Chapter 1 of the Los Angeles Municipal Code to authorize TCN Structures (Zoning Ordinance), including takedown requirements; and
- City adoption of any other necessary LAMC and General and/or Specific Plan Amendments to provide for the implementation of the TCN Program.
- Issuances of a Coastal Development Permit by the California Coastal Commission and/or City for Site Locations FF-29 and FF-30.
- Other Metro and City discretionary and/or ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary lane closure permits, demolition/removal permits, grading permits, and sign approvals.

Pursuant to the MOA, the City has opted to act as a Responsible Agency²⁸ for the Project despite the fact that the City should have acted as the Lead Agency, and Metro is, in essence, the

²⁷ This is an example of terms in the MOA that result in a defacto pre-commitment. This is not the only term to so constitute.

²⁸ "If an agency's approval is required for any activity "integral to the project" and the agency could, in its discretion, deny approval, then that agency is a responsible agency under CEQA. (*Lexington Hills Assn. v. State of California* (1988) 200 Cal.App.3d 415, 431.)" The City's approval of the proposed Ordinance(s) is integral to the project. It is important that the City recognize that even as a Responsible Agency it has the power to deny approval.

project applicant. The TCN Program as described in the EIR lies entirely within the boundaries of the City of Los Angeles, clearly within the City’s jurisdiction. The TCN Program is dependent upon: the Los Angeles City Council’s final approval, promulgation of implementing Ordinance(s), changes to the City’s zoning code, and changes to specific plans and community plans; and issuance of permits. With the exception of issuance of any required Coastal Development Permit, all of the key discretionary approvals are City approvals. The City therefore should have functioned as the Lead Agency for preparation of the EIR.

Moreover, CEQA strongly prefers to confer lead agency status on an “agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose” when the project will be carried out by a nongovernmental entity such as a billboard company under the direction of Metro. (CEQA Guidelines, § 15051(b)(1).) Metro is an agency with a single purpose and it does not have general governmental powers as the City of Los Angeles does, for example, to grant relief from City land use regulations, or to create sign districts and therefore, the City of Los Angeles should be the Lead Agency for this project. The City’s failure to act as Lead Agency has proved prejudicial as it has resulted in the crafting of zoning Ordinance(s) required to implement the Project which have not been adequately analyzed in Metro’s EIR, because they were not developed until more than six months after certification of the EIR.

Not only has the City failed to perform its duty as the Lead Agency for the EIR for the Project, it has also failed in its responsibility in its selected role as a Responsible Agency. CEQA Guidelines Section 15096 specifies the process for a Responsible Agency. Guidelines Section 15096 reads in part:

15096. PROCESS FOR A RESPONSIBLE AGENCY

- (a) **General. A Responsible Agency complies with CEQA** by considering the EIR or Negative Declaration prepared by the Lead Agency and **by reaching its own conclusions on whether and how to approve the project involved.** This section identifies the special duties a public agency will have when acting as a Responsible Agency.
- (b) **Response to Consultation. A Responsible Agency shall respond to consultation by the Lead Agency in order to assist the Lead Agency in preparing adequate environmental documents for the project.** By this means, the Responsible Agency will ensure that the documents it will use will comply with CEQA.
 - (1) In response to consultation, a Responsible Agency **shall** explain its reasons for recommending whether the Lead Agency should prepare an EIR or Negative Declaration for a project. Where the Responsible Agency disagrees with the Lead Agency’s proposal to prepare a Negative Declaration for a project, the Responsible Agency should identify the significant environmental effects which it believes could result from the project and recommend either that an EIR be prepared

or that the project be modified to eliminate the significant effects.

- (2) As soon as possible, but not longer than 30 days after receiving a Notice of Preparation from the Lead Agency, **the Responsible Agency shall send a written reply by certified mail** or any other method which provides the agency with a record showing that the notice was received. **The reply shall specify the scope and content of the environmental information which would be germane to the Responsible Agency's statutory responsibilities in connection with the proposed project.** The Lead Agency shall include this information in the EIR.
- (c) Meetings. **The Responsible Agency shall designate employees or representatives to attend meetings requested by the Lead Agency to discuss the scope and content of the EIR.**
- (d) Comments on Draft EIRs and Negative Declarations. **A Responsible Agency should review and comment on draft EIRs** and Negative Declarations for projects which the Responsible Agency would later be asked to approve. Comments should focus on any shortcomings in the EIR, the appropriateness of using a Negative Declaration, or on additional alternatives or mitigation measures which the EIR should include. The comments shall be limited to those project activities which are within the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency. Comments shall be as specific as possible and supported by either oral or written documentation.
- (e) Decision on Adequacy of EIR or Negative Declaration. If a Responsible Agency believes that the final EIR or Negative Declaration prepared by the Lead Agency is not adequate for use by the Responsible Agency, the Responsible Agency must either:
 - (1) Take the issue to court within 30 days after the Lead Agency files a Notice of Determination;
 - (2) Be deemed to have waived any objection to the adequacy of the EIR or Negative Declaration;
 - (3) Prepare a subsequent EIR if permissible under Section 15162; or
 - (4) Assume the Lead Agency role as provided in Section 15052(a)(3).

As shown in Appendix A of the DEIR, the City failed to respond to the NOP for the Project, despite the fact that a response is mandatory for a Responsible Agency. As shown in DEIR Appendix A, the only comment letters received from the City of Los Angeles included a

letter from Councilmember Mike Bonin dated June 1, 2022 expressing concerns about the proposed Project and the potential for impacts,²⁹ and an email from Albert Lew of the Los Angeles Bureau of Sanitation Wastewater Engineering Services Division dated June 2, 2022 asking if a response to the NOP from LASAN was still needed.³⁰ No formal comment letter from the City was sent in response to the NOP.

The EIR fails to document any meetings between the Lead Agency and the City regarding the scope and content of the EIR and the accuracy of the analysis contained therein, or whether the City designated employees to participate in the CEQA process.

As shown in the Final EIR for the Project, the only comment letter received from the City on the DEIR was from Councilmember Paul Koretz.³¹ No formal comment letter was sent by the City on the DEIR; the City thus failed to comment on the DEIR.

As shown in the Project History above, the FEIR for the Project was certified on January 26, 2023. The draft of the required implementing Ordinance(s) were not made public until June 14, 2023. Following release of the draft Ordinance(s), the City released an Addendum in August of 2023 to address changes to the Project, but not the specifics of the Ordinance(s). The City Planning Commission did not opine on the validity of the FEIR until October 26, 2023, long after there was any ability to challenge the document in court. The FEIR is being considered by PLUM on November 7, 2023 and has yet to be considered by City Council. The City thus failed to review and consider the adequacy of the FEIR in a timely manner and has failed in its duty as a Responsible Agency, and in its duty to the citizenry of the City.

5. THE PROJECT DESCRIPTION IN THE EIR IS INADEQUATE

The Project Description in the DEIR provides only the most general of descriptions of the zoning Ordinance(s) required for the Project, stating on DEIR page II-8:

(2) Zoning Ordinance

The TCN Program is contingent on the adoption of a Zoning Ordinance by the City. The proposed Zoning Ordinance would amend the City's sign regulations in Chapter I of the Los Angeles Municipal Code (LAMC) to authorize the TCN Structures. The adoption of a Zoning Ordinance includes the drafting of said ordinance, a public hearing, review and recommendation by the City's City Planning Commission, and consideration and adoption by the City Council. The Zoning Ordinance would create a mechanism for the review and approval of the TCN Structures. The Zoning Ordinance would not authorize new signage other than the TCN Structures. The Zoning Ordinance would address the time, manner, and place aspects of the TCN Program, including the allowable locations, size and height limitations, urban design requirements, and

²⁹ See DEIR Appendix A, beginning on PDF page 86.

³⁰ See DEIR Appendix A, beginning on PDF page 90.

³¹ FEIR page II-2.

applicable community benefits including take-down requirements for the removal of existing static off-premise signs. The Zoning Ordinance would not otherwise change the existing regulations for signs, including off-site and digital signage, in the City. Based on the above, the anticipated development from the Zoning Ordinance would be limited to the 56 TCN Structures as described above and in this Chapter 3, as well as the take-down of approximately 200 static displays located within the City.

The Project Description in the EIR and the EIR's impact analysis are deficient because they do not address the details of the September 14, 2023 implementing Ordinance(s) before PLUM and Council or the proposed Project's required General Plan and Specific Plan amendments, and changes to community design overlays and other plans and their potential impacts. As noted in the PLUM Staff Report:³²

One of the key aspects of the Ordinance is how it relates to the regulations in the Zoning Code and New Zoning Code, when applicable, as well as to other applicable SUDs and specific plans. The Ordinance will override most sign regulations within the Zoning Code and New Zoning Code, and any underlying zoning that would otherwise not permit this type of signage or project. It will not override any adopted Historic Preservation Overlay Zone (HPOZ), and, in areas subject to the New Zoning Code, it will not also not override conflicting provisions in Conservation Districts. **However, it will supersede all current and future specific plans, community design overlays and transit corridors plans. The following list identifies current specific plans, SUD, and other overlays that will be overridden to realize the proposed TCN Project:** (Emphasis added).

- Alameda Specific Plan
- Central City West Specific Plan
- Cornfield Arroyo Secco Specific Plan
- Crenshaw Corridor Specific Plan
- LAX Specific Plan
- LAX Coastal Transportation Corridor
- Vermont/Western Neighborhood Plan Station Neighborhood Area Plan (SNAP)
- Exposition Transit Neighborhood Plan (Expo TNP)
- Little Tokyo Community Design Overlay
- Sun Valley Community Design Overlay
- Fletcher Square Community Design Overlay
- Cypress Park & Glassell Park Community Design Overlay
- West Adams-Baldwin Hills-Leimert Park Community Plan Implementation Overlay
- Westchester- Playa Del Rey Community Plan Implementation Overlay
- Sylmar Community Plan Implementation Overlay
- 15th Street Sign District

³² PLUM Staff Report, PDF page 11

The Ordinance will only supersede regulations that are related to the project and permissions granted for the TCN structures.

The EIR fails to analyze the potential impacts to all of these plans and overlays, addressing only the following (DEIR page IV.I-10):

The proposed Site Locations are located within 10 Specific Plans, including the Alameda District, Central City West, West Los Angeles Transportation Improvement and Mitigation Plan, Exposition Corridor Transit Neighborhood Plan, Los Angeles Coastal Transportation Corridor, Los Angeles International Airport Plan (LAX), South Los Angeles Alcohol Sales, Vermont/Western Station Neighborhood Area Plan, Cornfield/ Arroyo Seco, and Crenshaw Corridor. Of these, the Central City West, West LA Transportation Improvement Mitigation Plan, Exposition Corridor Transit Neighborhood Plan, LA Coastal Transportation Corridor, the Vermont/Western Station Neighborhood Plan, Cornfield Arroyo Seco, and Crenshaw Corridor Specific Plans have language that explicitly prohibits either pole signs, off-site commercial signage, or both.

“A total of 22 Community Plan Areas are proposed to have at least one TCN structure and digital display. The following table lays out the number of proposed structures and signs per Community Plan Area.”³³ The proposed Project thus results in zoning which is not consistent with these Community Plans:³⁴

³³ PLUM Staff report, PDF page 12

³⁴ Table reproduced from PLUM Staff report, PDF page 13.

Community Plan Area	No. of TCN Support Structures	No. of Digital Display Sign Faces	Total Sign Area per Community Plan Area
Arlota - Pacoima	2	4	2688 sf
Boyle Heights	4	8	5376 sf
Central City	3	5	2244 sf
Central City North	5	9	5832 sf
Encino - Tarzana	1	2	1344 sf
Granada Hills - Knollwood	1	2	1344 sf
Hollywood	2	4	1200 sf
Los Angeles International Airport	1	2	1344 sf
Northeast Los Angeles	4	8	5376 sf
North Hollywood - Valley Village	2	2	1344 sf
Palms - Mar Vista - Playa del Rey	1	2	1344 sf
Sherman Oaks - Studio City - Toluca Lake - Cahuenga Pass	3	4	1344 sf
Southeast Los Angeles	2	4	2688 sf
South Los Angeles	2	3	2016 sf
Silver Lake - Echo Park - Elysian Valley	1	2	1344 sf
Sun Valley - La Tuna Canyon	2	4	2688 sf
Sylmar	1	2	1344 sf
Van Nuys - North Sherman Oaks	2	3	900 sf
West Adams - Baldwin Hills - Leimert	2	3	900 sf
Westchester - Playa del Rey	3	6	4032 sf
West Los Angeles	4	5	2988 sf
Wilshire	1	2	600 sf
Total Citywide	49	86	50,880 sf

Both the Project Description and the impact analysis in the EIR for the Project are incomplete and inaccurate. The City cannot therefore certify the EIR for the Project in its current form. The Addendum prepared by the City addresses changes in the Project as detailed previously in this letter, but does not address the specifics of the Ordinance(s) and the resulting impacts which have not been adequately addressed in the EIR.

6. THE PROJECT DESCRIPTION IS NOT ACCURATE, STABLE OR FINITE

As detailed above, there have been changes made to the Project since certification of the FEIR, including changes in the number of TCN structures, operating hours, and the development of proposed Ordinance(s). In addition, it was not until October 30, 2023 that the City released a new Exhibit C³⁵ that shows the exact list and locations of signs with site and engineering renderings and photos of the locations, despite the fact that the public had been requesting this information for months. Project maps (Exhibit H) were not posted until November 2, 2023.³⁶

³⁵ https://clkrep.lacity.org/onlinedocs/2022/22-0392_misc_3100_10-30-23.pdf

³⁶ https://clkrep.lacity.org/onlinedocs/2022/22-0392_misc_3000_10-30-23.pdf

This is information, which was not available at the time the EIR was certified, which is necessary for an understanding of impacts.

7. THE PROPOSED ORDINANCE(S) WILL RESULT IN ZONING WHICH IS INCONSISTENT WITH THE GENERAL PLAN AND WITH SPECIFIC PLANS

The City's proposed Ordinance(s) are inconsistent with a number of the Community Plans which form the Land Use Element of the City's General Plan as well as the Mobility Element of the General Plan. In addition, the proposed Ordinance(s) are inconsistent with a number of the City's Specific Plans. This is not allowed by State Law nor is the City's proposed process to subsequently bring the General Plan into conformance with this new zoning allowed by State Law.

A project in the City of Los Angeles is governed by three levels of local land use regulations:³⁷ a General Plan; potentially a Specific Plan; and the Zoning Ordinance. The City must adopt a comprehensive, long-term general plan for the physical development of the city. (*Gov. Code, § 65700; Beck Development Co. v. Southern Pacific Transportation Co. (1996) 44 Cal.App.4th 1160, 1195 (Beck Development).*) The general plan is a constitution for future development, located at the top of the hierarchy of local government law regulating land use. (*DeVita v. County of Napa (1995) 9 Cal.4th 763, 772-773; Foothill Communities Coalition v. City of Orange (2014) 222 Cal.App.4th 1302, 1310.*) After adoption of a general plan, a city may adopt a specific plan for the systemic implementation of the general plan for all or part of the city. (*Gov. Code § 65450; Beck Development Co., supra, 44 Cal.App.4th at p. 1196.*) No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan. (*Gov. Code, § 65454*) At the bottom of the land use regulation hierarchy is the zoning ordinance. A city controls the development and use of specific property within its jurisdiction through zoning regulations. (See 9 Miller and Starr, *Cal. Real Estate* (3d ed. 2011) Subdivisions, § 25.8, pp. 25-30-25-31.) The zoning ordinance must be consistent with any adopted specific plan. (*Gov. Code, § 65455; Beck Development, supra, 44 Cal.App.4th at p. 1196.*)

The Proposed Ordinance(s) Are Inconsistent With The General Plan

The City is proposing to amend its zoning code to allow for the proposed Project in advance of amending its General Plan. According to the Staff Report prepared for PLUM:

The Los Angeles City Council (City Council) at its meeting on May 3, 2023, voted unanimously to approve the Downtown Community Plan and

³⁷ Gov. Code, § 65700 (Deering, Lexis Advance through the 2023 Extra Session Ch 1, 2023 Regular Session Ch. 890) specifies:

- (a) This chapter shall not apply to a charter city, except to the extent that the same may be adopted by charter or ordinance of the city and except that charter cities shall adopt general plans in any case. General plans of a charter city shall be adopted by resolution of the legislative body of the city, or the planning commission if the charter so provides. These general plans shall contain the mandatory elements required by Article 5 (commencing with Section 65300) of Chapter 3 of this title.
- (b) Notwithstanding subdivision (a), paragraph (2) of subdivision (a) of Section 65400, Sections 65300.5, 65301.5, 65359, 65450, 65454, 65455, 65460.8, 65590, and 65590.1, and Article 10.6 (commencing with Section 65580) shall be applicable to charter cities.

the New Zoning Code (Chapter 1A of the Los Angeles Municipal Code). The New Code and Downtown Community Plan are currently being reviewed and finalized by the City Attorney, and once this form and legality process is complete, they will return to City Council for final approval and adoption, after which the New Zoning Code provisions will be in effect in the Downtown Community Plan Area. In order to ensure that the TCN SUD will be implemented in the Downtown Community Plan Area under the New Zoning Code, the enabling ordinance for the Metro TCN project includes amendments to not only current Zoning Code but also to New Zoning Code. **As future community plan updates are adopted under New Zoning Code rules, the New Zoning Code will extend to those areas as well, and the New Zoning Code version of the TCN SUD enabling ordinance language will also be necessary to implement the TCN SUD in those community plan areas as well.**³⁸ (Emphasis added).

This approach is inconsistent with Government Code §65860, which requires:

(a) County or city zoning ordinances shall be consistent with the general plan of the county or city by January 1, 1974. A zoning ordinance shall be consistent with a city or county general plan only if both of the following conditions are met:

- (1) The city or county has officially adopted such a plan.
- (2) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan.

(b) Any resident or property owner within a city or a county, as the case may be, may bring an action or proceeding in the superior court to enforce compliance with subdivision (a). Any such action or proceeding shall be governed by Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure. No action or proceeding shall be maintained pursuant to this section by any person unless the action or proceeding is commenced and service is made on the legislative body within 90 days of the enactment of any new zoning ordinance or the amendment of any existing zoning ordinance.

(c) In the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.

(d) Notwithstanding Section 65803, this section shall also apply to a charter city.

³⁸ PLUM Staff Report, PDF page 9

(Amended by Stats. 2018, Ch. 856, Sec. 6. (SB 1333) Effective January 1, 2019.)

As noted by the California Supreme Court in *City of Morgan Hill v. Bushy*, 5 Cal. 5th 1068:

Government Code section 65860, subdivision (a) requires zoning ordinances to “be consistent with the general plan of the county or city.” This provision renders invalid any change to the zoning ordinance that would make it inconsistent with the general plan, whether the change is made by a local government or a local initiative. (*Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 544 (*Leshar*).) . . .

Nonetheless, a local zoning ordinance may temporarily differ from the general plan following a *general plan* amendment. The Government Code favors simultaneous modification of the general plan and the relevant zoning provisions. (§ 65862 [“It is the intent of the Legislature, in enacting this section, that local agencies shall, to the extent possible, concurrently process applications for general plan amendments and zoning changes which are needed to permit development so as to expedite processing of such applications”].) But this preference is not a requirement. (See *ibid.* [requiring the concurrent processing of general plan amendments and zoning changes “to the extent possible”].) So section 65860, subdivision (c) governs in circumstances where the zoning ordinance “becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan.” (§ 65860, subd. (c).) In such circumstances, “the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.” (*Ibid.*) This provision only applies to “zoning ordinances which were valid when enacted,” that is, were enacted before the general plan amendment and were consistent with the prior general plan. (*Leshar, supra*, 52 Cal.3d at p. 546.) The purpose of subdivision (c) “is to ensure an orderly process of bringing the regulatory law into conformity with a new or amended general plan, not to permit development that is inconsistent with that plan.” (*Ibid.*)

Furthermore, as noted by the California Supreme Court in *Leshar*:

Once the city has adopted a general plan, all zoning ordinances must be consistent with that plan, and to be consistent must be "compatible with the objectives, policies, general land uses, and programs specified in such a plan." (§ 65860, subd. (a)(ii).) . . .

A zoning ordinance that is inconsistent with the general plan is invalid when passed (*deBottari v. City Council* (1985) 171 Cal.App.3d 1204, 1212 [217 Cal.Rptr. 790]; *Sierra Club v. Board of Supervisors* (1981) 126 Cal.App.3d 698, 704 [179 Cal.Rptr. 261]) and one that was originally consistent but has become inconsistent must be brought into conformity with the general plan. (§ 65860.) The Planning and Zoning Law does not

contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform. (*Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 541) (Emphasis added).

Even with its incomplete analysis of land use impacts, DEIR page IV.I-25 acknowledges that the Project is inconsistent with the goals and policies of several Community Plans, stating on DEIR page IV.1-24 that:³⁹

. . . due to the Project's inconsistencies with the goals and policies of the central City North, Central City, and North Hollywood-Valley Village Community Plans regarding historic resources and associated visual impacts resulting from Site Locations NFF-2, NFF-3, NFF-16 and NFF-21, and inconsistency with the Palms – Mar Vista – Del Rey Community Plan policy regarding placement of off-site commercial advertising in coastal areas resulting from Site Locations FF-29 and FF-30, the Project would substantially conflict with applicable goals, objectives, and policies set forth in the Community Plans and would, therefore, result in significant impacts.

Although according to Addendum page 6, TCN Structures FF-29, NFF-2, NFF-3, NFF-14, NFF-15, NFF-16, and NFF-21 have been eliminated by the City, FF-30 remains part of the Project⁴⁰ and would result in significant Community Plan consistency impacts. Thus, any Ordinance(s) which would allow for FF-30 is inconsistent with the General Plan and would be invalid.

DEIR Appendix I (on page 17) also acknowledges that the proposed Project is inconsistent with Policy 2.16 of the City of Los Angeles Mobility Plan 2035,⁴¹ a required element of the General Plan, stating:

Inconsistent. Review of Appendix B indicates that the Site Locations NFF-7 and NFF-12 are located along a scenic highway as designated by the Appendix B Guidelines. In addition to their functions to improve the transportation system and provide communication during emergency events, the Proposed TCN structures would include off-premises advertising to fund new and expanded transportation programs. As such, the two Site Locations would be inconsistent with this policy.⁴²

Page 168 of the Mobility Plan specifies:

³⁹ Lack of Community Plan consistency includes, but is not limited to this example.

⁴⁰ See Draft Ordinance dated September 14, 2023, page 22, PDF page 22.

⁴¹ The Mobility Element of the General Plan is available at: https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf

⁴² NFF-7 is located at Venice Boulevard, 240 West of Robertson Boulevard per DEIR page IV.A-22. NFF-12 is located at the southeast corner of Crenshaw Boulevard and Exposition Boulevard per DEIR page IV-A-23.

4. Signs / Outdoor Advertising

- a. Only traffic, informational, and identification signs shall be permitted within the public right-of-way of a Scenic Highway.
- b. Off-site outdoor advertising is prohibited in the public right- of-way of, and on publicly-owned land within five hundred feet of the center line of, a Scenic Highway.
- c. A standard condition for discretionary land use approvals involving parcels zoned for non-residential use located **within five hundred feet of the center line of a Scenic Highway shall be compliance with the sign requirements of the CR zone.**
- d. Designated Scenic Highways shall have first priority for removal of nonconforming billboards or signs. Such priority extends to properties located along, or within five hundred feet of the center line of, designated Scenic Highways. (Emphasis added).

Any Ordinance(s) which would allow for NFF-7 and NFF-12 is inconsistent with the General Plan Mobility Element and would therefore be invalid.

Not only are the land uses authorized by the proposed Ordinance(s) incompatible with some of the objectives, policies, general land uses, and programs specified in the General Plan, including the various community and specific plans, but the scheme to reconcile the proposed zoning Ordinance(s) with the General Plan will not result in the inconsistency being remedied within a reasonable time and, more importantly, is an impermissible case of the tail wagging the dog.⁴³ Even if it were permissible for the General Plan to be amended to conform to the proposed zoning Ordinance(s), there are 22 Community Plans that will require amendment as detailed in this letter. Given the pace at which the City has updated its Community Plans so far, as shown below, the inconsistencies between the zoning in the proposed Ordinance(s) and the Community Plans will not be remedied within a reasonable time given the pace at which the City develops and adopts Community Plan updates:

- Arleta-Pacoima Community Plan – last updated in 1996⁴⁴
- Boyle Heights Community Plan – this plan is currently in the process of being updated.⁴⁵ On April 20, 2023 the City Planning Commission considered and recommended approval of the proposed update.⁴⁶

⁴³ For example, Government Code §65860.1 requires each city and county within the Sacramento-San Joaquin Valley to amend their zoning ordinance to be consistent with the general plan to achieve consistency within no more than 12 months.

⁴⁴ <https://planning.lacity.org/plans-policies/community-plan-area/arleta-pacoima>

⁴⁵ <https://planning.lacity.org/plans-policies/community-plan-area/boyle-heights>

⁴⁶ <https://planning.lacity.org/plans-policies/community-plan-update/boyle-heights-community-plan-update>

- Central City Community Plan - this plan is currently in the process of being updated.⁴⁷ On May 3, 2023 the City Council voted to approve the update with a number of follow-up items.⁴⁸
- Central City North Community Plan - the current plan was adopted in 2000.⁴⁹
- Encino-Tarzana Community Plan - the current plan was adopted in 1997.⁵⁰ The draft update has yet to be prepared.⁵¹
- Granada Hills – Knollwood Community Plan – the plan was last updated in 2015 and it is anticipated that the City will begin the plan update process in 2024.⁵²
- Hollywood Community Plan – the current plan was adopted in 1998.⁵³ Council adopted an update on May 3, 2023 with follow-up recommendations. It is anticipated that it will take six months to a year to finalize the implementing ordinances.⁵⁴
- Los Angeles International Airport Community Plan – refer to LAX Specific Plan.⁵⁵
- Northeast Los Angeles Community Plan – this plan was last updated in 1999.⁵⁶
- North Hollywood – Valley Village Community Plan – this plan was last updated in 1996.⁵⁷ “The multi-year update process began in July of 2018.”⁵⁸ The update (to the Southeast Valley Community Plan) which includes the: North Hollywood – Valley Village, Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass, and Van Nuys – North Sherman Oaks Community Plans.⁵⁹ The update is in the very early stages.⁶⁰

⁴⁷ <https://planning.lacity.org/plans-policies/community-plan-area/central-city>

⁴⁸ <https://planning.lacity.org/plans-policies/community-plan-update/downtown-los-angeles-community-plan-update>

⁴⁹ <https://planning.lacity.org/plans-policies/community-plan-area/central-city-north>

⁵⁰ <https://planning.lacity.org/plans-policies/community-plan-area/encino-tarzana>

⁵¹ <https://planning.lacity.org/plans-policies/community-plan-update/southwest-valley-community-plans-update>

⁵² <https://planning.lacity.org/plans-policies/community-plan-area/granada-hills-knollwood>

⁵³ <https://planning.lacity.org/plans-policies/community-plan-area/hollywood>

⁵⁴ <https://planning.lacity.org/plans-policies/community-plan-update/hollywood-community-plan-update>

⁵⁵ https://planning.lacity.org/odocument/8c371dd7-15a2-4d05-a8ee-25a78a6362d4/13-0285_ord_182542.pdf

⁵⁶ <https://planning.lacity.org/plans-policies/community-plan-area/north-los-angeles>

⁵⁷ <https://planning.lacity.org/plans-policies/community-plan-area/north-hollywood-valley-village>

⁵⁸ <https://planning.lacity.org/plans-policies/community-plan-update/southeast-valley-community-plan-update>

⁵⁹ <https://planning.lacity.org/plans-policies/community-plan-update/southeast-valley-community-plan-update#about>

⁶⁰ <https://planning.lacity.org/plans-policies/community-plan-update/southeast-valley-community-plan-update#about>

- Palma – Mar Vista – Play del Rey Community Plan – this plan was last updated in 1997.⁶¹ It is currently undergoing an update (as the Westside Community Plan which includes West Los Angeles, Venice, Palms – Mar Vista – Del Rey and Westchester – Playa del Rey).⁶² It is still in the development phase.⁶³
- Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass Community Plan - this plan was last updated in 1998⁶⁴ and is currently being updated. “The multi-year update process began in July of 2018.”⁶⁵ The update (to the Southeast Valley Community Plan) which includes the: North Hollywood – Valley Village, Sherman Oaks – Studio City – Toluca Lake – Cahuenga Pass, and Van Nuys – North Sherman Oaks Community Plans.⁶⁶ The update is in the very early stages.⁶⁷
- Southeast Los Angeles Community Plan – this plan “was recently updated in 2017.”⁶⁸
- South Los Angeles Community Plan - this plan “was recently updated in 2017.”⁶⁹
- Silver Lake – Echo Park – Elysian Valley Community Plan – this plan was last updated in 2004.⁷⁰
- Sun Valley – La Tuna Canyon Community Plan – the plan was last updated in 1999.⁷¹
- Sylmar Community Plan – this plan was last updated in 2015.⁷²
- Van Nuys – North Sherman Oaks Community Plan – this plan was last updated in 1998.⁷³ It is being updated as part of the Southwest Valley Community Plan Update. As

⁶¹ <https://planning.lacity.org/plans-policies/community-plan-area/palms-mar-vista-del-rey>

⁶² <https://planning.lacity.org/plans-policies/community-plan-update/planning-westside>

⁶³ <https://planning.lacity.org/plans-policies/community-plan-update/planning-westside#events>

⁶⁴ <https://planning.lacity.org/plans-policies/community-plan-area/sherman-oaks-studio-city-toluca-lake-cahuenga-pass>

⁶⁵ <https://planning.lacity.org/plans-policies/community-plan-update/southeast-valley-community-plan-update>

⁶⁶ <https://planning.lacity.org/plans-policies/community-plan-update/southeast-valley-community-plan-update#about>

⁶⁷ <https://planning.lacity.org/plans-policies/community-plan-update/southeast-valley-community-plan-update#about>

⁶⁸ <https://planning.lacity.org/plans-policies/community-plan-area/southeast-los-angeles>

⁶⁹ <https://planning.lacity.org/plans-policies/community-plan-area/south-los-angeles>

⁷⁰ <https://planning.lacity.org/plans-policies/community-plan-area/silver-lake-echo-park-elysian-valley>

⁷¹ <https://planning.lacity.org/plans-policies/community-plan-area/sun-valley-la-tuna-canyon>

⁷² <https://planning.lacity.org/plans-policies/community-plan-area/sylmar>

⁷³ <https://planning.lacity.org/plans-policies/community-plan-area/van-nuys-north-sherman-oaks>

previously noted this multi-year update process began in 2018 and is still in the early stages of plan development.

- West Adams – Baldwin Hills – Leimert Community Plan – this plan was last updated in 2016.⁷⁴
- Westchester – Playa del Rey Community Plan – this plan was adopted in 2004.⁷⁵ It is currently being updated as part of the Westside plan. The update process began in 2022⁷⁶ and is in the plan development phase.⁷⁷
- West Los Angeles Community Plan – this plan was adopted in 1997.⁷⁸ It is being updated as part of the Westside community plan effort.
- Wilshire Community Plan – the plan was last updated in 2001.⁷⁹

The 22 of the City’s 35 Community Plans that require amendment are part of the Land Use Element of the General Plan,⁸⁰ which is a required element of a general plan. Government Code § 65358 limits the number of general plan amendments in a single year:

(b) Except as otherwise provided in subdivision (c) or (d), no mandatory element of a general plan shall be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time, as determined by the legislative body. Each amendment may include more than one change to the general plan.

(c) The limitation on the frequency of amendments to a general plan contained in subdivision (b) does not apply to amendments of the general plan requested and necessary for a single development of residential units, at least 25 percent of which will be occupied by or available to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code. The specified percentage of low- or moderate-income housing may be developed on the same site as the other residential units proposed for development, or on another site or sites encompassed by the general plan, in which case the combined total number of residential units shall be considered a single development proposal for purposes of this section.

⁷⁴ <https://planning.lacity.org/plans-policies/community-plan-area/west-adams-baldwin-hills-leimert>

⁷⁵ <https://planning.lacity.org/plans-policies/community-plan-area/westchester-playa-del-rey>

⁷⁶ <https://planning.lacity.org/plans-policies/community-plan-update/planning-westside#home>

⁷⁷ <https://planning.lacity.org/plans-policies/community-plan-update/planning-westside#events>

⁷⁸ <https://planning.lacity.org/plans-policies/community-plan-area/west-los-angeles>

⁷⁹ <https://planning.lacity.org/plans-policies/community-plan-area/wilshire>

⁸⁰ <https://planning.lacity.org/plans-policies/community-plans>

(d) This section does not apply to the adoption of any element of a general plan or to the amendment of any element of a general plan in order to comply with any of the following:

- (1) A court decision made pursuant to Article 14 (commencing with Section 65750).
- (2) Subdivision (b) of Section 65302.3.
- (3) Subdivision (b) of Section 30500 of the Public Resources Code.

Even if the City managed to adopt four Community Plan updates a year, it would take at least 5 years to reconcile the inconsistencies in the proposed zoning Ordinance(s) and the Community Plans. This best-case scenario still does not represent a reasonable period of time for making the zoning and City's Land Use Element consistent.

The action before PLUM does not include any request to amend any of the Community Plans. The City's TCN Program implementing Ordinance(s) and the scheme to reconcile the Community Plans with the TCN implementing Ordinance(s) as part of future Community Plan updates thus violates State law. This is a significant land use impact of the Project which is not addressed in the EIR, and which could not have been known at the time the EIR was prepared since the draft Ordinance(s) were not released until nearly six months after the EIR was certified by Metro. The City must therefore act as Lead Agency and prepare a Subsequent EIR. More importantly, the City must deny the proposed Project and reject the implementing Ordinance(s) until such time as the needed Community Plan updates have occurred, since the proposed Ordinance(s) will be invalid when passed if approved prior to the required Community Plan updates.

The Proposed Ordinance(s) Are Inconsistent With The Specific Plans

In addition, the proposed Project and implementing Ordinance(s) require amendment of a number of specific plans as detailed earlier in this letter. According the State Office of Planning and Research:⁸¹

A specific plan must be consistent with the jurisdiction's general plan (Gov. Code § 65454). In turn, zoning ordinances, subdivisions (including tentative tract and parcel maps), public works projects, development agreements, and land projects (as defined in Business and Professions Code section 11004.5) must be consistent with any applicable specific plan (Gov. Code §§ 65455, 66473.5, 66474(a), and 65867.5).

A specific plan is prepared, adopted, and amended in the same manner as a general plan, except that it may be adopted by resolution or ordinance and it may be amended as often as the local legislature deems necessary (Gov. Code § 65453(a)).⁸²

⁸¹ https://opr.ca.gov/docs/OPR_C9_final.pdf

⁸² Page 240, Office of Planning and Research, "Implementation, Preparing, Integrating, and Implementing the General Plan. Available at: https://opr.ca.gov/docs/OPR_C9_final.pdf

DEIR pages IV.I-24 indicates:⁸³

As noted above, the Central City West, West LA Transportation Improvement Mitigation Plan, Exposition Corridor Transit Neighborhood Plan, LA Coastal Transportation Corridor, the Vermont/Western Station Neighborhood Plan, Cornfield Arroyo Seco, and Crenshaw Corridor Specific Plans have language that explicitly prohibits either pole signs, off-site commercial signage, or both. The proposed Zoning Ordinance would be established to regulate pole signs, off-site commercial and digital signage on Metro-owned property to promote roadway efficiency, improve public safety, and augment Metro's communication capacity. **The proposed Ordinance would include regulations that would supersede the sign-related limitations of the applicable Specific Plans, including the allowance of pole signs, and would include specific standards for sign area, height, setbacks, digital displays, refresh rates, and other criteria.** Therefore, with implementation of the Zoning Ordinance for the TCN Structures, the Project would not conflict with the Specific Plans. (Emphasis added).

This conclusion is not consistent with the law. Government Code §65455 specifically states:

65455. No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, **and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan.** (Emphasis added).

As noted by the Courts:

After adoption of a general plan, a city may adopt, by resolution or ordinance, a specific plan or plans for the systematic implementation of the general plan for all or part of the city. (Gov. Code, § 65450, 65453.) A specific plan must be consistent with the city's general plan. (Gov. Code, § 65454.) Among other things, a specific plan must contain standards and criteria by which development will proceed, and a program of implementation including regulations, programs, public works projects, and financing measures. (Gov. Code, § 65451, subd. (a)(3) & (4).) **After adoption of a specific plan, no zoning ordinance, and no tentative subdivision map, may be adopted unless consistent with the specific plan. (Gov. Code, § 65455.)** (Emphasis added).
[*\(Beck Development Co. v. Southern Pacific Transportation Co. \(1996\) 44 Cal.App.4th 1160, 1196.\)*](#)

⁸³ The Project's lack of consistency with existing Specific Plan provisions includes, but is not limited to this example.

In addition, the proposed Ordinance(s) include the following provision⁸⁴ in Section B3, which is contrary to law:

8. A TCN District may encompass an area which is subject to, in whole or in part, a Specific Plan. If the provisions of the TCN conflict with any City-wide regulations in the Los Angeles Municipal Code, **specific plan**, or supplemental use districts, other than a Historic Preservation Overlay Zone, then the requirements of the TCN District would prevail.⁸⁵ (Emphasis added).

The proposed Ordinance(s) also include the following provision in Section 3B., which is contrary to law:⁸⁶

Relationship to the Los Angeles Municipal Code (LAMC). Wherever this Ordinance contains provisions which establish regulations that are different from, more restrictive than or more permissive than would be allowed pursuant to the provisions contained in the Code, Supplemental Use District, **Specific Plan** or other Ordinance, this Ordinance shall prevail and supersede those otherwise applicable regulations. . . (Emphasis added).

The action before PLUM does not include the amendment of any of the Specific Plans. The City's TCN Program implementing Ordinance(s) and the scheme to reconcile the Specific Plans with the TCN implementing Ordinance(s) thus violates State law. This is a significant land use impact of the Project which is not addressed in the EIR, and which could not have been known at the time the EIR was prepared since the draft Ordinance(s) were not released until nearly six months after the EIR was certified by Metro. The City must therefore act as Lead Agency and prepare a Subsequent EIR. More importantly, the City must deny the proposed Project and reject the implementing Ordinance(s) until such time as the needed Specific Plan updates have been evaluated in an EIR, and have occurred, since the proposed Ordinance(s) will be invalid when passed if approved prior to the required Specific Plan updates.

8. THE CITY MUST ASSUME LEAD AGENCY RESPONSIBILITY AND PREPARE A SUBSEQUENT EIR FOR THE PROPOSED ORDINANCE(S)

Pursuant to CEQA Guidelines Section 15162, a Subsequent EIR must be prepared when "on the basis of substantial evidence in the light of the whole record, one of more of the following" occurs:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the

⁸⁴ Examples of the way the proposed Ordinances are contrary to State Law include but are not limited to the examples in this letter.

⁸⁵ Page 4, Revised Ordinance dated September 14, 2023.

⁸⁶ Page 11, Revised Ordinance dated September 14, 2023, PDF page 11.

involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As detailed in **Sections 7 and 9** of this letter, the specifics of the proposed Ordinance(s) constitutes both a substantial change in the Project and new information of substantial importance that could not have been known at the time the EIR was prepared, as does new information regarding actions by Metro and the City to address the housing crisis. As a result of this new information regarding the details of the implementing Ordinance(s) for the proposed Project, additional and/or more severe Project impacts have been identified by the City and commenters on the proposed Ordinances. (See **Sections 7 and 9** of this letter, also the transcript from the City Planning Commission Hearing on the Project included as **Attachment 1** to this letter.). In addition, all comments and testimony received during the administrative process is hereby incorporated by reference and are available from the City. A Subsequent EIR is therefore required.

Pursuant to CEQA Guidelines Section 15052(a)(2) the City must assume Lead Agency status and prepare the Subsequent EIR:

15052. SHIFT IN LEAD AGENCY DESIGNATION

(a) Where a Responsible Agency is called on to grant an approval for a project subject to CEQA for which another public agency was the appropriate Lead Agency, the Responsible Agency shall assume the role of the Lead Agency when any of the following conditions occur:

(1) The Lead Agency did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

(2) The Lead Agency prepared environmental documents for the project, but the following conditions occur:

(A) A subsequent EIR is required pursuant to Section 15162,

(B) The Lead Agency has granted a final approval for the project, and

(C) The statute of limitations for challenging the Lead Agency's action under CEQA has expired.

(3) The Lead Agency prepared inadequate environmental documents without consulting with the Responsible Agency as required by Sections 15072 or 15082, and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

(b) When a Responsible Agency assumes the duties of a Lead Agency under this section, the time limits applicable to a Lead Agency shall apply to the actions of the agency assuming the Lead Agency duties.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21165, Public Resources Code.

9. THE PROPOSED ORDINANCE(S) WILL RESULT IN ENVIRONMENTAL IMPACTS NOT IDENTIFIED IN THE EIR

At the time the EIR was prepared the details of the City's proposed Ordinance(s) were not known. In addition, important information regarding new efforts by the City and Metro to locate affordable housing sites zoned for public facilities and/or owned by the City or Metro were also not known. Given this new information, additional Project impacts can be identified.

New Information Regarding The Implementing Ordinance(S) For The Proposed Project Not Known At The Time The EIR Was Prepared

The proposed Ordinance(s) include the following location restrictions or allowances which were not disclosed in the EIR or adequately analyzed given the fact that the details of the first draft of proposed Ordinance(s) were not disclosed until nearly six months after certification

of the EIR and therefore could not have been known at the time the EIR was being prepared. The proposed Ordinance(s) allow signs as close as: within 200.01 feet of an ecological preserve, and the centerline of a scenic highway, scenic parkway, scenic corridor or scenic route; within 1000.01 feet of another digital sign; and within 2,640.01 feet of another freeway facing TCN support structure:

2. Prohibited Locations:⁸⁷

1. Signs shall not be located within 200 feet of an ecological preserve as defined by California Fish and Wildlife Code Section 1584, or a state or national park.
2. The face of any Sign shall be oriented away from residential zones in areas subject to Chapter 1 of the Code or Residential Use Districts (Division 5B.3 (Residential Districts) of Chapter 1A) in areas subject to Chapter 1A of the Code that are located within 200 feet, including residential zones or Residential Use Districts across an adjoining alley or street.
3. Signs shall not be located on a site within 200 feet, as measured from the centerline of a roadway designated as a scenic highway, scenic parkway, scenic corridor or scenic route as designated by the State of California Department of Transportation or an element of the General Plan.⁸⁸
4. TCN Support Structures with a Digital Display shall be at least 1000 feet away from any other digital Off-Site Sign with a Digital Display on the same side of any portion of a Freeway or other roadway. This shall not be construed to prohibit Off-Site Signs with double-faced Signs with Digital Displays oriented toward opposing directions of the Freeway or other roadway. Furthermore, compliance will be verified with measurements taken between the TCN Support Structures or other applicable Off-Site Signs with a Digital Display.
5. Freeway Facing TCN Support Structures located on the same side of the freeway shall not be located within a minimum distance of 2,640 feet or one-half a mile from another Freeway Facing TCN Support Structure.

In addition, it was not known that the proposed Ordinance(s) would be crafted in a way that violates State Law, as detailed earlier in this letter.

⁸⁷ September 14, 2023 draft Ordinance at page 25

⁸⁸ As discussed above in this letter, this provision is not consistent with the Mobility Element of the General Plan, which specifies that off-site outdoor advertising is prohibited in the public right-of-way of, and on publicly-owned land within five hundred feet of the center line of, a Scenic Highway.

New Information Regarding Efforts By Metro and the City To Combat The Housing Crisis Not Known At The Time The EIR Was Prepared

The following new information regarding efforts by the City and Metro to combat the housing crisis was not known at the time the NOP was issued for the EIR on April 18, 2022, the DEIR was circulated for public review on September 9, 2022, or when the FEIR was certified on January 26, 2023:

- On February 10, 2023, Mayor Karen Bass issued an Executive Directive #3, Emergency Use of Viable City-Owned Property.⁸⁹ Bass then challenged the Metro Board, of which she is a member, to do the same.
- At its February 23, 2023 board meeting, Metro passed a motion "to try to maximize the use of its property to build temporary and permanent housing."⁹⁰
- On March 16, 2023, the Metro Board received a staff report⁹¹ on the use of Metro properties for interim housing, overnight homeless parking, and permanent housing, as shown on the following slide reproduced from the staff presentation:



Copies of Attachments B and C from the March 16, 2023 Staff Report are included in **Attachment 2** to this letter.

Attachment C to the Staff Report included a list of 17 Metro-owned “Potential Joint Development Sites” defined as “potential permanent housing sites identified as part of the

⁸⁹ <https://mayor.lacity.gov/sites/g/files/wph2066/files/2023-03/ED%203%20-%20Emergency%20Use%20of%20Viable%20City-Owned%20Property.pdf>

⁹⁰ <https://mynews1a.com/government/2023/02/24/la-mayor-bass-applauds-metro-vote-to-explore-using-property-to-build-housing/>

⁹¹ <https://metro.legistar.com/LegislationDetail.aspx?ID=6063458&GUID=56BA2CEF-07AB-4BA1-85E6-7C7173E1E24E&FullText=1>

Metro 10k Joint Development Strategic Plan⁹² which will be presented to the Board on April 2023.” Attachment C includes the same four sites⁹³ that have been identified as locations for TCN structures on Metro-owned land.⁹⁴ The four sites include:⁹⁵

- **NFF-17** Aviation Blvd. and Century Blvd. - 5601 W. Century Blvd 83,000 (K Line Aviation/Century)
- **NFF-10** Metro G Line at Sepulveda - 6127 Sepulveda Blvd 550,000 (G Line Sepulveda VN)
- **NFF-4 and NFF-5** Lankershim Blvd. and Campo de Cahuenga (*and additional Metro land nearby*) - 3906 Willowcrest Avenue North 470,000 park and ride attached to the B Line’s Universal /Studio City Station

The Metro sites identified for housing on which these four TCN sites would be located are shown in the following figures from Metro’s potential housing site analysis:



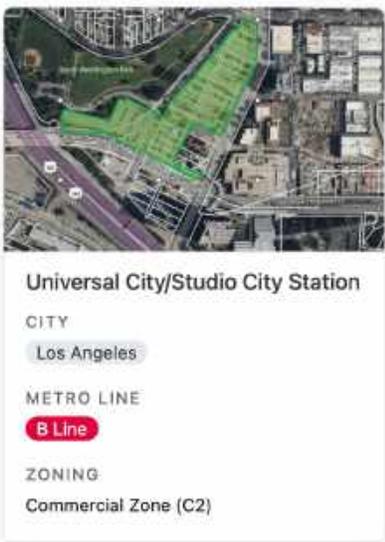
⁹² See: <https://thesource.metro.net/2023/06/28/were-building-more-housing-near-transit-metros-10000-home-commitment/#:~:text=This%20action%20builds%20on%20the,project%20delivery%20must%20increase%20tenfold>.

<https://storymaps.arcgis.com/stories/ca751abd323c4382a39175d0ae1e6385>

⁹³ A review of Attachment B may reveal additional TCN site that Metro has identified for interim housing or overnight homeless parking.

⁹⁴ <https://www.dropbox.com/scl/fi/wwhyws0c7i5n4oramoyph/Attachment-C-Potential-Joint-Development-Sites.pdf?rlkey=ilybz6170tctlowdevilq2fbg&dl=0>

⁹⁵ See: <https://airtable.com/embed/appRp6WKDA1eJVhK6/shrwVANxN2EU25FZr/tbl7hAKnawuMpLwNw?background%20Color=teal&viewControls=on>

	
<p>Metro Land Identified For Housing Source: https://airtable.com/embed/appRp6WKDA1eJVhK6/shrwVANxN2EU25FZr/tbl7hAKnawuMpLwNw?backgroundColor=teal&viewControls=on</p>	

New of More Severe Environmental Impacts

Based on this new information, the following additional Project impacts, which were not known at the time the EIR was certified can now be identified:

Aesthetics, Light and Glare and Housing

The proposed Ordinance(s) only require that the “face of any Sign shall be oriented away from residential zones in areas subject to Chapter 1 of the Code or Residential Use Districts (Division 5B.3 (Residential Districts) of Chapter 1A) in areas subject to Chapter 1A of the Code that are located within 200 feet, including residential zones or Residential Use Districts across an adjoining alley or street.” The proposed Ordinance(s) do not require that the face of any sign be oriented away from any housing located in public facilities, light industrial or commercial zones. The proposed Ordinance(s) and the Project would therefore allow for TCN signs to face housing to be located on Metro Joint Development sites on or near TCN sites NFF-4, NFF-5, NFF-17, NFF-10. The proposed Project therefore has the potential to result in significant light and glare impacts on housing in proximity to sites NFF-4, NFF-5, NFF-17, NFF-10 and any other TCN site located in or adjacent to new interim housing, overnight homeless parking, and permanent housing sites identified by Metro in its March 16, 2023 Staff Report. This is a new significant impact of the Project which was not identified in the Certified FEIR. The City must therefore prepare a Subsequent EIR for the Project.

In addition, the proposed Ordinance(s)’ threshold for facing signs away from residential zones has not received environmental review. No analysis has been done to determine if the 200-foot threshold will ensure that:

- Light trespass illuminance from the Project at night will not exceed 3.0 fc at a residential use on parcels other than those zoned for residential.

In fact, evidence in the DEIR indicates that the 200-foot threshold in the Ordinance(s) is insufficient to avoid light impacts on residential uses from signs with display sizes of 30 feet by 40 feet and 14 feet by 48 feet. As shown in DEIR Table IV.A-1 on DEIR page IV.A-32, the 200-foot threshold in the Ordinance(s) would allow for light trespass in excess of that allowed by the LAMC Chapter 1, Article 4.4, Section 14.4.4 E, for signs of 30 feet by 40 feet and 14 feet by 48 feet in proximity to residential uses.

**Table IV.A-1
Light Trespass at 10 Percent of 3.0 fc Maximum Allowed by LAMC (0.3 fc)**

Sign Type	Sign Dimensions (feet)	Distance at 10% of 3.0 fc Allowed by LAMC (0.3 fc)
Freeway Facing Sign FF-1	30' x 40'	345'
Freeway Facing Signs FF-2 through FF-34	14' x 48'	270'
Non Freeway Facing Signs NFF-8, NFF-17 and NFF-18	14' x 48'	270'
Non Freeway Facing Signs NFF-1 through NFF-16, and NFF-19 through NFF-22	10' x 30'	175'

Source: Francis Krahe & Associates, Inc., 2022.

In fact, a recent report from the Department of City Planning now recommends additional mitigation for TCN signs located within 500 feet of existing open space and existing residential uses; however, the City has yet to adopt this recommendation.⁹⁶ In addition, the City has not recommended applying this to potential housing sites identified by Metro or the City for future housing projects. The Planning Department’s Report constitutes evidence of the potential additional impacts of the proposed 200-foot threshold, as well as the potential for additional new impacts to Metro’s planned housing in proximity to TCN sites. The City must therefore prepare

⁹⁶ See Report from the Department of City Planning dated November 1, 2023, available at: https://clkrep.lacity.org/online/docs/2022/22-0392_misc_3_11-02-23.pdf

The report concludes that:

In summary, based on Commission’s instructions as well as the public comments received at the September 14, 2023 hearing, staff recommends that the additional 22 signs require vertical louvers, in addition to the proposed horizontal louvers, to reduce light trespass on nearby sensitive receptors. This recommendation will target the intelligent transportation communication messaging and off-site advertising to the intended audience and eliminate residual light pollution and potential quality of life impacts on nearby residents and users of public parks and open space throughout the City.

This is an acknowledgement that impacts would be more severe under the Ordinance(s) and that additional mitigation is required.

a Subsequent EIR for the Project to address these new and/or more severe impacts identified as a result of information that was not available at the time the EIR was certified.

As previously noted, DEIR Appendix B indicates that the Site Locations NFF-7 and NFF-12 are located along a scenic highway as designated in Appendix B of the City’s Mobility Element and are inconsistent with the Mobility Element which states that: “Off-site outdoor advertising is prohibited in the public right-of-way, and on publicly-owned land within five hundred feet of the center line of, a Scenic Highway.”⁹⁷ The proposed Ordinance(s) seek to establish a new prohibition on TCN signs within 200 feet, as measured from the centerline of a roadway designated as a scenic highway, scenic parkway, scenic corridor or scenic route as designated by the State of California Department of Transportation or an element of the General Plan.

NFF-7 would be located on APN 4313024909 in the vicinity of Robertson Boulevard and Venice Boulevard in West Los Angeles. Venice Boulevard from Longwood to Abbot Kinney is designated as a scenic highway in the Mobility Element.⁹⁸ As shown in the following figure, generated using ZIMAS, the NFF-7 site is located within 200 feet of the centerline of this scenic highway. This would be a significant impact under the threshold included in the proposed Ordinance(s) and the threshold in the proposed Ordinance(s) would result in new or more severe impacts than assumed in the Certified FEIR which assumed a 500-foot distance.



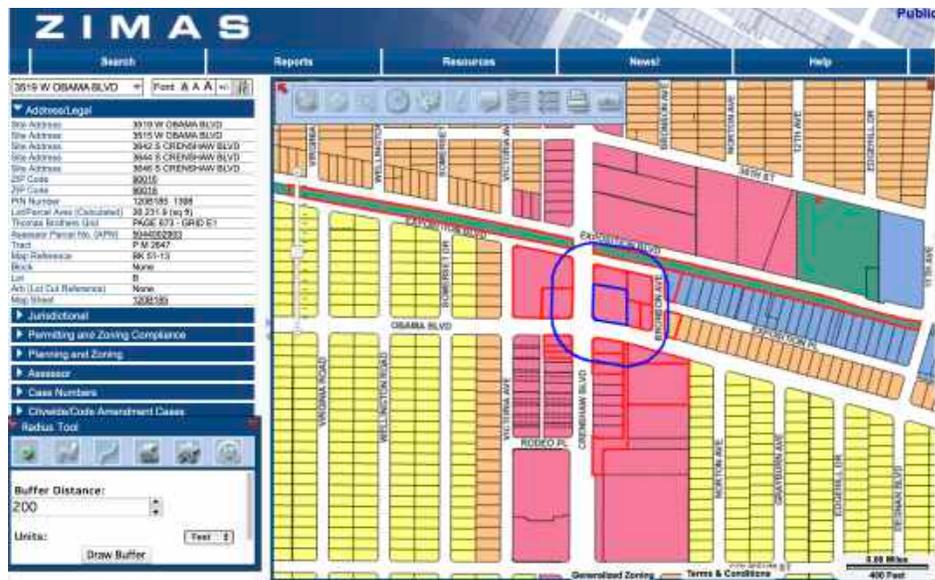
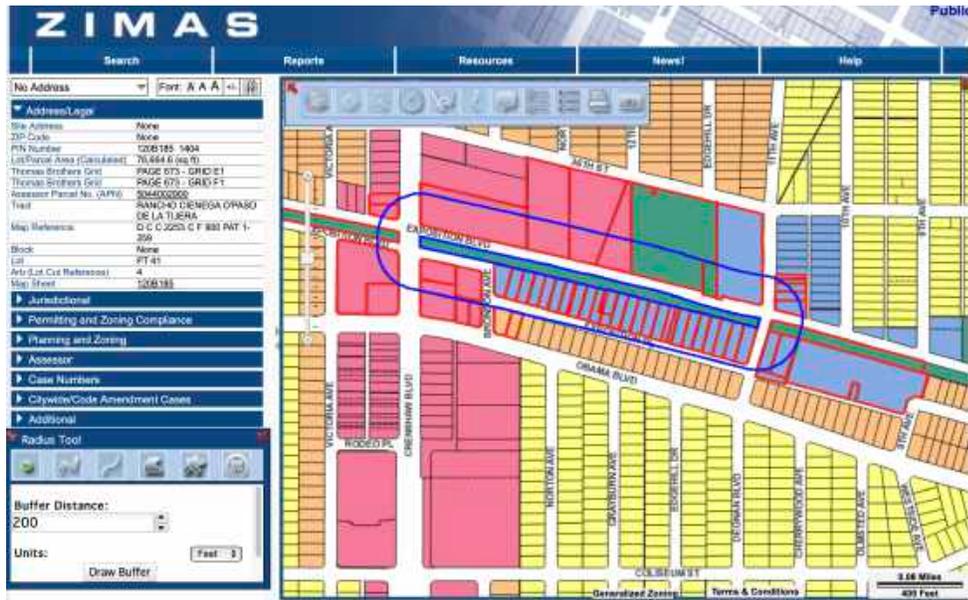
Figure Showing TCN Site and a 200 Foot Radius From the Site

NFF-12 would be located on APN 5044002900, 544002901, and 5044002903 and is in the vicinity of Crenshaw Boulevard and Exposition Boulevard in the West Adams – Baldwin Hills-Leimert area. Crenshaw Boulevard from the I-10 Freeway to Slauson is designated as a

⁹⁷ Page 168 of the Mobility Element.

⁹⁸ Mobility Element page 172.

scenic highway in the Mobility Element.⁹⁹ As shown in the following figure, generated using ZIMAS, the NFF-12 site is located within 200 feet of the centerline of this scenic highway. This would be a significant impact under the threshold included in the proposed Ordinance(s).



⁹⁹ Mobility Element page 170.



Figures Showing TCN Site and a 200 Foot Radius From the Site

Biological Resources

“Ecological Reserve” is defined by California Fish and Wildlife Code Section 1584.¹⁰⁰ A list of the Ecological Reserves in California is provided in Title 14 § 630 of the California Code of Regulations (“CCR”).¹⁰¹ The Ballona Wetlands Ecological Reserve is listed as reserve (10) in CCR 14 § 630 (b). As noted on DEIR page IV-C-13:

The Ballona Wetlands are an ecological reserve located in the City and partially within unincorporated Los Angeles County. The wetlands are bisected by Ballona Creek, and are comprised of marshes, mud flats, salt pans and sand dunes, creating about 153 acres of wetland habitat and 83 acres of non-wetland waters. The wetlands provide important habitat for many special-status species, including federally and/or state endangered species. The wetlands are considered an Environmentally Sensitive Habitat Area (ESHA). TCN Structures FF-29 and FF-30 occur approximately 150 feet from the northeastern edge of the wetlands, within an area mapped as non-wetland habitat, and the TCN Structures would be outside of the ESHA boundary.

TCN Structures FF-29 and FF-30 are within 200 feet of the reserve and are therefore not consistent with the proposed Ordinance(s)’ requirement that: “Signs shall not be located within

¹⁰⁰ A copy of Section 1584 of the Fish and Game Code is available at:
<https://law.justia.com/codes/california/2022/code-fgc/division-2/chapter-5/article-4/section-1584/>

¹⁰¹ A copy of Title 14 § 630 of the California Code of Regulations is available at:
<https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-1-fish-and-game-commission-department-of-fish-and-game/subdivision-2-game-furbearers-nongame-and-depredators/chapter-11-ecological-reserves/section-630-additional-visitor-use-regulations-on-department-lands-designated-as-ecological-reserves>

200 feet of an ecological preserve as defined by California Fish and Wildlife Code Section 1584, or a state or national park.” The reason for this prohibition is to avoid clearly significant impacts to the reserve.¹⁰² The DEIR fails to identify the potential of FF-29 and FF-30 to impact the reserve. Although FF-29 has been removed from the Modified Project under consideration by the City, FF-30 remains part of the TCN program. Given the threshold for an impact embodied in the proposed Ordinance(s)’ prohibition on location within 200 feet of a reserve, the Project would result in an additional biological resource impacts in the form of impacts to an identified ecological reserve which was not identified in the EIR for the proposed Project and could not have been known until the proposed Ordinances became available, which was after the certification of the EIR. The City must therefore prepare a Subsequent EIR for the Project.

Land Use

As detailed in Section 7 of the letter, the proposed Ordinance(s) would violate State law requiring that a zoning ordinance be consistent with any adopted General Plan or Specific Plan. The proposed Project would therefore result in additional land use plan consistency impacts and impacts associated with lack of consistency with State law that could not have been known at the time the EIR was prepared, as the proposed Ordinances were not available. The City must therefore prepare a Subsequent EIR for the Project.

10. THE REQUIRED FINDINGS CANNOT BE MADE

General Plan Consistency Findings¹⁰³

For the reasons detailed in this letter, the required General Plan Consistency Findings cannot be made. The proposed Ordinance(s) and the TCN Project violate State Law.

Environmental Findings¹⁰⁴

For the reasons detailed in this letter the required CEQA Findings cannot be made. A Subsequent EIR is required to be prepared prior to any action on the Project.

* * * * *

As detailed in this comment letter, the City cannot proceed with approval of the Project and certification of the environmental documents for the Project. The proposed Ordinance(s) violate State Law. The existing environmental documentation for the proposed Project is insufficient for the actions before you. In the absence of the preparation of a Subsequent EIR, the approval of the Ordinance(s) and other actions before you would also be in violation of CEQA.

¹⁰² Impact avoidance actually requires a greater distancing than provided for in the proposed Ordinance(s) as detailed in comments submitted during the administrative process.

¹⁰³ PLUM Staff Report, PDF pages 21-23

¹⁰⁴ PLUM Staff Report, PDF pages 23-25

We adopt and incorporate by reference all Project comments and objections raised by all others during both Metro's and the City's environmental review and land use entitlement processes for the Project. Pursuant to PRC Section 21167.6(e) and *Consolidated Irrig. Dist. v. Superior Court*, (2012) 205 Cal.App.4th 697, please include all of the hyperlinked references cited in each of the comment letters submitted during the administrative process in the administrative record.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name being the most prominent.

Jamie T. Hall

Attachments:

1. Hearing Transcript – City Planning Commission Hearing on Project
2. Attachments B and C to Metro Staff Report of March 16, 2023 Regarding the Metro Property Inventory For Potential Unhoused Support Facilities

ATTACHMENT 1
Hearing Transcript – City Planning Commission Hearing on Project

City Planning Commission

September 14, 2023, Item 7.

<https://planning.lacity.org/dcpapi/meetings/document/75203>

Metro Transportation Communication Network (TCN) Program

https://planning.lacity.org/plndoc/Audio/CPC/2023/09-14-2023/07_CPC_2022_5401_CA_CPC_2023_3653_ZC.mp3

CPC-2022-5401-CA; CPC-2023-3653-ZC

CEQA: ENV-2022-5286-EIR

Transcript

Samantha Millman: 0:00 3653-ZC, the environmental case number for both cases is: ENV-2022-5286-EIR, and state clearing house number: 2022-040363. The proposed amendment is citywide. Commissioners, please note that a technical modification was submitted for item number 7 and it was emailed to all commissioners. At this time, we are going to hear from our planning staff and applicant representatives from LA Metro. Welcome, and please go ahead when you're ready.

Nuri Cho: 0:38 Thank you, Commissioner. Good morning, commissioners. I am Nuri Cho, Senior City Planner with the Planning Department. We are here today to present to you a City Council Initiated Code Amendment to create a New Supplemental Use District, to implement the Transportation Communication Network Program, which is intended to reduce over concentration and visual blight resulting from existing off-site static signs. And also

23 generate revenue that will fund the City's transportation
24 programs and initiatives throughout the City. And our staff
25 has been working very diligently over the past year or so,
26 under the leadership of our Principal City Planner, Hagu
27 Solomon-Cary and in partnership with another public
28 agency, the Los Angeles County Metropolitan Transit
29 Authority also known as Metro. And we are very
30 appreciative and grateful for your time and attention to this
31 program today. And with that, I would like to inform you
32 that we have two presentations prepared for you. The first
33 one being the one from our planning staff within the
34 Planning Department. And the second presentation will be
35 from Metro. With that I will hand it over to project
36 managers, Andrew Pennington and Terri Osborne. Thank
37 you!

38 **Andrew Pennington:** 2:16 Good morning, President Millman and commissioners. My
39 name is Andrew Pennington, City Planner with Los
40 Angeles City Planning. I am here today to present along
41 with my colleague, Terri Osborne, on the Metro's proposed
42 Transportation Communication Network Ordinance. I am
43 also joined by Nuri Cho, who you just heard from, and our
44 Principal City Planner, Hagu Solomon-Cary. Please note
45 that this presentation is available online for those who wish
46 to follow along.

47 2:48 What is the Transportation Communication Network, or
48 TCN? It is a network of digital display off-site signs
49 dispersed throughout Los Angeles. Primarily located along
50 freeways and major corridors, these digital display signs
51 will incorporate built in technology that will help provide
52 Metro service alerts and emergency messaging, help with
53 roadway efficiency by displaying messages provided by
54 various government agencies and generate revenue from
55 off-site advertising. Advertising will be a key component
56 of the messages displayed on the TCN digital displays.

57 3:27 Next slide. The Metro TCN project originated with the
58 execution of a Memorandum of Agreement or MOA
59 between the city and Metro. The City Council instructed
60 the Chief Administrative Officer or CAO, to negotiate and
61 execute the MOA with Metro as part of their quarterly
62 budget review in late 2021. The MOA stipulated that Metro
63 would be responsible for the required environmental
64 analysis. And that was completed in the summer and fall of
65 2022 with the adoption of the final Environmental Impact
66 Report by the Metro board of directors in January of 2023.
67 City Planning's involvement began in the spring of 2022
68 when a motion was adopted by the city council instructing
69 the department to amend the Los Angeles Municipal Code,
70 to permit the TCN structures and their digital displays. City
71 Planning released the draft ordinance in June of 2023, and

72 held a staff level public hearing the following month to
73 receive public comment on the proposed ordinance.

74 4:36 Next slide. Memorandum of Agreement. In early 2022, the
75 Memorandum of Agreement between the city and Metro
76 was executed by the CAO. This is primarily a financial
77 contract allowing the city and Metro to split the net
78 revenues generated from the off-site advertising evenly or
79 50-50. The agreement covers a period of 20 years or until
80 2042. It also stipulates that the revenue generated and
81 shared with the city will be spent on transportation-related
82 projects and services, and the funds will be overseen by the
83 Los Angeles Department of Transportation, or LADOT.
84 Finally, the MOA discusses how the environmental review
85 process will be handled, and that the project and revenue
86 sharing is contingent on the adoption of amendments to the
87 zoning code to permit the TCN structures and digital
88 displays.

89 5:38 Regulations for signage began in 1986, when the city
90 adopted its first set of sign regulations, which regulated
91 both on-site and off-site signs. For discussion purposes, on-
92 site signs are signs that advertise a good or service available
93 at the location of the sign, whereas an off-site sign
94 advertises a good or service available somewhere else other
95 than where the sign is located. And a billboard is typically
96 considered an off-site sign. Over the last decade, the city

97 has discussed and deliberated over potential changes and
98 updates to the City Sign Regulations. This conversation has
99 predominantly been about off-site signs and the city's
100 current ban on such signage outside specific supplemental
101 districts and specific plans. This body has heard proposals
102 related to signage on multiple occasions, since the first
103 comprehensive overhaul of sign regulations was first
104 initiated in 2008. The most recent version was considered
105 by the commission in 2021, included a more far-reaching
106 and permissive structure for off-site sign regulations in the
107 city on private property. That effort recently expired
108 without action or consideration by the City Council.

109 7:11 The Metro TCN project, though, wholly a separate
110 initiative from all of these efforts, continues this debate
111 over off-site signs with a narrower scope and more concrete
112 parameters and controls. Off-site signs in the city are
113 regulated by provisions in Article 14.4 of the Municipal
114 Code. This section also outlines the city's ban on off-site
115 signs outside of adopted supplemental use districts,
116 specific plans, development agreements, and relocation
117 agreements. This was adopted by the city in 2002, and has
118 been upheld on numerous occasions under legal challenge
119 since its adoption, as has the city's ability to allow limited
120 exceptions to said ban. The most common mechanism to
121 permit off-site signs in the city is through the establishment

122 of a Sign District, which allows for sign regulations that are
123 either more permissive or more restrictive than what is
124 currently allowed in the Municipal Code. Currently, the
125 city has adopted approximately 16 Sign Districts, which are
126 limited to contiguous parcels and must be over one city
127 block or three acres in size. A Sign District, as opposed to
128 the proposed TCN Supplemental Use District, which will
129 be discussed later, are allowed on private property and may
130 be initiated by a property owner or owners that can meet
131 these thresholds.

132 8:53 Next slide. New Zoning Code. Before we get into the
133 details of the proposed ordinances, it is important to note
134 that the ordinances impact both the existing zoning code
135 and the improved but not yet operative new zoning code,
136 which will be known as Chapter 1-A of the Los Angeles
137 Municipal Code. City Council adopted the new zoning
138 code in May of 2023, as part of the Downtown Los Angeles
139 Community Plan Update. It is envisioned that over time,
140 the new zoning code will apply citywide as new
141 community plans are updated. Since there are a number of
142 signs that are proposed within the Downtown Community
143 Plan Boundary, it was necessary to create a mechanism to
144 permit them when the new zoning code is operative. All of
145 the articles that make up the new zoning code, or Chapter
146 1-A, are currently in the form and legality process with the

147 City Attorney, with the exception of Article 13
148 administration. A separate action was taken by the council
149 for Article 13 in December of 2022, which houses all the
150 processes and procedures for entitlements and legislative
151 action, which will go into effect on January 22, 2024.
152 Noting here that the proposed ordinance speaks to both
153 Articles 8 and 13, where appropriate, for the authorization
154 needed to mirror the proposed ordinances in Chapter 1 of
155 the Municipal Code.

156 10:33 Next slide. Metro TCN ordinances are made up of three
157 separate ordinances. The first enables a new SUD as well
158 as a companion ordinance that creates a similar new SUD
159 in line with the new zoning code. In implementing
160 ordinances also proposed to establish the boundaries of the
161 TCN SUD and house all of the rules and regulations that
162 govern the TCN SUD. This implementing ordinance lives
163 outside of the Municipal Code, as do many other
164 Supplemental Use Districts.

165 11:11 Next slide. With regards to the enabling ordinance, the city
166 would need to amend Chapter 1 of the Municipal Code to
167 permit the TCN program within a Supplemental Use
168 District, a Metro-owned lot, that are both contiguous and
169 non-contiguous. The new Supplemental Use District would
170 be called the Transportation Communication Network
171 Supplemental Use District. This new district would add a

172 new section to the Zoning Code, which is Section 13.11.1,
173 and the new acronym, TCN, would be associated with the
174 parcels slated to receive the proposed signs. Although
175 similar to the existing Sign District Supplemental Use
176 District permitted in section 13.11 of the Zoning Code,
177 there are key differences, including the allowance of non-
178 contiguous parcels in the TCN district. The enabling
179 ordinance was narrowly crafted for the proposed Metro
180 TCN project, and its applicability limited to Metro-owned
181 property. Furthermore, only the City Council, this
182 commission, or the Director of Planning can initiate the
183 establishment of the TCN ordinance or district. And if it is
184 to be established, an off-site sign reduction program is
185 required. This narrow crafting of the enabling ordinance
186 severely limits its utilization beyond the proposed Metro
187 TCN project. And these additional requirements and
188 limitations create a clear distinction between it and the
189 existing sign district regulations.

190 12:51 Next slide. The second enabling ordinance amends Article
191 8 of Chapter 1-A or the new Zoning Code. Once the new
192 Zoning Code is operative, the new section, 8.2.3.1, of
193 Chapter 1-A, will be added to the Municipal Code to permit
194 the establishment of a contiguous and non-contiguous
195 supplemental use district on properties publicly owned by
196 LA Metro.

197 13:22 Next slide. Lastly, the third and final component is the TCN
198 SUD ordinance, which is the key document that outlines all
199 of the standards, limitations, and processes for permitting
200 all of the individual TCN structures and associated digital
201 displays. Notably, the implementing ordinance also lays
202 out the distinction between the regulations for the freeway
203 facing and non-freeway facing signs. I will now hand the
204 presentation over to my colleague, Terri Osborne, to
205 provide some of the details of these important categories.

206 **Terri Osborne:** 14:05 Good morning. My name is Terri Osborne with the
207 Department of City Planning. I will now discuss a few of
208 the key components of the implementing ordinance starting
209 with the freeway facing signs. Metro is proposing 33
210 locations for the TCN structures that are adjacent to major
211 freeways and freeway on and off ramps. These freeway
212 facing signs are all of a similar size, and with one exception
213 near union station and Downtown, are genuinely larger
214 than the non-freeway facing signs and include both single
215 and double-sided sign faces. Freeway facing signs are
216 subject to an administrative review from Planning which
217 we will describe in greater detail in the subsequent slides.
218 It should be noted, the site plans, renderings, and elevations
219 for freeway facing signs have been provided by Metro and
220 are found in Exhibit C of the Staff Recommendation

221 Report. This expedited review is not appealable and the
222 signs must comply with Caltrans State Regulations.

223 15:10 Next slide. Metro has selected 16 locations adjacent to
224 major intersections and at Metro's light trail stations. The
225 proposed non-freeway facing signs vary in size and include
226 both single and double-sided digital display sign faces.
227 These signs are subject to a Project Permit Compliance
228 Review from Planning, and it is important to note that the
229 non-freeway facing signs are appealable to City Planning
230 Commission and subject to a five-year planning approval
231 review process, to review the operational data and adjacent
232 collision data. The plan approval process will be discussed
233 in more detail in the next slide.

234 15:59 As previously mentioned, the procedures for reviewing and
235 permitting the signs will be split into two categories:
236 freeway facing signs and non-freeway facing signs at the
237 time of project review. Let's discuss some key distinctions.
238 Freeway facing signs are subject to an administrative
239 review pursuant to the code. This ministerial review does
240 not require findings and appeals are not permitted. At the
241 time of review, submission of site photos, architectural
242 renderings, site plans, elevations, and illumination
243 standards will be required, in addition to the demolition
244 permits to satisfy the sign takedown provisions discussed
245 later in detail. The non-freeway facing signs are subject to

246 a Project Permit Compliance pursuant to the code that is
247 reviewed by the Director of Planning.

248 16:53 This review is more thorough in details as the process
249 entails submission of a complete sign package, findings, a
250 five-year plan approval process, and is appealable to City
251 Planning Commission. Lastly, in consultation with
252 LADOT, a five-year plan approval review process was
253 required for locations under LADOT control. This unique
254 opportunity will allow for the city to collect local data and
255 recommend operational changes if needed. The five-year
256 plan approval review will entail a public hearing by the
257 Zoning Administrator and is appealable. This is further
258 discussed in the presentation.

259 17:38 Next slide. The proposed TCN ordinance includes
260 operational standards that require the TCN sign face to be
261 oriented away from any residential zone lot or sensitive
262 uses within 200 feet. It further limits the hours of
263 operations for all signs to the hours of 5:00 AM to 12:00
264 AM, daily. And the site shall be maintained free of debris
265 and graffiti.

266 18:06 The project also incorporates certain location restrictions to
267 ensure the signs are in a compatible, non-residential zone,
268 and either directed away from or at a specific distance from
269 certain sensitive uses, such as state and national parks, and
270 certain scenic resources. Sign illumination is a key

271 component of the regulations. Utilizing data from
272 previously approved sign districts and industry standards,
273 the maximum candelas are set at 6,000 during the day and
274 300 candelas at night. In addition to an eight second refresh
275 rate with smooth transition between images and no
276 animation or moving pictures. Lastly, in an effort to
277 prevent light spillage, the TCN structures will incorporate
278 Light Mitigation Technology into the sign face using
279 shading LED louvers.

280 19:08 As part of the creation of the TCN district, the City is
281 proposing additional sign reduction requirements. The
282 Memorandum of Agreement that initiated this program
283 requires Metro to remove 200 static billboards citywide,
284 limited only to Metro owned properties. The removal of
285 these off-site signs will occur primarily in West LA,
286 Downtown LA, and East San Fernando Valley, with no
287 correlation to the location of the proposed TCN structures.
288 The Department proposed further takedown requirements
289 beyond the initial 200 static billboard removal outlined in
290 the MOA. The proposed ordinance will require an
291 additional 3:1 take-down ratio within a half mile of the
292 proposed non-freeway facing TCN sites. The 3:1 take-
293 down is on a per square foot basis, meaning that for every
294 square foot of new digital display, three square feet of an
295 existing static off-site sign will need to be removed.

296 20:13 The sign reduction provisions prohibit the issuance of any
297 building permits prior to the completion of the sign
298 takedown program. Furthermore, proof of sign reduction
299 compliance is required and will be reviewed through an
300 administrative review pursuant to LA Municipal Code
301 Section 12.32 S.4. Now I will hand it over to Andrew.

302 **Andrew Pennington:** 20:40 Thank you, Terri. Metro's proposed locations. Overall,
303 Metro has selected 49 locations throughout the city of Los
304 Angeles for this project. These locations will cover 22 of
305 the 35 Community Plan Areas, from the San Fernando
306 Valley to Downtown Los Angeles and South LA, to the
307 westside. A total of 33 TCN structures with 60 digital
308 display signs are proposed for freeway adjacent properties,
309 while 16 TCN structures with 26 digital display sign faces
310 are proposed for properties adjacent to major intersections
311 and corridors. In total, the TCN project will have 86 digital
312 displays sign faces at 49 locations on Metro-owned lots that
313 are zoned commercial, manufacturing, or public facilities.

314 21:39 Next slide. This map reflects the approximate location for
315 all 49 proposed TCN structures, including both freeway
316 and non-freeway facing signs citywide. The majority of the
317 TCN structures will have up to two digital display sign
318 faces and shall not exceed the maximum total sign area of
319 51,000 square feet citywide.

320 22:05 Next slide. This map shows Metro's proposed sites for the
321 Northeast San Fernando Valley that include a total of 6
322 freeway facing TCN structures, all with two digital display
323 sign faces on each structure for a total of 12 digital displays.

324 22:24 Next slide. The South San Fernando Valley includes a total
325 of four freeway facing TCN structures and four non-
326 freeway facing TCN structures. The eight proposed TCN
327 structures would contain a total of 11 digital display signs
328 combined.

329 22:47 Next slide. Metro is proposing 11 locations in the
330 Hollywood and Downtown Los Angeles areas. This
331 includes seven non-freeway facing signs and four freeway
332 facing sign. The 11 proposed structures would include a
333 total of 18 digital display signs combined. The Downtown
334 Los Angeles Community Plan areas have the highest
335 concentration of TCN structures of any area in the city.

336 23:17 Next slide. Here we have nine freeway-facing TCN
337 structures in the Northeast Los Angeles area. All would
338 contain two digital display sign faces, totaling 18 digital
339 display signs. The South Los Angeles area has a total of six
340 TCN structures being proposed, two of which are non-
341 freeway facing TCN structures and four are freeway facing
342 TCN structures, with a total of 11 digital display signs
343 combined. Finally, the West Los Angeles area will have a
344 total of 9 TCM structures. three non-freeway facing TCN

345 structures and six freeway facing structures. These will
346 house a total of 16 digital display signs combined.

347 24:24 Next slide. Of the proposed signs, those that are freeway
348 facing will typically have two digital display sign faces that
349 shall not exceed 672 square feet each, with the exception
350 of one sign in Downtown near Union Station, whose one
351 digital display sign face shall not exceed 1,200 square feet.
352 The freeway facing signs will be located either adjacent to
353 the freeway, freeway interchanges, or freeway on and off
354 ramps. However, none will be in the public right of way.
355 The heights for the freeway facing signs will vary by
356 location.

357 25:06 Since some are proposed at elevated freeway locations, no
358 TCN structure shall exceed 100 feet in height from grade.
359 The non-freeway facing signs will be visible along major
360 corridors such as Vermont Avenue and Sunset Boulevard,
361 Lankershim Boulevard and Chandler Boulevard, the Van
362 Nuys Orange Line station and the Crenshaw Expo Line
363 station, to name a few. The sign faces for these signs will
364 measure 300 square feet, with the exception of three signs
365 that are proposed to be 672 square feet. These three signs
366 are located at Alameda and Commercial Street near Union
367 Station in Downtown and the 101-Freeway, and two at the
368 Century Boulevard and Aviation intersection, which is also
369 where the Metro K Line station is located. Lastly, these

370 signs will have one sign face per TCN structure with
371 heights that shall not exceed 30 feet from grade, with the
372 exception of four signs whose height shall not exceed 80
373 feet from grade, due to the elevation of the light rail lines
374 that they are adjacent to.

375 26:25 Next slide. During the conceptual drawing phase for the
376 TCN structures, Metro met with Sal Burton Perkins Design
377 in late 2020 to draft preliminary design concepts. In June
378 of 2023, Planning staff met with the Urban Design Studio
379 and presented the proposed project to the Professional
380 Volunteer Program or PVP for review and discussion of the
381 proposed sign concepts for both the freeway and the non-
382 freeway facing signs. PVP participants expressed the
383 overall design of the TCN structures integrates well into
384 the cityscape background. However, some concerns were
385 raised regarding the sharpness of the digital display sign
386 face configuration.

387 27:11 Participants expressed the edges are too sharp and will
388 require a more rounded three-dimensional curve shape to
389 make the sign face more artistic. In addition, the PVP
390 participants were made aware that some of the TCN
391 structures will have one sign face and would alternate
392 design options where no sign face exists. Because the frame
393 of the sign face is a good size for potential public art or
394 murals, PVP participants suggested that Metro further

395 collaborate with the Department of Cultural Affairs and/or
396 Metro itself, to source local artists for a Public Art
397 Program. This rendering depicts the freeway facing sign
398 that's proposed to adjacent freeways. The freeway facing
399 sign consists of the TCN support structure and two digital
400 display sign faces that measure 672 square feet on each side
401 of the structure. The pole of the support structure will be
402 situated closest to the freeway in this rendering.

403 28:20 Next slide. Here we have yet another rendering of the TCN
404 signs that are being proposed adjacent to the freeway. The
405 difference here is that the pole on the TCN support
406 structure will be situated away from the freeway with the
407 digital display sign face closest to the freeway.

408 28:42 Next slide. In this and the following slides renderings of
409 some of the proposed TCN structures and digital display
410 signs will be discussed. First, we have freeway facing sign
411 number one, which will be located next to the train tracks
412 at Union Station, adjacent to the northbound lanes of the
413 101-Freeway. The TCN structure support pole will be
414 situated away from the freeway with one digital display
415 sign face measuring 1,200 square feet and 30 feet in height.

416 29:25 Next slide. Freeway facing sign number four, is slated for
417 the 101-Freeway southbound lanes at Beaudry Street near
418 the intersection of Temple. The TCN structure pole will be
419 situated closer to the freeway with two digital display sign

420 faces measuring 672 square feet each and an overall height
421 of 75 feet.

422 29:51 Next slide. Here we have freeway facing sign number six,
423 which is situated along the southbound lane of the 5-
424 Freeway, at Avenue 19, in Lincoln Heights. The sign poll
425 is directed away from the freeway and includes two digital
426 display sign faces, each 672 feet and 85 feet in height.

427 30:16 Next slide. On this slide we have freeway facing sign
428 number seven, which will be located adjacent to the 5-
429 Freeway, northbound lanes at San Fernando Road in
430 Lincoln Heights. This would be opposite of the freeway
431 facing sign number six that we just saw. This TCN
432 structure will have the pole situated close to the freeway
433 with two digital display sign faces, measuring 672 square
434 feet on each side of the structure and will again measure
435 approximately 85 feet in height from grade.

436 30:55 Next slide. This rendering shows freeway facing sign
437 number eight, along the 5-Freeway southbound lanes at the
438 10-Freeway interchange. It includes two digital display
439 sign faces, both being 672 square feet in size and 85 feet in
440 height.

441 31:18 Next slide. Here we have freeway facing sign eighteen.
442 This sign would be along the 5-Freeway southbound lanes
443 at Tuxford Street in the valley. It would include two digital

444 display sign faces, again, 672 square feet each, and at a
445 height of 85 feet with the pole situated close to the freeway.
446 31:44 Next slide, please. This slide shows freeway facing sign
447 number nineteen, along the 118-Freeway eastbound lanes
448 at San Fernando Road. The pole is situated close to the
449 freeway, with two digital display sign faces, again,
450 measuring 672 square feet and 80 feet in height.
451 32:08 Next slide. Freeway facing sign number twenty, is
452 proposed on the 118-Freeway eastbound lanes or
453 westbound lanes at San Fernando Road. The TCN structure
454 will have its pole situated close to the freeway with two
455 digital display sign faces, measuring 672 square feet each
456 and a maximum height of 80 feet. This would be opposite
457 of the freeway facing sign number nineteen.
458 32:40 Next slide, please. Freeway facing sign number twenty-six,
459 proposed at the 405-Freeway northbound lanes at
460 Exposition Boulevard. The TCN structure will have its
461 poles situated close to the freeway with two digital display
462 sign faces, again measuring 672 feet each, and a maximum
463 height of 95 feet.
464 33:04 Next slide, please. Freeway facing sign number thirty-one,
465 is proposed at the 105-Freeway, westbound lanes and
466 Aviation Boulevard. This TCN structure will have the pole
467 situated away from the freeway with two digital display

468 sign faces measuring 672 square feet with a maximum
469 height of 90 feet.

470 33:31 Next slide. Freeway facing sign number thirty-three, is
471 proposed at the 110-Freeway southbound lanes at Slauson
472 Avenue. This TCN structure will have one digital display
473 sign face, measuring 672 square feet, a maximum height of
474 80 feet, with its pole situated away from the freeway.

475 33:57 Next slide. Freeway facing sign number thirty-four, would
476 be also located along the 110-Freeway northbound lanes at
477 Slauson Avenue and would be opposite of the freeway
478 facing sign number thirty-three. Two digital display sign
479 faces measuring, again, 672 square feet each with the TCN
480 pole situated away from the freeway. This would be 80 feet
481 in height.

482 34:27 Now we'll move on to a couple of examples of non-
483 freeway facing signs. Non-freeway facing sign number
484 nine, would be located at the northeast corner of Van Nuys
485 Boulevard and the orange line bus stop. The TCN pole is
486 situated closest to the street with two digital display sign
487 faces, measuring 300 square feet each and 30 feet in height.

488 34:59 Next Slide. Non-freeway facing sign number seventeen,
489 would be located at Century Boulevard and Aviation near
490 the Metro K Line station. The TCN poll is situated closest
491 to the street with two digital display sign faces, each

492 measuring 672 feet and 80 feet in height, mainly due to the
493 elevated platform at the K Line station.

494 35:29 Next slide. Public Hearing and Communications. Pursuant
495 to the Municipal Code Section 12.32 C4, City Planning
496 posted in the Los Angeles Times notifying the public of
497 both the Staff-level hearing and today's commission
498 meeting. The department is also required to send notice of
499 the proposed ordinance to occupants and owners within a
500 500-foot radius of the proposed TCN location. In total,
501 10,622 notices were mailed 24 days prior to both the staff
502 level hearing and today's CPC hearing. The staff level
503 hearing was held on July 12th, marking the beginning of
504 the public comment period, which ended on August 22nd.

505 36:25 Next slide. At the virtual staff public hearing,
506 approximately 127 members of the public joined and 74
507 participants provided verbal comments, some in support
508 while others in opposition. In addition to the verbal
509 comments at the hearing, City Planning received
510 approximately 760 emails regarding the proposed
511 ordinance during the comment period. While all the
512 comments were summarized in the Staff Recommendation
513 Report, we'd like to provide a high-level overview here.

514 36:59 In summary, those in support identified the opportunity for
515 funding public transit, and the potential for increased
516 public safety and reliability of the transit network, as a

517 benefit of the TCN program. Further benefits were
518 discussed, including public messaging, reduction of
519 blighted static billboards, as well as the use and deployment
520 of modern technology, were also among the main points
521 made by those in favor of the proposed ordinance. By
522 contrast, the main point raised by those in opposition
523 identified strong concern for roadway safety from
524 distracted drivers looking at advertisements when
525 emergency messaging can already be received via personal
526 devices, adding that the signage will not significantly
527 enhance the transportation network but rather impact the
528 aesthetic quality of the city overall, and add to visual blight.
529 Concerns about environmental impacts have also been
530 raised, as well as legal and economic concerns. It should be
531 noted that while much of the written comments have been
532 in opposition, including the community impact statements
533 found in the council file, there were more verbal comments
534 in support of the proposed ordinance than in the opposition,
535 at the July 12th hearing.

536 38:19 Revisions and corrections. In response to public comments
537 and also to refine definitions and provisions, the draft
538 ordinances released in June 2023 have been modified to
539 reflect several revisions and corrections, including but not
540 limited to, the removal of restrictions from sign
541 permissions in Chapter 1-A, corrections to the freeway

542 facing sign, non-freeway facing sign, and sign area
543 definitions, removal of the total sign area definition,
544 clarification of 19 assessor parcel numbers, correction and
545 expansion of the illumination standards and technical
546 corrections throughout the ordinance. More details on all
547 their revisions and corrections is provided in the Staff
548 Recommendation Report.

549 39:05 Next slide. Environmental Impact Report. The Metro TCN
550 project requires an Environmental Impact Report pursuant
551 to CEQA. Metro is the Lead Agency while the city is the
552 Responsible Party as required under the MOA. Eyestone
553 Environmental was selected by Metro to be the lead
554 consultant for the EIR. The draft EIR analyzed 56 locations
555 with 97 digital display sign faces and a maximum of 55,000
556 square feet of sign area. Prior to the certification of the EIR,
557 three locations were removed. The final EIR was certified
558 by the Metro Board of Directors on January 26, 2023.
559 Shortly thereafter and prior to the city releasing its draft
560 Land Use Ordinance in June 2022, June 2023 (apologies),
561 Metro removed an initial four locations, at the Spring Street
562 Bridge, Lankershim Boulevard and Chandler Boulevard,
563 Central Avenue and First Street, and Fourth Street and
564 Santa Fe. The overall locations were reduced from 56 to 49
565 proposed TCN locations.

566 40:19 Next slide, please. After the final EIR was certified by the
567 Metro board in January of 2023, the project was slightly
568 modified as part of the city's consideration for the zoning
569 ordinance. An addendum was prepared to include minor
570 modifications and clarifications to the certified EIR. The
571 modifications include reduction of TCN structures from 56
572 to 49, reduced digital display sign faces from 97 to 86,
573 minor height revisions to three structures, advancing the
574 hours of operation from 7:00 AM to 12:00 AM, to 5:00 AM
575 to 12:00 AM, and the clarification of the nine APNs.
576 Overall, the modifications did not result in any significant
577 impacts as previously analyzed in the EIR and does not
578 warrant a supplemental EIR pursuant to Section 15162 of
579 the CEQA Guidelines.

580 41:17 Next slide, please. We're almost there. Finally, on to the
581 department recommendations and considerations, in line
582 with the department's past citywide recommendation for
583 public only option for off-site digital billboards, Planning
584 recommends the program with some modifications. As a
585 reminder to the commissioners, there are a total of 49 TCN
586 structures and 86 signs proposed. And after Staff
587 consideration of the General Plan Policies, site context
588 under each Community Plan, and public feedback received,
589 the department recommends three modifications to the
590 proposed ordinances before you. The first is the removal of

591 two sites: freeway facing sign number thirteen, and
592 freeway facing sign number fourteen, near the Bowtie State
593 Park, that is under, sorry, near the Bowtie State Park. While
594 the EIR studied the aesthetic and biological resources
595 relative to the Wetland Demonstration Project under
596 development within the area, other considerations factor
597 into Planning's recommendation, including the vision for
598 this future park as a respite that will provide native habitat
599 that will help bring wildlife back to the LA River.

600 42:46 In addition, California State Parks and Recreation
601 submitted a letter supporting the removal of these sites due
602 to the proximity of the signs to natural resources of regional
603 significance. The signs are approximately 619 feet and 820
604 feet away from the park, respectively. Secondly, staff is
605 recommending that the minimum Caltrans distance be
606 extended from 1,000 feet (apologies for the error on this
607 slide. It is a thousand feet, not five hundred), as shown in
608 the ordinance, currently to 2,640 feet or one-half mile. This
609 increase will materially only affect one sign in the
610 downtown area, freeway facing sign number three, but will
611 ensure that any future potential amendments to this TCN
612 SUD will not create an over concentration of digital
613 signage and wouldn't create a new precedent.

614 45:54 Lastly, both Planning Staff and Metro Staff have discussed
615 and tentatively agreed to the integration of public art on the

616 reverse side of single face sign structures, on both freeway
617 facing and non-freeway facing signs. We anticipate this
618 will be appropriate for some six to eight signs for which no
619 commercial messages or illumination would be allowed.
620 Planning's decision to recommend the program with these
621 modifications has come after many months of analysis and
622 collaboration not only with Metro, but LADOT and other
623 departments.

624 44:35 Only after thoughtful consideration of the project and
625 incorporation of both significant safeguards relating to the
626 applicability, illumination standards, operations, and the
627 periodic review of the program, and a significant sign
628 reduction program. With that the current slide shows all the
629 recommended actions, including the technical modification
630 submitted to the commission. And now we will hand the
631 floor over to our Metro counterparts for their presentation.

632 **Samantha Millman:** 45:11 Before you get up, I think the easier way to do this in case
633 there are technical questions while you're still seated -
634 commissioners, are there any technical questions about
635 anything you have heard from the Planning Department? I
636 see Jacob reaching for his microphone.

637 **Jacob Noonan:** 45:30 I think a couple of these would be technical. At least one of
638 them. I'm curious, what criteria influenced what side the
639 pole was located on, on these different sites? And this
640 might just be in particular, a question in particular to one

641 site itself and the ultimate use of that site. But I would be
642 curious to hear what that criterion is, why was the pole
643 located on the freeway side or away from the freeway side?

644 **Andrew Pennington:** 46:01 I think a lot of it has to do with how the lot is situated. I
645 think we will end up deferring to Metro and their team to
646 go into the details of any individual sign and how it was
647 cited on it.

648 **Jacob Noonan:** 46:17 Okay, so that was Metro. That was [unclear 46:19]. The
649 other question that I had was, were long term uses of the
650 sites considered when placing these sites and deciding
651 whether the poll would be on one side or the other? So just
652 asking that question now for Metro's benefit. The other
653 question that I had was, I'm curious what types of projects
654 that revenues would fund? And perhaps that's also a Metro
655 question. And then lastly, I noted that there were some
656 recommendations received from the public. In particular,
657 there was one that was suggesting that there's benefits to
658 community, especially around aesthetics and strengthening
659 public trust. And I'm wondering how that and the other
660 comments were integrated into the final recommendation.
661 So these are the recommendations and suggestions that
662 were received from the public.

663 **Andrew Pennington:** 47:31 I think, you know, during our public hearing, and
664 subsequent to that, we made some significant adjustments
665 to our proposed ordinance. And one of them was

666 strengthening the elimination standards that are
667 incorporated into the program. I think, in conversations and
668 negotiations with Metro, we were able to incorporate a
669 stronger illumination standard to minimize light spillage
670 and minimize the viewable area for the signs, to basically
671 minimize the impacts on the aesthetics of the surrounding
672 area and the scenic vistas that it may be near. So, I think,
673 there's definitely a concerted effort on our part to
674 strengthen the ordinance, where we felt that we could
675 provide more clarity and provide more protection for the
676 communities that it would be located within.

677 **Hagu Solomon-Cary:** 48:29 Hagu Solomon-Cary for the record. And I would also just
678 like to add that, you know, our efforts to go to the PVP
679 Board to get the kind of design component of the aesthetic
680 question that the public has raised, also contributes to kind
681 of, you know, doing our best to push for a design that, you
682 know, kind of satisfies the intent of this program. I'd also
683 add, you know, that I think mainly, the aesthetics can kind
684 of range but our recommendation to remove the two sites,
685 and if thirteen and fourteen near Bowtie State Park, also
686 speaks to our consideration of aesthetics, particularly in a
687 natural habitat, that is envisioned for that long term use in
688 that area.

689 **Samantha Millman:** 49:15 Thank you.

690 **Commissioner Gold:** Commissioner Gold, I just actually wanted to follow up
691 from a point that Commissioner Noonan raised. So, the
692 revenue to the city is going to be earmarked for LADOT to
693 be used for transportation related projects. What does that
694 mean in this context? Does that mean transit projects or
695 bike and pedestrian projects? Or does that mean car
696 centered infrastructure?

697 **Andrew Pennington:** 49:43 Our understanding of the MOA is that it is a far reaching
698 kind of interpretation of – op, sorry. Andrew Pennington,
699 with City Planning. Our interpretation of the memorandum
700 of agreement where it stipulates what types of projects
701 would be available for funding from the revenue generated
702 - it would be any one of those number of projects. And I
703 think, a lot of it would be focused on transit amenities,
704 supporting projects like the expansion of LA Dash, and the
705 infrastructure around the different stops and locations
706 throughout the city. I think there is the interpretation of
707 what transit projects is, is open to interpretation by the
708 different agents, by LADOT, to determine how best it can
709 be funded. And also, I will add that at the end of the day, a
710 separate ordinance would need to be brought through, not
711 by us, but by most likely the CAO or LADOT to create the
712 special accounts for the funding to go into, as well as create
713 parameters for how that funding would be spent and how
714 expenditures would be identified. So, there is much more

715 discussion that would need to happen by the City Council
716 and by the departments within the city to determine exactly
717 how the funding would be allocated, and what expenditures
718 would be identified and how they would be prioritized.

719 **Commissioner Gold:** 51:11 Thank you.

720 **Commissioner Lawshe:** 51:15 Excuse me. Commissioner Lawshe. Just quickly, one is a
721 clarification on, I'm looking at the modification document,
722 the chart, table 7.2, item NFF 17. Is the maximum sign...is
723 that a typo or what does that mean? Everything else reads
724 30, which I am assuming is 30 feet. And then there's this
725 8,065.

726 **Andrew Pennington:** 51:43 Hold on. One second while I pull it up. Apologies. Yes, that
727 is incorrect. It would be 80 feet. I think there was supposed
728 to be a strikeout through 65 and an underline under 80. And
729 I think that is where the mistake was made.

730 **Commissioner Lawshe:** 52:08 Okay. And I assume that has to do with the topography of
731 the site.

732 **Andrew Pennington:** 52:11 Yeah, a lot of this comes down to whether or not it's
733 adjacent to some type of structure. Especially, since this is
734 a non-freeway facing location, more likely than not, I
735 believe this sign is located next to one of Metro's elevated
736 light rail stops.

737 **Commissioner Lawshe:** 52:29 Okay. And then my other question, my understanding is the
738 sign proposed off of the two that was close to an
739 environmental - that is no longer...

740 **Andrew Pennington:** 52:42 That is for your consideration, as part of our
741 recommendation. So ultimately, it will be up to the
742 commission, whether or not they would forward to the City
743 Council as part of their recommendation, that that site be
744 removed. So, it's up to the commission, if they would want
745 to remove. It's our recommendation that they be removed.

746 **Commissioner Lawshe:** 53:00 Right. Thank you.

747 **Samantha Millman:** 53:01 Thank you. One other question is that you change the hours
748 of operation from 7:00 AM to midnight, to 5:00 AM to
749 midnight. And I am wondering if you can talk us through
750 what went into that decision and why you made that
751 decision?

752 **Andrew Pennington:** 53:20 Sure, I think a lot of that came from our negotiation and
753 deliberations with Metro over the scope of the program.
754 And I think they had pushed back against us on the concept
755 of hours of operations to begin with. We kind of stood firm.
756 However, they showed data to us that showed that their
757 commuters and rail and bus riders really start to come out
758 in significant numbers starting at 5:00 AM. And that
759 morning rush kind of really starts getting going before our
760 7:00 AM operation hours would go into effect. And part of
761 this TCN program is the public messaging that would be
762 on these boards that could provide, you know, service
763 updates, emergency messaging, public messaging in
764 general to those commuters.

765 **Samantha Millman:** 54:18 So to paraphrase, thank you, Andrew, it's more for
766 visibility of the signs than it is for limiting the light impact?

767 **Andrew Pennington:** 54:32 I mean, I think a lot of it is the reason we put the hours of
768 operation into place within the ordinance is to minimize the
769 light impacts overnight. Obviously, you know, it is still
770 dark at 5:00 AM for most of the year, so we do understand
771 that that will have some impact on adjacent residences or
772 sensitive uses, but at the same time that has to be balanced
773 against the reality that Metro services a lot of commuters
774 that start their day, unfortunately at that early hour.

775 **Samantha Millman:** 55:06 Thank you. That's helpful. Are there any other technical
776 questions before we hear from Metro and their
777 representatives? Okay, thank you so much. We will, I'm
778 sure have questions later. I appreciate the thorough report
779 and taking the time to answer our questions.

780 **Jack Rubens:** 55:30 Morning, Madam President and Commissioners.

781 **Samantha Millman:** Good morning.

782 **Jack Rubens:** Due to the complexity of the issues before we get started, I
783 wanted to let you know that we are requesting 19 minutes
784 for our presentation, which is intended to complement the
785 Staff Presentation.

786 **Samantha Millman:** 55:42 Since this is all Staff Presentation, you're not being timed.
787 So please go ahead.

788 **Jack Rubens:** 55:48 Thank you. I am Jack Rubens with the Sheppard Mullin
789 law firm on behalf of the Los Angeles County Metropolitan

790 Transportation Authority, which initiated the TCN
791 program and is working in partnership with the City of Los
792 Angeles to implement it. Our first speaker is Holly
793 Rockwell, the Senior Executive Officer of real estate for
794 LA Metro, followed by me. We'll be referring to slides in
795 our PowerPoint, and our entire team is here today to answer
796 any questions you may have. Holly.

797 **Holly Rockwell:** 56:23 Good morning, Madam President, commissioners. I know
798 there's been a long history of billboard regulations in the
799 city of LA. I believe a lot of it has been driven by private
800 interest. I'm here as a representative of the third largest
801 transit agency in the country. And we are growing quickly.
802 Our goal is to permanently transform mobility in LA
803 County, and we see the Transportation Communication
804 Network, the TCN, as a critical part of that. I know
805 billboards can be polarizing. We're all aware of examples
806 of billboards that have been implemented in a way that
807 didn't have the public good at the forefront. But as a
808 government agency, we are committed to the public good
809 and not just there for financial profit. This program brings
810 a tremendous amount of benefits, and I'm excited to share
811 them with you today. I know that staff has already talked a
812 lot about the TCN backgrounds, there are just a couple of
813 points that I wanted to make here.

814 57:19 One is that we did extensive outreach for the
815 Environmental Impact Report. We did over 17,000 mailers
816 to businesses, owners, and residents within 750 feet of the
817 property. And we did that twice. We did e-blasts four times
818 to over 200,000 Metro and community stakeholders. In
819 January of 2023, our board approved this project. Our
820 board is made up of the five county supervisors, four
821 representatives of the city of LA, and four representatives
822 from cities outside of city of LA. It passed with 11 votes in
823 favor and one abstention.

824 57:56 So going through the benefits of the program, first of all, is
825 eliminating hundreds of dilapidated signs. And I'll come
826 back to that in a little bit further. The next item is the public
827 service announcements. And I did want to speak about that.
828 We at Metro, we don't purchase a lot of advertising. It's
829 very expensive. And so we reserve it for special occasions.
830 This year, we opened and went into service on both the
831 Crenshaw LAX line as well as the regional connector here
832 in Downtown LA. So we did invest in advertising for those
833 programs. We also do it when we have a great opportunity
834 to encourage mode change. And so "Go Metro" for Taylor
835 Swift, was an extremely successful campaign program that
836 got a lot of people out of their cars as they went to SoFi
837 Stadium.

838 58:41 I also wanted to talk...so this program presents an
839 opportunity. With this program we will have eight seconds
840 of public transit messaging, approximately every minute.
841 We have a number of new projects coming in. We have the
842 D line, which will be the VA and Westwood to Downtown,
843 in less than 30 minutes. East San Fernando Valley line, the
844 East Side extension, West Santa Ana branch, Sepulveda,
845 all of these touch the city of LA or are in the city of LA.
846 And so we need the TCN to inform the public about the
847 nature and status of these types of projects, particularly
848 those who are sitting in their cars. We also have the
849 opportunity to use these for messaging about choices.

850 59:22 So for example, we could put on the billboard: There's 50
851 spaces available at the North Hollywood parking lot or 30
852 spaces available at Universal. Or you can spend the next
853 hour parked on the 101 sitting in traffic. We can use these
854 to help people make really good choices. We are building
855 a network but we need this TCN to help us communicate
856 how and where to use that network. The third item is
857 emergency information. Right now, it takes weeks, if not
858 months, for the, to put a new display up on a static
859 billboard. With the TCN program, we have the ability to
860 instantly take over 49 locations in the city of Los Angeles.
861 Being able to provide messaging and important
862 information to people at the time that they most need it. I'm

863 going to talk a little bit further about the real time traffic
864 data, the live video and security feeds, the REIT System,
865 and advertising revenue a little bit later.

866 1:00:16 So this chart puts together a side-by-side comparison of
867 what we have existing versus what we would have under
868 the TCN Program. Because if this ordinance does not go
869 forward, we will continue to have the existing billboard
870 program that Metro inherited when it purchased the
871 railroad 30 years ago, 30+ years ago. So this allows, the
872 TCN program allows for a reduction in the overall number
873 of signs to improve the condition by eliminating blight, to
874 reduce impact to equity-focused communities and to
875 remove signs from residential and environmentally
876 sensitive areas. Another couple of pieces that I want to
877 focus on for this discussion is the ownership and control.
878 Currently, private markets control those advertising signs.
879 Under this program, Metro would own and control the
880 signs. And we as I mentioned, have a much more vested
881 interest in the public good. We also have a tremendous
882 amount of accountability. As I mentioned, the composition
883 of our board, we have elected officials with constituents.
884 We also have monthly public meetings, that if there was
885 ever a problem with the operation or maintenance of a sign,
886 the public would have the ability to come forward and
887 speak to our board about it.

888 1:01:26 The other item that I want to draw your attention to was the
889 content. So currently, there are no restrictions on content
890 for the billboards on our property. Under the TCN program,
891 we would have, the content would be under our advertising
892 policy, our Metro Advertising Policy, which does not allow
893 for alcohol, marijuana, tobacco and other items that our
894 board has felt were not appropriate for us to be advertising
895 on public property.

896 1:01:53 So these are existing signs that will be taken down under
897 the TCN program. This first one has content that would not
898 be acceptable under the TCN program. This one's in a
899 residential neighborhood and actually, right adjacent to a
900 Metro Bikeshare Station. Many of the signs are rusted or
901 graffitied. And again, just in terms of size and scale, a lot
902 of inappropriate locations have been selected for the
903 previous signs. All those signs we've taken down with our
904 program. And in contrast with the TCN Program, the look
905 is very modern and sleek. And we've been very careful
906 about how to choose our locations. And there was a
907 question about choosing locations. A lot of our property is
908 at the intersection of a freeway and a railroad. It's not very
909 usable for anything else.

910 1:02:54 So some additional pieces of information about the TCN.
911 We have tried to maximize the number of removals. That's
912 been a key focus of our program. So under the ordinance,

913 we removed 200 existing signs related to freeways and 3 to
914 1 on non-freeways. I mentioned before the equity piece,
915 57% of the removals of the existing static signs would be
916 in Metro's defined Equity Focused Communities. And
917 32% of the new ones would be in Equity Focused
918 Communities, so overall, lessening the impact in the equity
919 communities. I also wanted to mention that our displays are
920 smaller than a lot of things that are out there in LA right
921 now, with the 300 square feet for non-freeway signs, and
922 672 square feet for freeway facing signs. The program of
923 the [Unclear 1:03:42] itself is about the same size as the
924 entire program that we are proposing over 49 signs.

925 1:03:44 I also want to mention that these signs flip every eight
926 seconds. They are not animated, so they're not catching the
927 eye of the driver through animation. The data collection
928 system--we can utilize these 49 locations to put cameras as
929 well as sensors. That information can then be gathered and
930 put into the Regional Intelligent Information
931 Transportation System also known as REITS. LA Metro,
932 LADOT, Caltrans, Highway Patrol, the Ports, a number of
933 other local jurisdiction agencies use this data to help
934 collaborate, communicate, and figure out the safest way to
935 address our highways and streets. The data that would be
936 collected on these signs is all the same data that's already
937 being collected by those agencies. There's no new form of

938 data that we're collecting, and certainly no personal data
939 would be collected.

940 1:04:36 In terms of revenue generating, over 30 years, the program
941 can generate a billion dollars, would be split evenly
942 between the City of LA and Metro. Those funds would go
943 to transportation projects, could be bus lanes, shelters, zero
944 emission buses, bike and pedestrian routes. A billion
945 dollars towards those functions would be a tremendous
946 amount of money and tremendously helpful in terms of
947 continuing to improve the City of Los Angeles. If, Jack will
948 talk about it a little bit further, if we don't end up with the
949 30 years, then we end up with 15 years, it's about half that.
950 So, we'd like to be able to have the full billion at our
951 disposal. And then there's no upfront cost for the taxpayers,
952 this is all new money for transportation uses. And so we're
953 excited to bring that to the table. You should have in your
954 possession a letter from our CEO, Stephanie Wiggins,
955 outlining these benefits. And I appreciate the time here this
956 morning and your consideration. Turning it back over to
957 you Jack.

958 **Samantha Millman:** 1:05:31 Thank you.

959 **Jacob Noonan:** 1:05:40 While we have this slide up, could we ask a question?

960 **Samantha Millman:** 1:05:45 Please.

961 **Jacob Noonan:** 1:05:46 Just to clarify the first two bullet points, the 30-year
962 operational period versus the proposed 15 to 18, are you
963 looking to do a 30-year operational period?

964 **Holly Rockwell:** 1:05:58 We are. We feel like the amount of time, the 15 to 18 year
965 period it would give us, is not sufficient for us to achieve
966 all the goals that we would like to with this program. So we
967 are requesting a 30-year period.

968 **Jacob Noonan:** 1:06:11 Today you're requesting the 30-year period?

969 **Holly Rockwell:** 1:06:13 We are.

970 **Jacob Noonan:** 1:06:14 Thank you.

971 **Samantha Millman:** 1:06:14 And the MOU was for 20 years?

972 **Holly Rockwell:** 1:06:16 It is.

973 **Samantha Millman:** 1:06:17 Okay. Thank you.

974 **Holly Rockwell:** 1:06:19 No, the MOU is intended to be the arrangement between
975 the City of LA. It was never intended to be the length of the
976 ordinance. But it was intended to be a method for the City
977 of LA and Metro to revisit the program.

978 **Samantha Millman:** 1:06:30 Thank you.

979 **Jack Rubens:** 1:06:40 Jack Rubens on behalf of Metro. Turning now to the
980 specifics of the TCN District Ordinance. We very much
981 appreciate Staff's revisions to address many of Metro's
982 substantive and technical comments. We're going to focus
983 today on four provisions in the ordinance discussed in our
984 August 31 letter to you, that have not been addressed and
985 Metro believes should be removed or modified.

986 1:07:05 First, Section 5D requires a further discretionary approval
987 as you've heard, a plan approval, after five years. The sole
988 justification for this requirement appears to be a concern
989 that the operation of the digital displays could result in an
990 increase in traffic accidents. For this reason, Section 5D
991 requires Metro to collect annual collision data for review
992 by LADOT. However, as extensively discussed in the EIR
993 for the program, there is no proven correlation between
994 digital signs and an increase in traffic collisions. Perhaps
995 most significant, the Federal Highway Administration
996 reached that conclusion in a major study, and Caltrans has
997 concurred with that determination. In fact, Caltrans itself
998 already uses digital signs for messaging to promote traffic
999 safety. As I'm sure all of us have experienced. So it is
1000 difficult to understand how LADOT could review collision
1001 data in the vicinity of the digital signs which are not
1002 animated, and prove any correlation between that data and
1003 the presence of the digital signs that would warrant any
1004 change in the terms of the ordinance. Metro therefore
1005 respectfully requests that Section 5D be eliminated from
1006 the ordinance.

1007 1:08:23 Second, Section 5E1 states that the ordinance would expire
1008 on January 13, 2042. This has to do with the questions you
1009 just asked. That's less than eighteen and a half years from
1010 now. And note that the time period will further shorten until

1011 the ordinance actually becomes effective. Moreover, many
1012 of the signs won't be installed for several years after the
1013 ordinance becomes effective, so that the operational life of
1014 the signs is effectively 15 to 18 years. Given the significant
1015 investment involved, and the several years of pre-
1016 development activity required just to reach this point,
1017 Metro does not believe that the operational life of the
1018 digital signs should be limited to 15 to 18 years. It therefore
1019 requests as shown on the slide, that the duration of the
1020 ordinance be extended to the 30th anniversary of the earlier
1021 of, one: The third anniversary of the effective date of the
1022 ordinance. And two: The date on which all of the new
1023 digital signs have commenced operation. This accounts for
1024 the estimated three years it could take to install all of the
1025 new signs and provides 30 years of operational life after
1026 they have all been installed. And that's generally consistent
1027 with the MOA, which expressly contemplates a mutually
1028 agreed upon extension of time, as Holly indicated.

1029 1:09:49 Third, another topic you briefly discussed. Section 7A3
1030 limits the hours of operation for freeway signs from 5:00
1031 AM to midnight. We do appreciate Staff's
1032 recommendation to allow operation to commence at 5:00
1033 AM, Metro additionally requests that the end time be
1034 extended from midnight to 2:00 AM for just the freeway
1035 facing signs. We think this is appropriate for several

1036 reasons you can see on the slide, including that the display
1037 traffic information is necessary and useful for freeway
1038 commuters throughout the night. And the signs will have
1039 no greater impact during the late night.

1040 1:10:30 Fourth and finally, Metro does not believe that the
1041 abbreviated provision in Section 8A for the Sign Reduction
1042 Program provides sufficient detail to explain how the
1043 program will actually work, particularly, given that the
1044 programs are somewhat different for freeway facing signs
1045 and non-freeways facing signs. Exhibit three to our August
1046 31 letter, includes an expanded version of 8A to flesh out
1047 that program. Among other things that utilizes sign
1048 removal banks to keep track of the existing static signs that
1049 are removed and apply them to offset the new signs. Metro
1050 is concerned with the substantive requirements. Well, I
1051 should say Metro is also concerned with the substantive
1052 requirements. The 200 existing static signs have to be
1053 removed before the city approves a single freeway facing
1054 sign. That is simply unworkable. Because the removal of
1055 each existing sign requires a separate negotiation and
1056 timetable and some will present unique issues. That is true
1057 for the 125 of the 200 existing signs that are located on
1058 Metro owned properties, as well as the additional 75 signs
1059 that Metro must remove. What Metro has proposed is the
1060 minimum removal of six existing signs in connection with

1061 each application for a freeway facing sign and additional
1062 removed signs would be banked and applied to the
1063 subsequent applications after that. This method provides
1064 necessary and reasonable flexibility while ensuring that all
1065 200 signs will be removed by the time the final freeway
1066 facing sign is approved.

1067 1:12:07 One more point. Metro is concerned with the requirement
1068 in Section 8B1 that it must submit a valid building permit
1069 for a removed sign in order to receive credit for it. The city
1070 has long recognized the infeasibility of meeting this
1071 requirement due to lost and destroyed city records. We
1072 understand that it is the City Attorney's position that an
1073 existing sign should be presumed legal in the absence of
1074 affirmative evidence that it is illegal. Metro therefore
1075 respectfully requests the elimination of this requirement.

1076 1:12:42 Next, we want to briefly address two environmental issues
1077 that had been raised in project comments. First, some claim
1078 that the project should not go forward because digital signs
1079 unduly distract drivers and cause traffic accidents.
1080 However, as already discussed and is summarized on this
1081 slide, there is simply no proven correlation between digital
1082 signs and an increase in traffic collisions. In fact, we are
1083 unaware of any legal proceeding involving a claim that a
1084 digital sign has caused a traffic accident.

1085 1:13:16 Second, there is a claim that light from the digital signs
1086 would significantly impact certain species such as
1087 songbirds and gnatcatchers during nighttime hours. First,
1088 the EIR determined that with the incorporation of a project
1089 design feature, the project would not have a significant
1090 biological lighting impact. That project design feature
1091 which has been incorporated into the TCN ordinance,
1092 requires louvers with both horizontal and vertical shading
1093 to ensure that light trespass illuminance at the property line
1094 of any nearby environmentally sensitive use does not
1095 exceed 0.02-foot candle, which our lighting expert who is
1096 here today has advised us is over four times more restrictive
1097 than the most conservative state standard of 0.09-foot
1098 candle, so that wildlife will not be impacted. And only four
1099 of the 49 TCN sites are even located in proximity to present
1100 or future environmentally sensitive uses. And just as a point
1101 of clarification, Bowtie State Park is not currently a state
1102 park, it is a proposed future state park which currently does
1103 not have wildlife that would be impacted by the signs, even
1104 if the signs cause that impact which they actually would
1105 not.

1106 1:14:36 Moreover, as you can see on the next slide, Section 6I2 of
1107 the ordinance includes a host of additional and effective
1108 illumination standards, that staff previously showed you,
1109 that would apply to all of the digital signs. To our

1110 knowledge, these are the most robust illumination
1111 restrictions that have been included in a city supplemental
1112 Sign Ordinance. It is also important to note that with the
1113 implementation of the Sign Reduction Program, the TCN
1114 Program will overall substantially reduce light and glare
1115 impacts on the surrounding community for several reasons.

1116 1:15:13 First, many more lighted signs will be removed than will
1117 be added. Second, the new signs will incorporate light
1118 reduction technology that has significantly advanced in the
1119 past few years. And we are happy to provide you more
1120 information about that. And is far superior to the lighting
1121 systems used for the existing signs, so that the new signs
1122 will have no material light and glare impact on sensitive
1123 uses, whereas the existing signs do. And third, a
1124 substantially lower percentage of the new signs, as Holly
1125 alluded to, will be located near residential or
1126 environmentally sensitive areas as compared to the existing
1127 signs that will be removed. So again, for all of those
1128 reasons, we think the lighting impact overall is going to be
1129 substantially reduced.

1130 1:16:01 Finally, op – there we go. We want to respond to two of the
1131 staff recommendations on page A-17 of your staff report.
1132 First, Metro respectfully requests that freeway signs FF-13
1133 and FF-14, which are two of the Freeway facing signs, be
1134 retained. While the California Department of Parks and

1135 Recreation has requested their removal, it has
1136 acknowledged that the two signs would be located a
1137 substantial distance from the future Bowtie State Park site.
1138 As you heard, FF-13 will be located a full 823 feet away.
1139 In comparison, the 0.02-foot candle standard in the EIR and
1140 the Ordinance, was only supposed to apply to signs less
1141 than 200 feet from an environmentally sensitive use. Metro
1142 has nonetheless agreed to meet that rigorous standard,
1143 which will as a practical matter, eliminate any light trespass
1144 into the future park. And again, our experts are here if you
1145 would like more information about that.

1146 1:17:12 Finally, Metro requests the retention of FF-3 which will be
1147 located on the north side of the 101-Freeway at Keller
1148 Street, near Downtown Los Angeles. Staff has
1149 recommended the removal of FF-3 because it is not located
1150 more than 2,640 feet or one-half mile from FF-1, which is
1151 the closest TCN sign on the same side of the freeway. There
1152 are no other TCN signs that are located less than one-half
1153 mile apart. However, as staff acknowledges on page A-16
1154 of your report, that is more than double the minimum
1155 separation distance required by Caltrans, which is 1,000
1156 feet. 1,000 feet is the separation distance that is currently in
1157 the proposed ordinance before you. And FF-3 is located
1158 approximately 2,100 feet from FF-1, more than double the

1159 Caltrans requirement. We think that is more than sufficient
1160 to retain the sign and ask that you do.

1161 1:18:14 So with that, Metro respectfully requests that the
1162 Commission recommend that the City Council adopt the
1163 proposed ordinances with the modifications that we have
1164 requested. And again, our entire team is here to answer
1165 your questions. We also would appreciate a brief
1166 opportunity to respond to public comment. Thank you.

1167 **Samantha Millman:** 1:18:35 Thank you. We may have some technical questions. I'll
1168 start, if that's okay. In our Google Drive, we have your
1169 presentation. So if you have seen us not looking at the back
1170 and looking at our computers, some of us may be following
1171 along there. So after your last slide of - thank you, I see
1172 some additional slides that appear to have the ability to
1173 show us the light blocking technology in the louvers.
1174 Would that be possible to display so we have a better sense
1175 of what you're talking about?

1176 **Jack Rubens:** 1:19:07 That would be possible.

1177 **Samantha Millman:** 1:19:08 Thank you.

1178 **Jack Rubens:** 1:19:09 And I'm going to introduce, Chang, you're going to have
1179 to tell me your last name. Chang, pronounce your last name
1180 so I don't butcher it. Chang Chen, who is a representative
1181 of the manufacturer who might be creating these signs is
1182 here to answer your questions about that.

1183 **Samantha Millman:** 1:19:28 Thank you.

1184 ? 1:19:30 (mumbling, cannot tell who is speaking or what they are
1185 saying)

1186 **Chang Chen:** 1:20:09 So anyways, while we are waiting for the video, good
1187 morning, President and committee members, my name is
1188 Chang Chen. I'm the inventor of this technology as well as
1189 the Head of Engineering and Product for Media Resources,
1190 who manufactures this technology as well. What we have
1191 today, in the video are a couple instances of our, what we
1192 call sightline light block, light trespass mitigation
1193 technology, which is intended in specific sites to eliminate
1194 the light emission into one of the adjacent areas and has
1195 been proposed in this case in four sites as part of this
1196 proposal. Just hope to get the video running.

1197 1:21:03 So if the video is not working, there's one slide that shows
1198 a comparison picture. Maybe I can just speak to that one in
1199 particular. This one has the picture. Yeah, there we are. So,
1200 in this picture, it shows the sightline technology and an
1201 older iteration. As we said, this is what we're proposing
1202 here is a very modern - the current technology - this is the
1203 previous generation but shows essentially the same effect.
1204 Where the top picture shows the read of the digital display
1205 from the road viewing angle, the bottom picture actually
1206 shows that same digital display operating at the same
1207 brightness, but when viewed from a residential
1208 neighborhood that was nearby. As you can see from the

1209 photo, the images essentially eliminated, and therefore
1210 there's no light trespass that nearby residential community.
1211 Unfortunately, we don't have the videos to show which
1212 really illustrate it very, potentially much more clearly. But
1213 that picture kind of gives a sense for how it works.

1214 **Samantha Millman:** 1:22:19 Thank you so much. And as, I mean, we're relying on your
1215 testimony since we don't have the videos. Is it that marked
1216 of a difference at night as well?

1217 **Chang Chen:** 1:22:32 Yeah. In fact, at night, it's an even more dramatic
1218 difference. Frequently, from, at nighttime, it will reduce...
1219 sorry. Essentially, the specification for this product is to
1220 reduce the light emission in the blocked or protected areas
1221 by more than 99%. And therefore, essentially eliminates
1222 light trespass.

1223 **Samantha Millman:** 1:22:52 Okay, thank you so much. Are there any other technical
1224 questions for Metro? Seeing none, thank you so much.
1225 Planning Staff, is there anything else for your presentation
1226 or are we ready to move on? Okay, so I'm going to kind of
1227 give a roadmap for the rest of this item and then the rest of
1228 the day. So, what we're going to do right now is take public
1229 testimony. I think we are also joined by some Council
1230 offices who will want to weigh in after the general public.
1231 At that time, we are going to take a 20-minute recess for
1232 lunch. After lunch, we will come back. Staff will have the
1233 opportunity to respond to public comment. And then we

1234 will begin our deliberations. And then after we do that we
1235 will move on to Item Number 8. So that is our plan for the
1236 day. At this time, we are going to open up the public
1237 testimony portion of this item. I'm going to start with our
1238 in-person speakers. Every speaker will have one minute to
1239 speak. And so I am going to begin to call our speakers.
1240 Amy Smith, Paul Moreno, Jeff Bree and Tyler Byrd. Please
1241 come up. Welcome.

1242 **Amy Smith:** 1:24:37 Hi, good morning. My name is Amy Smith and I'm here on
1243 behalf of [unclear 1:24:42] LA, and we are in support of
1244 the TCN project. I'd like to call the attention and recognize
1245 the fact that an otherwise stagnant ad space could be
1246 utilized to find a missing child, to alert of traffic incidences
1247 and avoidance methods, or to provide aid in evacuation and
1248 safety of the public during an emergency event. If one child
1249 is found safely, because someone saw an AMBER Alert
1250 posted on one of these billboards, or if family safely
1251 evacuates the San Fernando Valley during a fire incident,
1252 that to me, is both priceless and invaluable, and an asset
1253 that needs to be considered when looking at this project.
1254 We can recognize the sentiment that many residents have
1255 towards this project. But look at the huge positive
1256 communal benefits that will come and stand strongly
1257 behind the economic transformative and communal
1258 benefits that will be under, be taken to the City of Los

1259 Angeles. We support this project. And I hope you all have
1260 a wonderful day. Thank you for your attention.

1261 **Paul Moreno:** 1:25:50 Good afternoon. My name is Paul Moreno and I'm here on
1262 behalf of Ironworkers Local 433 to express our support for
1263 the project. We are excited about this project because it will
1264 provide good paying jobs and hire local residents who will
1265 both erect and maintain these signs, our members. We are
1266 proud to support this project and strongly urge you to
1267 support it too. Thank you.

1268 **Samantha Millman:** 1:26:12 Thank you. Welcome.

1269 **Tyler Byrd:** 1:26:18 Good morning. My name's Tyler Byrd. I'm with
1270 Ironworkers 416. We support this project. This project
1271 allows our hard-working men and women to advance their
1272 careers while earning middle class wages and benefits. The
1273 TCN network project will hire local and skilled
1274 construction workers to build their vision, ensuring a high-
1275 quality project and enshrining the community's basic
1276 economic needs by supporting the people all around. This
1277 project is great for our community and we strongly urge
1278 you to approve it. Thank you.

1279 **Samantha Millman:** 1:26:48 Thank you. I'm going to call some names and then you'll
1280 go ahead. Austin Alvarez, Francisco Rago, Zack Strassors
1281 and Neela Cook. And then if you are waiting, please come
1282 up. Thank you. Welcome.

1283 **Jeff Bree:** 1:27:04 Good morning. My name is Jeff Bree. I'm here on behalf
1284 of the Ironworkers 433, in support of this project. This
1285 project will provide a lot to the city and will do so while
1286 having supported the local skilled and trained workforce. It
1287 will bring fair pay, benefits, and support to the blue-collar
1288 middle class that give so much to the local economy. Please
1289 support this project and support us. Thank you for your
1290 time.

1291 **Samantha Millman:** 1:27:28 Thank you. Welcome.

1292 **Francisco Rago:** 1:27:34 Good morning. My name is Francisco Rago. I'm with the
1293 International Brotherhood of Electrical Workers, Local 11.
1294 The applicant has committed to hiring local residents and
1295 paying area wage standards, allowing our local workforce
1296 to go to work with dignity and the guarantee of fair pay.
1297 This project will have communal benefits, bring in much
1298 needed revenue to the city and lead to the betterment and
1299 modernization of Los Angeles. We strongly urge you to
1300 approve this project. Thank you for your time.

1301 **Samantha Millman:** 1:28:04 Thank you. Good morning.

1302 **Austin Alvarez:** 1:28:09 Morning. Good afternoon. My name is Austin Alvarez.
1303 And I'll be speaking on Agenda Item number seven. As a
1304 young adult, I am eager to see and experience opportunities
1305 that can enrich my life in Los Angeles. I realize that a lot
1306 of people are assuming the worst about what Metro will
1307 advertise. However, I am hopeful that something good can

1308 come out of the signage improvement. Grants,
1309 opportunities and even classes can be advertised through
1310 electronic signage that are far more likely to catch my
1311 attention than static signage. So, for me, I'm excited to see
1312 something that can change my life and enrich it for the
1313 better. Thank you for your time and consideration.

1314 **Samantha Millman:** 1:28:57 Thank you. I'm going to call up Sarai Jimenez, Nanette
1315 Machado, and Dan Silver. Good morning.

1316 **Sarai Jimenez:** 1:29:18 Good morning, City Planning Commission. My name is
1317 Sarai Jimenez, speaking on behalf of the Nature
1318 Conservancy. I would like to refer you to the secondary
1319 submissions submitted by the Nature Conservancy and the
1320 California Department of Parks and Recreation submitted
1321 earlier this week. We are, TNC is in support of the Staff
1322 recommendation to remove the billboards FF-14 and FF-
1323 13. Inadequate lighting impact analysis was not completed
1324 for these two billboards, because those analyses did not
1325 take into account current and future impacts to wildlife on
1326 or near the Bowtie Wetland Demonstration. The Bowtie is
1327 actually a part of the Rio de Los Angeles State Park and is
1328 actually currently part of the official State Park System.
1329 The distance of the two proposed structures is within 200
1330 feet of State Park boundaries. Per the proposed ordinance,
1331 the proposed structures are not allowed within 200 feet of
1332 a State Park. Thank you.

1333 **Samantha Millman:** 1:30:18 Thank you. Morning.

1334 **Zack Strassors:** 1:30:24 Hey, good morning, almost afternoon. Zack here and good
1335 to see you again, President Millman, and all the other
1336 Commissioners. So, for me, I'm just kind of baffled how
1337 the handful of us could have lasted so much longer than the
1338 USC issue. Because it seems like a slam dunk, right? You
1339 want to improve signage. You have a little bit better
1340 opportunity to do that with digital signage. I think it's an
1341 update that a city like Los Angeles probably is past due for
1342 making. So, you know, just like Austin said and some of
1343 the other people that presented, it seems like a no brainer.
1344 There are some things that we want to be able to bring to
1345 attention. We know that Metro has, you know, a long list
1346 of regulations and guidelines that they have to follow and
1347 that they're going to do with diligence. And, but, definitely
1348 we believe, and the community, I think, is behind this, that
1349 we want to be able to advertise certain things in our city,
1350 we want to be able to promote our city as updated. And it
1351 just definitely seems like the way to go. So, thank you guys
1352 again for your time. Good to see you again.

1353 **Samantha Millman:** 1:31:23 Thank you. Before you begin, I'm just going to call some
1354 people to line up behind you. Sam Nieto, Brenda Campos,
1355 Johnny Escobedo, and I think I have another one for Sarai
1356 Jimenez. Thank you. Please go ahead.

1357 **Neela Cook:** 1:31:40 Hi, good morning, everyone. My name is Neela Cook and
1358 I'm with Anchor Church of Los Angeles. This project gives
1359 residents of Los Angeles a way to protect and to, to be
1360 watched over. From issues of AMBER Alerts, to guiding
1361 people to safety during emergencies, this project can give
1362 precious lives and time when it matters the most. The
1363 power and protection of such a modern network can help
1364 to guide and watch over the city and can't be
1365 misunderstood. We support this project and the potential
1366 good it has for our city. Thank you. God bless.

1367 **Samantha Millman:** 1:32:22 Thank you. Morning.

1368 **Nanette Machado:** 1:32:29 Good morning. My name is Nanette Machado and as a
1369 MacArthur Park Board Member, I'm living across from the
1370 Metro station and there's a development that is going to be
1371 planning by the Metro and digital signs are going to bring
1372 revenue to the housing and also create jobs, hopefully for
1373 our homeless. And we are in great support of...we see a lot
1374 of billboards that are not generating money for our
1375 communities. And this project will do that and will create
1376 a positive environment. Also, by giving alerts, and as a
1377 rampart first responder in the community, I am glad that
1378 we're going to have it also close to our freeway, the 101.
1379 And including our youth, you know, empowering our
1380 youth as well by reading signs and also by contributing to
1381 beautifying the City of Los Angeles and the County.

1382 **Samantha Millman:** 1:33:32 Thank you. Good morning.

1383 **Dan Silver:** 1:33:37 Good morning, Commissioners. I'm Dan Silver, retired
1384 physician. Our roads are too dangerous. Your goal of
1385 eliminating pedestrian's fatalities is failing. The very
1386 purpose of digital billboards is to pull drivers' eyes off the
1387 road. Trust your own experience. You know how
1388 powerfully they do so. The very notion of increasing driver
1389 distraction is appalling and irresponsible. Maybe the
1390 people involved figure it won't be their own son or
1391 daughter, but it'll be somebody else's. Follow basic ethics
1392 and stop this program.

1393 **Samantha Millman:** 1:34:19 Thank you. I'm going to call a few more folks. Alejandro,
1394 William, Destiny, Kaylee, and Hayley. Welcome.

1395 **Sam Nieto:** 1:34:32 Good morning. My name is Sam Nieto. As a resident of
1396 Los Angeles as well as a resident of an area that will be
1397 affected by this project, I wanted to do my due diligence
1398 and research into this project. I recognize here and
1399 understand the concern that my fellow residents have
1400 raised to the idea of digital billboards becoming a cause for
1401 traffic congestion, a distraction and a potential safety
1402 hazard. But in my opinion, billboards have been around
1403 forever and traffic has always been as it's been. Areas of
1404 high density and major commuter paths are areas of
1405 congestion for so many reasons that it's truly a case of over
1406 simplification if you point at the billboard and say, "It's

1407 your fault.” After a lot of consideration, I found myself in
1408 support of this project. I hope all of you will support it as
1409 well. Thank you very much and have a good day.

1410 **Samantha Millman:** 1:35:27 Thank you.

1411 **Brenda Campos:** 1:35:31 Good morning to everyone. My name is Brenda Campos.
1412 And I believe the city of Los Angeles is famous for many
1413 things like beaches, movies industry, and thematic parks.
1414 Right now we want to [unclear 1:35:44] for digital
1415 billboards. There’s something there... The city
1416 deserves...the kids is using tool to have more power.
1417 Because when they see all of this, they ask us for working
1418 every single play that we have. These billboards are like
1419 the biggest, you know. We are going to see the big
1420 billboards because it’s not available in our city. I believe
1421 we deserve. The digital sign will bring more money to our
1422 community with alerts for emergency, homeless, resources,
1423 and metal housing projects too. They bring digital signs
1424 help us in the city. Thank you and I ask you for the support.
1425 Have a nice day.

1426 **Samantha Millman:** 1:36:32 Thank you. Good morning.

1427 **Johnny Escobedo:** 1:36:38 Good morning, Commissioners. My name is Johnny
1428 Escobedo with Ironworkers Local 416, and we support this
1429 project. We believe in projects like this one. The TNC
1430 project has a transformative vision. And we have seen our
1431 share of those. This project recognizes the importance of

1432 supporting the community by hiring locally and
1433 committing to living wages. The communal benefits of this
1434 project will bring forth the remarkable and commendable.
1435 We urge that you support good paying jobs and the
1436 community by approving this project. Thank you.

1437 **Samantha Millman:** 1:37:09 Thank you. Morning.

1438 **Alejandro Mauricio:** 1:37:14 Morning. Hi, my name is Alejandro Mauricio. I'm here
1439 today to voice my support for this project. I think it's very
1440 self-evident that the asks that we've heard today are
1441 extremely reasonable. There're countless benefits that
1442 range from stimulating economic activity to funds for
1443 improving Metro and elevating the city status among its
1444 peers. I think these are very invaluable benefits that I hope
1445 that the commission takes into consideration. This project
1446 and the city's overall modernization are needed desperately
1447 with the World Cup and the Olympics around the corner.
1448 Allowing the city to fall prey to strawman arguments
1449 brought about by NIMBYs which would limit this project
1450 would be a great disservice to all Angelenos. And in
1451 conclusion, I think that after seeing the presentation of the
1452 proposed amendments, nothing is more equitable than a
1453 billion dollars to improve access, safety, and efficacy of the
1454 very public transportation that black and brown riders use
1455 and depend on every day. Thank you very much.

1456 **Samantha Millman:** 1:38:12 Thank you. Welcome.

1457 **William:** 1:38:18 Hello, good morning. My name's William. I both drive and
1458 use public transportation. And I stand here in support of the
1459 proposed plan. I believe we should address the real issue in
1460 our streets and roads, which are reckless drivers. And I
1461 believe that approving this plan will help contribute to the
1462 streets for our pedestrians and bikers. It's time to prioritize
1463 safety over basic billboard concerns. Thank you.

1464 **Samantha Millman:** 1:38:44 Thank you. Before you begin, I'm just going to call some
1465 people to line up behind you. Sal Oridondo, Alex, Jesus,
1466 and Dream. Welcome.

1467 **Destiny:** 1:38:58 Hi, my name is Destiny. I urge the city to grant an approval
1468 for this program and activate the funds towards creating the
1469 safer transit system. I ride the train home from work every
1470 night and I shouldn't have the fear of taking the train might
1471 mean not coming home. We should take every opportunity
1472 to expand the ambassador program and providing more
1473 mental health options to make our transit system more
1474 welcoming. Thank you.

1475 **Samantha Millman:** 1:39:24 Thank you. Good morning.

1476 **Kaylee:** 1:39:27 Good morning. My name is Kaylee. Safety should be our
1477 top priority on buses and trains. I urge the use of this extra
1478 revenue to enhance safety programs within the public
1479 transit systems. When trains are safer, more people are
1480 going to want to ride the trains and buses as well. Thank
1481 you.

1482 **Samantha Millman:** 1:39:45 Thank you.

1483 **Hayley:** 1:39:47 Good morning. My name is Hayley. As a girl that uses
1484 public transportation every day for school, I
1485 wholeheartedly support this program, and I'm thrilled to
1486 see old billboards removed for new tech. Let's continue to
1487 enhance our community with bike lanes, safer roads, and
1488 improved shade structures. Thanks.

1489 **Samantha Millman:** 1:40:03 Thank you. Welcome.

1490 **Sal Oridondo:** 1:40:07 Good morning. My name is Sal and I support this project.
1491 Ensuring the availability of buses is crucial for reducing car
1492 usage. I take public transportation and drive, and I still
1493 support this program. We need funds for more bus drivers
1494 and keeping our routes operational. My grandmother didn't
1495 need to fear going home in the winter because the sun sets
1496 early and it's dark at bus stops. I don't think everyone
1497 should need to fear going home because it's dark at bus
1498 stops. I stand in support with the TCN. Thank you.

1499 **Samantha Millman:** 1:40:35 Thank you. The other two speaker cards I have for in-
1500 person, have checked that they are Certified Neighborhood
1501 Council members. Do we have community impact
1502 statements?

1503 **Cecilia Lamas:** 1:0:52 Cecilia Lamas, for the record. I actually received a total
1504 of...seven.

1505 **Samantha Millman:** 1:40:57 Okay, do we have any from...is Century Glen HOA a
1506 Certified Neighborhood Council?

1507 **Cecilia Lamas:** 1:41:02 No, it's a homeowner's association.

1508 **Samantha Millman:** 1:41:04 Okay. And then Westside Neighborhood Council. So,
1509 Barbara, I'm going to have you wait until the end and give
1510 you a little extra time. And then if I called your name and
1511 you were still waiting to speak, please go ahead. And then
1512 Shida Ashley, please join the queue. Welcome.

1513 **Speaker 33:** 1:41:23 Good morning, Commissioners. I endorse this initiative as
1514 it is crucial to secure additional financial resources for
1515 public transportation. If a private corporation is willing to
1516 provide funding for its maintenance, it would be wise to
1517 leverage their investment to enhance our mass transit
1518 system. Thank you. Have a nice day.

1519 **Samantha Millman:** 1:41:46 Thank you. Do we have Shida?... Oh, please go ahead.

1520 **Jesus:** 1:41:52 Hello, my name is Jesus. And as a concerned community
1521 member, I support the replacement of billboards with a
1522 cutting-edge communication network. The 21st century is
1523 here and Los Angeles needs to claim its place in it, joining
1524 other global cities and embracing innovation on public
1525 transportation. This network will not only improve our
1526 transit, but also provide real time traffic updates, vital
1527 emergency messaging, and much needed funding for
1528 transit projects. All of which are desperately needed with
1529 the World Cup and Olympics right around the corner.
1530 Thank you.

1531 **Samantha Millman:** 1:42:25 Thank you. Good morning.

1532 **Divi Vilyon:** 1:42:31 Morning. My name is Divi Vilyon. I'm here in strong
1533 support of the TCN project. Honestly, I think it's a no
1534 brainer. And quite frankly, although I understand the need
1535 to hear both sides of issues in general, I think in this case,
1536 opposition of this project is just, you know, opposing
1537 necessary modernization and killing it would kind of be
1538 counterintuitive in my opinion. It would be ushering us into
1539 the next era of tech-enabled progress and hindering that
1540 doesn't make much sense. You have people here of all
1541 walks. You have young people supporting this project. You
1542 clearly have labor supporting this project. Like I said, I
1543 think it's a no brainer. So, we appreciate your support.
1544 Thanks.

1545 **Samantha Millman:** 1:43:14 Thank you.

1546 **Shida Ashley:** 1:43:20 Good morning, Commissioners. My name is Dr. Shida
1547 Ashley. I strongly oppose the TCN Program. I am a
1548 psychologist and a mother of two younger drivers, who is
1549 deeply concerned about the hazards that this distracting
1550 digital signs will present for everyone, especially the
1551 teenage drivers. Studies have shown that younger drivers
1552 are more distractible than older ones. Using MRI scans,
1553 researchers have found that teenage brains continue
1554 developing far longer into adulthood than previously
1555 thought. Older teenagers who drive may look like young
1556 adults but their brain structure resembles much of younger

1557 children due to too much gray matter. The scans also
1558 revealed an unexpected level of activity in the prefrontal
1559 cortex, a large region at the front of the brain involved in
1560 decision making and multitasking. This indicated that
1561 teenage brains was working less effectively as an adult.
1562 Placing distracting digital signs along freeways and major
1563 streets is more enticing to these younger drivers than you
1564 can appreciate. Distracting any motorist is irresponsible.
1565 Distracting younger motorists is criminal. Thank you.

1566 **Samantha Millman:** 1:44:27 Thank you. And then I have one other speaker card from
1567 Arman. I don't see anyone coming up. Okay, so let's go to
1568 our callers. Let's take our general speakers first. Then we'll
1569 take, I believe, we have a few Neighborhood Council
1570 members on the phone. Then we will take our
1571 Neighborhood Council member who is here in- person.
1572 Then we will hear from Council offices.

1573 **Marcus:** 1:44:58 Marcus {Unclear} for the record. Caller Carl, you are
1574 unmuted, please go ahead.

1575 **Carl:** 1:45:05 Thank you. I am opposed to the TCN project. I am
1576 concerned that the project will present a danger to motorists
1577 and pedestrians, and negatively impact the well-being of
1578 our residents and wildlife. There will be significant impacts
1579 including safety impacts to pedestrians and motorists from
1580 the building of this project. The EIR cherry picked industry
1581 studies look instead at [unclear 1:45:35] literature review,

1582 which found that these signs attract drivers' attentions with
1583 risk increasing when signs compete with more demanding
1584 road traffic and weather conditions and higher speeds. With
1585 increasing pedestrian deaths and our attempts with Vision
1586 Zero to reduce them, the TCN projects makes no sense.
1587 Studies found drivers most susceptible to unsafe levels of
1588 distraction from roadside billboards are the young and the
1589 elderly. With our elderly population growing quickly,
1590 traffic increasingly dense, more roads under maintenance,
1591 this is a recipe for disaster.

1592 **Samantha Millman:** 1:46:15 Thank you.

1593 **Marcus:** 1:46:16 Caller Karen, you are unmuted. Please go ahead.

1594 **Karen Barnett:** 1:46:21 Hello, my name is Karen Barnett. I am a former Atwater
1595 Village Neighborhood Council board member and current
1596 Chair of the River Committee. We support the, or I support
1597 the Staff Recommendations to remove FF-13 and FF-14,
1598 see pages 65 and 67 of the Staff Report. But there are
1599 sensitive areas on each side of these signs. There's the park,
1600 the small residential area of South Atwater, there is a
1601 school and an in-construction apartment building. Revenue
1602 from this - 15 years or 30 years, half a billion, one billion.
1603 It is for the City of Los Angeles, 16.7 million a year. One
1604 of the bridges along the LA River costs more than that, and
1605 the money we are investing in this park area in our
1606 neighborhoods is significantly more than that. Thank you.

1607 **Samantha Millman:** 1:47:20 Thank you.

1608 **Marcus:** 1:47:21 Caller Lois or Mark, you are unmuted. Please go ahead.

1609 **Lois Becker:** 1:47:27 Yes, hi. Honorable Commissioners, I am Lois Becker,
1610 speaking for Bel-Air Sky Cross Property Owners
1611 Association against the TCN Program. Mark Stratton will
1612 speak after me. Moving ahead with this program and by the
1613 lengthy series of recommended entitlement contortions
1614 would be a clear act of disrespect for the citizens of Los
1615 Angeles and for the city's rules and regulations. Please
1616 send a clear message that the city respects its own rules and
1617 rejects pollution, commercialization of our urban
1618 landscape, airspace, and psychological space. Embrace
1619 your role as protectors of public safety and health, and
1620 defenders of our most precious resources. Reject the TCN
1621 Program and Planning Staff Report Recommendations.
1622 Here's Mark. Thank you.

1623 **Mark Stratton:** 1:48:15 My name is Mark Stratton. I just wanted to say that the
1624 public submitting written comments but not showing up to
1625 testify in-person simply means that we have jobs and other
1626 obligations and can't get downtown and sit for hours on
1627 Zoom or on the phone. It doesn't mean we don't care. I
1628 oppose this program. The mitigation attempts are all
1629 inadequate, and the negative impacts far outweigh any
1630 public benefits. Thank you.

1631 **Samantha Millman:** 1:48:46 Thank you.

1632 **Marcos:** Caller John, you are unmuted. Please go ahead.

1633 **John Welborne:** 1:48:54 Good morning. I am John H. Welborne, the longtime Chair
1634 of the former CRA's Open Space Task Force for the
1635 Central Business District Redevelopment Project and also
1636 a real estate and land use lawyer of more than four decades.
1637 With all due respect my good friend Jack Rubens and the
1638 Metro team, I have a simple summary comment that I urge
1639 you, Planning Commissioners, to heed at the end of my one
1640 minute. At the outset of the presentations to you, Miss Cho
1641 hauled out the tired billboard lobby trope that the addition
1642 of bright changing digital billboards will reduce billboard
1643 blight. Not so. The Los Angeles City Planning Commission
1644 long has been a bright light on this issue. You had been the
1645 city's bastion against the powerful political billboard
1646 lobby. Please continue to stand firm. To summarize, you
1647 can put lipstick on a pig, but it still will be a pig. Thank
1648 you.

1649 **Samantha Millman:** 1:49:53 Thank you.

1650 **Marcos:** 1:49:54 Caller Marian, you are unmuted. Please go ahead.

1651 **Marian Dodge:** 1:50:01 I am Marian Dodge, Chairman of the Hillside Federation,
1652 representing 47 resident associations spanning the Santa
1653 Monica Mountains. TCN is not about transportation or
1654 communications. It's about ads on billboards. 86 billboards
1655 placed at freeway interchanges and on major streets.
1656 Contrary to its claim to reduce visual blight, it has only a

1657 lame sign takedown requirement. This project did not have
1658 adequate public review. The fact that the project requires
1659 amendment to the code creating non-contiguous
1660 supplemental use district tells you all you need to know -
1661 it's illegal. It undermines the integrity of the 2002 ban on
1662 billboards outside of designated sign districts. The CPC
1663 stood tall several years ago and approved a strong sign
1664 ordinance known as B Plus. The Federation urges the CPC
1665 to stand tall once again and reject TCN in its entirety. Just
1666 say no. Thank you.

1667 **Marcos:** 1:51:07 Caller Derek, you're unmuted. Please go ahead. Derek,
1668 please go ahead and unmute yourself. I will move on to the
1669 next individual.

1670 **Samantha Millman:** 1:51:23 Thank you.

1671 **Marcos:** 1:51:24 Caller Matt, you're unmuted. Please go ahead.

1672 **Matt:** 1:51:29 Hi there. I live near the proposed site of RR-13 and will
1673 doubtlessly encounter near all the others. I will add that I
1674 use Metro Rail daily to commute to work. I urge the
1675 Planning Board to equally weigh the hundreds of written
1676 comments by ordinary Angelenos against this project with
1677 a handful of special interests and paid confederates
1678 speaking in-person to support. Metro is proposing to lock
1679 us into 30 years, a generation of living with these
1680 nightmares. Only 13% of the billboard time is actually
1681 going to be dedicated to service messages. On a freeway, a

1682 driver traveling 60 miles an hour will travel over 4,500 feet
1683 in 52 seconds, meaning that the so called “public good”
1684 will only be viewed by a small portion of the public.
1685 Imagine an emergency situation having to wait through
1686 seven movie promotions to see whether or not you need to
1687 evacuate due to a wildfire. As to the additional revenue
1688 generated, Metro says it would receive half a billion dollars
1689 over 30 years, which is less than 10% of its current budget
1690 just this year. And what kind of projects would this money
1691 even fund? Metro refuses or fails to commit. All of its
1692 suggestions and comments in favor are just hypothetical.
1693 Metro’s annual...

1694 **Samantha Millman:** 1:52:41 That is your time.

1695 **Marcos:** 1:52:42 Caller Dustin, you’re unmuted. Please go ahead.

1696 **Dustin Batten:** 1:52:49 Oh yes, I am Dustin Batten, Executive Director of Scenic
1697 Los Angeles. And I’m here to express our complete and
1698 total opposition to this poorly thought-out plan. The illegal
1699 sign issue must be dealt with before any new signs can be
1700 created. There are more than 1,000 illegal signs in Los
1701 Angeles. This ordinance could be the tool to get the sign
1702 companies that put them up to take them down. In this plan
1703 there’s a takedown ratio. If a company wants a new fancy
1704 digital sign, they must take down three. Okay. Why don’t
1705 they be required to take down all of their illegal signs, plus
1706 three legally permitted signs before qualifying? We have a

1707 list of all of these illegal signs with addresses and owner
1708 names if that is helpful to the Commission. And in addition,
1709 this is proposed to estimate a revenue of half a billion to a
1710 billion dollars over 15 to 30 years. That's about three to
1711 four dollars out of my pocket when you break it down. Plus,
1712 remember six to seven years ago, Angelenos voted for a
1713 half cent sales tax increase to fund public transportation
1714 issues. Where's that money? Want an accounting of that
1715 too. Thanks.

1716 **Marcos:** 1:53:53 Caller Stacey, you're unmuted. Please go ahead. Stacey,
1717 you've unmuted yourself. Please go ahead.

1718 **Stacey:** 1:54:06 I strongly oppose the installation of the digital signs. The
1719 decision to install these in January seem to be made without
1720 an RFP or public comment. The contention that there were
1721 more verbal comments in favor on July 12th, is simply not
1722 accurate. These signs will cause traffic deaths, punish those
1723 looking at them from the residencies, and economic ruin
1724 for the film industry, and harm wildlife. There was zero
1725 outreach to the entertainment industry, and you cannot be
1726 serious you are improving LA by turning it into Tokyo
1727 without a vote, poll, or proposition. Two current strikes are
1728 costing \$3 billion in California for five months. This will
1729 be a permanent loss of income for the city should this
1730 current plan be implemented. The profits will not make
1731 more than we will lose in wages, jobs, and our signature

1732 industry. This is too big a change to the LA landscape for
1733 30 years of ruining our visual look and jobs. There needs
1734 to be more public outreach. This should be paused before
1735 any City Council person votes this up, as they will be
1736 haunted by this decision for the rest of their careers. I urge
1737 the relevant authorities to reconsider this decision and
1738 prioritize the well....

1739 **Marcos:** 1:55:12 Caller Marianne, you are unmuted. Please go ahead.

1740 **Marianne King:** 1:55:16 Hi, good afternoon. Marianne King. I'm strongly opposed
1741 to the digital billboard project as presented. I think one of
1742 the things that really stands out to me is that it's mostly
1743 going to be advertising. And these signs are maxed out in
1744 size. They're huge. 14 feet by 48 feet. I mean, there are
1745 other sizes out there, but there's no consideration at all.
1746 And even the simulated photos look ridiculously oversized
1747 compared to the locations and many aspects. So, I feel that
1748 it's a maximization of blight. And I would have been more
1749 impressed if there was different sizes. And I will also
1750 support the Coalition for a Beautiful Los Angeles. I believe
1751 they have some good points that have been raised. I'm
1752 totally against Metro modifications. 100% very offended
1753 by all of them. Please do not support this. Thank you.

1754 **Samantha Millman:** 1:56:16 Thank you.

1755 **Marcos:** 1:56:17 Caller Patrick, you're unmuted. Please go ahead.

1756 **Patrick Frank:** 1:56:21 My name is Patrick Frank. I'm the President of Scenic Los
1757 Angeles, a Chapter of Scenic America. The public benefits
1758 stated for this project are mostly BS. They are illusory. If
1759 Metro gets its way, the takedowns of old signs are already
1760 mostly non-permitted or have questionable legality in the
1761 first place. The Public Service Announcements will be only
1762 12% of the signs, which leaves 88% for noise, and the
1763 Public Service Announcements are already available on
1764 people's cell phones or car radios. As far as the funding
1765 numbers, Metro's history at predicting funding is
1766 absolutely abysmal. If you look at the bus shelter programs,
1767 past and present, they didn't measure up. This program will
1768 create visual blight. It will endanger traffic safety, and it
1769 will waste energy. For these reasons we urge you to fund
1770 Metro by other means. Thank you.

1771 **Samantha Millman:** 1:57:12 Thank you.

1772 **Marcos:** 1:57:13 Caller Marion, you are unmuted. Please go ahead. Marion,
1773 please go ahead and unmute yourself. I'll move on to the
1774 next individual.

1775 **Samantha Millman:** 1:57:34 Thank you.

1776 **Marcos:** 1:57:35 Caller Wendy-Sue, you're unmuted. Please go ahead.

1777 **Wendy-Sue:** 1:57:40 Yes, good afternoon. In 2002, the billboard industry
1778 proposed 50 billboard structures along the freeways with a
1779 2,500 takedown. That's 25 to 1. The City Council flatly
1780 rejected that proposal and adopted a sign ban telling the

1781 billboard industry: “You do not own our visual landscape.”
1782 When you’ve considered this, these proposals over the last
1783 decade, your decision was 10 to 1 take down. Metro is now
1784 saying not even a 3 to 1 take down. That is not enough. The
1785 only winner here is going to be the billboard industry.
1786 Metro also claims they did extensive outreach. We attended
1787 all their hearings. The draft EIR hearing, I was the only
1788 person in attendance. If they did 17,000 outreach, that is
1789 not a good return on their outreach. The signs that are
1790 adjacent to Bowtie, that have been recommended to be
1791 removed, are not the only ones adjacent to sensitive
1792 locations. Ballona Wetlands Ecological Reserve. So...

1793 **Samantha Millman:** 1:58:46 How many more people do we have in the queue? Just out
1794 of curiosity.

1795 **Marcos:** 1:58:50 As of right now we have fifteen individuals with their
1796 hands up.

1797 **Samantha Millman:** 1:58:53 Fifteen. Okay, thank you.

1798 **Marcos:** 1:58:54 No worries. Caller Esther, you’re unmuted. Please go
1799 ahead.

1800 **Esther Gonzalez:** 1:58:58 Yes, hi. My name is Esther Gonzalez and I am a resident
1801 of Lincoln Heights. There are about three or four of these
1802 digital signage proposed in my neighborhood. And I have
1803 to say that I think the analysis kind of ignored the LA State
1804 Park. There’s a historic park, here on Spring Street, which
1805 is less than a mile away from Union Station, and less than

1806 a mile from the 5-Freeway where a lot of these signs are
1807 going to be put. And so, I don't think the analysis was
1808 complete if you are not mentioning this park. It's a refuge
1809 for our birds, for wildlife here and it does affect it. You
1810 know, we don't want extra blue light, extra heat. I don't
1811 agree that it's pretty to look at these megatrons. The reef
1812 digital billboard is really ugly. It's humongous. And you
1813 know it's just a money grab. You know, people are excited
1814 to make money, but they don't care about like all the
1815 consequences of it.

1816 **Marcos:** 2:00:05 Caller Panos, you are unmuted. Please go ahead.

1817 **Panos:** 2:00:10 Good morning, my name is Panos. With the Olympics
1818 coming to LA, we need a smart communication network
1819 that can instantly let people know about road closures,
1820 parking lots that are filled or at capacity, or gridlocks to
1821 avoid. The TCN program will be a valuable asset to help
1822 Angelenos and visitors stay informed. The impact on the
1823 city's reputation will increase investment and the city
1824 standing as a global city. Please support this project. Thank
1825 you.

1826 **Samantha Millman:** 2:00:39 Thank you.

1827 **Marcos:** 2:00:41 Caller Muser, you are unmuted. Please go ahead. Please,
1828 oh, there you go.

1829 **Muser:** 2:00:50 As a resident of Los Angeles, I have concerns about the
1830 actual presentation. Certain amounts of time are going to

1831 be allocated for public announcements. Los Angeles is
1832 multicultural. I don't believe that the time allocated is
1833 enough to generate information and in that will cover all of
1834 the languages spoken in the city of Los Angeles, because
1835 Metro does want to be inclusive, I hope. Regarding public
1836 art - many members of today's society consider public art
1837 graffiti, but there are other members of society that
1838 consider graffiti being public art. Board, the currently the
1839 board has discretion over what is appropriate. Who is to say
1840 that the day after this plan is implemented, they throw out
1841 all what they consider appropriate out the window and
1842 consider new options. Regarding security, any mention of
1843 hacking and physical vandalism? What is the turnaround
1844 time for those issues to be addressed? Third, upfront
1845 passes...

1846 **Samantha Millman:** 2:01:53 That is your time.

1847 **Marcos:** 2:01:54 Caller Beverly, you're unmuted. Please go ahead. Beverly,
1848 please go ahead and unmute yourself.

1849 **Beverly:** 2:02:09 Hello. Good morning, commissioners. I oppose this digital
1850 billboard because it is, it will cause a lot of collateral
1851 damage. My name is Grandma Beverly, and I am the co-
1852 founder of SoCal Families for Safe Streets. We support
1853 families who have lost loved ones to road violence and bad
1854 design. My five-year-old grandson, Zachary, was hit and
1855 killed by a distracted driver. Los Angeles has plenty of

1856 distractions to begin with, and driving is a multi-tasking
1857 event. To add billboards that change colors or change
1858 messages every eight seconds will distract people every
1859 eight seconds. It only took seconds for Zachary to die on
1860 the street. I know that when he died in 2009, 36,000 people
1861 died from distracted driving and other things, and now it is
1862 46,000. How many more people will die if you put these
1863 billboards up? No matter, it's not worth the revenue if kids
1864 die from it.

1865 **Samantha Millman:** 2:03:14 Thank you.

1866 **Marcos:** 2:03:16 Caller 4882, you're unmuted. Please press *6 to unmute
1867 yourself.

1868 **Carlos:** 2:03:30 Hi, this is Carlos with [unclear 2:03:31] Romero.
1869 Billboards are [unclear 2:03:32] pedestrians, they are not
1870 [unclear 2:03:36] without looking. They are not texting
1871 while driving and they are not suffering from road rage. We
1872 need to stop blaming everything because we're on safe
1873 streets. The TCN program will provide money for our
1874 transit agencies to improve mass transit. We need to make
1875 transit safer and more reliable to get people out of their
1876 cars. That's why I support this measure.

1877 **Samantha Millman:** 2:04:06 Thank you.

1878 **Marcos:** 2:04:07 Caller Mark, you're unmuted. Please...sorry. Caller Mark,
1879 you're unmuted. Please go ahead. Mark, please go ahead
1880 and unmute yourself.

1881 **Mark Long:** 2:04:21 Oh, hello there. My name is Mark Long, and I would like
1882 to speak about like my support of this bill. Our streets have
1883 become increasingly perilous and unsafe for both
1884 pedestrians and bikers. We all know that billboards aren't
1885 the problems. It's irresponsible drivers. If you can
1886 remember an episode in House of Cards, I don't know
1887 about you, but I'm not a Kevin Spacey fan. But in that
1888 episode, they literally did this exact same thing, where like
1889 the peach was distracting drivers and it killed somebody
1890 and they were trying to blame it on the peach. But in reality,
1891 what the problem was in that episode was the guardrails
1892 that were not implemented. Now for this incident, I believe
1893 that the billboards wouldn't provide a distraction. But I
1894 believe that the right measures that would not cause these
1895 distractions are more roadside protections. Thank you for
1896 your time.

1897 **Samantha Millman:** 2:05:18 Thank you.

1898 **Marcos:** 2:05:19 Caller Muser, you're unmuted. Please go ahead.

1899 **Muser:** 2:05:25 Hi, I'm a resident of California, and I'm calling in
1900 opposition to these billboards. I come from a place where
1901 we don't have billboards. And when I came to California,
1902 the hideousness of these billboards just was really
1903 depressing. I mean, I've seen the light pollution. I mean,
1904 we need to ban billboards, period. I don't even know why
1905 we're talking about this. This is for advertising. That's all

1906 it's for. And it's dangerous. I have seen birds fall out of the
1907 sky and die from lights. I've had to save birds from lights.
1908 Why do we even have a law that says that we can't go on
1909 our screens while we're driving but then yet they're trying
1910 to allow screens on our roads? And also, the ugliness of it.
1911 And it's depressing and it's ugly, and it's, the screens
1912 moving, it causes mental illness.

1913 **Samantha Millman:** 2:06:31 Thank you.

1914 **Marcos:** Caller Peter, you're unmuted. Please go ahead.

1915 **Peter:** 2:06:38 Hello, Commission, thank you for the opportunity to speak.
1916 Can you hear me?

1917 **Samantha Millman:** 2:06:42 Loud and clear.

1918 **Peter:** 2:06:43 Very good. I am also a retired physician in Los Angeles. I
1919 am, I consider myself to be a very safe and courteous
1920 driver. And I cannot fathom, I cannot fathom that a
1921 program that will without question distract drivers is
1922 getting serious consideration. To suggest that such
1923 distraction will not result in crashes, injuries and deaths is
1924 absolutely ridiculous. Digital billboards will distract
1925 drivers. Distracted drivers crash more often than
1926 undistracted drivers. Crashes caused injury and death.
1927 Billboards, digital billboards, will cause injury and death.
1928 A vote for this program is a vote for injury and death.
1929 That's the bottom line. You can look at all of the other
1930 considerations and they pale in regard, and in comparison

1931 to this. At 75 miles per hour cars travel 110 yards in three
1932 seconds. Multiply that by multiple drivers simultaneously
1933 distracted.

1934 **Marcos:** 2:07:43 Caller Liz, you're unmuted. Please go ahead.

1935 **Liz:** 2:07:48 I'm a resident of Los Angeles for almost 40 years and I've
1936 been involved in community issues for the past 20. I
1937 support many others that have spoken in strong opposition
1938 to this proposal. For years our elected officials and their
1939 staffs have been pressured by the power of industries that
1940 want to flood the city with seductive signage for their
1941 client's products. Those paying advertising charges will
1942 want more aggressive displays--the larger, the more
1943 numerous, and the more distracting, the better. Digital sign
1944 boards are a significant danger in a city already challenged
1945 with maintaining road safety. Image changes create
1946 multiple driving hazards including attracting eyeballs,
1947 which is unacceptable in a congested and urban
1948 environment. They contribute to urban blight, aggressive
1949 aggravate light pollution, disrupt our peaceful
1950 neighborhoods, hurt property values, harm the
1951 environment, and negatively impact the physical and
1952 mental health of people and animals living within range of
1953 their electronic humming and flickering lights, especially
1954 with the extended hours. Next. Is Los Angeles...

1955 **Samantha Millman:** 2:08:50 Thank you.

1956 **Marcos:** 2:08:51 Caller Joshua, you're unmuted. Please go ahead.

1957 **Joshua:** 2:08:58 Hi, I'm Joshua. I support the TCN program. We cannot
1958 allow our city to be held hostage by Nim Byes [sic], who
1959 have not only caused the homeless crisis, but continue to
1960 make it worse with poorly thought-out housing policy. This
1961 reactionary no to everything continues to strangle
1962 opportunities for our city. We can remove 200 old
1963 billboards and replace them with a state-of-the-art
1964 communication network that would create revenue for the
1965 Metro. This is a win for everyone who relies on public
1966 transit. Please vote yes for this program. Thank you.

1967 **Samantha Millman:** 2:09:37 Thank you.

1968 **Marcos:** 2:09:38 Caller Matt, you're muted. Please go ahead. Matt, please
1969 go ahead and unmute yourself.

1970 **Matt:** 2:09:52 Good morning, I am against the TCN. The proposed TCN
1971 will be an unmitigated disaster for the city of Los Angeles
1972 and cause a net loss of revenue. The city opposed billboards
1973 in 2002. Nothing has changed. Multiple attempts to
1974 introduce digital billboards have been roundly rejected by
1975 vast majority of Angelenos. Also, the state and federal
1976 constitutions will not allow the city to selectively dole out
1977 free speech and property rights only to favorite applicants.
1978 The TCN will open a floodgate, which will not only eclipse
1979 any new revenue or other public benefit, but will also result
1980 in chaos and the same loss of control over billboards that

1981 Los Angeles suffered for the decades before the 2002 ban.
1982 This is plainly a back door to give billboard companies
1983 access to digital billboards and not in any way shape or
1984 form will improve safety or anything to that end, and most
1985 importantly, time.

1986 **Samantha Millman:** 2:10:55 Thank you.

1987 **Marcos:** 2:10:56 Caller RP, you're unmuted. Please go ahead.

1988 **RP:** 2:11:00 Hello, everyone. My name is RP and I just wanted to
1989 express my support for this program. I believe that with the
1990 help of this program, outdated and unappealing billboards
1991 will be removed and replaced with a new system that
1992 broadcasts critical messages and pays neighborhood transit
1993 improvements like bike lanes. So, to me, this is an obvious
1994 choice, and analysis of accident data by the Out of Home
1995 Advertising Association of America and state and local
1996 governments shows that digital billboards are not related to
1997 an increase in accidents on the highway as well, to address
1998 the opposing concerns. Thank you so much.

1999 **Samantha Millman:** 2:11:41 Thank you.

2000 **Marcos:** 2:11:42 Caller Eduardo, you are unmuted. Please go ahead.

2001 **Eduardo:** 2:11:46 Hi, I am a Los Angeles resident and I cycle throughout the
2002 city doing deliveries for work. I believe that we should
2003 address the real threats to our road which is reckless
2004 drivers. Approving this plan will contribute to safer streets
2005 for pedestrians and bikers. It's time for the city to join the

2006 21st century and prioritize safety over ridiculous strawman
2007 arguments about billboards. I support the TCN. Thank you.
2008 **Samantha Millman:** 2:12:13 Thank you.
2009 **Marcos:** 2:12:14 Caller Augustine, you're unmuted. Please go ahead.
2010 **Augustine:** 2:12:17 Hi, my name is Augustine [Unclear 2:12:18] a policy
2011 director at Strategic Concepts and Organizing and Policy
2012 Education and an LA resident. On behalf of our
2013 membership, I urge you to deny the oil industry's appeals
2014 and adopt the zoning administrator's...
2015 **Samantha Millman:** 2:12:32 I'm going to stop you right there. You are calling for the
2016 wrong item. We are going to be hearing the oil matter
2017 probably in an hour, maybe a little bit longer than that. So,
2018 you can call back then. Thank you.
2019 **Augustine:** 2:12:45 Okay. Thank you so much.
2020 **Marcos:** 2:12:48 Caller Derek, you're unmuted. Derek, please go ahead and
2021 unmute yourself. I'll move on to the next individual.
2022 **Samantha Millman:** 2:13:10 Thank you.
2023 **Marcos:** 2:13:11 Caller Tony, you're unmuted. Please go ahead.
2024 **Tony:** 2:13:18 Hello, how are you? Can you hear me?
2025 **Samantha Millman:** 2:13:21 Loud and clear. Please go ahead.
2026 **Tony:** 2:13:24 Yes, I would like to say that I do support this project. I
2027 personally believe that we need more funding for public
2028 transit and if a private company is willing to pay us to
2029 maintain it then why not take it? I think it's just going to be
2030 an overall better idea and I fully support it.

2031 **Samantha Millman:** 2:13:45 Thank you.

2032 **Marcos:** 2:13:46 Caller Derek again, please go ahead. Derek, please go
2033 ahead and unmute yourself. I'll move on.

2034 **Samantha Millman:** 2:14:05 Thank you.

2035 **Marcos:** 2:14:06 Caller 6934, you're muted. Please press *6 to unmute
2036 yourself.

2037 **Dennis:** 2:14:17 Hi, my name is Dennis. I'm calling because I heard about
2038 this program and would like Metro to use this money to
2039 hire more police and ambassadors. I take the bus and do not
2040 feel safe at night. Our trains have become homeless
2041 shelters. I don't really care for billboards. I just want my
2042 trains to be safe and if this money helps add more
2043 protection to our trains, I support it. Thank you.

2044 **Samantha Millman:** 2:14:42 Thank you.

2045 **Marcos:** 2:14:43 Caller Giovanni, you're unmuted. Please go ahead.

2046 **Giovanni:** 2:14:46 Hello, good morning. As a person that is surrounded by
2047 technology, I love to see the art communications that
2048 already exists across the country itself. And I love that Los
2049 Angeles is slowly embracing this new technology. So, I
2050 implore you to please approve this new program.

2051 **Samantha Millman:** 2:15:06 Thank you.

2052 **Marcos:** 2:15:07 Caller Frank, you're unmuted. Please go ahead.

2053 **Frank:** 2:15:46 Give me, give me one second here. Hello, can you hear me?

2054 **Samantha Millman:** 2:15:26 Loud and clear.

2055 **Frank:** 2:15:27 I'm sorry, I'm having trouble with the phone.

2056 **Samantha Millman:** 2:15:38 We can hear you perfectly.

2057 **Frank:** 2:15:40 Sure. I support removing over 200 billboards and replacing
2058 them with state-of-the-art communication network that will
2059 offer real time traffic updates, emergency messaging, and
2060 provide critical funding for transit. Please support this
2061 measure. Thank you.

2062 **Samantha Millman:** 2:16:04 Thank you.

2063 **Marcos:** 2:16:05 Caller Carrie, you're unmuted. Please go ahead. Carrie,
2064 please go ahead and unmute yourself. I'll move on. Caller
2065 Anna, you're unmuted. Please go ahead. Anna, please go
2066 ahead and unmute yourself.

2067 **Anna:** 2:16:34 Hello, can you hear me?

2068 **Samantha Millman:** 2:16:36 Loud and clear.

2069 **Anna Carion:** 2:16:41 Hello, my name is Anna Carion. Can you hear me?

2070 **Samantha Millman:** 2:16:48 I can hear you.

2071 **Marcos:** 2:16:53 Please go ahead...

2072 **Anna Carion:** 2:16:53 Hello? [Unclear, in Spanish 2:16:58]

2073 **Samantha Millman:** 2:17:23 Thank you.

2074 **Marcos:** 2:17:25 Caller 3313, you're unmuted. Please press *6 to unmute
2075 yourself.

2076 **Cindy:** 2:17:36 Hello, my name's Cindy and I'm calling because I think
2077 this program should be supported. And I think the Metro
2078 should use it to hire more police ambassadors, I take the
2079 bus at night, and I don't feel safe. Even in the mornings I
2080 don't feel safe. So, I think our trains, you know, our trains

2081 have become like homeless shelters and our stations, you
2082 know, are filled with violence. And I don't really care much
2083 about billboards, but I want my train to be safe so that I can
2084 go home at night. And if this money helps add more money
2085 to protect our trains, I support it. Thank you.

2086 **Amy Brothers:** 2:18:18 Deputy City Attorney Amy Brothers. Before Marcos
2087 taking any other calls, we're going to ask Cecilia to
2088 translate the caller two times ago for us.

2089 **Samantha Millman:** 2:18:32 Thank you.

2090 **Cecilia Lamas:** 2:18:33 Cecilia Lamas, for the record. I'd just like to state that we
2091 did not receive any requests to provide any interpretation
2092 services for this item. But basically, the caller's saying that
2093 she's in support of the TCN Program, and that she would
2094 prefer more safety for bike lanes and the buses and
2095 everything else, pretty much in line with what other
2096 members of the public that are in support. Comment was
2097 very similar.

2098 **Samantha Millman:** 2:18:57 Thank you.

2099 **Cecilia Lamas:** 2:18:58 You're welcome.

2100 **Samantha Millman:** 2:18:59 Marcos, moving forward, if people do not have their hands
2101 raised, we're going to, we have a long day, so we're going
2102 to cap it.

2103 **Marcos:** 2:19:06 Okay.

2104 **Samantha Millman:** 2:19:07 Thank you.

2105 **Marcos:** 2:19:08 I only have two more hands.

2106 **Samantha Millman:** 2:19:10 Great.

2107 **Marcos:** 2:19:13 Caller Carrie, you're unmuted. Please go ahead.

2108 **Carrie:** 2:19:19 Hi.

2109 **Marcos:** 2:19:24 Please go ahead.

2110 **Carrie:** 2:19:29 I support the TCN project because we need revenue to
2111 increase safety on our buses and trains. We need to expand
2112 the Metro Ambassador Program and I want these funds to
2113 help us feel safe.

2114 **Samantha Millman:** 2:19:42 Thank you.

2115 **Marcos:** 2:19:44 Caller Derek, you're unmuted. Please go ahead.

2116 **Derek:** 2:19:52 Yes, can you hear me now?

2117 **Samantha Millman:** 2:19:54 Yes.

2118 **Derek Rider:** 2:19:55 Oh, good. Finally. I feel like I'm showing my age with this
2119 technology. Good afternoon, Commission. And thank you
2120 for listening to our grievances about this deeply concerning
2121 proposed expansion to billboards across our city. My name
2122 is Derek Rider. I'm a resident of Mount Washington near
2123 at least two of the proposed billboard sites along the I-5,
2124 and I'm speaking against the TCN ordinance for multiple
2125 reasons. These include the safety hazard which with the
2126 increased distraction our already dangerous freeway
2127 system, as has been noted. Please do not be swayed by the
2128 misleading and false arguments of public benefit of
2129 providing safety signage. Such safety signage can be
2130 accomplished by much reduced scale and network of signs

2131 than the TCN Program. Similarly, such corporate funding
2132 of our public transportation is flawed when it comes at such
2133 a cost as drivers' safety. Moreover, fundamentally, I
2134 believe we're discussing the loss of control of our public
2135 spaces and the commercial consumer messaging they
2136 facilitate. This is a loss not only of our views of the
2137 landscape and city, this would be a loss of control over the
2138 world that our children are exposed to and the information
2139 our citizenry is unwillingly given on a...

2140 **Samantha Millman:** 2:20:56 Thank you. Okay, and my understanding is we have some
2141 neighborhood councils. So, let's give three minutes to each
2142 of these speakers. Thank you.

2143 **Marcos:** 2:21:13 Jay Ross, you're unmuted. Please go ahead.

2144 **Jay Ross:** 2:21:19 Hi, I'm from the West LA Neighborhood, West LA
2145 Sawtelle Neighbor Council. I'm the Secretary. We're
2146 heartened that Mike Bonin got rid of a couple of West Side
2147 ones. But then immediately Metro says, "Oh, we want them
2148 back." We oppose this. In general, you know, we're going
2149 to get what you seen in Inglewood with those huge, bright
2150 signs flickering in our faces. You guys on the Planning
2151 Commission, you are the last bastion to represent us
2152 residents against special interests, and sadly, these
2153 construction unions, who are...you know, they can do jobs,
2154 building affordable housing, schools, and libraries. There
2155 are plenty of jobs for them out there. Do not think that this

2156 is a job creation program. Okay? There are so many verbal
2157 comments, because the unions give their people time off
2158 and give them lunch to come down and talk to you.

2159 2:22:13 There are a lot of Chamber of Commerce reps here. Again,
2160 these are special interests. These are not the people and we
2161 are not NIMBYs, okay? You've heard testimony from
2162 people all over Los Angeles. You know, you're trying to
2163 propose a special use district that is not a contiguous one.
2164 It's a bunch of dots all over the city. When David Ambrose
2165 was the Planning Commission Chair, the Planning
2166 Commission they supported the people. They come up
2167 came up with a very fair reasonable program, the plan B
2168 Plus, and by doing this program would completely
2169 obliterate it. It was very reasonable, it had strong
2170 takedowns. It limited to contain sign districts like
2171 Hollywood, like Downtown. This just opens up can of
2172 worms, put these signs everywhere. If anything, this is a
2173 unique opportunity, as Metro and the planners say, to create
2174 more car crashes. The CEQA's wrong. You guys know that
2175 these signs create distractions.

2176 2:23:13 You know, they changed the illumination and they said,
2177 "Oh, that's great, you know, we're responding to the
2178 community." That's something they should have done
2179 from day one. That's not a benefit. That's not a change.
2180 When the planning department brought us this proposal,

2181 maybe eight months ago, they said, “The end product will
2182 be significantly different from what Metro proposes.” As
2183 you can see, it’s exactly the same and even now Metro is
2184 trying to take back the very few billboards that the city said
2185 were not needed. You know. remember this is an
2186 advertising program. The freeways, for a long time, they’ve
2187 had those little analog signs and those work. Those provide
2188 information. You don’t need the big flashing Inglewood
2189 signs that are going to be showing advertising for 80% of
2190 the time. Okay, someone said, “If one Amber Alert saves
2191 one person, that’s great because of these signs.” Okay, but
2192 that may result in 10 fatalities from people looking at
2193 advertisements on the signs. You know, the outreach, it
2194 was, outreach in the sense that it was one way. They talked
2195 at us and every time we brought up safety concerns, we
2196 were pretty much ignored. So, remember, you guys are the
2197 last bastion for...

2198 **Samantha Millman:** 2:24:27 Thank you.

2199 **Marcos:** 2:24:28 Caller Robin Rudisill, you’re unmuted. Please go ahead.

2200 **Robin Rudisill:** 2:24:32 Good afternoon, President Millman and Commissioners.
2201 I’m Robin Rudisill, speaking as board member and Land
2202 Use Chair for Coastal San Pedro Neighborhood Council.
2203 We’re very concerned that in 2022, the City Council
2204 entered into that Memorandum of Agreement with Metro
2205 to move forward with the Metro TCN Program without any

2206 notice to or input from the public. And, with a \$1 million
2207 penalty clause that prejudices the decision and feels
2208 unethical. Also, as a result of this Memorandum of
2209 Agreement, the city handed over its power as CEQA lead
2210 agency to Metro, and the Metro Board approved an EIR
2211 with overriding considerations impacting city resources.

2212 2:25:18 How can another agency do that? Please ask whether the
2213 city will require changes in order to remove the need for
2214 the overriding considerations over our city resources. This
2215 program is not a transportation-communication network
2216 program. It is a digital billboard advertising program for
2217 which seven out of every eight images would be for
2218 advertising. Digital billboards with changing images are
2219 documented in safety studies as distracting to drivers,
2220 creating dangerous situations which will undermine the
2221 city's Vision Zero goals. It's unconscionable that this
2222 would be approved, given that numerous safety studies
2223 done in the U.S. and worldwide prove that digital
2224 billboards cause traffic accidents and fatalities, which
2225 shows that this program would put Angelenos in danger.

2226 2:26:08 In addition, the program conflicts with many general
2227 planned elements that protect Angelenos and would
2228 undermine the city's Vision Zero goals. Please require
2229 consideration of safety issues. Any reasonable mind would
2230 conclude there is a correlation between digital signs,

2231 changing signs, and traffic accidents. Lastly, the Metro
2232 TCN Program would bring blight to the visual environment
2233 of 22 Community Plan areas. The city would need to adopt
2234 three ordinances, amend the mobility element and several
2235 community and specific plans, and make significant
2236 revisions to the LAMC, all decreasing quality of life. And
2237 it ignores the City Planning Commission's
2238 recommendations regarding sign provisions. We highly
2239 value you and your positions, so please stand firm and
2240 thank you.

2241 **Samantha Millman:** 2:26:57 Thank you. Okay, that's it for the phones. Barbara Broide,
2242 I believe, is here in person. So, I will let you have the last
2243 word of Neighborhood Councils and thank you for being
2244 patient. Good afternoon.

2245 **Barbara Broide:** 2:27:20 Good afternoon. Thank you, Commissioners. Thank you,
2246 President Millman. I'm here representing Westside
2247 Neighborhood Councils and also the Western Regional
2248 Alliance of Councils who have voted together to oppose
2249 this program on many, many reasons. I'll also note that the
2250 majority of neighborhood councils, actually 15
2251 neighborhood councils and additional community councils
2252 are on file under the council file number opposing this
2253 program. You've heard a valiant effort by Planning to
2254 present the TCN program as a blight reduction and public
2255 safety program. Nothing could be further from the truth.

2256 2:27:54 It is a billboard program. It is an advertising program that
2257 seeks to raise money while creating urban blight, disrupting
2258 peaceful neighborhoods, hurting property values, harming
2259 the environment, negatively impacting the physical and
2260 mental health of all those who live within their range,
2261 inequitably affecting communities, endangering all
2262 roadways users. This is a huge problem. The safety studies
2263 mentioned by someone from Metro were discredited. There
2264 is a recent study that shows that even highway warning
2265 signs that tell people to buckle their seatbelts cause
2266 accidents, deaths, injuries. This is not sound public policy.
2267 People are wondering how the money will be distributed.
2268 That's the big discussion behind the halls, will DOT get it?
2269 Will the Council offices get it?

2270 2:28:42 This is a drop in the bucket for any budget for Metro or the
2271 city. And money doesn't erase the negative impacts, the
2272 land use impacts. The breaking of a 2002 Sign Ordinance
2273 that has protected the city and all its residents and
2274 commuters and business people for over two decades. The
2275 takedown rate is a laugh - it should be 10 to 1, which the
2276 City Planning Commission established. Refresh rate - if
2277 you're going to have them, they shouldn't be there. 20
2278 seconds minimum so that drivers aren't mesmerized by
2279 changing images. The scenic roadways need to keep
2280 protections as guaranteed under the General Plan's

2281 Mobility Element, reducing it to 200 feet from 500 feet is
2282 wrong. It's wrong. Metro doesn't need this program to put
2283 up cameras. They have road signs, they have streetlights,
2284 all of the technology they're proposing exists. It's a sham
2285 to put up ads, to put up digital ads. They invade privacy.
2286 We don't even know how much money there will be. When
2287 I asked planning, is that 300 to 500 million gross or net?
2288 The answer is, "We don't know. We don't know."

2289 2:29:52 And there's been no budget proposed to show what kinds
2290 of expenses. There's a middleman, Allvision, who hasn't
2291 been visible here today, but has been lobbying and working
2292 on this program since the beginning. Did you know that the
2293 signs on freeways or near freeway intersections, where
2294 drivers need to merge and pay attention? Why? They're
2295 more drivers there - good place to put billboards. What
2296 about the High Injury Network? Most of the city signs on
2297 the streets are on streets identified by the city as High
2298 Injury Network. Nobody's advocating, no one advocating
2299 here knows the details. The devil is in the details and this
2300 program is from the devil. Thank you.

2301 **Samantha Millman:** 2:30:30 Thank you. I believe we are joined by some Council
2302 Offices today. Is that correct? Are there any...? Come on up
2303 and take as much time as you need.

2304 **Craig Bullock:** 2:30:45 Good afternoon, my name is Craig Bullock and I'm with
2305 City Council President Paul Krekorian's office. I'm here

2306 today to convey his support for the Metro Transportation
2307 Communication Network. As proposed, the Metro TCN
2308 provides substantial benefits to the city of Los Angeles, to
2309 Metro, to commuters, to pedestrians, and to the community
2310 at large. These benefits include real time notification of
2311 emergencies, natural disaster warnings, amber and silver
2312 alerts, and congestion management. Additional benefits
2313 will include the removal of 200 existing billboards, which
2314 are old and blighted, decrepit eyesores, that have blighted
2315 the city's landscape for years.

2316 2:31:26 The TCN, as proposed, will also generate much needed
2317 revenue to fund enhanced transportation infrastructure, and
2318 the installation of public art. The city has struggled for
2319 years with, to find consensus on the broader issues at hand
2320 here. This ordinance, however, provides a narrow and
2321 focused public installation option and the City Council
2322 President believes we can achieve consensus on this basis.
2323 The program is site-specific, it is regulated, it is
2324 transparent, and it provides substantial and measurable
2325 benefits over the lifetime of the agreement. It will also
2326 enhance the current infrastructure for transportation within
2327 the city and provide an enhanced means of communication
2328 for users. The City Council President would also like to
2329 commend the Department of City Planning Staff and their
2330 diligent and collaborative work on the Draft Ordinance.

2331 The Draft Ordinance meets the needs of the program while
2332 ensuring its financial viability. City and Metro Staff have
2333 been painstakingly working for many years to develop
2334 what is before you today.

2335 2:32:31 It has been exhaustively vetted and scrutinized in a very
2336 public and open process. This proposal was previously
2337 approved by the Metro Board at its meeting on January
2338 26th, with a supportive Council President Krekorian and
2339 Mayor Karen Bass. For all these reasons stated above, the
2340 City President, Council President now seeks your support
2341 of this Draft Ordinance as presented. Thank you.

2342 **Samantha Millman:** 2:32:55 Thank you. Do we have any other Council Office
2343 representatives with us today who would like to speak?
2344 Okay, I will go ahead and close the public testimony
2345 portion of this hearing. We are going to take a quick break
2346 for lunch. We will return let's say at 1:15. Thank you so
2347 much.

2348 **Samantha Millman:** 3:06:58 Welcome back after lunch. We want to socialize. There's a
2349 super cute baby. But we have a lot to...

2350 **Jacob Noonan:** 3:07:04 President Millman, I wanted to let you know that I have a
2351 conflict at 3 pm. And so, I'll have to leave a little before
2352 that. It seems like we have six Commissioners here. So, if
2353 I'm the only one that has that conflict, I think that we would
2354 have no issues.

2355 **Samantha Millman:** 3:07:16 I think we have two that have to leave at three, but conflicts
2356 are conflicts, so we will move fast and see what we can get
2357 done, and it is understandable. You're a volunteer and have
2358 a day job. Okay, so we're back on the record. This is
2359 Samantha Millman. We are calling our meeting back to
2360 order at 1:23. We're going to start by going back to staff to
2361 see if there's anything that they would like to respond to
2362 from public comment.

2363 **Hagu Solomon-Cary:** 3:07:54 Hagu Solomon-Cary for the record. Thank you,
2364 Commissioners for the opportunity to respond and for the
2365 public comments. There are a variety of topics we've tried
2366 to organize them by category. I may hand it over to Andrew
2367 Pennington now to start us off and then we can both
2368 respond to public comments as well as Metro's
2369 presentation and some of the proposals they suggested.

2370 **Andrew Pennington:** 3:08:23 Thank you, Hagu. Andrew Pennington with the
2371 Department of City Planning. Just give me one second.

2372 **Jacob Noonan:** 3:08:30 I think you might need to get close to the mic.

2373 **Andrew Pennington:** 3:08:31 Sorry. Andrew Pennington, Department of City Planning.
2374 Just one second, let me get my notes.

2375 **Hagu Solomon-Cary:** 3:09:15 Thank you for your patience. Hagu Solomon-Cary again
2376 for the record. I think it might be best to start in response
2377 to Metro's presentation and some of the items they brought
2378 up as some of those topics do crossover with public
2379 comment. Initially, I think we wanted to discuss the 20-

2380 year term that's outlined in the MOA. It is the department's
2381 position that, you know, instruction or instructive, you
2382 know, terms of that MOA really did govern our purview
2383 and, in the sense that the extent of our revenue sharing is
2384 the 20 years. This approach really does, the approach we've
2385 taken, which calls Metro back to the table to make a code
2386 amendment if the MOA is renegotiated. And we believe
2387 that incentivizes Metro and the City to start the negotiations
2388 in advance of the end of that term. And the extension of the
2389 MOA, you know, would require a code amendment, but we
2390 believe that an 18-year or some odd horizon seems
2391 reasonable for Staff to prepare a code amendment to that
2392 end. I think the next item that we wanted to discuss was the
2393 timeframe.

2394 3:10:29 As you recall, we did extend the hours of operation from
2395 the initial release of our ordinance, that was 7 am to
2396 midnight, to 5 am to midnight. Metro did mention the
2397 request to extend that to 2 am. By comparison, there are no
2398 sign districts that are not adjacent to a stadium or event
2399 venue or in the downtown core that have hours that go
2400 beyond 12 am. And it's the department's position that
2401 expanding hours to that further early morning hour, given
2402 the expanse of the program and the wide-reaching nature,
2403 is inappropriate. So, we would suggest maintaining the 12
2404 pm [sic] hour as provided in the revised ordinance.

2405 **Andrew Pennington:** 3:11:22 Thank you, Hagu. Additionally, we wanted to discuss as
2406 well, Metro's proposal to remove the plan approval within
2407 five...

2408 **Samantha Millman:** 3:11:30 Andrew, a little bit closer. We want to hear every word.

2409 **Andrew Pennington:** 3:11:34 Okay. Apologies. Andrew Pennington, Department of City
2410 Planning. We wanted to respond to Metro's request to
2411 remove the plan approval, the five-year plan approval that
2412 we would do in collaboration with LADOT. The plan
2413 approval as noted in the Staff Report, allows the city to
2414 collect, track and analyze collision data as well as the
2415 operational data associated with the proposed TCN
2416 structures. While the past studies have been the topic of
2417 much debate, and we've heard multiple comments on both
2418 sides related to different studies, this program will allow
2419 the city to have first-hand information and it seems the City
2420 should take advantage of this opportunity.

2421 3:12:18 The plan approval is not intended to prove a correlation or
2422 causation between the collisions and billboards. Rather,
2423 we're really doing this as a data exercise to understand
2424 what is happening on the ground, especially in a localized
2425 setting. You know, I think with the opportunity at hand, we
2426 feel that it is something that we should be trying to take
2427 advantage of. And we're not trying to create a punitive
2428 process. And we are, you know, at the end of the day
2429 agnostic to what the data shows. I think, finally, to respond

2430 to Metro's comments and requests related to the sign
2431 reduction, I think it's the department's policy that we've
2432 always wanted to see takedowns as something that's done
2433 up front, that is part, you know, part and parcel of the
2434 project, and it is a crucial element of the project, and our
2435 support for the project is seeing significant takedowns on a
2436 citywide basis.

2437 3:13:1 I think we understand where Metro is coming from and the
2438 need for some flexibility as they... if the program would be
2439 approved, and we'd have to start doing the takedowns.
2440 However, I think our goal is always to see something
2441 significant taken down upfront, rather than, you know, over
2442 time. I think we understand that that flexibility might be
2443 necessary. But we would still want to see something
2444 significant upfront before we start issuing permits for these
2445 new structures.

2446 **Hagu Solomon-Cary:** 3:13:53 Hagu Solomon-Cary for the record. If I may add to that, I
2447 did want to correct one thing that was in the Staff
2448 presentation. We verbally stated that all the offsite sign
2449 reduction for freeway facing signs, the 200 mentioned,
2450 would have to happen exclusively on Metro property. But
2451 in our technical modification submitted for the
2452 Commission, we do clarify that the static offsite sign
2453 reduction should be located on Metro-owned property to
2454 the extent possible and then, you know, if need be going to

2455 the boundary of the city as a whole in the event that that
2456 200 number is not attainable on Metro-owned properties.

2457 **Jacob Noonan:** 3:14:42 Present Millman, I have a few follow up questions when
2458 we're ready.

2459 **Samantha Millman:** 3:14:46 I think, so, I think that what I would recommend, write
2460 them down for now. Let's let Staff respond, then we'll do
2461 some questions to them because I think we all probably
2462 have questions around these items as part of the
2463 deliberations and then after we get our questions out, we'll
2464 do our buckets of discussion. Does that work for you? Does
2465 that make sense for you? Or do you want to do...?

2466 **Jacob Noonan:** 3:15:06 Yes.

2467 **Samantha Millman:** 3:15:07 Okay, great. Thank you so much.

2468 **Hagu Solomon-Cary:** 3:15:12 I did want to, Hagu Solomon-Cary again. I did want to pick
2469 up on Commissioner Noonan's previous question earlier on
2470 about responding to public comment. You know, I do think
2471 that while the comments have been generally obviously
2472 split between opposition and support, we've had kind of a
2473 smaller number or pool of comments that were specific to
2474 specific signs. And we did go through an exercise of vetting
2475 kind of each of the signs that were named, or called out
2476 specifically by the public. And to that end, FF-13 and 14
2477 obviously rise to that.

2478 3:15:50 We've heard comments of that today. There are a couple
2479 other signs but with some back and forth with Metro, kind

2480 of understanding both the louver technology and existing
2481 negotiations that happened during the Metro process that
2482 perhaps they can speak to other sensitive resources like the
2483 Ballona Wetlands sign, in west part of the city, was
2484 determined to be actually a benefit to keeping up and that
2485 other signs will be taken down. We'll defer to Metro to
2486 speak on that. In addition, there were several other
2487 questions that I think are maybe more, best handled by
2488 Metro related to revenue, related to site location, and
2489 specifically to your comment, Commissioner Noonan,
2490 regarding the location of the signage and the long-term use
2491 of sites.

2492 **Samantha Millman:** 3:16:37 Are there any other things that staff would like to respond
2493 to at this time? I see you going through your notes, I don't
2494 want to...take as much time as you need.

2495 **Hagu Solomon-Cary:** 3:16:49 I don't think, I mean, I'd really like to give Metro an
2496 opportunity to respond as well. Thank you.

2497 **Samantha Millman:** 3:16:53 Okay. So, because Metro is part of the city family, they also
2498 get the opportunity to respond. Again, these are technical
2499 responses to things you heard in the Staff Report or public
2500 comment. Thank you.

2501 **Holly Rockwell:** 3:17:14 Thank you, Madam President, Commissioners. There are a
2502 couple of items that I just wanted to mention, and Jackson
2503 mentioned a couple as well. I did want to clarify on the
2504 emergency takeover, that that's not the eight seconds. The

2505 eight seconds is for our standard messaging. But the
2506 emergency takeover we have for as long as there's an
2507 emergency. So that's a tremendous benefit for that 49 signs
2508 for as long as we need them for an emergency situation.
2509 Regarding the safety aspect, we relied on the same studies
2510 as the Federal Highway Administration at Caltrans. So, I
2511 know there's many studies out there, but we feel like those
2512 agencies have really studied this a lot and come up with the
2513 right answers as it relates to safety.

2514 3:17:54 And, you know, from my perspective, I had a child who
2515 just got their driver's license on Tuesday. So, certainly,
2516 road safety is, and highway safety is very important to me.
2517 I'm a lot more worried about his cell phone than I am, quite
2518 honestly, about the 8 second billboard changing out. And
2519 then just a reminder, even as it relates to safety, that we're
2520 removing more signs than we are putting up. So we're
2521 actually removing distraction from the roads. The question
2522 about long term site use, we did do a very careful vetting.
2523 Metro owns a lot of property around the city and the
2524 county. And we selected these specific sites because we
2525 were very comfortable that their long-term uses were not in
2526 conflict. I think I mentioned during the presentation that a
2527 lot of these sites are at the intersection of a railroad and a
2528 highway. We're never going to put anything else there. It's

2529 a useless piece of property that we now get to utilize for
2530 something that's helpful for the community.

2531 3:18:43 And then related to revenue use, it is a 50/50 split between
2532 the City and Metro. There was always an intent that both
2533 sides are using it for transportation. There's been an
2534 underlying focus on bus and bus shelters and some of the
2535 things that make, you know, bus riding more comfortable,
2536 bus safety lanes, bus rapid lanes, things like that. So,
2537 although there's a scope of work that's attached to the
2538 MOA that defines what can and can't be used for. But
2539 we've always among us known that bus is going to be a
2540 major focus of these funds. Jack.

2541 **Jack Rubens:** 3:19:21 Thank you. Jack Rubens on behalf of Metro. Just maybe
2542 three things. One, just generally, a lot of legal and factual
2543 statements were made that were untrue during the public
2544 comment period. We're not going to try and respond to all
2545 those today, but the record includes facts and analysis and
2546 legal discussion that refutes much of what you heard today.
2547 So, I just want to generally say that. Specifically, though,
2548 at least one commenter indicated that the signs would not
2549 be in compliance with state law relating to signage, in
2550 particular freeway signage. That is untrue. And in fact, we
2551 have a letter from Caltrans that I believe has already been
2552 provided to the City that states that this program is in
2553 compliance with all state law relating to signs.

2554 3:20:12 And finally, this has been an interesting thing. And we saw
2555 it play out again today, where many statements are made
2556 about the concerns with the signs, in particular the safety
2557 issue. But there's never any recognition that the program
2558 involves erecting 49 sign structures and 86 signs. But we
2559 would be removing, will be removing close to 300 signs.
2560 So, if you believe that there is a safety issue associated with
2561 signs, the fact that we're removing more than three times
2562 the number of signs that are being put up, would lead to the
2563 logical conclusion that that will result in an improvement
2564 in traffic safety, not a degradation of traffic safety. And I
2565 think with that, we'll rest. Thank you.

2566 **Samantha Millman:** 3:21:04 Thank you. At this time, we are going to begin our
2567 deliberations. So, I think the way we should structure this
2568 is first to ask any more technical questions,
2569 Commissioners, that you may have. And then I will kind of
2570 break down the topics of conversation that I think are
2571 germane to this discussion. If there's anything I'm missing,
2572 I'll ask you to please add to that. And then we will just go
2573 through each of those items, discuss it, maybe even do
2574 some straw polls around it. And the motion that we make
2575 will be a conglomeration of each of those items and where
2576 we're all landing on them. A couple of questions I had, and
2577 I think this first one is for Metro about the takedown, the
2578 200 sign takedown.

2579 3:21:56 I think Jack made a comment about not having building
2580 permits or not having permits for all of those signs. And so,
2581 my first question was, was the intent of that number, that
2582 Metro is going to be removing all of its static signage on
2583 city-owned property, and then replacing or putting in
2584 different locations, digital signage, and is the issue that in
2585 removing those 125 signs, that you don't have a permit for
2586 those 125, give or take a few signs?

2587 **Jack Rubens:** 3:22:40 Yes. I appreciate the question, Jack Rubens on behalf of
2588 Metro. That is almost certainly the case that there's not a
2589 building permit that will be able to be located for all of
2590 those 200 signs. Plus, remember, we're eliminating more
2591 than 200 signs. We're also eliminating signs at a 3 to 1 ratio
2592 for the non-freeway facing sites. It's really going to be
2593 more in the range of 275 signs.

2594 **Samantha Millman:** 3:23:03 So my question was more about...there's been discussion
2595 about we're asking you to remove 200 signs, you only have
2596 control over about 125 that are on your property, is that
2597 correct?

2598 **Jack Rubens:** 3:23:17 We have some control for that reason. But there are
2599 agreements with sign companies that Metro inherited when
2600 they bought the railroad property over 30 years ago. So, it's
2601 a limited form of control, but there's a bit of control. But
2602 the bottom line is that for many of those signs, there simply

2603 won't be any building permits that will be found in the
2604 City's records due to fires and lost records and all of that.

2605 **Samantha Millman:** 3:23:44 Was it or has it been Metro's intent to try to remove all of
2606 those signs?

2607 **Jack Rubens:** 3:23:51 Yes, Metro has agreed to remove all 125 signs on the
2608 Metro-owned properties.

2609 **Samantha Millman:** 3:23:58 Great. Thank you that answers my question. Okay.

2610 **Jack Rubens:** 3:24:00 Okay. Thank you.

2611 **Samantha Millman:** 3:24:01 Thank you. And then another question I had, and this is for
2612 our Staff - in the B Plus Ordinance that this Commission
2613 put forward in 2021 - did that draft ordinance limit signs
2614 only to sign districts, or was it similar to what exists on the
2615 books today which is limiting signs to sign districts,
2616 supplemental use districts, and specific plans?

2617 **Andrew Pennington:** 3:24:39 Andrew Pennington with City Planning. Give me a second
2618 to look at our notes. I'm actually having to pull up B Plus,
2619 which I...

2620 **Samantha Millman:** 3:24:49 And for Commissioners, probably everyone here – so, we,
2621 this body has seen various iterations of a citywide sign
2622 ordinance. There was Version A that came to this
2623 Commission, then we weighed in, we called it Version B,
2624 then there were some amendments, we called it B Plus. I'm
2625 just more responding to a question from the public about
2626 how this undermines some guardrails that we had
2627 considered in the past. I also want to be mindful that this is

2628 a new Commission with new Commissioners and people
2629 may have differing opinions and what a different body said
2630 in the past may be of a different opinion than the body as it
2631 exists today.

2632 **Andrew Pennington:** 3:25:37 Apologies.

2633 **Samantha Millman:** 3:25:40 You can come back to that one. Okay. So, I am going to
2634 start on my left with Jacob. Jacob, what technical questions
2635 do you have?

2636 **Jacob Noonan:** 3:25:52 Thank you, President Millman. This might be for our
2637 attorneys or for City Staff. But I wanted to dig a little bit
2638 more into the unpermitted sign requirements for removal.
2639 And to specifically ask, are those signs required to be
2640 removed right now, outside of this program? You don't
2641 have a permit for the sign, is it legal, or should it be
2642 removed?

2643 **Ken Funk:** 3:26:23 Ken Funk, City Attorney's Office. Usually when you look
2644 at removal of signs, you look at the specific sign. And
2645 there's a lot of facts that are involved in it. We have an
2646 appeal that's going to the Board of Building and Safety
2647 Commissioners that I've been working with Staff on and
2648 we probably worked on it for a couple of months. Staff has
2649 combed through the historical records back to the 30s and
2650 the 40s. They've looked to see whether there's indications
2651 that the sign was there previously. They've looked for
2652 building permits. They've given us the whole history of

2653 how signs have been regulated in the city. It didn't used to
2654 be, the building permits were not always issued by, I mean
2655 sign permits were not always issued by Building and
2656 Safety. They used to be issued by Public Works, and they
2657 did not keep any of their records. So, it's a very complex
2658 mix. So, I don't think that I could give a pat answer as to
2659 what the Department of Building and Safety is going to do
2660 about all of these signs. It's a sign-by-sign basis.

2661 **Jacob Noonan:** 3:27:26 Thank you. I would still like to understand them. The
2662 reason why, I mean, because removal of signs are removal
2663 of signs. Why are we requiring that the sign be legally
2664 permitted to qualify for this program? And why would we
2665 not just recognize that it's good to remove signs and to get
2666 signs out. Especially if it sounds like it's a little bit of a
2667 quagmire over the legality of the signs versus you know...?

2668 **Ken Funk:** 3:27:57 Yes, quagmire is a good descriptor. But I think the Planning
2669 Department, they can answer why they require the building
2670 permits. But I would guess that it's because it's an easy,
2671 clear indicator that a sign is lawful. And so, if you take
2672 down the sign that has a clear building permit, then you
2673 know that that sign would not otherwise be taken down,
2674 except for this program.

2675 **Jacob Noonan:** 3:28:29 I see. And then there's other mechanisms to take signs
2676 down that aren't permitted.

2677 **Ken Funk:** 3:28:34 Well, the other signs that don't have a building permit, they
2678 may have a vested right, for example, because they were
2679 lawful at one time, and then the code changed, but they're
2680 still lawful. But we wouldn't know that until you
2681 investigate the facts of that sign.

2682 **Nuri Cho:** 3:28:55 This is Nuri Cho with City Planning. If I can answer that
2683 question for you. So basically, illegal signs that do not have
2684 a sign permit - that means they basically have to come
2685 down, regardless of the takedown ratio or not. So, they're
2686 considered non-existent, you know, to be really clear. So,
2687 in order for us to include those illegal permits into the
2688 takedown programs, I think it's a moot point because,
2689 they're supposed to come down anyways without a site
2690 permit.

2691 **Jacob Noonan:** 3:29:28 Thank you, thank you. So just I think two other questions
2692 here for Staff. One, thank you for the information on
2693 around the timing and the reason by limiting at midnight.
2694 I'm curious though, is there any reason that we have
2695 tethered midnight to any other sign programs. It sounds like
2696 we're saying, we're recommending or that Staff's
2697 recommending midnight, because that's the timing for all
2698 other signs in the city, but is that related to any aspect of
2699 light or signage, or?

2700 **Nuri Cho:** 3:30:09 Sorry, if you could give us one second? Just to...thank you
2701 so much.

2702 **Jacob Noonan:** 3:30:11 Sure. And then the other question that I would have, and
2703 then I could pass it to others is I'd like to understand, I
2704 believe that Staff's recommending that sign FF-3 is
2705 removed, and Metro is requesting FF-3 be retained. I'd just
2706 be curious to understand the reason behind removing FF-3.
2707 Thank you. That's all for me.

2708 **Nuri Cho:** 3:30:40 Thank you. Regarding your first question, so I believe other
2709 signs that are currently existing, they're mostly in
2710 Downtown and we do have the Los Angeles Sports and
2711 Entertainment District that does allow for signs that are
2712 beyond maybe the typical signs that are permitted in the
2713 current sign regulations. And my understanding is that
2714 most of them are not freeway facing. And they are
2715 specifically tailored to an entertainment district that allows
2716 for a more lively, you know, 24-hour downtown vision.
2717 Whereas the TCN program, it's more tailored to, you know,
2718 city-wide. It can be located along any of the arterial streets
2719 and freeways that have been identified in the ordinance. So,
2720 I think that is the main difference. So, we do want to limit
2721 the hours of operation to midnight, so that we don't have
2722 any more impact on, you know, neighborhoods that are not
2723 tailored to entertainment and 24 hours of operation. And
2724 then regarding the second question, I'll hand it over to
2725 Hagu. Thank you.

2726 **Hagu Solomon-Cary:** 3:31:56 Thanks. Hagu Solomon-Cary, Planning. You know, I may
2727 ask you to restate your question, but let me provide you
2728 with a little bit of context. Know the idea and the concept
2729 is that while we have very taken great lengths to tailor this
2730 Supplemental Use District to really attend to the MOA that
2731 was struck in our partnership with Metro. There is a
2732 potential that that MOA could be amended, whether that be
2733 the terms of the agreement are extended, perhaps additional
2734 site locations could conceivably be added. It's our intent to
2735 ensure that there's a floor, a baseline upheld, so to speak
2736 about the concentration of signage, particularly where
2737 Metro owns a lot of property, which is in Downtown. So,
2738 the number, the half mile number, the 2,640 feet that we
2739 suggest, maybe is perhaps more of an art than a science, per
2740 se. It is really intended to reduce, you know, digital
2741 billboard visual clutter, so to speak. If signs, you know,
2742 were to be added in the future in various amendments, I
2743 think it's also a nice compromise. I think Metro did do a
2744 good job spreading the signs out generally. In Downtown,
2745 we do see a concentration that's unlike any other portion of
2746 the city. So, in our mind, the reduction of one sign I think
2747 in order to uphold that floor is a reasonable compromise.

2748 **Jacob Noonan:** 3:33:23 Thank you.

2749 **Samantha Millman:** 3:23:24 Thank you.

2750 **Andrew Pennington:** 3:33:26 Andrew Pennington, City Planning. I wanted to circle back
2751 to your question, President Millman, whether or not
2752 version B Plus limited where sign district or what type of
2753 Supplemental Use Districts are permitted to have offsite
2754 signs. So, in version B Plus it was limited. So right now, in
2755 the code, as we have discussed, previously, you are allowed
2756 to do offsite signs in sign districts, supplemental use
2757 districts, specific plans, development agreements, and
2758 relocation agreements, per state law. However, in version
2759 B Plus, the Commission limited it to only sign districts, the
2760 tier one and the tier two sign districts were only permitted
2761 to have offsite signs.

2762 **Samantha Millman:** 3:34:15 Thank you. That's helpful. Okay, Elizabeth, do you have
2763 any questions? Technical questions? Okay, Monique.

2764 **Commissioner Lawshe:** 3:34:28 Excuse me. I'm sorry. I think my questions are more for
2765 Metro Staff. So, three things - so there's been a lot of
2766 discussion about, you know, what's going to be on the
2767 signs. There are going to be ads that will generate revenue?
2768 Are there going to be public service? What is your thinking
2769 on the approximate breakdown? How much percentage
2770 wise, public service versus paid ads? That's one question.
2771 The other is, I believe one of the public commenters raised
2772 the issue of multilingual communication. What is the plan
2773 for that? And then lastly, is net revenue, which, frankly, as
2774 a developer is not a financial concept that I'm familiar with.

2775 But you're projecting a billion if the program was 30 years
2776 and a half billion if it's shorter, so if you can elaborate on
2777 the difference, you're going to expect more net revenue in
2778 the last 12 years.

2779 **Holly Rockwell:** 3:35:48 Thank you, Commissioner. Yes, I would like to respond to
2780 all of those. In terms of the messaging, and the breakdown,
2781 Metro would have eight seconds out of every 64 seconds
2782 on the slide. So, one out of every eight slides. We do have
2783 messaging programs that we use right now. We work with
2784 Caltrans to put Metro messages up on Caltrans boards, we
2785 have some messaging in our stations. This program is a
2786 much more expanded and useful program, quite honestly,
2787 than what we currently have. And so, we have an
2788 opportunity with these signs that we're still determining.
2789 We would do more than what we do with our current
2790 messaging program. I mentioned earlier, how many spots
2791 were open at a park and ride, things like that. We're not
2792 currently doing this, but that program gives us the
2793 opportunity to do something like that. So, we are actively
2794 working with our Metro Communications Department to
2795 redefine the program to allow for this real-time messaging.

2796 3:36:43 But we do have, you know, things that we've messaged
2797 before in terms of how to get to places and how to better
2798 use transit. And so, we're excited about the ability to
2799 expand that messaging. And regarding multilingual, yes,

2800 we do multilingual messaging right now on our system, and
2801 we absolutely would do multilingual messaging on our
2802 signs as well. On the revenue question, it is an annual
2803 revenue. And so, it's about half, the billion dollars, it's not
2804 actually back weighted, it's about the same every year. And
2805 so the half is about 15 years, it's roughly 500 million.
2806 Certainly, those numbers can fluctuate depending on the
2807 contracts, the advertising companies, as well as how well
2808 advertising is doing in general. But those are rough. It's
2809 about the same each year, year over year, once we have all
2810 the signs erected.

2811 **Samantha Millman:** 3:37:38 Thank you.

2812 **Holly Rockwell:** 3:37:39 Thank you.

2813 **Samantha Millman:** 3:37:40 Helen?

2814 **Commissioner Leung:** 3:37:44 I have two questions. One, Andrew, you mentioned that the
2815 City would prefer there be a significant kind of takedown
2816 upfront. And could you clarify if you mean that was what
2817 Planning Staff had recommended, or was there some other
2818 compromise that is a compromise between what Metro is
2819 requesting?

2820 **Andrew Pennington:** 3:38:05 Andrew Pennington, Department of City Planning, I think
2821 what we have recommended in our Staff Report and in our
2822 Draft Ordinance is kind of trying to get at the significant
2823 upfront requests for offsite sign reduction. However, I
2824 think we are also open minded when it comes to working

2825 with Metro, if there is a middle ground between the 200 to
2826 the 125 that had been mentioned. And, you know, the
2827 phased-in approach that they have been requesting. So, I
2828 don't think we necessarily have a concrete number where
2829 we would say, you know, it needs to be... I don't even want
2830 to say number because then it might become that number.
2831 But, you know, I don't think we necessarily have a number
2832 in mind other than saying that there should be some
2833 significant takedowns before an initial sign permit is
2834 issued.

2835 **Commissioner Leung:** 3:39:04 And related to that, is it possible, and this is maybe a City
2836 Attorney's question like, is there a way that as part of this
2837 motion that we are able to kind of ask Building and Safety
2838 or Public Works to be more proactive to ensure the signs
2839 that are on city property can be taken down sooner than
2840 later? Does that help with the situation, or? As part of this
2841 ordinance...that we actually get the City on the hook to just
2842 work faster? Because these do take a really long time unless
2843 there's some proactive measure.

2844 **Samantha Millman:** 3:39:41 I think, there are kind of two things happening, right. So, if
2845 there is no building permit on record, then according to the
2846 ordinance as written, it cannot count toward that 200
2847 number, and I think what I am hearing Metro say is, we
2848 don't have building permits for all 125 signs that are on our
2849 property. And the goal here is to take them down. And so

2850 that might be something we want to discuss as part of our
2851 recommendation is, it's less about relying on someone else
2852 to get back to us. It's that, the way it's written right now,
2853 it's very black or white, either there's a building permit or
2854 there's not, and if there's not one, it can't count toward that
2855 200. And I have some thoughts that, as we're going through
2856 the buckets, of how we might address that. But does that
2857 help answer your question?

2858 **Commissioner Leung:** 3:40:32 Yes, it does. Unless the City Attorney wanted to say
2859 something, you guys are mulling something over.

2860 **Ken Funk:** 3:40:37 No, I'm usually told not to talk.

2861 **Commissioner Leung:** 3:40:42 My last question, and I know it's hard to dig into each of
2862 the signs, but there was a lot of public comment and letters
2863 submitted about just the Bowtie parcel. So, knowing that
2864 the Bowtie parcel includes the Rio De Los Angeles State
2865 Park, that is city and state park, can you elaborate on kind
2866 of just the technicality of the qualifications. I know Jack
2867 gave a perspective that we would love to hear Planning
2868 team talk about whether it fits the requirements.

2869 **Andrew Pennington:** 3:41:13 So in terms of the Bowtie State Park, and you know, I think,
2870 that whole recreational complex, for lack of a better term,
2871 because it does include like the state park that already
2872 exists, the Rio De Los Angeles Park, there is a component
2873 that will be the G2 parcel, which is something the city
2874 purchased, and it's going to remediate and turn into a park,

2875 I think collaboratively with the county. And then there's
2876 the portion that is the Bowtie Park Demonstration Park,
2877 which is a combination of, I believe, but don't quote me,
2878 hopefully, MRCA and the State or Parks and Recreation.
2879 So, I mean, I think it's a whole kind of collaborative effort
2880 in that area, as well as the fact that it is already in the state's
2881 mind, and a lot of these agencies' minds, designated as a
2882 State Park. Although it is not significantly improved and it
2883 is still in mostly, it's an industrial and for lack of a better
2884 term in an abandoned state at this point. So, I think what
2885 we have kind of tried to address is the fact that these are in
2886 close proximity, however they are not within technically
2887 200 feet of the signs. We still feel like there is a
2888 overwhelming effort and amount of funding that's already
2889 been identified and committed to these projects that that
2890 kind of elevates that to the level of basically saying that
2891 these signs are not appropriate here as we are trying to, you
2892 know, re-naturalize that part of the LA River.

2893 **Hagu Solomon-Cary:** 3:43:00 And if I might just add, Hagu Solomon-Cary, I think it's
2894 just our opinion that the six and eight hundred feet,
2895 respectively, of those two signs is actually not far. I mean,
2896 it is close. And the effort taken, I think, for any park really,
2897 especially of regional significance, is a pretty extensive one
2898 with a lot of players and a lot of money and a lot of time
2899 and a lot of effort. And I think in our opinion that the signs

2900 wouldn't necessarily enhance, or, that resource. So, it's our
2901 opinion, you know, that 600 feet, 800 feet, somewhere
2902 between 250 yards or so, is actually quite close to a regional
2903 park. So, it's our opinion that it would be best suited not to
2904 site the locations.

2905 **Samantha Millman:** 3:43:51 Thank you. Ilissa, any technical questions?

2906 **Commissioner Gold:** 3:43:54 Not now.

2907 **Samantha Millman:** 3:43:54 Okay. So as far as topics of conversation go, I see hours of
2908 operations, distancing, refresh rate, takedowns, and within
2909 that bucket of takedowns, with the ratios, how we're
2910 handling the signs, the permits for the signs, the takedown
2911 for freeway versus the takedown for not freeway,
2912 illumination, maximum sign areas, the operational period,
2913 plan approval, the termination of sign rights, which is kind
2914 of that operational period, and I think that's all I have. Is
2915 there any other topic like broader topic or bucket of
2916 discussion that is missing from this list, anyone wants to
2917 discuss?

2918 **Commissioner Gold:** 3:44:56 What the revenue gets earmarked towards is not within our
2919 purview, correct?

2920 **Samantha Millman:** 3:44:59 No. Although also very curious to know, and have
2921 thoughts, but not our purview.

2922 **Jacob Noonan:** 3:45:11 Apologies, I had to step out for a moment, President
2923 Millman, but I'm wondering if we could also include a little
2924 conversation, perhaps on some recommendations that we

2925 would want to make that would be around the MOA, and
2926 in particular, how revenues are used. I know, I understand,
2927 I would imagine that this is slightly outside of our purview
2928 as a Commission. But I would like us to perhaps be on
2929 record to making some suggestions for the City Council
2930 and the Mayor on how those revenues could be used. And
2931 then, of course, it goes without saying, I think, but then also
2932 recognizing equitable targeted outreach and involvement in
2933 the decisioning process and reporting back something of
2934 that extent. So, it would be a little discussion on what we
2935 might provide as recommendations in that area that's
2936 outside of our direct preview.

2937 **Samantha Millman:** 3:46:11 Uh-huh. Great. Okay, so why don't we start with
2938 something easy, like hours of operations. The original
2939 hours of operation for the digital signage was 7 am to
2940 midnight. In the Staff Report, they are recommending a
2941 slight change to 5 am to midnight. Metro is asking for 5 am
2942 to 2 am. For my part, I understand the desire of Metro to
2943 have the 5 am to 2 am. But I think that one of the reasons
2944 we have included hours of operation in our prior ordinances
2945 and in our prior Sign Districts is understanding that even
2946 with some louvers, the light does carry and especially in
2947 certain areas of the city where we have residential property,
2948 or residential uses that are not on residential zoned

2949 properties, i.e., we have, we allow residential uses on our
2950 commercial, on our C zone properties.

2951 3:47:24 So making sure that we're not having light bleeding into
2952 people's windows, past 12 am. I think I am in support of
2953 something a little close to the original 7 am to 12 am,
2954 maybe 6:30 am to 12 am. I just, i.e. when the sun is coming
2955 up, I think is when the sign should be turned on. I think
2956 that, frankly, the light just has more of an impact with the
2957 lower-case eye, when it is dark out than when it is light out.
2958 Yesterday, I was driving all over the city, visiting some
2959 places and was on the 5 Freeway kind of through the
2960 Montebello and Commerce area, there's digital signage,
2961 and during the daytime, it's really hard to tell the digital
2962 signage from the static signage. Night is a different story.
2963 But I would be curious to see where Commissioners are
2964 landing as far as where they're comfortable on hours of
2965 operation. So, not to put you on the spot, Jacob, but I'll start
2966 on my left.

2967 **Jacob Noonan:** 3:48:32 I wouldn't support going beyond midnight. I was okay with
2968 Staff's recommendation for 5 am to midnight. However, I
2969 think President Millman, you raise good points. So, I would
2970 support a recommendation based on those hours that
2971 you've suggested.

2972 **Samantha Millman:** 3:48:54 Okay. So, like 6:30 to midnight?

2973 **Jacob Noonan:** 3:48:57 Yeah.

2974 **Samantha Millman:** 3:48:58 Okay.

2975 **Commissioner Zamora:** 3:49:02 I'm in support of the hours that are recommended in the
2976 Staff's Report. The Staff's recommendation hours are fine
2977 with me.

2978 **Samantha Millman:** 3:49:10 Okay.

2979 **Commissioner Lawshe:** 3:49:11 Agreed, I support the Staff Recommendation hours, ending
2980 at midnight.

2981 **Commissioner Gold:** 3:49:17 Commissioner Gold, I'm not in favor of extending the
2982 hours any beyond the 5 am to midnight from the Staff
2983 Report. So, I would support either keeping that as-is or a
2984 more restricted one, as you said.

2985 **Samantha Millman:** 3:49:29 Great. We'll take Helen's temperature when she steps back
2986 into the room on that one, but it sounds like we're going
2987 with Staff's recommended actions just based on that
2988 discussion. Takedowns - when I was looking at the map, I
2989 think my concern with the takedown as written is one, I
2990 want to get rid of all 125 signs on Metro property, and I
2991 don't want to put anything in this ordinance that would
2992 prohibit that from happening, and so I think we need to look
2993 at just for that narrow number of signs, not requiring that a
2994 building permit be provided in order to take down those
2995 signs. Looking at the map of where these signs are going, I
2996 think it would help to know from Staff, how did you arrive
2997 at that 200 number? And the ability to do it city-wide as
2998 opposed to a take down ratio with a radius?

2999 **Andrew Pennington:** 3:50:36 Andrew Pennington with Planning. We took the 200
3000 number from the MOA. Basically, the MOA had stipulated
3001 that 200 signs within the city limits needed to come down,
3002 and substantially all of the static signs on Metro property
3003 would be inclusive of that. I think it only came to light to
3004 us in the last month or so that the 200 signs weren't all on
3005 Metro property, or at least after they had done their
3006 inventory, had identified only 125. So, by that time, we had
3007 already had our draft, our public hearing. I think you saw
3008 that we tried to correct the record with a technical
3009 modification at this point to recognize what the actual
3010 numbers are. I think we'd be open to a ratio on a city-wide
3011 basis to make up for that 75-sign gap. I think we would
3012 welcome Commission's recommendations on that.

3013 **Samantha Millman:** 3:51:31 So my thought as I was looking at the map is just that a lot
3014 of these freeway facing signs are in lower resource
3015 neighborhoods. And I'd really like to see some of those
3016 reductions in excess of the 125 Metro signs, be more
3017 closely tied geographically to the neighborhoods where
3018 those signs are going up. I am not comfortable on the fly
3019 giving a ratio. So, I think, my suggestion, and I'm curious
3020 to hear if anyone else has thoughts on this, would be to
3021 recommend for this item Staffs recommended actions, not
3022 requiring the kind of explicitly calling out the 125 signs,
3023 and that those do not need a permit, and we are saying those

3024 signs need to come down before we're going to put any
3025 freeway facing signs up. And then kind of exploring,
3026 maybe making some recommendations to Council of how,
3027 what kind of ratio or radius we could use for that delta
3028 between the signs.

3029 3:52:46 And also, maybe some weighing in on whether we are tied
3030 to that MOU, as we're making a policy that is a policy, this
3031 is kind of a very interesting and backwards process,
3032 because instead of making a policy based on what you think
3033 is in the best interest of the city, we're being asked to make
3034 a policy and saying, you're somewhat constrained by the
3035 MOU, but the MOU was not some sort of city law or
3036 guidelines. So, I think some recommendations to Council
3037 about how to tie in some sort of additional take down ratio
3038 with some radii that make it feasible to take down signs
3039 within the areas where these freeway facing signs are going
3040 up. And then kind of leave it up to Council as to whether
3041 they want all of those additional signs taken down first,
3042 before a single sign goes up, or if they want the 125 signs
3043 taken down first, right off the bat, and then with each
3044 application for one of these freeway facing signs, there's
3045 some additional ratio of sign that comes down in proximity
3046 to that sign that's going up.

3047 3:53:55 And then also tied to that, I want to make sure that the signs
3048 that are coming down in excess of that 125 are of similar

3049 size to what's going up. So maybe being very explicit about
3050 what kind of signs we're talking about. They can't be like
3051 the little flags on a light pole type of signs. They need to be
3052 tied maybe to square footage rather than to a sign itself. I
3053 just said a lot of things. Are any of my colleagues confused
3054 by what I just said?

3055 **Jacob Noonan:** 3:54:29 Maybe some clarification, President Millman, maybe
3056 everybody else understands. So, your formal
3057 recommendation would be following Staff's
3058 recommendation, but separate from that you would ask for
3059 additional information that we provide to the City
3060 Council...

3061 **Samantha Millman:** 3:54:42 Correct.

3062 **Jacob Noonan:** 3:54:43 For their consideration?

3063 **Samantha Millman:** 3:54:43 Correct.

3064 **Jacob Noonan:** 3:54:44 Which is separate from your formal recommendation.

3065 **Samantha Millman:** 3:54:46 The only deviation that I think we should move forward
3066 today definitively, is that the 125 Metro signs not be
3067 required to provide a permit in order to be taken down.

3068 **Jacob Noonan:** 3:55:02 Okay, so that would be in addition, that will be folded into
3069 your formal recommendation, which is slightly different, is
3070 different than Staff recommendation, would be modified as
3071 such, and then separate from that we would provide the
3072 additional information you asked for us, it's just as
3073 information for the Council for their consideration.

3074 **Samantha Millman:** 3:55:18 Correct. And it may be that there is even a map of where
3075 the, exactly calling out where those signs are, and which
3076 signs are the Metro signs so that we know exactly what
3077 we're saying needs to come down.

3078 **Jacob Noonan:** 3:55:33 Okay. Thank you.

3079 **Samantha Millman:** 3:55:37 So I'll change it up. I'll start on my right. Ilissa?

3080 **Commissioner Gold:** 3:55:43 Commissioner Gold, I think I agree with that.

3081 **Samantha Millman:** 3:55:49 Monique?

3082 **Commissioner Lawshe:** 3:55:50 Yeah, I think that's a great recommendation because I think
3083 each council member and its constituents should be clear
3084 on, you know, what's in their district and what's coming
3085 down.

3086 **Samantha Millman:** 3:56:04 Elizabeth?

3087 **Commissioner Zamora:** 3:56:07 I'm in support.

3088 **Samantha Millman:** 3:56:08 Jacob?

3089 **Jacob Noonan:** 3:56:10 I'm in support.

3090 **Samantha Millman:** 3:56:11 Okay, so we will call that, not to name anything after
3091 myself, we will call that the Millman Takedown
3092 Amendment. Why don't I start on my right with Ilissa?
3093 What bucket would you like to start talking about next?

3094 **Commissioner Gold:** 3:56:35 Illumination, maybe?

3095 **Samantha Millman:** 3:56:36 Okay, great. Let's talk about it. Do you have any thoughts
3096 on illumination?

3097 **Commissioner Gold:** 3:56:45 I just want to be sure that it is at a safe level at night. I'm
3098 just thinking about the digital billboards in Inglewood that

3099 are not dimmed at night, and it very much is a distraction
3100 to drivers. So, I want to make sure we're hitting the right
3101 level, that it's still operable, but won't be as distracting.

3102 **Samantha Millman:** 3:57:07 Do we have a sense from Staff about what the...? Hold on.
3103 There's so many different measurements when we're
3104 measuring light in these, is it candelas that we talked about?

3105 **Andrew Pennington:** 3:57:18 Andrew Pennington with Planning. Yes, we talked about
3106 candelas, we talked about a couple of different standards
3107 when it comes to lighting and illumination, and candela is
3108 the main one. However, we also talk about...

3109 **Samantha Millman:** 3:57:36 The candles.

3110 **Andrew Pennington:** 3:57:37 The candles. We also talked about lumens as well as you
3111 know, beam spread, which are all a lot of wonky
3112 tech...terminology.

3113 **Samantha Millman:** 3:57:51 So, just looking at the side by side, thank you Staff for
3114 making this fantastic side by side. It seems that the Metro
3115 TCN illumination guidelines or rather, restrictions are very
3116 much in line, if not surpassing what is in B Plus, is that
3117 correct?

3118 **Andrew Pennington:** 3:58:12 Yes, that is correct.

3119 **Samantha Millman:** 3:58:13 And that 300 candelas - do we know what Inglewood's
3120 candelas are?

3121 **Andrew Pennington:** 3:58:20 We do not but we can do some research and see if we can
3122 unearth that.

3123 **Samantha Millman:** 3:58:24 I know that that brightness at night was something that
3124 when we discussed signage, generally in digital signage,
3125 the Commission was very concerned about. I think 300 was
3126 probably a good place to land if we landed there. I don't
3127 think David Ambrose would have ever allowed a number
3128 that was higher than something that he thought appropriate.
3129 So, I think that 300 is probably a good number, but perhaps
3130 when transmitting to Council if we could say, "As a point
3131 of comparison, the signs in this jurisdiction are:" it would
3132 give them a good point of comparison.

3133 **Commissioner Gold:** 3:59:07 Commissioner Gold. And I also think that would help allay
3134 some of the public concerns about the issue of distracted
3135 drivers.

3136 **Hagu Solomon-Cary:** 3:59:14 If I may just interject to add, I think it was unfortunate that
3137 we were not able to see the video that showed the louver
3138 technology, just highlighting that all the signs will have the
3139 louver technology which limits the up light glare. Only
3140 some will have the vertical louvers that minimize the
3141 horizontal beam spread, but just wanted to put that out
3142 there.

3143 **Samantha Millman:** 3:59:38 Thank you. So, is there anyone that wants to make changes
3144 to the illumination restrictions in the TCN ordinance?
3145 Okay, Helen, not to put you on the spot, but one of the
3146 things we were talking about was the hours of operations

3147 for the signs. Do you have a preference for hours of
3148 operations?

3149 **Commissioner Leung:** 4:00:09 I agree with the staff recommendation.

3150 **Samantha Millman:** 4:00:12 Great.

3151 **Commissioner Leung:** 4:00:12 And I also agree with what has been discussed. I was in the
3152 back listening. So, I think that the takedown proposals
3153 sound great.

3154 **Commissioner Leung:** 4:00:20 And I also agree with illumination. Thank you.

3155 **Samantha Millman:** 4:00:23 Is everyone comfortable with the off-site sign reduction
3156 take down ratio for the non-freeway facing signs? I'm
3157 seeing nods. Okay, distancing. This is kind of a challenging
3158 one. And I am, it's sad that we didn't get to see the louvers
3159 in action because I feel like we have a technology now
3160 that's very different than anything else we see in our city.
3161 The question is, as far as those louvers that prevent the
3162 horizontal spread, is there may be a way instead of playing
3163 with distancing and prohibiting signs within distances of
3164 residential, to require those louvers on a larger number of
3165 the signs? So that as they are close to residential or
3166 residential uses, those types of louvers are employed? It's
3167 hard for me, again, to say what that number should be based
3168 on cost of the signs and the impact that would have. But
3169 perhaps a recommendation to Council about various
3170 distances and how the louvers would impact the light
3171 reaching residential uses at different distances. And kind of

3172 if there might be an appetite to expand the number of signs
3173 that have that louver technology, so that we are really
3174 preventing the impact of that light on folks in their homes.
3175 And I think that's going to be particularly true of renters in
3176 commercial zoned areas. Is everyone here comfortable
3177 kind of including that little asterisk along with our
3178 recommendation to Council.

3179 **Jacob Noonan:** 4:02:24 I am wondering, President, if we could also include that
3180 there's some kind of a mechanism for the public to provide
3181 feedback or requests of that nature. I think that there needs
3182 to be some kind of a feedback mechanism to identify the
3183 signs or request of some.... You know, there just needs to
3184 be a forum where people can request this.

3185 **Samantha Millman:** 4:02:51 I think, so, I think you're absolutely right. And I think as
3186 we transmit our recommendations to Council, my guess is
3187 that council members will be hearing from their
3188 constituents, and that their constituents will come to the
3189 future public hearings on this item. But if you're thinking
3190 additional....

3191 **Jacob Noonan:** 4:03:11 I was thinking within the ordinance itself, if we... you.
3192 Know, let's say the signs come up, the ones with louvers
3193 have been built. Others that don't have the louvers, the
3194 question being is how do we identify that the sign has an
3195 impact? It's affecting people around it with light glare? I

3196 think there should be a mechanism within there that people
3197 can ask for the louvers.

3198 **Samantha Millman:** 4:03:41 So I think that kind of begs the question of whether...
3199 Because we didn't get a whole lot of information about at
3200 what point the louvers are installed on these signs. So,
3201 would it require rebuilding the entire sign structure? Are
3202 the louvers something that could be added to signs
3203 afterward? I'm seeing Jack shake his head, no.

3204 **Andrew Pennington:** 4:04:03 Andrew Pennington with Department of City Planning.
3205 Our understanding is that the signs are actually built with
3206 the louvers like, like it's all one big thing. It's not like a
3207 separate thing that's applied to the LED screen or whatever
3208 type of digital display it is. It's something that's actually
3209 built into the screen during the production of it.

3210 **Samantha Millman:** 4:04:29 Okay. Does that change your...?

3211 **Jacob Noonan:** 4:04:32 Yeah, it negates my suggestion. It just seems moreso
3212 though that glare needs to be addressed up front before the
3213 signs are installed.

3214 **Samantha Millman:** 4:04:45 So maybe, some weighing in from Staff about, if there's a
3215 way on the front end to look at these signs, since we know
3216 their locations and their orientations, to see if there are
3217 certain signs where staff might want to recommend
3218 additional louver technology to make sure that we're not
3219 facing into residential uses, and/or parks, or wildlife areas,

3220 or any other sort of sensitive use. Okay. We will call that
3221 the Louver Amendment.

3222 **Hagu Solomon-Cary:** 4:05:19 President Millman, Hagu Solomon-Cary, for the record.
3223 Just a quick clarification, those are the vertical louvers,
3224 right? Because every sign will have louvers.

3225 **Samantha Millman:** 4:05:23 Yes.

3226 **Hagu Solomon-Cary:** 4:05:24 Okay, thank you.

3227 **Samantha Millman:** 4:05:26 Because the horizontal louvers prevent the vertical spread
3228 and the vertical louvers prevent the horizontal spread. Yes.
3229 So, Louver Amendment. Jacob, do you want to speak to
3230 kind of your equity concerns and how you might want to
3231 build something into this ordinance for that?

3232 **Jacob Noonan:** 4:05:50 Right. So, I'd like to see if we had comments that we would
3233 like to provide. Maybe just it's by minute, in our minutes
3234 or otherwise, around recommending that the MOA specify
3235 a portion of revenues used for pedestrian and bicycle
3236 infrastructure access and safety investments in addition to
3237 transit investments. And that, and of course, this goes
3238 without saying, I'm sure Metro does a spectacular job and
3239 it might be already in the MOA. But to also specify that
3240 there's some mechanism for equitable public involvement
3241 in the decision making around the programs and the
3242 investments, as well as mechanisms for reporting out how
3243 revenues are being used to benefit the public. And then
3244 that's all incorporated into this program through the MOA.

3245 **Samantha Millman:** 4:06:43 Could we add to that also looking at, because the signs and
3246 their locations, obviously, are each generating revenues, so
3247 that the areas more impacted by signs are getting a chunk
3248 of those infrastructure investments, those transportation
3249 infrastructure investments. I think, particularly for safe
3250 transportation in those first mile/last mile connections to
3251 transit.

3252 **Jacob Noonan:** 4:07:09 I think that that would be... I agree with that. And I'm even
3253 wondering, building off of that on, on your earlier
3254 comments, President, around equity in our neighborhoods
3255 and where signs are located, that the program is able to
3256 demonstrate how revenues are being used locally, to
3257 improve the neighborhoods.

3258 **Samantha Millman:** 4:07:29 Right. And again, I don't think that's something because
3259 this is a land use document, and we don't get to spend the
3260 money. But I think that the comments can certainly be
3261 transmitted to Council with our recommended actions.

3262 **Jacob Noonan:** 4:07:44 President, if I could, if we have exhausted our list, I'd like
3263 to float out an idea of recommending that F-33 is retained.
3264 This is the sign that's in Downtown Los Angeles. Staff had
3265 explained that they were recommending the slides, that
3266 sign be removed, because of the concentration of signs.
3267 However, Downtown is a higher use area. And I believe
3268 that this sign it's spaced in a greater distance from other
3269 signs than is otherwise recommended by Caltrans. And so,

3270 I would like to see if the Commission is interested in
3271 retaining F-33 in the sign program.

3272 **Samantha Millman:** 4:08:29 We'll go around and do a straw vote, I think. If anyone has
3273 an argument for or against, I'd want to hear that before we
3274 all weigh in on it. I think I am more in support of Staff's
3275 recommended actions because of the way the freeways are
3276 in that area. You have so many interchanges and lane
3277 merging, and people figuring out how to get from one
3278 freeway to the other. And I think, the sign we lose is in an
3279 area where I think the 101, the 110, the 5, kind of the 5 to
3280 the 60 - everything kind of converges all at once and people
3281 are trying to move around. And I think part of that half mile
3282 distancing between signs alleviates the potential.

3283 4:09:20 Even though I know we have heard that there's no traffic
3284 safety issues with signs, I don't know that I fully agree with
3285 that statement. I think the jury's still out and there's a lot of
3286 conflicting data. And while some of the studies from state
3287 and federal agencies say one thing, we also know that there
3288 are lots of studies that say for every second your eyes go
3289 off the road, there's an increase in traffic accidents and that
3290 digital signage can cause your eyes to go off the road for a
3291 certain amount of time. I just am not comfortable saying
3292 definitively, one way or another.

3293 4:10:00 But I think the half mile distance is something I was more
3294 comfortable with. Particularly, because of the

3295 concentration of signs in that area and the converging of
3296 freeways. But I also understand what you're saying, Jacob,
3297 where it is a more... It's an urban center. So, does anyone
3298 else have any thoughts or want to weigh in on that issue?
3299 Whether we want Staff's recommended actions or the
3300 original distancing that would allow that one sign to
3301 remain?

3302 **Commissioner Lawshe:** 4:10:34 I mean, I am inclined to support Staff's recommendation
3303 just for all the reasons that you just mentioned.

3304 **Commissioner Leung:** 4:10:41 Same here, but I would also love the chance for Staff to
3305 clarify that logic again, because we have so many things.

3306 **Hagu Solomon-Cary:** 4:10:51 Hagu Solomon-Cary, for the record. I think, you know, all
3307 things considered, the concentration in the downtown area,
3308 which you know to some degree is understandable given
3309 Metro's property ownership in and around Union Station
3310 and the surrounding vicinity, does call to have more signs
3311 there given the program its limits to their ownership. It's
3312 our hope that half mile distance is sustained, so that in the
3313 future if additional signs are suggested, recommended or
3314 discussed through a code amendment, that we would kind
3315 of uphold that as a floor or baseline. You know, the signs
3316 are of a significant size. They do you know have a presence
3317 as they should, right, for the messaging, communication
3318 needs. I think it's our recommendation that that half mile
3319 be maintained as the floor. And I think in that it is only

3320 affecting one sign, we feel it's a compromise that is needed
3321 and important for the downtown area.

3322 **Commissioner Leung:** 4:11:51 Thank you so much for the reiteration. I think it's really
3323 important, as we are trying to create a very complex
3324 proposal for the city that, to the extent possible that there's
3325 norms that apply across the city. So, I feel good about this
3326 distancing.

3327 **Commissioner Gold:** 4:12:08 Commissioner Gold. I'm in agreement with that, with
3328 giving Staff's Report.

3329 **Commissioner Zamora:** 4:12:13 This is Commissioner Zamora. I'm inclined to support the
3330 recommendation made by Commissioner Noonan,
3331 actually, in the interest of having the ability to provide
3332 public safety communications in that dense area. So that's
3333 my recommendation.

3334 **Samantha Millman:** 4:12:44 Okay, so I think it's 2, 4. So...sorry, but I think that as this
3335 is transmitted to Council that they will also know, kind of,
3336 the deliberations we had, and will be able to consider what
3337 we were wrestling with at the time that we made our
3338 recommendations. So many notes, okay. One note that I
3339 didn't bring it up in our buckets is maximum sign areas.
3340 Most of the signs that are not freeway facing, I'm hearing,
3341 are going to be 300 square feet. All but one of the freeway-
3342 facing signs are 675 square feet or less, give or take. Except
3343 for one that is 1,200 square feet on Union Station.

3344 4:13:42 I have a least favorite sign, or group of signs in the city that
3345 is on a private development in the downtown area. And
3346 what it illustrates for me is that the larger the sign is, the
3347 further, the greater distance from which it can be seen, and
3348 the more it is contributing to what you are seeing as you are
3349 traversing our city, and driving through our city. Also, is
3350 just way brighter at night, because of its size. And so, I
3351 might be in favor of creating a maximum sign area for
3352 freeway facing signs of 675 square feet. To make sure that
3353 every other sign that is being proposed that is freeway
3354 facing still gets to be exactly the size as proposed, but
3355 maybe that one other sign is not quite so huge. So, does
3356 anyone have thoughts on a maximum freeway facing sign?

3357 **Andrew Pennington:** 4:14:51 Council...President Millman, I just wanted to say it's 672
3358 square feet. It's very standard for off-site signage to be that
3359 way. I can't remember exactly the dimension. I think it's
3360 like 14 by 40. What was that? 14 by 48. So, I mean, it's up
3361 to you, you can do 675. But 672.

3362 **Samantha Millman:** 4:15:11 672. Okay, let's be specific, then. If we are going to do it.

3363 **Andrew Pennington:** 4:15:15 If you're going to do it.

3364 **Samantha Millman:** 4:15:17 If we're going to do it. So, I would love to hear thoughts
3365 from my colleagues.

3366 **Commissioner Lawshe:** 4:15:23 So currently, in the current Staff Proposal, is the 672 the
3367 maximum, except for that one?

3368 **Andrew Pennington:** 4:15:32 So we make an exception for that one sign adjacent to
3369 Union Station. But all the other signs are 672 square feet.

3370 **Commissioner Lawshe:** 4:15:39 Okay, I'm fine with that. What was the rationale for that
3371 one sign? Is it the location? That particular...

3372 **Andrew Pennington:** 4:15:46 I would say we would defer to Metro, just because they are
3373 the ones that proposed that sign. I would assume that it has
3374 something to do with the fact that it's Union Station. But
3375 again, I would say, we would defer to Metro for the
3376 rationale.

3377 **Samantha Millman:** 4:15:59 Great. Let's invite Metro up to talk about the rationale of
3378 that sign.

3379 **Jack Rubens:** 4:16:11 Jack Rubens from Metro. We're going to ask Kevin
3380 Donovan who's a Senior Official with Allvision, who is the
3381 contracting, contractor consultant working with Metro on
3382 the program.

3383 **Samantha Millman:** 4:16:21 Thank you. Welcome.

3384 **Kevin Donovan:** 4:16:23 Hi. Kevin Donovan, Allvision for Metro. That location, the
3385 way the land is configured, it's pretty far set off the 101
3386 freeway. So, there's a good distance from the road. Also, I
3387 would also let the Commission know that Caltrans does
3388 allow up to 1,200 square feet for all off-site signs on the
3389 freeways in the state of California. We've chosen to go
3390 with the 672, which is standard. But for this location,
3391 because of the configuration of the property, 1,200 square-

3392 foot, which is allowed by Caltrans, seemed to be
3393 appropriate.

3394 **Commissioner Lawshe:** 4:17:05 I'm sorry. In that location, can you remind me what it
3395 faces? Which is it, the...

3396 **Kevin Donovan:** 4:17:10 So that's also, that's a single face sign. So, there's only one
3397 face on that one. And that would be right on the 101
3398 freeway where the rail line ends. Elevated high. But set
3399 back from the freeway.

3400 **Commissioner Lawshe:** 4:17:24 Okay, thank you.

3401 **Kevin Donovan:** 4:17:25 Thank you.

3402 **Samantha Millman:** 4:17:25 As opposed to the other signs that are kind of right up
3403 against the freeway and are freeway facing, how far set
3404 back from the freeway, what is the distance from the
3405 freeway of that sign?

3406 **Kevin Donovan:** 4:17:36 I mean, they're usually within 50 feet.

3407 **Samantha Millman:** 4:17:40 And is that the case for the Union Station sign?

3408 **Kevin Donovan:** 4:17:43 Union Station sign is well, like, almost 100 feet off.

3409 **Samantha Millman:** 4:17:50 It's the perspective but it's also like what happens...
3410 everything in between it, right? Okay, thank you so much.

3411 **Kevin Donovan:** 4:17:57 Thank you.

3412 **Samantha Millman:** 4:17:59 I defer to my colleagues on this issue. I'll start on my right.

3413 **Commissioner Gold:** 4:18:05 So is your proposal, just for me, to keep them all at 672,
3414 without that one exception?

3415 **Samantha Millman:** 4:18:11 That's my proposal.

3416 **Commissioner Gold:** 4:18:13 With all due respect to Metro at this point, I don't see a
3417 compelling reason to grant that exception. I would support
3418 keeping them all the same standard size.

3419 **Commissioner Leung:** 4:18:27 I do find there's a unique reason. I mean like, the location
3420 of Union Station, and it being twice as far, that I am open
3421 to that exception, and your proposal.

3422 **Samantha Millman:** 4:18:40 So sorry, you were quiet.

3423 **Commissioner Leung:** 4:18:41 Sorry, so I am open to what you proposed.

3424 **Amy Brothers:** 4:18:48 Deputy City Attorney Amy Brothers. I just want to remind
3425 everyone to please state your appearances.

3426 **Commissioner Leung:** 4:18:53 Thank you. This is Commissioner Leung.

3427 **Commissioner Lawshe:** 4:18:54 Well, you know, I hate to do something like this on the on
3428 the fly, but it's, I would personally prefer to limit the size
3429 of that one. But I'm saying like 1,000 square feet. I don't
3430 know, visually, will it make that much difference? So, I'm
3431 okay with Staff's recommendation.

3432 **Samantha Millman:** 4:19:30 Okay. Elizabeth?

3433 **Commissioner Zamora:** 4:19:32 Yes. Just a clarifying question. So, is it Staff's
3434 recommendation to allow the 1,200 square foot sign?

3435 **Samantha Millman:** 4:19:40 It is.

3436 **Commissioner Zamora:** 4:19:40 And all of the others are 672?

3437 **Samantha Millman:** 4:19:42 Yes.

3438 **Commissioner Zamora:** 4:19:43 Okay. I am in support of that Staff recommendation.

3439 **Samantha Millman:** 4:19:45 Okay, great.

3440 **Jacob Noonan:** 4:19:47 And I as well in support of the Staff recommendation.

3441 **Samantha Millman:** 4:19:51 Okay, so Staff's recommendation wins. Are there any other
3442 issues we have not yet discussed, that people would like to
3443 discuss?

3444 **Jacob Noonan:** 4:20:04 There was a request by Metro to include the signs by
3445 Bowtie Park - is FF-13 and FF-14. Myself, I am not in
3446 support of it. However, I think that it would be worthwhile
3447 for us as a Commission to discuss this, since it was brought
3448 up in the Metro's request.

3449 **Samantha Millman:** 4:20:31 So my understanding, Staff - I think that's a great idea,
3450 Jacob. Thank you. My understanding is that you received
3451 correspondence from the state asking for those to be
3452 removed, from the state agency?

3453 **Hagu Solomon-Cary:** 4:20:47 Yes.

3454 **Samantha Millman:** 4:20:49 Okay, great. Okay, so you are in support of Staff's
3455 recommendation?

3456 **Jacob Noonan:** 4:20:55 I am in support of Staff's recommendation and recognize
3457 the letter that was received from the state and recognize the
3458 sensitivity of the area.

3459 **Samantha Millman:** 4:21:04 Great. Elizabeth?

3460 **Commissioner Zamora:** 4:21:09 This is Commissioner Zamora. I concur. I agree.

3461 **Samantha Millman:** 4:21:12 As do I.

3462 **Commissioner Lawshe:** 4:21:14 Yeah. There was a little confusion between staff and Metro
3463 as to whether this was really an ecological site to be
3464 protected or not. I believe that it is, irrespective of where it

3465 is on its timeline of moving officially into a state park. So,
3466 I support Staff. Commissioner Lawshe. Sorry.

3467 **Commissioner Leung:** 4:21:35 This is Commissioner Leung. I also agree. And I didn't
3468 raise it because I figured we would just move forward with
3469 Staff recommendations, but I think it's great that we are
3470 having a conversation. I think that I want to just reiterate
3471 that it takes so long for various park spaces to be built on a
3472 place like Bowtie, because there's so many jurisdictions.
3473 So, it does make sense that perhaps even if some parks are
3474 actively a park and some are passively a park, that we
3475 recognize it as a sensitive use. So, I support Staff's
3476 recommendation.

3477 **Samantha Millman:** 4:22:06 Thank you.

3478 **Commissioner Gold:** 4:22:07 Commissioner Gold. I'm also in support of Staff's
3479 recommendation. It is a very sensitive area.

3480 **Samantha Millman:** 4:22:12 Thank you. Along Jacob's suggestion that we discuss
3481 things that were requested by Metro, one of the other
3482 requests from Metro was that we lengthen this ordinance to
3483 a 30-year period, as opposed to the period of time spelled
3484 out in the MOU. And I completely appreciate why Metro
3485 would want to do that. They are, after all, paying to install
3486 these signs, and it's a significant expense, and they want to
3487 make sure that they are operational for more than, you
3488 know, 15 to 18 years. On the other hand, sitting here as a
3489 representative of the city and the city of LA's best interests,

3490 I don't think it is in the best interest of the city to allow this
3491 ordinance to go longer than our Memorandum of
3492 Understanding, our MOA. Frankly, this is a sea change in
3493 signage in our city. Hopefully, not so much so, given some
3494 takedowns and Council will grapple with that as well. But
3495 I just can't see myself being comfortable extending it to 30
3496 years, and not giving us the ability to go back to the table,
3497 look at what's working, what's not, what's equitable for
3498 Metro, what's equitable for the city, what is not, and be able
3499 to come to a better agreement. Or even if this ends up not
3500 being the best thing for the city, for the city to be able to
3501 sunset it, after the MOA expires. So, I'm in support of
3502 Staff's recommendation on the term of this ordinance.

3503 4:24:08 Does anyone disagree? Okay. Is there anything else that we
3504 want to discuss? Before a motion, I do want to give people
3505 the opportunity if you have anything you want to say kind
3506 of generally about the program. I will say for myself, I want
3507 to thank the members of the public who came out and
3508 shared concerns with us. This is something, this is a touchy
3509 issue, and I think we are, we are experimenting with
3510 something that has not been done before in the city. There
3511 is a different type of technology available to us with these
3512 louvers that prevent the light spread, that gives me a lot
3513 more comfort than what we would get with a traditional
3514 digital sign that we have seen in the past, which is why at

3515 the end of the day, I am able to get myself to a “Yes” on
3516 this program. If you’ve followed my work on this
3517 Commission, while I have not been the most anti-digital
3518 sign Commissioner ever to grace this room, I have had
3519 trepidations in the past. And so, I really want to
3520 acknowledge the members of the public who shared their
3521 concerns, encourage them to continue engaging in this
3522 process, and speaking with decision makers. We are a
3523 recommending body. This is going to go to Council.

3524 4:25:47 And there will be other opportunities to weigh in and
3525 continue these discussions to make sure that we are putting
3526 forth a program that really is in the best interest of all the
3527 residents of Los Angeles. I want to thank Staff and the
3528 members of our city family who have worked tirelessly
3529 going back and forth on this program and really being
3530 thoughtful, and as, or as thoughtful as possible, as to how
3531 we thread the needle on this new program. And I would
3532 also just say that as this goes through form and legality, I
3533 know that the City Attorney’s office will also retain its
3534 ability to weigh in and give feedback as to any concerns
3535 that that office may have. So, with that, I would welcome
3536 any closing comments from Commissioners if they so
3537 choose. And then we can move forward with a motion.

3538 **Jacob Noonan:** 4:26:55 I’ll be brief. I’d just like to say that I think this is a very
3539 interesting and innovative program. I am not as opposed to

3540 digital billboards and signage, having worked in West
3541 Hollywood for almost 10 years and seeing what you can
3542 really do with digital billboards. So, I think this is exciting.
3543 I think that it is an exciting and interesting way to create
3544 additional revenue sources, and that, provided that there's
3545 a balance between the public good and the signs. And I
3546 think that there, that this is a great possibility, and I'm
3547 excited that this is moving forward.

3548 **Samantha Millman:** 4:27:34 Great, thank you.

3549 **Commissioner Zamora:** 4:27:37 This is Commissioner Zamora. I will just state that I think
3550 this is an important source of a new revenue. And I
3551 appreciate that the provision of the public safety
3552 communications that we will undoubtedly need in the
3553 future. And I also appreciate that the revenues will support
3554 transportation-related services in the future.

3555 **Samantha Millman:** 4:28:04 Thank you. Any other, anyone have anything else they
3556 want to add?

3557 **Commissioner Leung:** 4:28:08 This is Commissioner Leung. This is such a complicated
3558 compromise, because it's such a tough structure, but I think
3559 at the end, why I'm supporting this really goes back to our
3560 racial equity value statement that especially those most
3561 harmed by systemic racism, and I think about the where
3562 signs are coming down, and the potential for there to be
3563 public communications. You know, there is an argument
3564 that it's like different forms of visual blight replacing other

3565 forms of visual blight that I think in the end, there's
3566 revenue. And we are actually going to be able to calculate,
3567 kind of, and look into permits that exist and don't exist. So,
3568 I think this is a movement forward, to come up with a good
3569 compromise that allows for both Metro and the City to
3570 benefit. And I also want to thank all the members of the
3571 public that came out to speak, because this was a long, a
3572 long, long process in the making.

3573 **Samantha Millman:** 4:29:08 Thank you.

3574 **Commissioner Gold:** 4:29:10 This is Commissioner Gold. Maybe it's because my first
3575 real exposure to these digital billboards were the ones in
3576 Inglewood. I do remain deeply skeptical of the safety
3577 impacts that will result from this. I do appreciate all the
3578 work that went into this from Staff and from Metro. It does
3579 appear that this was really well thought out in terms of
3580 illuminating the billboards during the nighttime hours, how
3581 far out to space them, the refresh rate, and reconsidering
3582 putting locations in sensitive spots, like in Frogtown. I also
3583 appreciate the input from the public on this and I of course
3584 always appreciate the input from the brothers from the
3585 building trades as to how this will help.

3586 **Samantha Millman:** 4:29:58 And sisters. And sisters. Brothers and sisters.

3587 **Commissioner Gold:** 4:30:02 And sisters. Thank you. Thank you. I do want to follow up
3588 on a point Commissioner Noonan previously raised. I
3589 recognize that it is outside of our purview, but I would like

3590 to transmit the message to City Council that we're pitching
3591 this to the public as being for the benefit of Metro. But if
3592 the funds that we raise for this goes towards car-centric
3593 infrastructure, things that will make cars go faster, and
3594 more importantly, will not get more people on to Metro,
3595 then it would go against the entire spirit of what we are
3596 doing here. So, I hope we can somehow transmit to City
3597 Council that funds earmarked to LADOT for this really
3598 need to go exclusively to either transit or pedestrian and
3599 cyclist infrastructure.

3600 **Samantha Millman:** 4:30:55 Thank you. Okay, with that I am going to take my stab at a
3601 motion which is going to be Staff's recommended actions
3602 with the technical modifications, including the Takedown
3603 Amendment and the Louver Amendment, and
3604 incorporating our discussions regarding how, where, and
3605 on what these funds are being used for, and making sure
3606 that we keep equity in mind as we are taking in and
3607 earmarking these funds for city projects. Am I forgetting
3608 any changes that we made? I don't think so.

3609 **Nuri Cho:** 4:31:46 Wait. This is Nuri Cho with Planning. There was an error
3610 in Table 7-2 in the technical modification that needs to be
3611 updated. So, we are happy to transmit a modified version
3612 of that to Council.

3613 **Samantha Millman:** 4:31:59 Thank you. And yes, my motion includes that direction as
3614 well. Thank you. Do we have a second?

3615 **Commissioner Noonan:** 4:32:07 This is Commissioner Noonan. I'll second.

3616 **Samantha Millman:** 4:32:10 Thank you. Cecilia, we have a motion for a second. Will
3617 you please call for the vote?

3618 **Cecilia Lamas:** 4:32:14 Cecilia Lamas, for the record. President Millman?

3619 **Samantha Millman:** 4:32:17 Yes.

3620 **Cecilia Lamas:** 4:32:17 Commissioner Noonan?

3621 **Commissioner Noonan:** 4:32:18 Yes.

3622 **Cecilia Lamas:** 4:32:20 Commissioner Gold?

3623 **Commissioner Gold:** 4:32:20 Yes.

3624 **Cecilia Lamas:** 4:32:21 Commissioner Leung?

3625 **Commissioner Leung:** 4:32:23 Yes.

3626 **Cecilia Lamas:** 4:32:24 Commissioner Zamora?

3627 **Commissioner Zamora:** 4:32:25 Yes.

3628 **Cecilia Lamas:** 4:32:25 And Commissioner Vice President Lawshe?

3629 **Commissioner Lawshe:** 4:32:27 Yes.

3630 **Cecilia Lamas:** 4:32:28 And the motion carries.

3631 **Samantha Millman:** 4:32:29 Thank you.

ATTACHMENT 2
Attachments B and C to Metro Staff Report of March 16, 2023
Regarding the Metro Property Inventory For Potential Unhoused Support Facilities

ATTACHMENT "C" - POTENTIAL JOINT DEVELOPMENT SITES

Site	Needed for JD by	Current Use	Line	Address	City	Approx SF
17th St/ SMC Station	2027	Park and Ride; Leased Parking	E Line (Expo)	1619 17th St	Santa Monica	182,041
103rd St/ Watts Towers Station	2028	Park and Ride	A Line (Blue)	10305 Grandee Ave	Los Angeles	159,907
1940 CPE	2028	Construction	D Line (Purple)	1940 Century Park East	Los Angeles	30,016
Aviation/ Century Station	2028	Construction Laydown	K Line (Crenshaw)	5601 W Century Blvd	Los Angeles	83,575
El Segundo Station	2027	Park and Ride	C Line (Green)	E El Segundo Blvd and N Nash	El Segundo	67,291
Temple/Beaudry Bus Layover	2028	Bus Layover	Other Metro Property	1113 W Temple St	Los Angeles	57,250
Sepulveda Station	2027	Park and Ride	G Line (Orange)	6127 Sepulveda Blvd	Los Angeles	557,706
Wilshire/ La Brea	2026	Construction Laydown	D Line (Purple)	711 S La Brea Ave	Los Angeles	115,000
Canoga Park Station	2027	Electric Bus Charging; Park and R	G Line (Orange)	6620 Canoga Ave	Los Angeles	60,000
Fairview Heights	2026	Park and Ride	K Line (Crenshaw)	1119 E Redondo Blvd	Inglewood	
Balboa/ Victory	2026	Park and Ride	G Line (Orange)	16851 Victory Blvd	Los Angeles	517,130
Florence Station	2026	Park and Ride	A Line (Blue)	1720 E Florence Ave	Florence-Firestone Community	74,913
Heritage Square Station	2026	Park and Ride	L Line (Gold)	Cypress Park	Los Angeles	80,192
Wilshire/ Crenshaw	2026	Construction Laydown	D Line (Purple)	675 Crenshaw Blvd	Los Angeles	60,000
Artesia Station	2026	Park and Ride; Bus Layover	A Line (Blue)	Metro A line	Compton	87,120
Pickle Works	2028	Construction Offices and Parking	Other Metro Property	1001 E 1st St	Los Angeles	88,105
Universal City/Studio City Station	2028	Park and Ride; Bus Layover	B Line (Red)	3906 Willowcrest Ave North	Los Angeles	468,270

ATTACHMENT "B" METRO PARK AND RIDE

Line	Station	Location	Total	2019 Utilization	Current Utilization	City	Owner	Operator	Notes	Recommend for Interim Housing (Y/N)	Feasible for Safe Parking (Y/N)
A LINE	Florence	Main Lot 7225 Graham Ave. Los Angeles, CA 90001	115	99%	77%	Florence-Firestone Community	Metro	Metro		N	Y
	Willowbrook	North Lot 11644 Willowbrook Ave. Los Angeles, CA 90059	141	68%	50%	Los Angeles	Caltrans	Metro		N	Y
	Artesia	Main Lot 1920 1/2 Acacia Ave. Compton, CA 90220	290	33%	24%	Compton	Metro	Metro		Y	Y
	Del Amo	Main Lot 20485 Santa fe Ave. Compton, CA 90221	358	15%	25%	Compton	Metro	Metro		Y	Y
	Wardlow		121								
		North Lot 3440 Pacific Pl. Long Beach, Ca 90806	67	93%	45%	Long Beach	Metro	Metro	* Lot directly in front of station entrance. * Narrow strip parcel	N	Y
		South Lot 3380 Pacific Pl. Long Beach, Ca 90806	54	87%	23%	Long Beach	Metro	Metro	* Lot across street from station entrance. * Narrow strip parcel.	N	Y
	Willow		853								
		North Lot 2750 W. American Ave. Long Beach, CA 90806	67	19%	0%	Long Beach	Metro	Metro	* Long narrow strip.	Y	Y
		South Lot 2750 W. American Ave. Long Beach, CA 90806	92	25%	16%	Long Beach	Metro	Metro	* Smaller, narrow strip between elementary school and station. * Directly in front of station entrance.	N	N
		Southwest Structure 200 E 27th St. Long Beach, CA 90806	694	49%	42%	Long Beach	Metro	Metro	* Parking Structure located just off shopping center.	N	Y
	Norwalk		1,759								
		West Lot 12901 Hoxie Ave. Norwalk, CA 90650	339	71%	9%	Norwalk	Caltrans	Metro	* Under Freeway overpass *Staff parking for so-fi events	N	N
		East Lot 12901 Hoxie Ave. Norwalk, CA 90650	1,420	80%	16%	Norwalk	Caltrans	Metro	* Station improvements being studied (Rail Integration Network) with proposed changes in the parking lot. * Mobility Hub location proposed for 2028 Olympics. *Used for so-fi parking	N	N
	Lakewood		403								
		North Lot 12775 Lakewood Blvd. Downey, CA 90242	128	21%	3%	Downey	Caltrans	Metro		Y	Y
		South Lot 12875 Lakewood Blvd. Downey, Ca 90242	275	83%	33%	Downey	Caltrans	Metro		Y	Y
	Long Beach		646								

	West Lot 11455 Long beach Blvd. Lynwood, CA 90262	394	45%	7%	Lynwood	Caltrans	Metro		Y	Y
	East Lot 11508 Long beach Blvd. Lynwood, CA 90262	252	49%	16%	Lynwood	Caltrans	Metro		Y	Y
Avalon		160								
	North Lot 652 E 116th Pl. Los Angeles, CA 90059	99	26%	12%	Los Angeles	Caltrans	Metro		N	Y
	Northeast Lot 672 E 116th Pl. Los Angeles, CA 90059	61	10%	9%	Los Angeles	Caltrans	Metro		N	Y
Harbor Freeway	Main Lot 11600 S Figueroa St. Los Angeles, CA 90061	252	88%	46%	Los Angeles	Caltrans	Metro		N	Y
Vermont /Athens	Main Lot 11455 S Vermont Ave. Los Angeles, CA 90044	155	12%	9%	Los Angeles	Caltrans	Metro		Y	Y
Crenshaw	Main Lot 11901 S Crenshaw Blvd. Inglewood, CA 90303	516	19%	4%	Inglewood	Caltrans	Metro	* Current secondary location for SoFi event transit parking. * Mobility hub proposed site for 2028 Olympics	N	N
Hawthorne/Lennox		362								
	West Lot 4445 W 111th St. Inglewood, CA 90304	46	37%	9%	Lennox Community	Caltrans	Metro	*Used for so-fi parking	N	N
	East Lot 4335 W 111th St. Inglewood, CA 90304	316	58%	47%	Lennox Community	Caltrans	Metro	* Primary site for SoFi transportation shuttle for events and parking.	N	N
Aviation/ LAX	Main Lot 5574 W Imperial Hwy Los Angeles, Ca 90045	435	99%	99%	Del Aire Community	Caltrans	Metro	* Highly utilized station. * Propose mobility hub location for 2028 Olympics.	N	N
El Segundo	Main Lot 2226 E El Segundo Blvd. El Segundo, CA 90245	93	24%	32%	El Segundo	Metro	Metro		Y	Y
Douglas	Main Lot 700 S Douglas St. El Segundo, CA 90245	30	40%	35%	El Segundo	City of El Segundo	Metro		N	Y
Redondo Beach		340								
	North Lot 2406 Marine Ave. Redondo Beach, CA 90260	253	70%	25%	Redondo Beach	Southern California Edison	Metro		N	Y
C LINE	South Lot 2406 Marine Ave. Redondo Beach, CA 90260	87	15%	2%	Redondo Beach	Southern California Edison	Metro		N	Y
Union	Parking Garage One Gateway Plaza Los Angeles, CA 90012	2,200	61%		Los Angeles	Metro	Metro	* Metro Headquarters. * Sub-terranean. * Mobility hub for 2028 Olympics.	N	N

B LINE	Universal City		828									
		North Lot 3901 Lankershim Blvd. Los Angeles, CA 91604	550	76%	61%	Los Angeles	Metro	Metro	* Mobility hub with parking proposed for this station across the street at bus layover . *Future Joint Development site *Slight sloped property.	N	Y	
		South Lot 10706 ventura Blvd. Los Angeles, CA 91604	80	90%	65%	Los Angeles	Caltrans	Metro	* Mobility hub with parking proposed for this station across the street at bus layover . *Slightly sloped property.	N	Y	
		North Hollywood	1,091									
		North Lot 11230 Cumpston St. North Hollywood, CA 91601	773	86%	75%	Los Angeles	Metro	Metro	Joint development is planned for this site.	N	Y	
		South Lot 11240 Chandler Blvd. North Hollywood, CA 91601	199	89%	64%	Los Angeles	Metro	Metro	Joint development is planned for this site.	N	Y	
		West Lot 11346 Chandler Blvd. North Hollywood, CA 91601	17	90%	64%	Los Angeles	Metro	Metro	Joint development is planned for this site.	N	Y	
		Chandler Lot 11143 Chandler Blvd. North Hollywood, CA 91601	164	31%	4%	Los Angeles	Metro	Metro	Joint development is planned for this site.	N	Y	
		Main Lot 685 S Westlake Ave. Los Angeles, CA 90057	18	90%	68%	Los Angeles	Metro	Metro	Joint development is planned for this site.	N	N	
		Westlake MacArthur Park										
	Atlantic		286									
		Parking Structure 255 Pomona Blvd. East Los Angeles, CA 90022	262	69%	53%	Los Angeles	Metro	Metro	* Parking Structure located just off shopping center.	N	Y	
		Northeast Lot 255 Pomona Blvd. East Los Angeles, CA 90022	22	27%	0%	Los Angeles	Metro	Metro	* Current site of Safe Parking Program.	N	Y	
		Main Lot 177 S. Alma Ave. Los Angeles, CA 90063	42	90%	55%	Los Angeles	Metro	Metro	* Business easement, using the lot to access gate for business.	N	N	
		Main Lot 387 W. Avenue 26 Los Angeles, CA 90031	94	90%	53%	Los Angeles	City of Los Angeles	Metro		N	Y	
		Main Lot 3545 Pasadena Ave. Los Angeles, CA 90031	129	96%	26%	Los Angeles	Metro	Metro		N	Y	
		Parking Garage 750 S Raymond Ave. Pasadena, CA 91105	155	80%	20%	Pasadena	Fillmore Raymond MOB LLC	Fillmore Raymond MOB LLC	Privately owned parking structure. Metro has easement for two levels.	N	N	
		Main Lot 446 Maple Way Pasadena, CA 91101	22	44%	NA	Pasadena	Lake Avenue Church	Lake Avenue Church	Privately owned. Metro leases 20 parking space for shared use.	N	N	

	Northwest 14612 Bessemer St. Los Angeles, CA 91411	126	0%	0%	Los Angeles	Metro	Metro	* Lot currently under lease with car dealerships.	Y	Y
	South 6050 Van Nuys Blvd Van Nuys, CA 91401	220	25%	50%	Los Angeles	Metro	Metro	* Part of lot leased to dealerships.	Y	Y
	Southeast 6050 Van Nuys Blvd Van Nuys, CA 91401	293	0%	0%	Los Angeles	Metro	Metro	* Current site of unsheltered temporary shelter project.	Y	Y
Sepulveda	Main Lot 15330 W Erwin St. Los Angeles, CA 91411	263	64%	13%	Los Angeles	Metro	Metro	* Lease of space to car dealerships in area to store vehicles. * Metro projects utilizing space for extensions.	Y	Y
Balboa	Main Lot 6340 N Balboa Blvd. Los Angeles, CA 91316	273	79%	21%	Los Angeles	Metro	Metro		Y	Y
Reseda		442								
	Northwest Lot 18530 Topham St. Los Angeles, CA 91335	33	39%	90%	Los Angeles	Metro	Metro	* Current site of unsheltered temporary shelter project.	Y	Y
	Southwest Lot 18548 Oxnard St. Los Angeles, CA 91356	127	79%	89%	Los Angeles	Metro	Metro		N	Y
	Southeast Lot 18450 Oxnard St. Los Angeles, CA 91356	157	71%	99%	Los Angeles	Metro	Metro		N	Y
Pierce College	Main Lot 20245 Victory Blvd. Los Angeles, CA 91367	392	31%	28%	Los Angeles	Los Angeles Community College	Metro	* Not Metro Owned. Leased location. * Shared use with college student parking Contract restricted to parking use.	N	N
Canoga	Main Lot 6650 Canoga Ave. Los Angeles, CA 91303	249	66%	46%	Los Angeles	Metro	Metro		Y	Y
Sherman Way		207								
	West Lot 7170 Canoga Ave. Los Angeles, CA 91303	103	51%	51%	Los Angeles	Metro	Metro		N	Y
	East Lot 7119 Deering Ave. Los Angeles, CA 91303	104	40%	42%	Los Angeles	Metro	Metro		N	Y
G LINE										
Slauson		152								
	West Lot 430 W. Slauson Ave. Los Angeles, CA 90003	87	29%	8%	Los Angeles	Caltrans	Metro		N	Y
	East Lot 350 W Slauson Ave Los Angeles, CA 90003	65	2%	2%	Los Angeles	Caltrans	Metro		N	Y
Manchester		246								
	West Lot 431 W Manchester Ave Los Angeles, CA 90003	136	25%	23%	Los Angeles	Caltrans	Metro		N	Y
	East Lot 390 W Manchester Ave Los Angeles, CA 90003	110	11%	9%	Los Angeles	Caltrans	Metro		N	Y
Rosecrans	Main Lot 622 W Rosecrans Ave Gardena, CA 90248	204	75%	19%	Gardena	Caltrans	Metro		N	Y

	Main Lot 731 W 182nd St Gardena, CA 90248	980	76%	52%	Gardena	Caltrans	Metro	*Current site for SoFi event transportation. *Mobility hub location for 2028 Olympics.	N	Y
Harbor Gateway Transit Center El Monte		1,889								
	Northeast Lot 3501 Santa Anita Ave El Monte, CA 91731	188	81%	76%	El Monte	Metro	Metro	*Majority of ADA accessible parking within this lot. *Closest proximity to station entrance.	Y	Y
	West Lot 3501 Santa Anita Ave El Monte, CA 91731	263	7%	2%	El Monte	Caltrans	Metro	*Bus charging infrastructure being installed, reducing total available parking.	N	Y
	West Structure 3501 Santa Anita Ave El Monte, CA 91731	477	62%	52%	El Monte	Caltrans	Metro	*Currently utilized by Metro operators and facility tenants. *Parking structure	N	Y
	Southeast Lot 3501 Santa Anita Ave El Monte, CA 91731	220	66%	34%	El Monte	City of El Monte / Metro	Metro	*Jointly owned. Future electric bus charging infrastructure in western portion of this lot	N	Y
	East Lot 3501 Santa Anita Ave El Monte, CA 91731	432	87%	43%	El Monte	City of El Monte / Metro	Metro		Y	Y
Carson	Main Lot 711 W Carson St. Torrance, CA 90502	143	11%	3%	Torrance	Caltrans	Metro		N	Y
Wilmington	Main Lot 1345 W. Pacific Coast Hwy. Wilmington, CA 90744	240	29%	28%	Wilmington	Caltrans	Metro		N	Y
J LINE San Pedro	Main Lot 515 N Beacon St, San Pedro, CA 90731	180	20%	14%	San Pedro	Caltrans	Metro	* Current location of temporary shelter.	N	Y