

BRENTWOOD RESIDENTS COALITION
ZONING | LAND USE | PLANNING | ENVIRONMENTAL

September 30, 2011

Alan Bell
Deputy Director of Planning
200 North Spring Street
City Hall, Room 525E
Los Angeles, CA 90012

**Re: Proposed Revisions to Draft City-Wide Sign Ordinance
Council File No. 08-2020**

Dear Alan:

On behalf of the coalition of community organizations that met with you on September 15, 2011, we express our appreciation for your taking the time to discuss the most recent draft of the proposed City-Wide Sign Ordinance. As discussed at the meeting, we have put together a number of proposed revisions to the Draft Ordinance for the Planning Department's consideration. We ask that you consider including our suggestions in the next version of the Draft Ordinance. Our proposals are as follows:

1. No Sign Districts Along Scenic Highways. The Ordinance fails adequately to protect scenic highways from commercial blight by not making clear that Sign Districts cannot abut any type of scenic highway, whether designated as such on a state or local basis. To correct this deficiency, Section 11(B)(3)(b) of the Sign Ordinance should be revised as follows:

(b) abut a ~~major-highway or secondary highway~~ identified as a scenic highway, ~~parkway or corridor~~ as designated or **otherwise identified** on an adopted **State or local Planning Document, including but not limited to General, Community or Specific Plans;**

2. No Sign Districts in Areas Subject To Specific Signage Restrictions. The Ordinance does not unambiguously state that Sign Districts cannot be established in areas subject to Planning Documents that regulate signage. To eliminate any ambiguity, Section 11(B)(3) should be modified by adding the following subpart (d), stating that the boundaries of an "SN" Sign District shall not:

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(d) fall within an area governed by a Planning Document that regulates signage, including but not limited to Specific Plans, Overlay Districts, or conditions imposed under any discretionary approval, permit, development agreement or entitlement.

3. No Sign Districts Adjacent To Schools, Parks, Libraries, Museums, Historic-Cultural Monuments, Historic Districts or Residential Properties. The Ordinance does not prohibit Sign Districts within 1,000 feet of schools, parks and recreational facilities, libraries, museums, Historic-Cultural Monuments, Historic Districts, or residentially-zoned properties. To provide this protection, Section 11(B)(3) should be amended by adding subpart (e), stating that the boundaries of an “SN” Sign District shall not:

(e) fall within 1,000 feet of a school, park or recreational facility, library, museum, Historic-Cultural Monument, Historic District or residentially-zoned property.

4. Sign District Findings Must Accommodate Residential Interests. The proposed mandated findings for approving an “SN” Sign District do not unambiguously protect nearby residential properties. **First**, Section 11(B)(4)(d), which requires that Sign Districts be “compatible with the surrounding environment,” must be revised to make clear that adjacent residential properties must be considered part of the surrounding environment, as in the Core Findings:

The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent **and surrounding** properties, **including residential areas**;

Second, a new subsection (g) should be added to Section 11(B)(4):

(g) **No signs within a Sign District shall be visible from any adjacent or surrounding residential property, nor shall it create light trespass into any adjacent or surrounding residential property. As used in this article, the word “visible” means that signs or light emitted from such signs are able to be seen.**

5. No “Donor” Signs. The definition of “Donor Sign” in Section 14.4.2 should be deleted in its entirety.

6. Restrictions on Exemption for Interior Signs. The Ordinance exempts from regulation signs that face an interior courtyard bounded by non-

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translucent walls or buildings. This would allow off-site commercial signs in public parks and recreational areas, museums, and other areas frequented by children, who are often targeted by advertising. This expansive exemption, however, is far broader than intended, as reflected in the May 26, 2009 motion (Weiss), specifying that this exemption was intended to apply to 40 acre or more “Campus” development type properties. The Section 14.4.3.A, SCOPE (EXCEPTION) for “interior” signs should therefore be modified as follows:

EXCEPTION: Signs or sign support structures shall not be considered exterior if **(1)** they face an interior court bounded on all sides by one or more non-translucent buildings or walls on the property, **(2)** no sign is higher than any of the surrounding buildings or walls, **(3) the interior court is not situated on or within a park or recreational facility, library, museum, or Historic-Cultural Monument, and (4) the property on which the interior court is located falls within a Sign District as defined in Sec. 91.6216.4.3 or a Comprehensive Sign Program as defined in Section 14.4.24.** Surrounding walls may have necessary openings for ingress and egress provided the **signs are** not visible from any public right of way or **public or private** property.

7. Planning-Documents Regulations Prevail Over Less-Restrictive Sign Ordinance Provisions. The Ordinance does not unambiguously state that Planning Documents that regulate signage prevail over the Ordinance’s less restrictive regulations. To remedy this ambiguity, Section 14.4.3(F) should be modified as follows:

F. Relationship to Other Provisions of this Code. If the provisions of this article are different from, more restrictive than or more permissive than any other provisions of this Code related to signs, then the provisions of this article shall prevail and supersede those provisions, **except that any provision of a Planning Document (including but not limited to Specific Plans, Overlay Districts, or conditions imposed under any discretionary approval, permit, development agreement or entitlement) regulating signage that is more restrictive than provided under this article shall prevail.**

8. Sign Illumination Limitations Must Consider Cumulative Impacts. The Ordinance should regulate the impacts of cumulate light intensities on residentially zoned property, not just the light intensity of a single sign. Section 14.4.4(F) (SIGN ILLUMINATION LIMITATIONS) should be revised as follows:

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Sign Illumination Limitations. No one sign or grouping of two or more signs shall be arranged and illuminated in a manner that will produce a light intensity of greater than 0.3 foot candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.

9. Wall Signs Cannot Cover Doors or Windows. The Sign Ordinance should prohibit wall signs that cover windows or doors (or other means of ingress/egress), regardless of whether the fire department certifies that such coverings present no safety hazard. Section 14.4.9 (WALL SIGNS) should not therefore include the Planning Department's Recommended Changes dated August 10, 2011. Section 14.4.9(C)(3) & (4) should read as follows (redlined from August 10, 2011 recommendations):

3. No wall sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents; ~~unless the Fire Department determines that the sign would not create a hazardous condition.~~

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

10. Digital Displays Require Additional Regulations. Section 14.4.19 should be expanded to include additional subparagraphs regulating other problematic characteristics of digital displays, including the following:

- D. The distance and spacing between digital signs.**
- E. Hours of sign operation (preferably absolute AM and PM limits; other static measurements could be based on zoning, property size, building height, street width and classification, or traffic speed).**
- F. Light trespass or spillover effects on residentially zoned property.**
- G. Limits on energy use and mandate reductions in carbon footprints.**
- H. Glare.**
- I. The timing of message transition periods when multiple signs are in close proximity (*i.e.*, a specified number of yards) to each other.**

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11. Sign Adjustment/Variance Findings Must Accommodate Residential Interests. The findings for sign variances and adjustments do not unambiguously protect adjacent or surrounding residential properties. To do so, the last sentence of Section 14.4.22(B)(2) should be revised as follows:

The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent **and surrounding** properties, **including residential areas**;

And the last sentence of Section 14.4.22(B)(4) should be revised as follows:

The surrounding environment shall be comprised of other nearby signs, other elements of street and site furniture, and adjacent **and surrounding** properties, **including residential areas**;

12. No Comprehensive Sign Programs Where Planning Documents Regulate Signage, Along Scenic Highways, or Adjacent to Historic Districts/Monuments. The eligibility requirements for a “comprehensive sign program” do not clearly prohibit such programs within areas where Planning Documents regulate such signage, along scenic highways, or adjacent to Historic Districts or Historic-Cultural Monuments. This may be corrected by revising Section 14.4.24(B)(2) as follows:

A comprehensive sign program cannot be requested for property **situated on, within, or within 1,000 feet of (1)** an established Sign District, ~~or within the~~ **(2) an area of any governed by a Planning Document (including but not limited to Specific Plans or, Overlay Districts, or conditions imposed under any discretionary approval, permit, development agreement or entitlement)** that contains special signage regulations, or **(3) any school, park or recreational facility, library, museum, Historic-Cultural Monument, or Historic District.**

13. No Off-Site Signs in Comprehensive Sign Program Areas. The Sign Ordinance’s general prohibition of off-site signs should not be lifted for Comprehensive Sign Program areas. This requires that Section 14.4.24(D), listing prohibited signs within Comprehensive Sign Program areas, be revised as follows:

D. Prohibited Signs. A comprehensive sign program may not include any signs prohibited by Section 14.4.C of this Code, ~~except that off-site signs may be allowed, so long as they~~

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~~are consistent with the purpose of this section and are not visible from any public right of way or adjacent property.~~

The last sentence of Section 14.4.24(E)(1) should be stricken in its entirety; Section 14.4.24(E)(5) should be deleted in its entirety; and subparagraph (d) of Section 14.4.24(E)(6) (FINDINGS) should be delete in its entirety.

14. “Grandfathered” Sign Districts Must Be Subject to The Ordinance’s “Take Down” Requirements. The proposed grandfathering of 14 large-scale Sign Districts, which are not entitled to grandfathering as a matter of vested rights, creates the risk of significant environmental impacts under CEQA and also threatens to undermine the Sign Ordinance’s requirements for Sign Districts under the standards articulated by the Ninth Circuit. The Section 13.11 “grandfathering,” as further detailed by the Planning Department’s Additional Recommended Changes dated August 10, 2011, should therefore be modified to read:

- Initiated or Applied for Sign Districts: Any initiated or applied for Sign District shall be subject to the Sign District regulations in this Code as of August 9, 2011, rather than to subsequently updated regulations, **except that any initiated or applied for Sign District shall be subject to the updated Sign Reduction regulations set forth in Section 13.11(C) of this article.**

On behalf of the many organizations that met with you on September 15, we again express our gratitude for your work on this project and the public outreach efforts that you have made. If you have any questions about these proposed revisions, please do not hesitate to call us. We look forward to working with you as the public process proceeds.

Sincerely,



Thomas R. Freeman



Wendy-Sue Rosen

cc: Councilmember Rosendahl
City Attorney Ken Fong
City Attorney Jane Usher