



# Motion to demand public hearings on the proposed billboard sign ordinance

**Agenda Item:** SB091715-1

**Date:** September 17, 2015

**Proposed By:** Doug Fitzsimmons

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## Background

In 2002, the City Council approved a ban on new billboards and modifications to existing ones, but it included exceptions for sign districts, specific plans and development agreements. The billboard ban spurred numerous lawsuits by sign companies, successfully arguing that these exceptions were unconstitutional because they undermined the ban's stated purpose of enhancing the city's aesthetics and improving traffic safety.

The Los Angeles City Planning Commission then began debating a new sign ordinance, which eliminated the exceptions for specific plans and development agreements and tightened up the criteria for sign districts, including geographic restrictions as well as a provision requiring billboards to be taken down in surrounding communities before new signs could be put up in sign districts. It languished in committee until a 2010 Appeals Court ruling that reversed the earlier court decision. That triggered yet another rewrite from the Planning Department, more delay, and more lawsuits. In 2012, the Appeals Court weighed in again, ordering the revocation of permits for 101 digital billboards created without any required public process.

**The Planning Commission is now tentatively scheduled to discuss a new citywide sign ordinance at its meeting on Sept. 24.** After six years of inaction, Councilmember Huizar has declared its passage urgent, information that has come to the attention of SORO NC only today (Wednesday the 17<sup>th</sup>).

The measure has been substantially changed since its last incarnation. One feature of the 57 page proposal is that it would grant amnesty to the 1,000 – 4,000 billboards (estimates vary) that currently lack permits or have been altered in violation of their permits. It would also establish a conditional use permit process for new digital billboards and remove the billboard takedown requirement for grandfathered billboard districts.

At its last meeting, the PLUM committee received a report on allowing new digital billboards on any commercial street through the issuance of conditional use permits, but it's unknown whether this will be considered by the nine members of the Planning Commission. The current version of the ordinance bans digital billboards anywhere but in sign districts, which in turn can only be established in one of 20 geographic areas zoned for high-intensity commercial use.

Unlike in past years, this version of the ordinance has been prepared without citywide public hearings. The motion calls for such hearings to occur. It also expresses opposition to a number of proposals currently under consideration.

SORO has weighed in at least twice before on the Billboard issue; copies of those motions are attached.

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## Proposed Motion

- I. That the South Robertson Neighborhoods Council (SORO NC) demands a full and open public process in the adoption of a proposed billboard ordinance, and therefore calls for new citywide hearings and NC input prior to consideration by the Planning and Land Use Management committee and the full City Council.
- II. Further, SORO NC opposes:
  - a. Any effort to grant amnesty to unpermitted and/or illegally altered billboards, including digital conversions;
  - b. The removal or dilution of a mandatory takedown requirement in any area of the city;
  - c. The creation of a conditional use approval process that would permit digital billboards outside of designated high-density commercial sign districts.

## Considerations

**Committee review:**  
*(highly recommended)*

Votes For:

Against:

**Amount previously allocated in Committee's working budget:**     \$na  
*(applies to funding motions only)*

### Arguments for:

### Arguments against:

Councilmember Huizar's desire to move a new ordinance "urgently" to Council vote ignores years of debate, creates an impression of impropriety, and subverts the principle of open government.

The process has gone on long enough.

The proliferation of unregulated signs is disastrous for residents and communities. It is time the City took a proactive stance.

Although the City has the right to regulate signage, that must be balanced with the free speech rights of sign companies.



# Motion to submit a Community Impact Statement on the proposed City Sign Ordinance

**Agenda Item:** GB091511-8  
**Date:** 15 September 2011  
**Proposed By:** Doug Fitzsimmons

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## Full Proposal

Member Councils of the Westside Regional Alliance of Councils (WRAC) are now considering the proposed Citywide Sign Ordinance, scheduled to be heard by the City Council's Planning and Land Use Management (PLUM) committee on September 18th. The Pacific Palisades Community Council has taken the lead on researching the issue, and this motion is based on their work. Their supplemental report is attached.

### Background

The City Planning Commission (CPC) approved this ordinance on March 26, 2009, after three public hearing that included extensive testimony from representatives of Neighborhood Councils, community groups, business and development interests, and the sign industry. Unfortunately, **proposed changes** to the ordinance first made public on July 22, 2011 by the City Planning Department seriously weakened the ability of the city to protect its citizens from the negative impacts of outdoor advertising.

### Sign Districts

The CPC retained the sign district provision allowing off-site and other prohibited sign types in sign districts, but greatly limited the potential for negative impact on communities by allowing districts only in high-intensity commercial areas zoned as a regional commercial or regional center. The CPC also approved a provision that allowed property owners to erect these kinds of signs only after acquiring and removing existing billboards in the surrounding community at a more than one-to-one square footage ratio. The CPC voted to "grandfather" only two pending application for sign districts under the current city sign ordinance.

The revised ordinance now before the PLUM committee seriously undermines the CPC's intent by proposing to grandfather a dozen pending sign district applications and proposals for special signage in specific plan areas. This could result in hundreds of thousands of square feet of new off-site signage in the city without a single billboard being taken down. The CPC rightly decided that removal of billboards that blight commercial streets in many neighborhoods provides a tangible, quantifiable community benefit as well as ensures that won't be a net proliferation of new billboards and off-site signage in the city.

### Comprehensive Sign Programs

The CPC included this provision to allow special signage rules for large properties like shopping centers and college campuses, but the provision didn't allow any off-site or electronic signage generally prohibited by the ordinance. The revised ordinance would allow those generally prohibited sign types if they aren't visible from the public right-of-way and don't exceed 10% of the total signage on the property. These comprehensive sign programs would be allowed on any commercial property, either public or private, which opens the door to commercial advertising in city parks and recreational facilities.

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### Electronic Signage

The CPC prohibited electronic signage outside sign districts, but the revised ordinance would allow them on-site or as business signs anywhere in the city. The only regulations proposed are a minimum eight-second message duration and a daylight and night-time brightness limit. These regulations fail to address serious issues of energy use, traffic safety, light trespass on residential properties, change in community character, and potential for privacy invasion.

At a minimum, a moratorium should be placed on the installation of any new electronic signs and conversion of existing signs until regulations are in place that protect residents, motorists, communities and others from adverse effects.

### Other Issues

**Donor Signs:** Signs recognizing donors would be allowed by-right, without restriction on size, location, or text. This would allow signs carrying corporate logos anywhere, including city parks and other public property. These should not be allowed without strict regulations on size, text, and placement.

**Right of Private Action:** The provision allowing property owners within 500 feet of an illegal sign to file suit if the city failed to enforce citations was removed from the CPC-approved ordinance, but should be reinstated.

**Signs in the Public Right-of-Way:** The ordinance exempts signage in the public right-of-way from any regulations. This signage should be made subject to all the regulations of the ordinance.

**Sign Adjustment:** The ordinance would allow a zoning administrator to approve a 20% deviation from sign area and height, location, projection and clearance, and time limits on temporary signs, and would allow variances for adjustments beyond 20%. These are far from "minor" adjustments and should not be allowed without a public hearing and appeal process.

**Signs Covering Windows:** The CPC-approved ordinance prohibited any signs covering windows, but the revised ordinance would allow them if the Fire Department certified that they didn't present a safety hazard. This fails to account for the fact that signage adhered to windows can degrade the view to the outside, and seriously affects the quality of life of tenants of offices and apartments.

**Temporary Signs:** The revised ordinance doubles the allowable size of temporary signs, opening the door for building-size supergraphic-style signs that can be on a building for as much as 90 days in a given year.

**DOT Hazard Review:** The revised ordinance removes the provision requiring any signs within 500 feet of a freeway to undergo a DOT hazard review. This should be restored.

## Proposed Motion

- I. That SORO NC submit a Community Impact Statement for the proposed Citywide Sign Ordinance with the following language:

*The South Robertson Neighborhoods Council opposes adoption of the revised citywide sign ordinance now pending before the City Council Planning and Land Use Management committee because it would allow a proliferation of commercial advertising on both private and public property without a significant reduction in existing billboard and signage blight, and would allow new electronic signage without addressing energy use, light pollution, traffic safety, and other issues that could negatively effect communities throughout the city.*



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## Considerations

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**Committee review:**  
*(highly recommended)*

Votes For: n/a

Against: n/a

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**Amount previously allocated in Committee's working budget:**     \$  
*(applies to funding motions only)*

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### Arguments for:

The Planning Department largely ignored the recommendations of the CPC, and in so doing gutted the ordinance and ignored the testimony and feedback of stakeholders at three public hearings.

The current proliferation of unregulated signs is disastrous for residents and communities. It is time the City took a proactive stance.

### Arguments against:

Free speech issues. Although the City has the right to regulate signage, the original ordinance proposal went too far.

The motion should have gone through SORO NC's Land Use committee.



# Motion to support enforcement of Court ruling on illegal billboards

**Agenda Item:** GB022113-8

**Date:** 21 February 2013

**Proposed By:** Terrence Gomes

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## Full Proposal

Whereas, in 2006 the City of Los Angeles entered into agreements with Clear Channel Outdoor and CBS Outdoor allowing them to convert up to 800 static billboards to digital in exchange for the removal of significantly less billboards;

And whereas, the agreement was entered into without public hearing, public comment, or any input from neighborhood councils, community groups or resident organizations;

And whereas, the agreement resulted in Clear Channel and CBS erecting over 100 illegal digital billboards throughout the City of Los Angeles;

And whereas, these 100 plus digital billboards were placed without input from affected neighborhood residents and/or stakeholders and have subsequently diminished quality of life;

And whereas, a lawsuit, known as *Summit Media LLC v. City of Los Angeles*, was filed challenging the legality of the settlement agreement despite such billboards being prohibited by the City's zoning code;

And whereas, both a Los Angeles Superior Court Judge and a three member California Appeals Court panel ruled the settlement agreement illegal and the 100 plus signs illegal and in violation of the existing City sign law;

And whereas, the Court of Appeals ruled the permits granted under the settlement agreement are illegal and thus the signs must be removed;

And whereas, the existing City law clearly makes these 100 plus digital signs illegal;

And whereas, the two billboard companies have dispatched an army of lawyers and lobbyists to get the City Council to change the existing law to circumvent the court ruling and retroactively "legalize" these digital billboards;

And whereas, the efforts to circumvent the law silences residents, community leaders, neighborhood councils from involvement in the process of policy development, violates due process for stakeholder input, and clearly ignores the accepted practice of undertaking an environmental review under CEQA;

## Proposed Motion

- I. THEREFORE BE IT RESOLVED, South Robertson Neighborhoods Council urges the City of Los Angeles to fully implement the Court ruling and remove the illegal digital billboards;
- II. AND FURTHER BE IT RESOLVED, South Robertson Neighborhoods Council opposes any efforts by the City of Los Angeles to initiate any changes to the zoning laws relative to digital billboards without a full and open public process inclusive of robust public input.

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## Considerations

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**Committee review:**  
*(highly recommended)*

Votes For: 0

Against:

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**Amount previously allocated in Committee's working budget:**     \$  
*(applies to funding motions only)*

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**Arguments for:**

**Arguments against:**

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