



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



CITY PLANNING COMMISSION

Date: January 22, 2009
Time: After 8:30 a.m.*
Place: Van Nuys City Hall
14410 Sylvan Street
Council Chamber, 2nd Floor
Van Nuys, CA 91401

Case No.: CPC-2009-0008-CA
CEQA No.: ENV-2009-0009-ND
Location: Citywide
Council No.: All
Plan Area: All

PUBLIC HEARING REQUIRED

REQUEST: Amend Article 4.4 and related provisions of Chapter I of the Los Angeles Municipal Code.

SUMMARY: A proposed ordinance amending Sections 12.05, 12.21, 12.22, 12.23, 13.11 and Article 4.4 of Chapter I of the Los Angeles Municipal Code to remove the distinction between on-site and off-site signs; replace content-based sign regulations with time, place, and manner regulations; establish height, area, and spacing requirements for signs; allow minimum signage for individual premises; establish combined sign area limits; create a new relief mechanism from the sign regulations; enact new criteria for the establishment of sign districts; and enact related technical corrections and other measures to reduce visual clutter and otherwise mitigate the potential impacts of signs on the visual environment.

RECOMMENDED ACTIONS:

1. **Adopt** the staff report as its report on the subject;
2. **Adopt** the findings in Attachment 5;
3. **Approve** the proposed ordinance (Appendix A) and recommend its adoption by the City Council; and
4. **Approve** the Negative Declaration (Attachment 4); and recommend its adoption by the City Council.

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EXECUTIVE SUMMARY

The proposed ordinance (Appendix A) amends Article 4.4 and related provisions of Chapter I of the Los Angeles Municipal Code (LAMC) to revise the City's sign regulations. This revision is needed to bring the sign ordinance up to date in terms of modern sign technologies, as well as recent court rulings that have defined new legal parameters for the regulation of signage. This revision also addresses the City's need for a tougher, more easily enforceable sign ordinance.

The City's current sign regulations, adopted in 1986, have shaped the way signage has been incorporated into our streetscapes, in a way that can now in retrospect be described as excessive. A proliferation of signage adds significantly to the visual clutter for which Los Angeles has become well-known, and points to the need for stricter sign regulations. Although signage serves a critical function in supporting economic activity, its proliferation can have significant negative impacts, as described in this report.

Additionally, display of an image on a sign that communicates a message is generally considered "speech" under the First Amendment of the United States Constitution and similar provisions of the California Constitution. Courts have held that sign regulations should not allow for sign permits to be issued subjectively or for exceptions to the regulations to be based on subjective criteria. The regulations should not allow the City to exercise what the courts refer to as "unfettered discretion." Discretion can lead to allegations that the City is favoring certain speakers or discriminating on the basis of content. Thus, the proposed revision centers on objective and ministerial standards in terms of the time, place, and manner of sign construction and display.

The below chart briefly summarizes the major issues surrounding the regulation of signage in our city, along with the corresponding code revisions that are proposed to address these issues.

Issue #	Issue	Proposed Revision
1	Content Neutrality	Remove distinction of sign types that are based on content: on-site / off-site signs, information signs and identification signs
2	Roadway Safety	Prohibit digital displays and roof signs; Toughen restrictions on sign height, area, and spacing
3	Visual Environment	
4	Energy Consumption/Sustainability	
5	Code Streamlining	Consolidate wall sign types, to include supergraphic and mural signs; Consolidate allowable sign area; Set aside sign area for each premises
6	Establishment of Sign Districts	Set objective standards and appropriate findings for the establishment of Sign Districts
7	New and Emerging Technologies	Allow only defined sign types (new sign types require code update)

The most significant change that staff is recommending relates to the total sign area allowed on a lot. Los Angeles's sign ordinance is far more permissive in this regard than the sign ordinances of other, surrounding cities. The following chart compares existing and proposed total sign area limitations:

Current Total Sign Area	Proposed Total Sign Area
More than 4 square feet of sign area per linear foot of street frontage	1 square foot of sign area per linear foot of street frontage

In addition to the total sign area allowed per linear foot of street frontage, staff proposes to allow 25 square feet of sign area for each premises on a property. In the proposed ordinance, a premises is defined as "a building or portion of a building used as a location for a single establishment". Premises sign area is proposed as a separate, guaranteed signage allowance that shall not be reduced.

As detailed below, further provisions of the proposed ordinance regulate the height, area, spacing, and number of individual sign types. The following chart compares the current and proposed sign area and height standards for each sign type:

Sign Type	Current Height	Proposed Height	Current Sign Area	Proposed Sign Area
Monument	8 feet	No change	75 sq ft	60 sq ft
Projecting	Unlimited	35 feet	300 sq ft	50 sq ft
Wall	Unlimited	35 feet	unlimited	100 sq ft; 40% of building face
Illuminated Architectural Canopy	Unlimited	35 feet	unlimited	50 sq ft
Pole	42 feet	allowed sign area ÷ 4, up to 20 feet	400 sq ft	80 sq ft
Window	Unlimited	35 feet	10% of window	No change
Marquee	Unlimited	35 feet	unlimited	unlimited

The current regulations do not require spacing between signs. To address this issue, staff proposes a minimum two-foot vertical and horizontal separation between signs.

The below chart compares current and proposed restrictions on the maximum number of certain types of signs allowed on a lot, depending on the lot's street frontage.

Street frontage of lot	Current number of monument signs	Proposed number of monument signs	Current number of pole signs	Proposed number of pole signs	Current number of projecting signs	Proposed number of projecting signs
0-49 ft	Unlimited	none	none	none	none	1
50-99 ft	Unlimited	none	1	none	1	1
100-200 ft	Unlimited	1	1	none	1	2
200-399 ft	Unlimited	2	2	none	2	3
400-599 ft	Unlimited	3	3	1	3	4
600-799 ft	Unlimited	4	4	1	4	5
800-999 ft	Unlimited	5	5	1	5	6
> 999 ft	Unlimited	5	6	1	6	6

Appendix A also includes a new relief mechanism from the sign regulations that incorporates strictly objective findings, as well as a requirement that new Sign Districts consist of at least 10,000 linear feet of street frontage on land designated by the City's General Plan for Regional Center or Regional Commercial uses (displayed on the map in Attachment 3).

Finally, two recent actions by the City Planning Commission have been incorporated into the proposed sign ordinance, with recommended changes to add consistency and soundness to the proposed ordinance as a whole. These actions address sign regulations in agricultural and residential zones and the establishment of Sign Districts.

STAFF REPORT

REQUEST

The proposed ordinance (Appendix A) was initiated in response to Council Motion # 08-2020 (Garcetti - Greuel - Rosendahl - Weiss - Wesson - Reyes), made on July 29, 2008, and referred by the Planning and Land Use Management (PLUM) Committee on September 9, 2008 to the Department of City Planning. The motion (Attachment 7) instructed the Planning Department to work with the Department of Building and Safety and the City Attorney to revise the sign ordinance to toughen and create easily enforceable time, place, and manner restrictions citywide to protect neighborhoods; and to employ clear criteria related to land use designations for sign districts.

BACKGROUND

The placement and character of signs has long been a contentious issue in the City of Los Angeles. Numerous lawsuits followed the City's 2002 prohibitions on off-site signs and supergraphics, leading to court judgments against the city that called the prohibitions into question. Lawsuits also followed the City's adoption the same year of an inspection program for off-site signs. The City approved settlements of those lawsuits which allowed the fee-based program to proceed. The settlements required a modest number of signs to be removed and allowed 878 existing signs to be "modernized." Modernization was defined to include two-faced signs, tri-vision signs and digital signs. To date, more than one hundred existing signs have been converted to digital displays. The recent proliferation of digital displays along with this past summer's court decision blocking the City from using its 2002 ban on off-site signs and supergraphic signs inspired the current Interim Control Ordinance on off-site signs and supergraphics. As the City looks to establish new sign regulations that will hold up more reliably in court, we are presented with an opportunity to take a second look at all of the impacts that excessive signage has on our city, and reconsider whether the existing regulations truly meet our current and future needs.

Development of Current Regulations

The city's sign ordinance is contained in Article 4.4 of Chapter I of the Los Angeles Municipal Code (LAMC), and was adopted on May 20, 1986 (Ordinance #161312). Twelve permanent sign types are defined and regulated in the existing sign ordinance: information, monument, projecting, wall, illuminated architectural canopy, pole, roof, window, marquee, off-site, awning, and mural signs. In addition, the sign ordinance regulates temporary signs and temporary signs on construction walls.

On December 11, 1996, and again on August 2, 2001, the City Council adopted the Framework Element of the Citywide General Plan, setting out higher standards for the City's urban form and neighborhood design. These higher standards have yet to be incorporated into the citywide sign regulations.

On May 24, 2002, the city adopted a prohibition on supergraphic signs and mural signs (Ordinance #174517), and on June 10, 2002, a prohibition on off-site signs followed (Ordinance #174547). Both prohibitions allowed exceptions for signs specifically permitted pursuant to a specific plan, supplemental use district, development agreement or relocation agreement. The prohibitions also apply to alterations or enlargements of legally existing off-site and supergraphic signs.

On June 16, 2002, an ordinance was adopted enabling the establishment of Sign Districts (Ordinance 174552). There are currently two Sign Districts, in which some off-site, supergraphic and/or mural signs are allowed: the Hollywood Sign District and the 15th Street/San Pedro Sign District. In addition, there is one specific plan, the L.A. Sports and Entertainment District (LASED) Specific Plan, that allows some sign types

that are otherwise prohibited citywide. There are also 11 proposed Sign Districts in various stages of review. Other exceptions to the citywide regulations have been allowed as follows: the Coliseum Specific Plan; sign ordinances for the Hollywood and Highland and the Sunset and Vine development projects; and the Staples Center and the Convention Center (the Arena Signage Ordinance).

Also in 2002, the city adopted the Off-Site Sign Periodic Inspection Program (OSSPIP), to enable inspectors from the Department of Building and Safety (DBS) to inspect and inventory off-site signs, issue orders to comply for code violations, charge inspection fees, and remove illegal off-site signs. Several sign companies sued, contending that the program was unconstitutional. Although the court eventually allowed the program to proceed, lawsuits over the inspection fee amounts continued.

In 2006, lawsuits against the Inspection Program resulted in settlement agreements that resolved the fee dispute and required a modest number of existing signs to be removed. It also allowed a total of 878 "credits" to sign companies to "modernize" existing off-site signs into two-faced signs, tri-vision signs and digital displays. The modernization credits, and the more than 100 existing signs already converted to digital displays have been the subject of widespread community concern.

On December 20, 2007, the sign regulations were transferred from the Building Code to the Zoning Code with Ordinance #179419. This transfer coincided with the city's adoption of a new Building Code based on the International Building Code, which did not regulate signs to the same level of benefit as did the City's Building Code.

In August 2008, Federal District Court Judge Audrey Collins ruled against the City in the case of *World Wide Rush v. City of Los Angeles*. She held that the exceptions in the City's 2002 ban made the ban unconstitutional because it gave the City unfettered discretion, which could lead to the City favoring speakers and discriminating on the basis of content. The City has appealed Judge Collins' decision to the Ninth Circuit Court of Appeal but a decision by the Ninth Circuit is not expected for more than a year. The City Attorney recommended that the City adopt an Interim Control Ordinance, which would put in place a six month moratorium on all off-site sign and supergraphic activity, including the modernizations of any more existing signs, to give the City time to prepare and implement new sign regulations.

On November 13, 2008, the City Planning Commission (CPC) adopted a six-month ICO temporarily prohibiting new off-site signs and supergraphic signs, and prohibiting alterations to existing off-site signs.

At its meeting on December 2, 2008, the PLUM Committee directed the Department of City Planning to prepare revisions to the sign regulations for presentation to the City Planning Commission on January 22, 2009. Those proposed revisions are the subject of this report.

On December 17, 2008, the City Council adopted the ICO with a shortened duration of three months, and the ICO became effective on December 26, 2008.

On January 6, 2009, the Ninth Circuit Court of Appeals overturned the Federal District Court's decision in the case of Metro Lights v. City of Los Angeles. Metro Lights had prevailed in District Court. Metro Lights had argued that the City's 2002 off-site sign ban was unconstitutional because the City did not apply the ban to itself. The City's Street Furniture Contract with CBS-Decaux allowed advertising on City sidewalk furniture, such as bus benches and transit shelters. The Ninth Circuit held that the City's street furniture program did not undermine the City's stated rationale for the ban – to address aesthetics and traffic safety. The City Attorney is reviewing the Ninth Circuit's opinion, and we understand will discuss the opinion with the City Council more fully in the near future.

The City Planning Commission has also recently considered two other sign-related proposals. One proposal contained new sign regulations for properties in agricultural and residential zones, to ensure that the regulations do not restrict sign content. The other proposed stricter standards for the establishment of Sign Districts. Both proposed ordinances have been consolidated into the current proposed ordinance, with a few proposed changes to improve the consistency, strength and enforceability of the sign ordinance as a whole.

Code Update Process

The process of developing revisions to the city's sign regulations was undertaken with urgent priority. The Code Studies unit of the Department of City Planning, with support from the Department's Community Planning Bureau, implemented an extensive work program consisting of in-depth research, analysis, and inter-departmental coordination.

The sign regulations of different jurisdictions outside Los Angeles were reviewed in order to provide a basis for comparison and to learn from best practices. The jurisdictions reviewed included large California cities, cities neighboring Los Angeles, large cities outside California with size and character comparable to Los Angeles, and cities identified as having exemplary sign codes. The current planning literature on sign regulations was also reviewed to identify common issues, challenges and solutions in the regulation of signage.

The Department of City Planning worked very closely with the Office of the City Attorney and the Department of Building and Safety in the crafting of the proposed ordinance. Regular meetings and coordination took place to ensure the legality and enforceability of the proposed regulations.

The Department of City Planning hosted an information meeting on December 30, 2008, and a targeted group of roughly fifteen people attended. Planning staff presented an overview of the focus of the code update effort, in the context of the ICO (Attachment 6) and the motion that called for the code update (Attachment 7). Staff answered questions, received input, and discussed the general direction of the code update process with the meeting attendees.

ISSUES

Seven major issues were identified as being essential considerations in the proposed code revision. Those issues, outlined and discussed in the following pages, pertain to content neutrality, roadway safety, the visual environment, energy consumption and sustainability, code streamlining, sign districts, and new and emerging technologies.

Issue #1: Content Neutrality

The city's prohibitions on off-site signs and supergraphics have been challenged in court on the basis that the exceptions to the prohibitions are unconstitutional. In *World Wide Rush v. City of Los Angeles*, Judge Audrey Collins determined that exceptions for specific plans, development agreements and sign districts have allowed the city "unfettered discretion" which could lead to the city favoring speakers and discriminating on the basis of content, thereby violating the First Amendment rights of sign owners and lessors. The City has appealed Judge Collins' decision to the Ninth Circuit Court of Appeals but a ruling is not expected for more than a year. The *World Wide Rush* ruling emphasizes that a key aspect of any revised sign code is that it should consist of very objective and ministerial standards, leaving no room for unfettered discretion in the permit approval process.

One of the main policy considerations behind the City Council's motion directing the Planning Department to prepare a time, place and manner sign ordinance was to simplify the enforcement task for the Department of Building and Safety, so that it could better identify illegal signs and thus take appropriate enforcement action.

Content-based regulations are difficult to enforce and require subjective judgment and interpretation. The following illustrates the inherent difficulty in consistently and systematically enforcing the distinction between on-site and off-site advertising:

- A sign may advertise goods and services that are sold on-site, but that are also available off-site. Should the sign be classified as off-site or on-site?
- A sign may advertise goods and services that are only available for limited times during a week or a year. Must the goods and services be available every business day in order for the sign to be classified as on-site?
- Verifying that a sign only advertises goods and services available on-site could require City staff to conduct on-premises inspections.
- Since no sign ordinance may favor commercial speech over non-commercial speech, it is unclear whether a non-commercial message that includes a commercial logo or trademark would be classified as an off-site message or a non-commercial message.

Any time a local government's sign ordinance treads into the area of content regulation it risks running afoul of the free speech protections embedded in the First Amendment. A local government thus sets itself up for future challenges that could invalidate the entire sign ordinance. A content-neutral ordinance is not only the strongest, most legally defensible regulation, it is the most enforceable as well. Since the impacts of signage on the visual environment are unrelated to content, the City will be better served in the long run with an easily enforceable ordinance that enables City staff to determine whether a sign is the right height, the right shape, the right size, and the right type, without attempting to determine the right content.

Issue #2: Roadway Safety

The purpose of a sign is to attract the attentions of passersby in order to convey a message. It follows, then, that large signs positioned near roadways are intended to attract the attentions of drivers. It has long been thought that signage may distract drivers enough to cause or contribute to traffic accidents. Numerous studies, dating as far back as 1951, have investigated this notion. The body of research to date, as summarized in the below table, contains compelling evidence pointing to several conclusions. First, there is recent evidence that driver distractions contribute significantly to the risk of traffic accidents. There is also evidence of increased accident rates near both static billboards and dynamic (changing message) billboards. Further, numerous studies have shown that sign messages that move or change tend to distract drivers more than static sign messages do.

The below table summarizes the available research to date regarding the possible connections between signs (particularly billboards), driver distraction and traffic accidents.

#	Year	Location	Source	Results
1	2006	various	National Highway Traffic Safety Administration (NHTSA)	<ul style="list-style-type: none"> ▪ Glances of 2 seconds or more away from the forward roadway double the risk of crashes or near-crashes. ▪ 23% of crashes and near-crashes that occur in metropolitan environments are attributable to eyes off the forward roadway for more than 2 seconds.
2	2005	Texas	Texas Transportation Institute	<ul style="list-style-type: none"> ▪ Drivers take longer to comprehend flashing messages than static messages.
3	2004	Toronto, Canada	University of Toronto	<ul style="list-style-type: none"> ▪ Drivers make twice as many glances toward dynamic signs as they do toward static signs. ▪ Glances toward dynamic signs are longer. ▪ Video and scrolling text signs attract the longest glances.

#	Year	Location	Source	Results
4	2004	various	McGraw Hill's <i>Handbook of Transportation Engineering</i>	<ul style="list-style-type: none"> Reviewed research on sign-reading speed, and concluded that signs with 4-8 words can be comfortably read and comprehended in 4.0 seconds, while signs with 1-3 words can be read and comprehended in 2.5 seconds.
5	2003	Scotland	Scottish Government's Transport Research Planning Group	<ul style="list-style-type: none"> Review of research concluded that there is abundant and compelling evidence that billboards and signs can distract drivers.
6	2001	Multi-state	NHTSA	<ul style="list-style-type: none"> "Driver inattention" is the most often-cited crash cause by drivers (22.7% of drivers).
7	2001	nationwide	Federal Highway Administration (FHWA)	<ul style="list-style-type: none"> Reviewed all research and concluded that there is not a definitive cause-and-effect link between electronic billboards and crashes, and that additional research is needed. Younger drivers (age 16 to 24) and older drivers (over 65) have a higher crash risk than other drivers, and may be particularly susceptible to distractions. Older drivers are involved in a disproportionate number of fatal crashes and multi-vehicle crashes where they were the responsible party. Younger drivers are 2.5 times more likely to be killed in a crash than drivers of other ages.
8	2001	Seattle, WA	Gerald Wachtel for the City of Seattle	<ul style="list-style-type: none"> Electronic signs with moving images distract drivers for longer than electronic signs with no movement. Signs that extend a message over two or more frames are particularly distracting to drivers. (The urge to keep watching to see what happens next is known as the "Zeigarnik effect".) The Zeigarnik effect may also apply in anticipation of a new image, even if the expected new image is not related to the first image.
9	2001	Toronto, Canada	University of Toronto	<ul style="list-style-type: none"> The presence of advertising signs does not hinder drivers from looking at traffic signals and street signs.
10	2000	nationwide	NHTSA	<ul style="list-style-type: none"> Online poll found that electronic billboards are one of the top six sources of driver distraction, as reported by respondees.

#	Year	Location	Source	Results
11	1994	Wisconsin	Wisconsin Department of Transportation	<ul style="list-style-type: none"> ▪ Analyzed crash rates after a changeable message sign was installed, with mixed results depending on direction of traffic. ▪ Traffic in the direction where the sign was most viewable had an 80% increase in side-swipe crashes.
12	1980	nationwide	FHWA	<ul style="list-style-type: none"> ▪ Reviewed all research, and concluded that "attempts to quantify the impact of roadside advertising on traffic safety have not yielded conclusive results." ▪ The study did find evidence that as drivers become familiar with a sign message, they are less distracted by it. Conversely, this would also indicate that new messages are more distracting than familiar messages.
13	1976	Boston, MA	Massachusetts Outdoor Advertising Board	<ul style="list-style-type: none"> ▪ Study showed a significantly higher crash rate on a part of the roadway where a changeable message sign was viewable, than where it was not viewable.
14	1973	California	FHWA	<ul style="list-style-type: none"> ▪ Re-analyzed and confirmed the results of the 1961 study on Route 40 (see study #15 below). ▪ A section with 5 billboards had an accident rate 62% higher than a section with no billboards.
15	1961	California	D. Faustman for the California Roadside Council	<ul style="list-style-type: none"> ▪ Higher numbers of billboards on a section of Route 40 correlates with increased accident rates.
16	1955	Iowa	Iowa State College	<ul style="list-style-type: none"> ▪ Presence of advertising signs did not decrease driver performance.
17	1952	Michigan	Michigan State Highway Department	<ul style="list-style-type: none"> ▪ Found no link between advertising signs and crashes.
18	1951	Minnesota	Minnesota Department of Highways	<ul style="list-style-type: none"> ▪ Higher numbers of signs per mile correlate with high numbers of vehicle crashes. ▪ Intersections with 4 or more advertising signs have 3 times as many crashes as intersections with no signs.

In addition to the above studies, there were two studies conducted in 2007 for the Outdoor Advertising Association of America (OAAA) by Tantala Associates and by the Virginia Tech Transportation Institute, which reported no statistical connection between digital billboards and traffic accidents. These studies were reviewed by Gerald Wachtel

for the Maryland State Highway Administration in 2007. Wachtel found pervasive bias, inconsistencies, and misleading statements in the OAAA-funded studies, and recommended that they not be used to inform policy decisions. Wachtel concluded, as have other study authors, that further research in this area is needed. The Federal Highway Administration has begun work on a new study that will further examine the effects of digital displays on driver distraction and traffic accidents.

Synthesis and Conclusions

Although the available scientific studies vary in their conclusions, several interesting patterns can be identified, as outlined below. (Applicable study numbers from the above table are in parentheses.)

1. Signs with messages that move or change are distracting to drivers, and are more likely to distract drivers than other types of signs (2, 3, 8, 10, 11, 12, 13).
2. Distractions, particularly those lasting 2 seconds or more, are linked with an increased risk of accidents (1, 6), but drivers may need up to 4 seconds to read a sign message (4).
3. Drivers can be distracted not only by a changing message, but also by the expectation of an upcoming message change (8).
4. There is anecdotal evidence of increased accident rates near static signs, particularly billboards (11, 14, 15, 18).

The body of research to date casts a less than favorable light on the safety of large signs, particularly digital displays with changing messages. The research may also have implications for pedestrian safety, as it would follow that distracted drivers may be dangerous to all roadway users, including people traveling on foot or by bicycle.

This report finds sufficient reason to conclude that there is a good likelihood that billboards, and in particular digital billboards with changeable message displays, present some degree of hazard to drivers and possibly also to pedestrians. In a city as large and dense as Los Angeles, sprawling over some 469 square miles and containing roughly four million people and an estimated 10,000 billboards, the magnitude of our cumulative hazard is larger than that faced by virtually any other city in America. Particularly if the numerous existing billboards and other types of signage are to be retrofitted with digital displays, the risks to roadway safety would likely be very significant.

Thus, the likely hazards associated with billboards, and in particular with digital displays, provide a reasonable basis for the restriction of these sign and display types. An additional basis for restriction, as described in the next section, is the effect of these intensive sign types on the visual environment.

Issue #3: The Visual Environment

The visual environment of a city is composed of everything that people view, and the experience of such viewing, within the city's public realm; including buildings, roads and sidewalks, trees and landscaping, power and utility lines, traffic signals, vehicles and pedestrians, and signage. Signage is a major component of the visual environment, and its impacts on a city can be positive, negative, or somewhere in between. The nature of these impacts depends on how thoughtfully signage is placed by individuals, businesses and other entities, and how effectively it is regulated by local governments.

In Los Angeles, the negative visual impacts of signage have been significant. The resulting degradation of our visual environment creates a ripple effect, with additional negative impacts on quality of life, public health, and economic development.

Negative Impacts of Signage on the Visual Environment

The negative impacts of signs in general, and digital displays in particular, on our city's visual environment point to a need for appropriately strict regulations on the time, place and manner of new signage construction and display.

Signs in General

Signage in Los Angeles has been allowed to proliferate in a way that overwhelms the visual environment with information, distraction, and clutter, dominating our streetscapes with a physical form that is out of scale with pedestrian activity. Compared to other large American cities, the Los Angeles streetscape is renowned for being car-centric and inhospitable to people on foot. A large contributor to that perception is our prolific use of signs, the vast majority of which are designed and placed with drivers in mind. Along with our relative lack of pedestrian-oriented features, such as wide and attractive sidewalks, street tree canopies and rear-lot parking, our city's proliferation of signage has helped to perpetuate the long-held assumption that "nobody walks in L.A."

The City has taken major steps toward improving our visual environment, such as the establishment of an Urban Design Studio within the Planning Department, the Mayor's Million Trees L.A. initiative, and the establishment of Pedestrian-Oriented Districts and Community Design Overlays in certain neighborhoods. The Planning Department's recently implemented Walkability Checklist contains standards for building signage and lighting. Discussions have also begun on undergrounding the overhead utility wires and poles that clutter our skyline. Another major step to improve the visual environment is to protect against the further proliferation of signage through enactment of appropriate revisions to the City's sign ordinance.

While signs are an essential component of the urban landscape in that they can ease wayfinding and add to the attractiveness and appeal of neighborhoods and districts,

they can also have the opposite effect when allowed to proliferate without adequate regulation. Too much signage can be confusing and even overwhelming. Residents and visitors to our city see signs virtually everywhere they look, sometimes dozens in their field of vision at any given time. It can be difficult to see and comprehend the urban environment, let alone enjoy it. Living in an environment full of signage can, over time, contribute to the stress of urban living, and eventually cause people to mentally block out signage in general. The effects of sensory and information overload can decrease quality of life, as discussed further in the pages ahead.

An over-abundance of signage can also detract from the underlying character and appeal of neighborhoods. Los Angeles is a prime example of a "city of neighborhoods", with numerous and varied areas that reflect a tapestry of cultures, histories, and economies. In some cases, signage can complement those unique aspects of a place. But in much of the city, signage is both overwhelming and monotonous, filling the visual environment with the same clutter from one neighborhood to the next, and obscuring the true character of the city's neighborhoods. The city would benefit from new policies that restrict the overall proliferation of signage citywide, while allowing unique neighborhoods and districts to establish their own appropriately unique signage standards.

Digital Displays in Particular

Digital displays are the most intensive type of sign display currently in existence in our city. Digital displays have caused considerable controversy in numerous communities, including Silverlake, West Los Angeles and Downtown Los Angeles. Used chiefly for billboards, the hallmark of digital display technology is the ability for large and brightly lit messages to change every few seconds.

Digital displays can have a markedly negative effect on residents. Residential uses are allowed by right in all of the City's commercial zones. Furthermore, the City's General Plan Framework calls for the encouragement and concentration of future residential development in commercial zones, particularly those located near transit lines. Digital displays (and in fact, all types of illuminated signs) can glare through residential windows and into the home environment, negatively impacting quality of life by disturbing sleep, adding unwanted brightness, and imposing outside messages into the indoor environment. This may cause stress that over time can impact residents' health. In a recent local newspaper article, a person living near a digital billboard reported that "it flashes through my window all night long ... my bedroom and bathroom change color and intensity with the billboard." The intrusion of light into private property is known as "light trespass". One of the goals of the City's General Plan Framework is to prevent light trespass, as well as the related problems of light pollution and glare (Goal 9P). Such negative effects on interior residential environments can in turn have negative impacts on residential property values.

Digital displays tend to dominate the visual environment, especially at night. They outshine the existing visual and scenic qualities of most places, conflicting with and detracting from existing neighborhood character in areas of the city not planned or zoned for intense commercial uses. Digital displays can clash with established or historic architectural elements, and multiple digital displays located on a single block have an effect on the visual environment that does not fit with the vast majority of our city's diverse neighborhoods, communities, and commercial blocks and districts. Recently, as digital billboard displays began to spring up in such grossly inappropriate locations as on land planned and zoned for Neighborhood Commercial use in Silverlake, it has become apparent that the city's visual environment suffers when digital displays are permitted without appropriate consideration of land use plans, zoning, and neighborhood/district character. These intensive displays may only be appropriate in the city's most intensely commercial zones and General Plan land use designations.

Impacts of a Degraded Visual Environment

The negative visual impacts of signage, as discussed above, can have the cumulative effect of degrading the overall visual environment. This degradation can, in turn, create additional negative impacts on quality of life, public health, and the strength of local and regional economies.

Quality of life impacts

Signs can have significant impacts on quality of life. Lighted signs, particularly digital displays that are designed to change messages frequently, can have a visual effect similar to that of flashing lights. When these lights shine through residential windows, they can impact residents' ability to relax and enjoy the home environment. Lighted signs can even interfere with nearby residents' ability to sleep.

Even in exclusively nonresidential areas, the effects of brightly lit, continuously changing messages on people in an urban environment can be confusing and disorienting. Being surrounded with too many signs, even if they are unlighted, can cause people to feel overwhelmed with information, which can lead many to "tune out" the excessive visual noise of their environment. Such negative impacts on quality of life are not the mark of a livable city.

Public health impacts

Anecdotal evidence suggests that prolonged exposure to environmental factors that degrade quality of life can exacerbate stress and compromise sleep, which in the long term can lower a person's immunity to disease, increase susceptibility to depression and anxiety, and generally have a negative effect on health and well-being. In individual instances where sign proximity and intensity are great, such as for a person whose

bedroom window is very close to a digital billboard, the physical and mental health impacts may be quite noticeable. More commonly, daily exposure to the clutter and confusion of too much signage can add to the stress of urban living and contribute to the subtle, long-term health effects that go along with elevated stress levels. A 1991 study by researchers at Texas A&M University found that people driving along roadways cluttered with strip malls, billboards and garish signage experienced a variety of stress-related effects, such as elevated blood pressure and increased muscle tension, that drivers on rural roads did not experience. Considering that the city's proliferation of billboards and other signage is so geographically widespread, there may be a significant number of people suffering from health impacts ranging from barely noticeable to severe. The cumulative impact of such effects on a city's population may constitute a detriment to the health of the public in general.

Economic and social impacts

Degraded visual environments tend to be less attractive to investment than visually appealing environments in which people feel comfortable. A proliferation of signage can detract from the appealing features of a neighborhood or community, lowering property values, discouraging business, and decreasing the overall economic vitality of the area.

On any given block or in any given neighborhood, individual property owners may compete via signage, each attempting to be more visible than the others. The biggest signs may generate considerable attention and revenue for individual properties and interests, but the loser in this contest is the rest of the neighborhood, community and city that receives none of the revenue, and all of the visual degradation.

Areas that are already well-supported by business and residential development may not feel the economic effects of a degraded visual environment to the same extent as less economically robust areas. A degraded visual environment can contribute in a pervasive way to the degradation of all aspects of life in our city's most vulnerable neighborhoods. Studies have shown that the existence of graffiti and garbage on streets has been linked with increased crime rates; similar effects could conceivably arise from other degraded visual elements. Signage in less affluent neighborhoods may be less likely to undergo proper maintenance. The presence of blank, peeling or decrepit sign faces not only magnifies the negative visual impacts of the existing signage, but also encourages graffiti, which in turn is linked with increased crime. In short, signage proliferation can exacerbate the cycle of disinvestment that has for decades plagued too many of our city's neighborhoods.

On an even larger scale, a degraded visual environment can impact the ability of a city to attract and retain a talented and educated workforce. People who are educated and talented can live and work practically anywhere they choose, and the visual attractiveness, quality of life and livability of a place certainly factor into that choice.

Issue #4: Energy Consumption / Sustainability

Modern digital display technology often relies upon large fields of light-emitting diode (LED) lights that consume much more energy than traditional lighted signs. On an individual basis, the differences in energy consumption may be slight, but when considering the cumulative energy consumption of hundreds or even thousands of such signs throughout a city, the impacts could be significant. Considering the estimated 10,000 billboards in the city, the addition of digital technology to all types of signage could create energy impacts far out of line with the goal of transforming Los Angeles into a more green and environmentally sustainable city.

Issue #5: Code Streamlining

The current sign regulations are complex and can be difficult to understand. For example, the allowed sign area of wall signs is 2 square feet per 1 linear foot of street frontage, plus one square foot per linear foot of building frontage for a single-story building, plus 10% of the latter amount for each story over the first, up to 50% of the allowed wall sign area for a single-story building. Such requirements can be difficult even for city staff to understand, let alone for businesses and residents attempting to comply with them.

Further, some aspects of the current regulations have proven difficult to enforce. For example, the current code sets out maximum sign area limitations which, for a multi-tenant space such as a mini-shopping center, would require the measurement and recalculation of all the sign area on a property every time a tenant applies for a sign permit.

Issue #6: Sign Districts

The city's sign regulations and prohibitions do not apply within established Sign Districts, which create unique sign regulations for particular geographic areas. Currently, the standards for establishment of Sign Districts are rather permissive and subjective. Sign Districts can be established over areas as small as one block, and can include any properties zoned for commercial or industrial use, or zoned R5 within Regional Center, Regional Commercial or High Intensity Commercial land use designations. The findings currently required to establish Sign Districts are the same general findings required for Zone Changes, and do not specifically address unique considerations appropriate to Sign Districts. Furthermore, Sign Districts can currently be comprised of property belonging to only one owner.

The appropriate role of Sign Districts in a city's sign regulations should be to enable the creation of special sign standards only for those unique historic, entertainment, and/or cultural districts that truly warrant such exceptions. The existence of Sign Districts enables the City to carefully tailor its sign standards where appropriate, rather than

attempting to impose a "one size fits all" standard on such a large and diverse city. Such tailoring should be done very judiciously, and Sign Districts should be established only for areas that meet objective and appropriately strict standards.

Issue #7: New and Emerging Technologies

The last substantial sign code revisions were adopted in 1986, before the emergence of the current digital sign technologies. New technologies include digital light-emitting diode (LED) screens that are brighter than traditional signs and capable of changing messages every few seconds.

Even beyond the current technology, it is likely that future sign technologies will develop that we cannot currently foresee. According to the website of the Outdoor Advertising Association of America, these emerging technologies include the following:

Three Dimensional & Special Effects. Special effects and 3-D billboards can include motion, lights, and other dramatic effects.

Backlighting. Backlit billboards house light boxes or cabinets of florescent bulbs placed one foot apart to illuminate billboards from behind the image. The images are digitally printed on both sides of translucent flexible vinyl to bring depth, color and density to the nighttime images.

Interactive Media. The outdoor advertising industry is currently developing interactive technologies to include Bluetooth, WiFi and SMS/MMS (short message service/multiple messaging service) to enable new methods of message delivery. A growing number of devices are capable of receiving content, such as mobile telephones, personal digital assistants (PDAs), laptop computers, and portable games consoles.

Organic Ink. New electronic display technology based on full-color programmable media is being developed in Israel and Great Britain. The smart billboard technology utilizes a display core made of an organic substrate that changes color according to the wavelength and density of light it reflects in response to electronic signals received. When an electrical field is transmitted through the "paste," it transforms a matrix of "domains" or pixels, each of which is prompted by the electronic signal to reflect the appropriate color of an image as a routine copy change.

Regulating technologies that have not yet been put into use, not to mention those that have not yet been imagined, is a test that many local governments have failed. Often, sign regulations are too generally permissive, restricting only those sign types specifically defined, rather than *allowing* only those sign types specifically defined. This is a simple, yet profound nuance that can have lasting ramifications on a city's visual environment.

SIGN REGULATIONS ELSEWHERE

The sign code revision process included an extensive survey of sign regulations in other cities around the country, to gain insight into trends, challenges and best practices. Tables detailing the survey results are in Attachment 2. In general, it is evident that our city's sign regulations are on the permissive side, allowing more and larger signage than most other cities. In particular, our standards are more permissive than those of neighboring cities such as Santa Monica and West Hollywood.

The Department surveyed ten cities: Beverly Hills, Boston, Culver City, New York, Portland, San Antonio, San Jose, Santa Clarita, Santa Monica, and West Hollywood. The results demonstrate a general consensus on regulations of some aspects of signage, but no clear consensus on other aspects. A summary of the survey findings follows:

1. Nine of the surveyed cities have a maximum pole sign height of 25 feet. San Antonio allows pole signs up to 50 feet. *In Los Angeles, the existing regulations allow pole signs up to 42 feet in height.*
2. All of the surveyed cities regulate the height of wall signs. The height limits range from 25 feet to roof level, usually based on zone. *In Los Angeles, there is currently no limit on wall sign height.*
3. All ten cities surveyed ban roof signs. *Los Angeles currently allows roof signs.*
4. Five of the surveyed cities prohibit digital displays. Boston, New York, Portland, and San Antonio allow digital displays only in special districts. *Los Angeles does not have specific regulations for digital displays.*
5. Nine of the surveyed cities regulate the area of wall signs:

West Hollywood limits wall sign area to 25 square feet.

Beverly Hills, San Antonio, and Santa Monica limit wall sign area to 100 square feet, based on zone.

Culver City, New York, and Portland limit wall sign area to 200 square feet, based on zone.

San Jose limits wall sign area to 300 square feet based, on zone.

Los Angeles currently imposes no limit on wall sign area, except as it relates to street frontage.

6. Of the ten surveyed cities, only Portland does not make a distinction between on-site and off-site signage. The Oregon Constitution prohibits this distinction. The other ten cities have separate regulations for on-site and off-site signage. *In Los Angeles, the regulations currently distinguish between on-site and off-site signage.*

7. All of the surveyed cities regulate total sign area allowed on a lot:

Beverly Hills limits total signage area to 2 square feet of sign area per 1 foot of lot frontage, with a minimum guaranteed signage per premises.

Boston allows pole signs and monument signs according to the number of premises; and limits wall sign area to 5 square feet of sign area per 1 foot of building frontage.

Culver City limits pole signs and monument sign area to 1 square foot of sign area per 1 foot of building frontage. Wall signs are generally limited to 1.5 square feet of sign area per 1 foot of building frontage.

New York allows 3 square feet of sign area per 1 foot of lot frontage, subject to strict sign area caps based on zone.

Portland limits pole signs and monument signs to 1 per site up to 300 feet of lot frontage, and allows 1 additional pole or monument sign per each additional 300 feet of lot frontage. Wall signs are limited to 1 square foot of sign area per 1 foot of building frontage, or 1.5 square feet of sign area per 1 foot of building frontage if no pole or monument sign exists. Each premises is guaranteed a sign area of 32 square feet.

San Antonio limits wall sign area to 25% of wall area. Total signage area is related to the intensity of the street designation.

San Jose limits wall signs to 1 square foot of sign area per 1 foot of building frontage. Monument and pole sign area is limited to 1 square foot of sign area per 5 feet of street frontage.

Santa Clarita limits pole sign area to one sign per 3 acres and 500 feet of lot frontage. Monument signs are limited to one sign per 100 feet of lot frontage. Wall signs are limited to 1.5 square feet of sign area per 1 foot of building frontage, with a maximum coverage of 25% of wall area.

Santa Monica limits total signage area to 1 square foot of sign area per 1 foot of building frontage.

West Hollywood limits total signage area to 1 square foot of sign area per 1 foot of building frontage.

Los Angeles currently allows total signage area of over 4 square feet of sign area per 1 foot of street frontage.

Additionally, there are four states that prohibit billboards: Vermont, Hawaii, Maine and Alaska. The nonprofit organization Scenic America estimates that there are at least 1,500 cities and communities nationwide that prohibit the construction of new billboards (currently known in Los Angeles as off-site signs).

PROPOSED REVISIONS

The proposed ordinance addresses the issues outlined in the first half of this report, with revisions that employ tougher, more easily enforceable standards based on the time, place, and manner by which signs are constructed and displayed. The proposed revisions also advance certain Goals, Objectives and Policies of the Citywide General Plan Framework to improve the visual environment. The key elements of the proposed ordinance are outlined and discussed below, with references to the specific issues that each revision addresses.

Revision # 1: Removing Content-Based Regulations

Issues Addressed: #1 (Content Neutrality)

The current regulations contain content-based standards for the below types of signage.

Off-Site / On-Site Signs

The LAMC currently distinguishes between off-site signs and on-site signs as follows:

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

On-Site Sign: A sign that is other than an off-site sign.

To simplify enforcement the on-site / off-site distinction should not be retained in the sign code. By eliminating this distinction the Department of Building and Safety will not be forced to make subjective interpretations about whether the content of a sign contains on-site or off-site messages. Instead, Building and Safety can focus on determining whether a sign conforms to the quantifiable standards set forth in a time, place and manner code.

Information Signs

The LAMC currently defines information signs as follows:

Information Sign: A sign that is limited to a message giving directions, instructions, menus, selections or address numerals.

This definition, like the definition of off-site signs, depends upon consideration of sign content. Signs displaying general information are still proposed to be allowed, but should be regulated in terms of their structural type (e.g. wall signs, monument signs, etc.) rather than their content.

Identification Signs

The LAMC currently defines identification signs as follows:

Identification Sign: A wall sign that is limited to a company logo, generic type of business, or the name of a business or building.

This definition, like the definitions of off-site signs and information signs, depends upon consideration of sign content, and from a policy perspective should no longer be part of the sign code.

Revision #2: Consolidation of Wall Sign Types

Issue Addressed: #5 (Code Streamlining)

The LAMC currently defines wall, supergraphic and mural signs as follows:

Wall Sign: Any sign attached to, painted on or erected against the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall.

Supergraphic Sign: A sign, consisting of an image projected onto a wall or printed on vinyl, mesh or other material with or without written text, supported and attached to a wall by an adhesive and/or by using stranded cable and eye-bolts and/or other materials or methods, and which does not comply with the following provisions of this Code: Sections 14.4.10; 14.4.16; 14.4.17; 14.4.18; and/or 14.4.20.

Mural Sign: A sign that is painted on or applied to and made integral with a wall, the written message of which does not exceed three percent of the total area of the sign.

These three sign types are very similar, but each has its own regulations under the current code. The principal difference among the three is the method of display. Supergraphics are printed on flexible material and attached to a wall. Murals are typically painted directly onto a wall. Under the current sign ordinance, any text in a mural is limited to three percent of the sign area. The current definition of wall signs includes any signs attached to, painted on, or erected against a wall.

In staff's view, the principal regulatory consideration should not be the method of construction or display, but rather the main visual impact of the sign type. All three types of wall signs have virtually the same visual impact, whether they are composed of paint, vinyl or other material. Rather than regulating the method of display or composition, or limiting the amount of text, wall signs should be regulated in terms of their size, height, and location. "Supergraphic signs" and "mural signs" should not be separately defined sign types. Instead, the definition of a wall sign should be expanded to include the methods of composition used for both murals and supergraphics. In this way, all types of signs on walls will be subject to the same time, place and manner

standards, without regard to content. This will add consistency and simplicity to the sign regulations.

The 2002 ban on new mural signs has led to a regrettable decrease in mural art, an important aspect of our city's cultural history and identity. The proposed ordinance thus permits smaller murals by-right citywide, subject to the same regulations as all other wall signs.

A different approach is needed for larger murals that would be prohibited under staff's proposed, comprehensive sign ordinance. The Planning Department's Code Studies Unit, in response to a motion introduced by Councilman LaBonge (CF 08-1233), has worked with the Department of Cultural Affairs to identify alternative solutions for large-scale murals. The most promising approach is one currently used in Portland, Oregon, where an art easement process has been developed that allows private property owners to participate in that city's public mural art program. The Planning Department's report to Council on this subject was released on November 7, 2008, and is included in this staff report as Attachment 8. Staff's recommendation has not yet been heard by the PLUM Committee and the Arts, Parks, Health and Aging Committee of the City Council. If the concept is approved, the Cultural Affairs Department would convene a task force to develop the art easement program, while the Planning Department would prepare the necessary ordinance for review by the City Planning Commission.

Revision #3: Prohibited Sign Types

Issues Addressed: #2 (Roadway Safety); #3 (The Visual Environment); #5 (Code Streamlining)

The following sign types are incompatible with the general needs and development patterns of our city, and are therefore proposed to be prohibited in the citywide sign regulations.

Digital displays

As described under Issue #2 (Roadway Safety), there have been several compelling studies that show that digital displays with changing messages are more distracting to drivers than static signs are, and that increased driver distraction is linked with an increased risk of traffic accidents. A digital sign with brightly lit messages that change multiple times per minute can be very distracting to drivers. As described under Issue #3 (Visual Environment), this type of sign can also add visual clutter and a sense of disorientation and placelessness to the street, as the rapidly changing messages attract and hold the gazes of passersby, who may feel compelled to keep watching to see what the next image will be. A digital display located close to residences can create a visual effect similar to that of flashing lights, glaring through windows and degrading the quality of the living environment, which, as a recent study found, can cause stress that impacts health. In addition, a digital display will generally consume more energy than a static display of the same size, increasing the burden on the city's energy infrastructure and

undercutting efforts to improve sustainability, as described under Issue #4 (Energy Consumption and Sustainability). At the time the City approved the settlement agreements allowing credits for modernizations, there were no examples of the digital displays that were allowed by virtue of those agreements. Thus the City was not in a position to fully comprehend what the digital displays would look like let alone the negative impacts that would be associated with digital displays.

These individual impacts would be multiplied when numerous digital displays are installed within close proximity, as is likely along our city's many commercial streets. Considering the estimated 10,000 existing billboards in the city, in addition to many more signs of other types that could be retrofitted with digital technology, there is a high likelihood that the cumulative impacts of these signs would be exceedingly negative for the citizens of Los Angeles.

Allowing digital displays but prohibiting them from changing images would be problematic. The main purpose of digital display technology is to display changing messages. From the sign owner's perspective, it may not make economic sense to install a costly digital display with message-change technology, if the message is not allowed to be frequently changed. Further, such a prohibition would be difficult to enforce. Digital displays are designed so that messages can be changed and brightness adjusted remotely and instantaneously. Constant monitoring throughout the day and night would be required in order to observe and document the frequency of message changes.

Since it would be very difficult to prevent digital displays from changing messages, the only practical way to avert the negative impacts of such displays is to include them in a baseline citywide prohibition. This will protect the city as a whole from the considerably detrimental impacts of these displays on roadway safety, the visual environment, sustainability, quality of life and public health. Digital signs may still have a place within certain unique areas as designated by Sign Districts, where their impacts can be mitigated by appropriate control measures in a local context, but they are not compatible with the needs and plans of the city as a whole. This proposal is consistent with the best practices of other cities, as summarized in the "Sign Regulations Elsewhere" section and detailed in Attachment 2. More than half of the cities surveyed prohibit digital displays, and five of the cities surveyed allow them only in special districts.

Roof signs

Roof signs are currently allowed by the LAMC, with certain restrictions. They are permitted only on downward-sloping roofs, cannot extend above two feet below the ridge of the roof, and cannot exceed 300 square feet in area. However, even with such restrictions, roof signs are a very visible and potentially obtrusive type of sign, and have been generally prohibited by numerous cities, including Santa Monica, West Hollywood, Portland and New York City. Because of their prominent placement, roof signs can be distracting and can contribute to visual clutter. They are thus recommended to be

prohibited within the baseline standards of the citywide sign code. As with digital signs, roof signs may still be considered for allowance within Sign Districts. This proposal is also consistent with the regulations of other cities; all ten cities surveyed ban roof signs.

Revision #4: Sign Area Regulations

Issues Addressed: #2 (Roadway Safety); #3 (The Visual Environment); #5 (Code Streamlining)

Maximum Sign Area and Premises Sign Area

A combined sign area limitation sets out an allowed amount of signage area to be used for a property; the area allowance can be divided up among various sign types on that property. Many cities incorporate such a signage limitation, usually expressed in terms of allowed signage area (in square feet) per linear distance (in feet) of street frontage. (Street frontage is essentially the width of the lot where it meets the street.) The LAMC currently imposes a combined sign area limitation of 4 square feet of sign area for each linear foot of street frontage, which can be divided up among the following sign types: monument, projecting, wall, pole, roof, window, and illuminated architectural canopy signs. This standard is quite permissive in comparison to other cities, as reflected in the section on "Sign Regulations Elsewhere" and detailed in Attachment 2.

In addition to the sign area allowed for the property, it is also advisable to set aside a separate sign area allocation for the individual occupants of each premises within a property. It is much easier to enforce sign area limits for business tenants when the limits are based solely on each tenant's signage. Otherwise, the total sign area for an entire multi-space property (of which there are many in our city) would have to be recalculated each time a tenant requests a sign permit. Also, a guarantee of sign area for each premises ensures that a property owner cannot take away the minimum amount of signage a tenant needs in order to sustain a business.

The proposed ordinance therefore organizes allowable signage area for a property into two categories: property signage and premises signage. Property signage is the signage used by and for the property as a whole; premises signage is used by and for each premises. If a property contains only one premises, then it is allowed both kinds of signage area. The proposed ordinance allows one square foot of property sign area for each linear foot of street frontage, and 25 square feet of premises sign area for each premises. Property signage area may be used for a premises, but premises sign area may not be used for the property. The proposed property and premises signage allowances are consistent with the best practices of other cities. The proposed amounts are slightly greater than what is allowed in Santa Monica and West Hollywood, very close to what is allowed in San Jose and Portland, and slightly less than what is allowed in Culver City.

Individual Sign Area

As summarized in the below charts, the LAMC currently employs complex and relatively permissive requirements for allowable sign area for different types of signs. The

proposed ordinance creates a simpler and more restrictive system of sign area regulation, in order to begin to curb the proliferation and scale of signage citywide.

The below chart outlines the current and proposed sign area restrictions for each sign type. Further discussion of several key area limitations follows the chart.

Sign type	Current maximum area	Proposed maximum area
Wall signs	2 sq ft per 1 ft of street frontage + 1 sq ft per 1 ft of building frontage for single-story bldg + 10% for each story over the first, up to 50% of the allowed area for a single-story bldg	Cannot exceed 100 sq ft; also cannot exceed 40% of building face; not allowed to cover windows
Projecting signs	Smaller of 300 sq ft or 25 sq ft + 1.5 sq ft per 1 ft of street frontage	Total of 50 sq ft for all sign faces
Pole signs	Smaller of 400 sq ft or 2 sq ft per 1 ft of street frontage + 1 sq ft per 1 ft of building frontage	Total of 80 sq ft for all sign faces
Information signs	25 sq ft	N/A (sign definition removed)
Roof signs	Smaller of 300 sq ft or 2 sq ft per 1 ft of street frontage + 1 sq ft per 1 ft of building frontage)	N/A (sign type prohibited)
Monument signs	Smaller of 75 sq ft facing traffic, or 1.5 sq ft per 1 ft of street frontage	Total of 80 sq ft for all sign faces
Awning signs	None; must be contained within valance	No change
Window signs	10% of window area	No change
Illuminated Architectural Canopy signs	2 sq ft per 1 ft of street frontage + 1 sq ft per 1 ft of building frontage	50 sq ft
Marquee signs	None; must be contained within marquee periphery	No change
Off-site signs	800 sq ft	N/A (sign definition removed)

Wall Sign and Projecting Sign Area

The revisions propose limiting wall sign area to 100 square feet, and projecting sign area to a total of 50 square feet, for all sign faces. This means that, for example, a two-sided projecting sign would be allowed 25 square feet of sign area per side. These limitations are proposed to help curb the visual dominance of signs on our streetscapes, and to help reduce visual clutter and the negative quality of life and public health impacts that go along with it. The proposed limits are comparable to those of other cities, and are roughly the same as Beverly Hills, Santa Monica and San Antonio.

The ordinance further proposes that wall signs not be allowed to cover windows, as this can negatively impact quality of life inside residential buildings, and could even have safety implications in case of emergency evacuations.

Pole Sign Area

There is currently a proliferation of large pole signs in Los Angeles. These pole signs tower above buildings with sign faces that are often large and bright, dominating the street environment. Their visual primacy on a commercial property can cause all that is behind them to seem to shrink into the background – the storefronts, window displays, outdoor dining areas, landscaping, and people – the visual fabric of a vibrant city. Looking down the average commercial block in our city, one's eyes tend to fall first upon the rows of pole signs, and then secondarily upon the environments behind them.

The proposed ordinance limits the area of pole signs to 80 square feet, which includes all sign faces. For example, a two-sided pole sign would be allowed an area of 40 square feet per sign face. This is a substantial reduction from the currently allowed maximum area of 400 square feet, and is comparable to the pole sign area standards of cities with exemplary visual environments such as Santa Monica, Santa Clarita and Beverly Hills.

Revision #5: Height Regulations

Issues Addressed: #2 (Roadway Safety); #3 (The Visual Environment); #5 (Code Streamlining)

The below chart summarizes the current and proposed height regulations for each sign type. As with sign area, the proposed regulations are generally more restrictive than the current regulations. Further discussion of several key sign types follows the chart.

Sign type	Current maximum height	Proposed maximum height
Wall signs	None (Above 100', ID signs only)	Lower of 35 feet or top of wall
Projecting signs	Top of wall	Lower of 35 feet or top of wall
Pole signs	25 – 42 feet, depending on street frontage	Sign area divided by 4; no higher than 20 feet
Information signs	6.5 ft	N/A (sign definition removed)
Roof signs	2 ft below ridge of roof	N/A (sign type prohibited)
Monument signs	8 ft	No change
Awning signs	Top of valance or 14 ft	No change
Window signs	none	35 ft
Illuminated Architectural Canopy signs	Top of wall	Lower of 35 ft or top of wall
Marquee signs	Top of marquee periphery	No change
Off-site signs	42' or 30' above a roof, up to 60'	N/A (sign definition removed)

Height Limit on All Signs

Large, tall signs can create intense visual effects similar to that of billboards, whether they are freestanding or located on the sides of buildings. As mentioned previously, large signs such as billboards can be distracting to drivers, and can degrade the visual environment. In order to limit the visual dominance of signage on our city's streetscapes, the proposed ordinance restricts signs to a maximum height of 35 feet. Certain sign types are proposed to have lower height limits, but in no case would the regulations allow a sign more than 35 feet in height. This is comparable to the regulations of other cities, all of which regulate wall sign height, with limits ranging from 25 feet to roof level.

Pole Sign Height

In order to address the visual impacts associated with pole signs as previously described, the proposed ordinance includes an additional height limit for pole signs. The height of pole signs is proposed to be limited to one-fourth the measurement of sign area. This means that a sign with the maximum allowed pole sign area of 80 square feet would be allowed 20 feet of sign height. This ratio will ensure that the height of each new pole sign is proportional to its sign area, and is comparable to pole sign height limits in other cities, nine of which set the limit at 25 feet

Revision #6: Spacing Regulations

Issues Addressed: #2 (Roadway Safety); #3 (The Visual Environment); #5 (Code Streamlining)

Following are the proposed revisions regarding sign spacing.

Two-Foot Separation for All Signs

The proposed ordinance includes a minimum separation of two feet between any two signs. This is intended to prevent the visual effect of placing signs so close together that they can be viewed as one larger sign.

Other Spacing and Placement Restrictions

The below chart is copied directly from the proposed ordinance, and defines the maximum number of monument, pole and projecting signs allowed on properties of various sizes.

Street frontage of lot	Permitted monument signs	Permitted pole signs	Permitted projecting signs	Total permitted freestanding signs and projecting signs
0-49 feet	none	none	1 maximum	1 maximum
50-99 feet	none	none	1 maximum	1 maximum
100-200 feet	1 maximum	none	2 maximum	2 maximum
200-399 feet	2 maximum	none	3 maximum	4 maximum
400-599 feet	3 maximum	1 maximum	4 maximum	7 maximum
600-799 feet	4 maximum	1 maximum	5 maximum	9 maximum
800-999 feet	5 maximum	1 maximum	6 maximum	11 maximum
> 999 feet	5 maximum	1 maximum	6 maximum	11 maximum

Revision #7: Sign Modifications

Issues Addressed: #1 (Content Neutrality); #2 (Roadway Safety); #3 (The Visual Environment)

A relief mechanism from the revised sign regulations is needed to allow a certain amount of flexibility, so that applicants can request exceptions in unique or unforeseen circumstances. However, the city must be very careful to ensure that any discretionary reviews of sign applications do not make use of subjective considerations that may include the content of the sign or the identity of the speaker. Recent court rulings have determined that two of the five findings required under the city's Zone Variance procedure (findings numbered 4 and 5) are worded so subjectively that their application to signs would violate the free speech protections of the First Amendment. The LAMC's other relief mechanisms, such as the Conditional Use Permit, also include findings that call for subjective judgments. Thus, a new relief mechanism is needed specifically for requests to deviate from the sign regulations. The proposed ordinance defines this new relief mechanism, the Sign Modification, which is a Zoning Administrator review that utilizes the first 3 findings of the Zone Variance.

An important consideration for the Sign Modification is that it should not be so loosely and permissively defined as to allow applicants an "easy way out" of the sign regulations. If the new regulations were to allow this to happen, then they would be potentially violating the First Amendment by allowing subjective approvals of individual applications, rather than applying equal standards to all signage citywide. The proposed ordinance thus allows requests for Sign Modifications only in cases where the requested area or height of the sign is less than 20% beyond what is allowed. Sign Modifications may not be requested to allow deviations of 20% or more beyond these requirements, or to allow deviations from other provisions of the sign regulations, or to allow prohibited sign types.

Revision #8: Sign Districts

Issues Addressed: #1 (Content Neutrality); #6 (Sign Districts)

The City Planning Commission initiated a proposed ordinance amending the standards by which Sign Districts may be adopted (case number CPC-2008-2315-CA). The proposed Sign District ordinance was approved by the City Planning Commission on September 25, 2008, and is now being incorporated into the current sign code revision, with several proposed changes.

The proposed revision establishes a higher standard for the minimum area that may constitute a Sign District. The current standard is one block or three acres, whichever is smaller. The proposed minimum standard is a linear street frontage of 10,000 feet, to be measured along the street frontages of all properties in the proposed Sign District. 10,000 feet of street frontage would correspond to roughly a four to six block area.

The proposed Sign District ordinance also establishes a tougher standard for where Sign Districts can be located, proposing that they can only be established in areas where the General Plan land use designation is Regional Center or Regional Commercial. Currently, Sign Districts can be established on property zoned for commercial or industrial use, or on property zoned R5 within land use designations of Regional Center, Regional Commercial, or High Intensity Commercial (an obsolete designation). Again, because of First Amendment concerns, exceptions to the sign regulations cannot be made on a loose and subjective basis. Rather, exceptions should be made only on an objective, stringent and transparent basis. Regional Center and Regional Commercial land use designations apply to the most intensive commercial areas of the city, which are thus the areas most suitable for potential large-scale exceptions from the citywide sign regulations.

Revision #9: Other Provisions

Issues Addressed: varies (see below)

Limitation to Defined Sign Types

Issue Addressed: #7 (New and Emerging Technologies)

The proposed ordinance specifies that only those sign types specifically authorized are allowed. In this way, any new sign technologies will have to go through the careful consideration and public review process of a code amendment before they are potentially allowed within the city. This is intended to address Issue #7, New and Emerging Technologies.

Brightness of Lighted Signs

Issues Addressed: #2 (Roadway Safety) and #5 (Code Streamlining)

The LAMC currently allows sign brightness up to 3 foot-candles. This is inconsistent with the brightness limit of 2 foot-candles defined by the International Building Code, and locally adopted as the Los Angeles Building Code. The proposed ordinance lowers the maximum brightness of signs to 2 foot-candles, to ensure consistency with the Building Code.

Signs in Agricultural and Residential Zones

Issues Addressed: #1 (Content Neutrality) and #5 (Code Streamlining)

In March 2007, the City Planning Commission approved a revision to the sign regulations in agricultural and residential zones, in response to a court decision that found that the City had employed "content-based discrimination" that improperly restrained commercial speech in these zones.

Staff has incorporated the revisions approved by the Commission into the proposed ordinance (Appendix A), with minor formatting and organizational changes to ensure consistency within the Code's consolidated sign regulations. The main provisions of staff's recommended ordinance are as follows:

- No sign shall exceed a height of six feet.
- No sign shall be illuminated.
- Temporary signs shall not exceed six square feet in area.
- Limitations on the size of individual signs, the total sign area permitted, and the types of signs allowed are specified by zone.

The sign regulations specified above would apply to most agricultural and residential zones. The sign regulations specified for the non-residential zones would apply to the RAS mixed use zones, and also to some properties zoned R5 where commercial uses are allowed by right. In these instances, since residential and commercial uses are permitted on the same property, it is appropriate to treat these lots differently from the more restrictive agricultural and residential zones. In addition, staff proposes to apply the non-residential sign standards to institutional and other non-residential uses that are permitted in the agricultural and residential zones through a conditional use permit or variance.

Several other changes have been incorporated into the proposed ordinance. Specifically, no time limit is proposed for temporary signs (defined as signs not permanently affixed to the ground or building) if they convey an ideological, political or

other noncommercial message. In staff's view, no limitation should be placed on the length of time such a message may be displayed. Additionally, no time limit is proposed for temporary signs with less than 20 square feet of sign area, which do not require a building permit per the City's building code. Since a building permit is not required, any time limit on such signs is unenforceable, and should not be applied, for example, to real estate signs, which may need to remain up for significant periods of time.

Freeway Exposure

Issue Addressed: #1 (Content Neutrality)

The provisions of the sign code regarding freeway exposure are proposed to be removed, because they have been determined by court ruling to be unconstitutional. (See *World Wide Rush vs. City of Los Angeles*, case on appeal to the Ninth Circuit.)

The issue of freeway exposure, however, is still addressed by the sign ordinance's "hazard to traffic" procedure. In addition, the restrictive nature of the proposed new limits on the height of signs means that new signs will generally not be visible from freeways.

Other Sign Regulations

Issue Addressed: #5 (Code Streamlining)

There are sign regulations outside Article 4.4 in other sections of Chapter I of the LAMC. These include the Commercial Corner sign regulations of Section 12.22-A.23 and the home occupations sign regulations in Section 12.05-A.16. Staff proposes to eliminate discretionary signage deviation requests under the Conditional Use process in the Commercial Corner regulations, for reasons described in Issue #1 (Content Neutrality). Staff further proposes to eliminate the current prohibition on signs in connection with home occupations, as this involves restriction of sign content, which again pertains to Issue #1.

CONCLUSION

Signage can be a powerful medium for the conveyance of messages and promotion of economic activity. The need for signage in general is clear, but the proliferation of signage has had significant negative impacts on our city. Since the value of signs is based on the numbers of people viewing them, signs in a city of four million people are highly valued, creating an almost inexhaustible demand for outdoor signage in Los Angeles. This demand, coupled with relatively permissive regulations, has led to excesses in size, proximity, and number of signs, which detract from the quality of life of the city's residents and create dangerous distractions for motorists. Signage can best serve the public if it exists in scale to a walkable and livable city. The proposed ordinance will mandate that new signs balance the need for signage with the goals and principles set forth in the city's General Plan.

The proposed ordinance will create consistency between our city's sign regulations and recent court rulings, by eliminating content-based regulations and creating clear and objective standards based on the time, place, and manner by which signage is displayed. The proposed ordinance also strengthens the restrictions on most types of signs, in order to curb the proliferation and scale of signage that has become a defining feature of our city's cluttered streetscapes. Included in the proposed ordinance is a prohibition (outside of Sign Districts) on digital displays, the most intensive and controversial type of sign display that is incompatible with the needs and plans of the vast majority of the city's neighborhoods. These revisions will bring Los Angeles into the realm of comparability with cities that have exemplary sign regulations, and will enable the beautification and revitalization of our city's streets in the years and decades to come.