

ORDINANCE NO. 179827

An ordinance establishing the 15th Street Signage Supplemental Use District pursuant to Section 13.11 of the Los Angeles Municipal Code.

WHEREAS, in 1992, the LACTC (Metropolitan Transit Authority's (MTA) predecessor) purchased the railroad right-of-way between little and big Santa Monica Boulevards from the Southern Pacific Transportation Company (SPTC) for future transportation use. The letter given to SPTC as part of the purchase transaction pursuant to a settlement agreement stated that the "Purchaser [City of Los Angeles, LACTC and the County of Los Angeles] was prepared to initiate a condemnation action against Southern Pacific Transportation Company for the real property . . . if a negotiated purchase agreement had not been reached"; and

WHEREAS, MTA and the City of Los Angeles entered into an agreement whereby the City of Los Angeles would be the primary entity for the actual construction of the project to combine little and big Santa Monica Boulevards into a single transportation corridor between the 405 Freeway and Beverly Hills and MTA would be financially responsible for a majority of the costs of the project through a contribution of an agreed upon sum; and

WHEREAS, in the agreement MTA agreed, among other things, to deliver the property for the project to the City of Los Angeles "free and clear" of pre-existing encumbrances and the City of Los Angeles agreed, among other things, to be responsible for "project" cost overruns; and

WHEREAS, the City of Los Angeles obtained financing from other governmental entities, including MTA, to undertake the realignment of Santa Monica Boulevard in order to eliminate the railroad right-of-way, and combine little and big Santa Monica Boulevards in order to facilitate the east-west flow of traffic between the 405 freeway and the City of Beverly Hills border; and

WHEREAS, the right of way contained sixteen billboard structures with both single and double sign faces that were owned by a number of off-site advertising companies, fourteen of which remain unresolved; and

WHEREAS, in order to construct the realignment, all of the existing billboard structures had to be removed. To further this end, the MTA ordered the billboard companies to remove the billboard structures; and

WHEREAS, the billboard companies claimed that because of the earlier recitation, that the "Purchaser was prepared to initiate a condemnation action," that they were entitled to just compensation for the removal of the billboard structures pursuant to Section 5412 of the Business and Professions (B&P) Code; and

WHEREAS, B&P Code Section 5412 states in part that “no advertising display which was lawfully erected . . . shall be compelled to be removed . . . without payment of compensation, as defined in the Eminent Domain Law. . . .”; and

WHEREAS, B&P Code Section 5412 also states that it is the “policy of the state to encourage local entities and display owners to enter into relocation agreements which allow local entities to continue development in a planned manner without expenditure of public funds. . . .”; and

WHEREAS, this Signage Supplemental Use District will only permit four billboard faces at 720 East 15th Street on an MTA-owned bus yard in the Central City Community Plan and will be in exchange for any claim of just compensation, which the off-site advertising companies may have; and

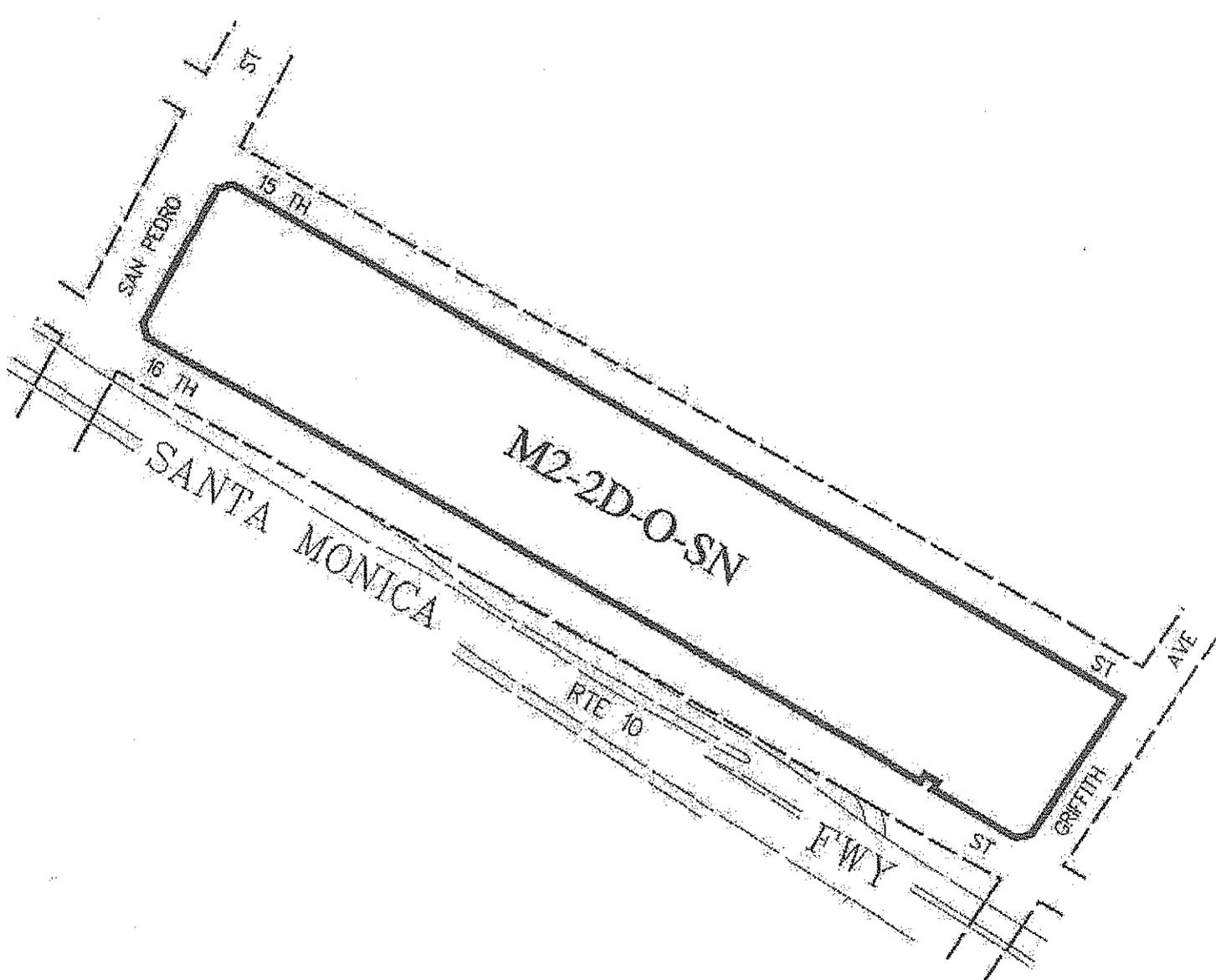
WHEREAS, the four billboard faces permitted by this ordinance represent a net reduction in billboards on a citywide basis as fourteen billboards were displaced by the Santa Monica Boulevard Transit Parkway Project in the West Los Angeles Community Plan area; and

WHEREAS, the Signage Supplemental Use District limits visual clutter by establishing design guidelines, regulating the number, size, and the location of signs at the edge of the Fashion District and requiring street trees in conjunction with the erection of the signs in order to minimize potential traffic hazards and protect street views and scenic vistas of the Downtown Skyline.

NOW, THEREFORE,

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

Section 1. ESTABLISHMENT OF THE 15th STREET SIGNAGE SUPPLEMENTAL USE DISTRICT. The City Council hereby establishes the 15th Street Signage Supplemental Use District (District) applicable to that area of the City of Los Angeles shown within the heavy lines on the attached map.



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NOT TO SCALE

C.M. 123 A 209, 123 A 211, 121.5 A 211, 121.5 A 209	GPC 2006-9769.GPA ZC SN CU ZV
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Sec. 2. **PURPOSES.** The District is intended to:

- A. Limit visual clutter by regulating the number, size and location of signs.
- B. Minimize potential traffic hazards and protect public safety.
- C. Protect street views and scenic vistas of the Downtown Skyline.
- D. Provide for the relocation of signs required to be removed pursuant to California Business and Professions Code Section 5412.

Sec. 3. **APPLICATION OF SUPPLEMENTAL USE DISTRICT REGULATIONS.**

- A. The regulations of this ordinance are in addition to those set forth in the planning and zoning provisions of the Los Angeles Municipal Code (Code). These regulations do not convey any rights not otherwise granted under the provisions and procedures contained in the Code or other relevant ordinances, except as specifically provided in this ordinance.
- B. Wherever this ordinance contains provisions that establish regulations relating to location, spacing, height, illumination and/or electronic message displays, which are different from, more restrictive than or more permissive than would be allowed pursuant to the provisions contained in the Code, this ordinance shall prevail and supersede the applicable provisions of the Code and those relevant ordinances.

Sec. 4. **DEFINITIONS.** The following terms, whenever used in this ordinance, shall be as defined in this section. Words and phrases not defined here shall be construed as defined in Sections 12.03 and 14.4.2 of the Code, if defined in those sections.

BILLBOARD SIGN. Any sign on one or more poles or columns that:

- 1. is four feet or greater in height as measured from the natural or finished grade, whichever is higher, to the bottom of the sign, and
- 2. is structurally separate from an existing building or other improvement on a lot, and
- 3. is supporting a sign panel that is attached to the pole(s), post(s), or column(s) and that may be cantilevered over a building or structure on the lot.

ELECTRONIC MESSAGE DISPLAY. A sign that displays still images utilizing a series or grid of lights that may be changed by electronic means, including cathode ray, light emitting diode display (LED), plasma screen, liquid crystal display (LCD), fiber optic, or other electronic media or technology approved by LADBS.

LIGHT BOX. A portable unit not to exceed 222 square feet installed upon an existing sign face that displays still images utilizing a series or grid of lights that may be changed by electronic means, including cathode ray, light emitting diode display (LED), plasma screen, liquid crystal display (LCD), fiber optic, or other electronic media or technology approved by LADBS.

SIGN EXTENSION. A temporary addition not to exceed 222 square feet outside the dimensions of the sign face of a Billboard Sign.

Sec. 5. SIGNAGE SUPPLEMENTAL USE DISTRICT COMPLIANCE REQUIREMENTS.

A. Prohibition. The Department of Building and Safety (LADBS) shall not issue a permit for a sign unless the sign complies with the requirements of this ordinance, as determined by the Director of Planning and relevant requirements of the Code. Unless otherwise specified in this Signage Supplemental Use District to the contrary, all signs shall comply with the provisions of Sections 28.00, *et seq.*; 67.00, *et seq.*; and 91.6201, *et seq.* of the Code.

B. Planning Department Sign Off Required. Pursuant to Section 11.5.7 C 1 of the Code, which allows the Director to determine the procedures for review of projects, a permit may be issued by LADBS with only a Planning Department sign-off on the building permit application. Upon review and approval that the sign complies with the requirements of this ordinance, the Director shall stamp, sign, and date the permit application plans, which shall be given to LADBS prior to the issuance of any building permit.

C. Request for Exceptions from the Regulations. The Area Planning Commission shall have initial decision-making authority for granting exceptions from the provisions of this ordinance. An applicant who is requesting an exception from the provisions of this ordinance shall utilize the procedures for a Specific Plan Exception set forth in Section 11.5.7 of the Code. In granting an exception, the Area Planning Commission shall make all the enumerated findings set forth in Section 11.5.7 F 2 of the Code.

D. Alterations, Repairs, or Rehabilitation. Any alteration, repair or rehabilitation work on a legally permitted sign or sign support structure shall be governed by Section 91.6216.4 of the Code. Notwithstanding the provisions of Section 91.6216.4.1, 1 to the contrary, if either of the permitted sign support structures or signs are damaged by any means outside the sign company's control, the sign support structure and/or signs may be restored to their previously existing specifications and locations.

Sec. 6. GENERAL REQUIREMENTS.

A. **General Requirements of the Code.** Unless otherwise specified in this ordinance to the contrary, the general sign requirements set forth in the Code shall apply to this District for permits, plans, design and construction, materials, street address numbers, identification, maintenance, prohibited locations, and sign illumination. Notwithstanding the above, no application for a permit shall be subject to Sections 14.4.5, 14.4.6, and 14.4.18 A, B and E of the Code.

B. **Permitted Signs.** All signs defined in Section 4 above and On-Site signs, which are otherwise permitted by the Code, shall be permitted, as set forth in this District.

C. **Permitted Off-Site Signage.** Off-Site advertising is permitted on Billboard Signs.

D. **Fire Safety.** All new signs and sign support structures shall be made of noncombustible materials or approved plastics.

E. **Caltrans Approval.** All signs shall continue to be subject to Caltrans approval, if applicable.

F. **Landscaping.** The applicant for the two billboard structures shall be required to landscape the perimeter of the District by planting vines on the fence surrounding the site and planting street trees, where none currently exist, in the public right of way, to the satisfaction of the Director of Planning and the Department of Public Works. The applicant shall submit a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect, prior to the issuance of any building permits.

G. **Public Service Messages.** For periods of any duration for which space on the Electronic Message Display has not been sold, the Electronic Message Display shall be made available for messages for the Los Angeles Fashion District or other public service use approved by the Community Redevelopment Agency Los Angeles (CRA/LA) Downtown Region staff as follows. The applicant shall provide "privileged advertising space" to the CRA/LA for the Los Angeles Fashion District on the Electronic Message Displays on a "space available" basis only. If at least one "flight" of the sixteen "flights" available for the new Electronic Message Display has not been sold, then the applicant shall, at its sole cost, display the Los Angeles Fashion District Business Improvement District's pre-approved message and artwork on one "flight." The applicant shall provide all specifications to the CRA/LA for purposes of creating pre-approved artwork. The CRA/LA and Los Angeles Fashion District Business Improvement District shall be responsible for all costs and expense in connection with creating, producing and delivering Los Angeles Fashion District message and artwork to the applicant for display as contemplated in this ordinance. The message and artwork shall continue to be displayed on the Electronic Message Display for as long as the "flight" remains unsold, provided, that the message and artwork shall at all times be preempted by a paid message. This agreement will be revenue neutral to the CRA/LA, Property Owner and the applicant.

H. Replacement of Message. Any Billboard Sign faces, which are not Electronic Messages Displays, shall not contain a blank face without messages or graphic image, except during replacement of advertising and/or graphic sheets not to exceed three business days. The applicant shall remove any advertising that contains a date for an event, premiere, opening, unveiling, availability, or other dated copy not less than 60 days after that date.

I. Public Street Access. The applicant shall not block any public street with any equipment, vehicle, or personnel required to change any copy.

Sec. 7. STANDARDS FOR BILLBOARD SIGNS.

A. Number. There shall be no more than two Billboard Signs in the District. Billboard Signs may either be single or double-faced.

B. Location.

1. One Billboard Sign shall be located a minimum of 340 feet east of the centerline of San Pedro Street and a minimum of 460 feet west of the centerline of Griffith Avenue Street.

2. One Billboard Sign shall be located a maximum of 100 feet from the centerline of 16th Street.

C. Sign Spacing. Notwithstanding the provisions of Section 14.4.18 E of the Code to the contrary, the spacing between Billboard Signs shall be a minimum of 500 feet. Spacing shall be measured in accordance with Section 14.4.18 E of the Code.

D. Double-faced Signs. Double-faced Billboard Signs shall comply with Section 14.4.18 F of the Code.

E. Sign Area. The area of a single sign face shall not exceed 672 square feet as calculated pursuant to Section 14.4.2 of the Code. Sign Extensions, as defined by Section 4 of this ordinance, are excluded from the computation of sign area.

F. Dimensions.

1. **Sign Face.** The dimensions of any single sign face shall be a maximum of 14 feet in height and 48 feet in width, excluding any sign extensions.

2. **Height.**

a. The height to the top of any Billboard Sign, exclusive of any Sign Extension, shall be limited to a maximum of 76 feet above the sidewalk grade.

b. The height to the top of any Billboard Sign with a Sign Extension, shall be limited to a maximum of 81'6" above the sidewalk grade.

c. The bottom of the sign face, including any Sign Extension, shall be a minimum of 55 feet above the sidewalk grade.

G. Illumination. A Billboard Sign may be illuminated 24 hours a day, seven days a week. Signs, excluding Electronic Message Displays, shall be illuminated only by external means. Methods of signage illumination may include, but not be limited to: electric lamps, such as neon tubes; fiber optic; incandescent lamps; cathode ray tubes exposed directly to view; shielded spot lights and wall wash fixtures.

H. Electronic Message Displays.

1. **Location.** A maximum of two Billboard Sign faces may be Electronic Message Displays.

2. **Illumination.**

a. An Electronic Message Display shall have no illumination, which is in continuous motion or which appears to be in continuous motion.

b. The display message shall not change at a rate faster than one message every eight seconds.

c. The interval between messages shall not be less than one second.

d. The intensity of illumination shall be the same for all display messages.

I. Sign Extensions.

1. **General.** No Electronic Message Display shall be permitted on a Sign Extension.

2. **Permit Required.** A building permit shall be required for a Sign Extension.

3. **Location.** Any single Sign Extension shall be limited to a maximum height of six feet above the sign face, three feet beyond the vertical sides of the sign face, and two feet below the sign face.

4. **Area.** The total area of sign extensions on any one sign face shall not exceed 222 square feet.

5. **Number.** Only one sign extension per sign face shall be permitted at a time.

6. **Time Limit.** Any Sign Extension shall be removed within 365 days of the date of installation of the Sign Extension.

J. Light Boxes.

1. **Location.**

a. A Light Box shall only be located on a sign face, which does not operate as an Electronic Message Display.

b. A Light Box shall be installed directly upon a Billboard Sign face and shall not be outside the dimensions of the Billboard Sign face.

2. **Area.** A single Light Box shall not exceed 222 square feet in area.

3. **Illumination.**

a. The Light Box shall have no illumination, which is in continuous motion, which appears to be in continuous motion, or which flashes.

b. The Light Box message shall not change at a rate faster than one message every two minutes.

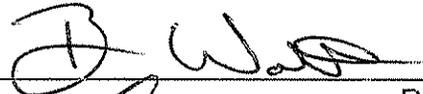
c. The interval between messages shall not be less than one second.

Sec. 8. **SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of APR 08 2008 and was passed by a vote of not less than two-thirds of all its members, at its meeting of APR 22 2008

KAREN E. KALFAYAN, Interim City Clerk

By  Deputy

Approved APR 25 2008

 Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By 
SHARON SIEDORF CARDENAS
Assistant City Attorney

Date March 25, 2008

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted

March 25, 2008

See attached report.


S. Gail Goldberg
Director of Planning

File No(s). Council File No. 08-0542;
CPC No. 2006-9769-GPA-ZC-CU-ZV-SN

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DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 179827 - Establishing the 15th Street Signage Supplemental Use District pursuant to Section 13.11 of the Los Angeles Municipal Code - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on April 22, 2008, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on April 29, 2008 I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on April 29, 2008 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 29th day of April 2008 at Los Angeles, California.



Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: June 8, 2008

Council File No. 08-0542