

DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT



CITY PLANNING COMMISSION

Date: November 13, 2008
Time: After 8:30 a.m.*
Place: Room 350, City Hall
200 North Spring Street
Los Angeles, CA 90012

Case No.: CPC 2008-4482-ICO
CEQA No.: ENV-2008-4483-CE
Location: Citywide
Council No.: All
Plan Area: All

PUBLIC HEARING REQUIRED

REQUEST: Interim Control Ordinance (ICO)

SUMMARY: A proposed ICO temporarily prohibiting the installation of new off-site signs and supergraphic signs, as well as prohibiting alterations to existing off-site signs and supergraphic signs, for a period of one year, with the possibility of two six-month extensions.

RECOMMENDED ACTIONS:

1. **Adopt** the staff report as its report on the subject;
2. **Adopt** the attached findings; and
3. **Approve** the proposed ICO (Appendix A) and recommend its adoption by the City Council.

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Director of Planning

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Deputy Director

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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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Attachments:

- Attachment 1: Findings**
- Appendix A: Proposed Interim Control Ordinance**
- Exhibit A: Environmental Clearance**

EXECUTIVE SUMMARY

The proposed ordinance (Appendix A) prohibits the construction or placement of any new off-site sign or supergraphic sign citywide for up to two years. It also prohibits the alteration of any existing off-site sign. The proposed ordinance would not apply to signs already under construction that have passed their first inspection by the Department of Building and Safety. It also would not apply to any signs that have already received discretionary sign approvals. Signs approved pursuant to development agreements and relocation agreements would additionally be exempt.

The placement and character of off-site signs (also known as billboards) has long been a contentious issue in the City of Los Angeles. Numerous lawsuits followed the city's 2002 bans on off-site signs and supergraphics, leading to settlements that allowed for hundreds of conversions of existing off-site signs to digital displays. These digital conversions have sparked public concern, leading to a City Planning Commission initiative for an Interim Control Ordinance.

An Interim Control Ordinance (ICO) will control the proliferation of digital off-site sign conversions and the possible new off-site signs and supergraphics that could result from a weakening of the city's bans. It will also allow the city time to develop improved permanent regulations for off-site and supergraphic signs. The Department of City Planning recommends that the proposed ICO (Appendix A) be adopted expeditiously.

STAFF REPORT

REQUEST

At its October 16, 2008 meeting, the City Planning Commission (CPC) introduced a motion to initiate an Interim Control Ordinance to temporarily prohibit the installation of digital displays on existing off-site signs (commonly referred to as the "digital conversion" of off-site signs). This motion was in response to recent concerns about the proliferation of digital off-site sign conversions. Recent court settlements between the City of Los Angeles and off-site sign companies granted approximately 878 "credits" for the conversion of existing off-site signs to digital displays.

At a subsequent CPC meeting on October 23, 2008, the City Attorney presented a proposed Interim Control Ordinance that would temporarily prohibit not just digital off-site sign conversions, but all new off-site and supergraphic signs as well as alterations to existing off-site and supergraphic signs. The ICO was proposed to be effective for a six-month period with two possible three-month extensions, during which time new permanent off-site and supergraphic sign regulations would be developed. The City Attorney's proposed ICO included exceptions for signs for which building permits have been issued, and substantial work completed before the effective date of the ordinance.

Members of the CPC expressed concern that the proposed duration of six months was too short to allow the complex issues surrounding off-site and supergraphic signs to be properly considered. In addition, the CPC considered public testimony from representatives of the development community that the allowed exceptions under the proposed ICO were too narrowly defined, and should include signs approved under discretionary land use entitlements in addition to those approved under building permits. At the conclusion of the meeting, the CPC adopted two motions. One motion directed the Planning Department to report back with a revised ICO and further analysis of the above considerations. The second motion outlined several key issues that staff should consider in developing the permanent ordinance.

DISCUSSION

Case History and Future Implications

At its October 16, 2008 meeting, City Planning Commission (CPC) President Jane Usher presented a slideshow that summarized the litigation and court decisions that have taken place around off-site sign issues since the 2002 adoption of citywide bans on new off-site signs and supergraphics, and the adoption the same year of an off-site sign inspection program. The slideshow summarized a complex case history, which is further distilled below into the key points most directly relevant to the proposed ICO.

The city's bans on off-site and supergraphic signs allowed exceptions for signs specifically permitted pursuant to a specific plan, supplemental use district, development agreement or relocation agreement. These and other exceptions were subsequently challenged in court on the basis that they allowed the city unfettered discretion in considering factors that could include sign content and identity of the speaker, making it too easy to violate the First Amendment rights of sign owners. In the case of *World Wide Rush v. City of Los Angeles*, the Court agreed with this argument and granted an injunction against the city's enforcement of the ban as to World Wide Rush's signs.

The city adopted the Off-Site Sign Structure Periodic Inspection Program (OSSPIP) in 2002, 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. The program was implemented in October 2002, after DBS hired and trained 13 inspectors. However, several sign companies sued, claiming that the program was unconstitutional. The court granted an injunction to stop the program about a month after implementation began. The City prevailed on the issue of constitutionality of having an off-site sign inspection program, but lawsuits over the amount of the inspection fees continued, leading to several settlement agreements that granted approximately 878 "credits" to sign companies to convert existing off-site signs into digital displays. The settlements, approved by the City Council and the mayor, also required sign companies to take down some off-site signs and provide the city with an inventory of all off-site sign locations. The settlements have been greeted with community concern.

The above court rulings, as well as future decisions that may follow and possibly build upon these precedents, jeopardize the legality of the city's bans on off-site and supergraphic signs. It is possible that such court rulings may soon result in new off-site and supergraphic signs being allowed throughout the city. It is in this context that the Interim Control Ordinance (Appendix A) is proposed.

Current Regulations

Currently, the city's sign regulations are contained in Los Angeles Municipal Code (LAMC) Section 14.4. This entire section was transferred from the city's Building Code in December 2007, to coincide with the city's adoption of the International Building Code, which does not include sign regulations. The sign regulations define off-site signs and supergraphics 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.

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.

Off-site signs and supergraphic signs are prohibited by the LAMC, unless they are specifically permitted pursuant to a legally adopted specific plan, supplemental use district, approved development agreement, or a relocation agreement entered into pursuant to California Business and Professions Code Section 5412. This prohibition also applies to alterations or enlargements of legally existing off-site signs.

There are two existing supplemental use districts and one specific plan in which some off-site and/or supergraphic signs are currently allowed: the Hollywood Sign District, the L.A. Sports and Entertainment District (LASED) Specific Plan, and the 15th Street/San Pedro Sign District. Individual off-site and supergraphic signs within each Sign District must receive a discretionary approval by the Director of City Planning through a Project Permit, before they can receive building permits from the Department of Building and Safety. In addition to the three existing Sign Districts, there are 11 proposed Sign Districts in various stages of review.

The existing regulations governing off-site and supergraphic signs are at odds with recent court rulings. The existing regulations also seem to be several steps behind current sign technology, as they do not address digital displays for off-site signs. Furthermore, as courts have preliminarily ruled that the allowance of specific plans as an exception to the city's bans gives the city unfettered discretion in the approval of those ordinances, the city may need a different system by which to grant exceptions to the bans in an objective and transparent manner. In order to address this issue, the City Planning Commission has initiated a proposed ordinance amending the standards by which Sign Districts may be adopted (Case number CPC-2008-2315-CA). This proposed ordinance has been approved by the City Planning Commission and is awaiting hearing by the Planning and Land Use Management (PLUM) Committee of the City Council.

The numerous issues with the existing sign regulations indicate that these matters should be carefully studied, with the goal of introducing improved regulations. In order to accomplish this review, the proposed ICO includes a one-year duration, with the possibility for two six-month extensions as long as the City Council finds that staff is exercising due diligence in the development of permanent regulations.

ICO Exceptions

At the October 23, 2008 City Planning Commission meeting, the CPC directed the Planning Department to report back with a range of alternative criteria that could be used to determine eligibility for exceptions under the ICO. These would not be discretionary exceptions, but would rather be standard criteria written into the ICO, under which any project meeting the criteria would be excepted.

There are four alternative categories of criteria by which exceptions could be defined within the ICO. Any of these four, or a combination thereof, could be implemented. A brief description of these categories follows:

Category 1: Permit Issuance and Construction. Signs that fall within this category have been issued a building permit, have begun construction and have passed their first inspection by the Department of Building and Safety.

Category 2: Permit Issuance. Signs in this category have been issued a building permit, but have not necessarily begun construction or passed an inspection.

Category 3: Permit Application. Signs in this category have been applied for under a building permit application, but have not necessarily been issued a permit, begun construction or passed an inspection.

Category 4: Discretionary Sign Approval. Signs in this category have been specifically approved by a discretionary entitlement, such as a Project Permit or Specific Plan Exception.

A more detailed discussion of each category is below, followed by the Department of City Planning's recommendation on ICO exceptions.

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- *Category 1: Permit Issuance and Construction.* Exceptions could be allowed for signs for which a building permit has been issued and construction has progressed to the point that one of the required building inspections has been made and approved by the Department of Building & Safety (DBS) prior to the effective date of the ICO. The criteria are set forth in the ICO that the City Attorney proposed on October 22, 2008. DBS estimates that as of October 30, 2008, between five and ten digital off-site sign conversions fall into this category. That number would likely increase during the period before the ICO becomes effective, as applicants become aware of the proposed ICO and may rush to draw digital conversion permits and complete substantial work in order to qualify for the exception. The number of new off-site signs and supergraphics that fall into this category is unknown, as DBS does not have data available on the number of permits issued for these types of signs. This category is based on state common law as set forth in rulings by the California Supreme Court, and defines a more stringent set of criteria than the city's early vesting law, which is outlined under Category 3. According to the City Attorney, either the state common law or the city's early vesting law may be utilized for this ICO. Category 1 would define the most stringent building permit criteria for exception under the ICO.
- *Category 2: Permit Issuance.* Exceptions could be allowed for signs for which a building permit has been issued prior to the effective date of the ICO. DBS estimates that 15 pending digital off-site sign conversions fall into this category. (A total of 95 digital off-site sign conversions have been permitted as of October 30, 2008, of which 80 have already been constructed and 15 are still in construction.) That number would likely increase during the period before the ICO becomes effective, as applicants become aware of the proposed ICO and may rush to draw building permits in order to qualify for the exception. DBS does not have data available on the number of permits issued for off-site or supergraphic signs. Allowing exceptions for this category would allow a greater number of signs to be excepted than under category 1, because substantial work would not be required.

- *Category 3: Permit Application.* Exceptions could be allowed for signs for which plans sufficient for a complete plan check have been accepted by the Department of Building and Safety and a fee has been paid prior to the effective date of the ICO, per the city's early vesting law as laid out in LAMC Section 12.26 A-3. Because sign permits are typically issued as soon as a permit application has been submitted and fees paid, DBS reports that the number of signs that fall into this category is the same as under Category 2: 15 digital off-site sign conversions. Again, that number would likely increase during the period before the ICO becomes effective, as applicants become aware of the proposed ICO and may rush to submit plans and pay application fees in order to qualify for the exception. It may be particularly easy for a large number of applicants to quickly meet the criteria of this category, as the submittal of plans and payment of fees involves the least amount of city review of all the four options. Thus, allowing exceptions for this category may create the largest rush of applicants at the Department of Building and Safety, and allow the most exceptions under the ICO.

- *Category 4: Discretionary Sign Approval.* Exceptions could be allowed for signs for which a discretionary sign approval has been approved prior to the effective date of the ICO. Discretionary sign approvals include approvals such as Project Permits under existing Sign Districts and Specific Plan Exceptions. Over the past two years, approximately 16 supergraphic signs have been approved under Project Permits but have not yet received building permits. Of these, approximately eight are in the Hollywood Sign District and the other eight are in the L.A. Sports and Entertainment District (LASED). In addition, roughly 20 supergraphic signs within the Hollywood Sign District have been approved under Specific Plan Exceptions. At the time this report was written, research is still underway to determine how many of those 20 had received building permits. Assuming that roughly half of these 20 have received building permits, that would mean that about 26 supergraphic signs have received discretionary sign approvals but not building permits, most of them in the Hollywood Sign District. As with the other categories, it could be expected that these numbers would likely increase during the period before the ICO becomes effective, as applicants become aware of the proposed ICO and push to obtain their discretionary sign approvals in order to qualify for the exception.

Recommendation. The Department of City Planning recommends that both Categories 1 and 4 be allowed exceptions under the ICO. Category 1 defines a limited pipeline of digital conversions that have received building permits and completed substantial work prior to the effective date of the ICO. By setting a relatively high standard for exceptions, this category would minimize the potential for the Department of Building and Safety to be flooded with applications for digital conversions, and would also allow a smaller number of exceptions for digital conversions than would be allowed if categories 2 or 3 were excepted. Given the potentially serious negative impacts of digital conversions, this relatively high standard for exceptions would be appropriate.

Category 4 is recommended because each approved discretionary sign approval is the result of a thorough public review process, as well as the application of established Zoning, General and Community Plan, and Sign District standards to a proposed project. This process is intensive in terms of both time and resources for the applicant as well as for the city. Because approved discretionary sign approvals have been determined to meet the needs and standards of the community and the city, it would not make sense for these approvals to be disregarded under the proposed ICO.

Duration of ICO.

The proposed duration of the ICO is one year, with the possibility of two six-month extensions. The extensions would be approved if the City Council finds that staff is exercising due diligence in developing permanent regulations to govern off-site and supergraphic signs. The ICO initially proposed by the City Attorney included a duration of only six months, with the possibility of two three-month extensions. This short timeframe would significantly hamper the ability of the Department of City Planning to carefully consider the myriad complex issues surrounding off-site and supergraphic signs. It would also compress the time in which public outreach and consultation with stakeholders could be accomplished. Further, a six-month timeframe would limit the amount of time available for the City Planning Commission, City Council Planning and Land Use Management Committee, and City Council to ask questions and recommend changes to the proposed ordinance. For all of the reasons above, the standard timeframe for Interim Control Ordinances is one year with two possible six-month extensions. The Department of City Planning recommends approval of this standard ICO duration.

Urgency Clause.

Because the city's bans on off-site and supergraphic signs have already been substantially weakened by court rulings, and because of the possibility that the bans may soon be overturned, it is recommended that the proposed ICO include an Urgency Clause. Further reason to include an Urgency Clause is the public outcry over the recent spate of digital off-site sign conversions, which are occurring rapidly throughout the city. The Urgency Clause would allow the ICO to become effective upon adoption by the City Council, rather than after the required publication period and approval by the Mayor.

CONCLUSION

The proposed ICO (Appendix A) temporarily prohibits new off-site signs and supergraphic signs, as well as alterations to existing off-site signs. The ICO is a necessary short-term measure to curb the proliferation of digital off-site sign conversions, and to protect the city's neighborhoods from a potential flood of new off-site signs should the city's ban continue to lose legitimacy through court rulings. The one-year duration of the ICO, with two possible six-month extensions, will ensure that staff has adequate time to properly review the complex issues associated with off-site signs and supergraphics, and recommend a permanent ordinance that will work in the best interests of the city while holding up to the rigors of litigation. The ICO also includes exceptions that give fair treatment to signs that have already received city approval and for which significant investments of time and resources have been made.

ATTACHMENT 1

LAND USE FINDINGS

1. In accordance with Charter Section 556, that the proposed ordinance (Appendix A) is in substantial conformance with the purposes, intent and provisions of the General Plan in that it will support Goal 5A of the Citywide General Plan Framework by helping to further the shaping of “a livable city for existing and future residents and one that is attractive to future investment,” and also Objective 5.5 to “enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm”; and
2. in accordance with Charter Section 558 (b) (2), that the proposed ordinance (Appendix A) is directly related to the General Plan, specific plans or other plans being prepared by the Department of City Planning. This ordinance will support Citywide General Plan Framework Objective 5.5.3 to “formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide”, as well as Policy 5.8.4 to “encourage that signage be designed to be integrated with the architectural character of the buildings and convey a visually attractive character”; and
3. in accordance with Charter Section 558 (b) (2), that the proposed ordinance (Appendix A) is in substantial conformance with the public necessity, convenience, general welfare and good zoning practice in that it will control the proliferation of off-site and supergraphic signs to include digital conversions, giving the city time to adopt fair and coherent permanent regulations for off-site and supergraphic signs.

ENVIRONMENTAL FINDING

The proposed ordinance (Appendix A) is exempt from the requirements of the California Environmental Quality Act (CEQA) and city guidelines for the implementation thereof pursuant to Article II, Section I of the Los Angeles City CEQA Guidelines, as it will not have a significant negative impact on the environment (see Exhibit A, Environmental Clearance).

APPENDIX A

PROPOSED ORDINANCE FOR DISCUSSION

An ordinance imposing interim regulations on the issuance of building permits and construction or alterations for Off-Site Signs and Supergraphic Signs.

WHEREAS, on April 17, 2002, the City Council adopted Ordinance No. 174517 to ban the erection of new Supergraphic Signs; and

WHEREAS, on April 30, 2002, the City Council adopted Ordinance No. 174547 to ban the erection of new Off-Site Signs and the alteration of existing Off-Site Signs; and

WHEREAS, a number of off-site advertising companies have challenged the City's ban on Off-Site Signs and Supergraphic Signs in both federal and state court; and

WHEREAS, on June 13, 2008, in one of the cases, *World Wide Rush v. City of Los Angeles*, the Court granted a preliminary injunction against the City's enforcement of the ban as to World Wide Rush's signs on the basis that the exceptions to the City's ban on supergraphic signs and off-site signs granted the City too much discretion to approve or deny signs based on the content of the sign, or the identity of the speaker. On August 26, 2008, the court issued a permanent injunction on the same basis; and

WHEREAS, there is a strong probability that the result of the court's order will be a proliferation of new Off-Site Signs, Supergraphic Signs or alterations to existing Off-Site Signs; and

WHEREAS, on July 29, 2008, a motion was introduced to "revise the sign ordinance to toughen and create easily enforceable time/place/manner restrictions citywide to protect neighborhoods." The motion was referred to the Planning and Land Use Management Committee (PLUM) of the City Council, which held a hearing and referred the motion to appropriate city staff on September 9, 2008; and

WHEREAS, the City's current sign ordinance has been in effect for many years, and despite periodic revision, there have been changes in the sign industry regarding off-site marketing techniques and technologies and advancements in the sign industry that were not anticipated and are still not addressed in the ordinance; and

WHEREAS, it is necessary to halt the proliferation of new Off-Site Signs, Supergraphic Signs or alterations to existing Off-Site Signs until permanent regulations can be enacted and put into place so the adverse effects of these new or modified signs can be minimized or eliminated; and

WHEREAS, the proliferation of off-site signs and supergraphics and the recent conversions of existing off-site signs to brightly lit digital displays has created concerns among many residents as to light pollution, traffic safety, visual blight, quality of life and public health issues; and

WHEREAS, the City Planning Commission at its meeting on September 23, 2008 directed the Planning Department to amend the Interim Control Ordinance proposed by the City Attorney on September 15, 2008, to lengthen the duration of the temporary restriction from six months to one year, and to re-examine the exceptions allowed under the ICO; and

WHEREAS, the City Council had determined that in order to address these concerns, it is necessary and appropriate that an interim control ordinance be enacted prohibiting the issuance of new permits for new Off-Site Signs, Supergraphic Signs, or alterations to existing Off-Site Signs.

NOW THEREFORE,

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

Section 1. **DEFINITIONS.**

Discretionary sign approval – A grant of privileges by a Zoning Administrator, the Director of Planning, an Area Planning Commission, the City Planning Commission, or an appellate body on appeal, for the construction, placement or alteration of an off-site sign or supergraphic sign.

Other words and phrases shall be construed as defined in Sections 12.03 and 14.4.2 of the Los Angeles Municipal Code (LAMC).

Sec. 2. PROHIBITION. Notwithstanding any provision of the LAMC to the contrary, or any other ordinances adopted by the City Council containing regulations regarding signs, for a period of one year from the effective date of this ordinance, or until a permanent ordinance which amends the citywide provisions governing Off-Site Signs and Supergraphic Signs becomes effective, whichever occurs first:

A. No building permit for the construction or placement of any new off-site sign or supergraphic sign, or the alteration to an existing off-site sign, shall be issued.

B. No person shall erect, place, alter or construct any off-site sign or supergraphic sign pursuant to a building permit issued prior to the effective date of this ordinance.

Sec. 3. EXCEPTIONS.

A. The prohibitions specified in Section 2 of this ordinance shall not apply to any construction for which a building permit is required as follows:

1. In order to comply with an order issued by the Department of Building and Safety to repair, remove, or demolish an unsafe or a substandard condition with respect to any off-site sign.
2. In order to replace an off-site sign damaged as a result of fire, earthquake, or other natural disaster, provided that the replacement is not prohibited by any provision of the LAMC.

B. The prohibitions specified in Section 2 of this ordinance shall not apply to any sign for which either of the following conditions is true:

1. A building permit has been issued for the sign and has not expired prior to the effective date of this ordinance, and construction pursuant to the permit has progressed to the point that one of the inspections required by LAMC Section 91.108.5 has been made, and the work for which the inspection was called has been approved by the Department of Building and Safety prior to the effective date of this ordinance; or
2. The sign has received a discretionary sign approval prior to the effective date of this ordinance, and the privileges granted by the discretionary sign approval have not expired.
3. The sign has been authorized pursuant to an approved development agreement, or relocation agreement entered into pursuant to California Business and Professions Code Section 5412.

Sec. 4. EXTENSION OF REGULATIONS. The City Council may, by resolution, extend the provisions of this ordinance for two additional six month periods, so long as the Council makes the following finding: that the appropriate City agencies and officials are exercising due diligence to assure that the permanent regulations are being expeditiously processed.

Sec. 5. 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. 6. APPLICABILITY OF THE ZONING CODE. The regulations of this ordinance are in addition to those set forth in the planning and zoning provisions of Chapter 1 of the LAMC and any other ordinances adopted by the City Council, and do not contain any rights not otherwise granted under the provisions and procedures contained in that Chapter or any other ordinances.

Sec. 7. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate preservation of the public peace, health and safety for the following reasons. This ordinance is necessary to prevent irreversible development from occurring pending adoption of a permanent ordinance, by temporarily halting the proliferation of digital signage that is negatively impacting communities with light pollution and visual blight, as well as impacting traffic safety, quality of life and public health issues. In addition, the expeditious implementation of this ordinance is needed to protect the citizens of Los Angeles from the possibility that the city's weakened ban on off-site and supergraphic signs may soon be further undermined in court, leaving the city with no regulations governing these prominent and often controversial types of signs. Therefore, this ordinance shall become effective upon publication pursuant to Los Angeles City Charter Section 253.

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 ...

COUNTY CLERK'S USE
CITY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 615, CITY HALL EAST
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(Article III, Section 3—City CEQA Guidelines)

Submission of this form is optional. The form shall be filed with the County Clerk, 111 No. Hill St., Los Angeles, California 90012, pursuant to Public Resources Code Section 21252 (b). Pursuant to Public Resources Code Section 21188 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY City of Los Angeles	LOG REFERENCE ENV-2008-4483-CE	COUNCIL DISTRICT All
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PROJECT TITLE:
Interim Control Ordinance (ICO) – Off-Site Signs and Supergraphics (CPC 2008-4482-ICO).

PROJECT LOCATION:
Citywide

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
A proposed ICO temporarily prohibiting the installation of new off-site signs and supergraphic signs, as well as prohibiting alterations to existing off-site signs and supergraphic signs, for a period of one year, with the possibility of two six-month extensions.

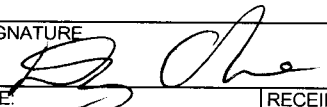
NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:
N/A

CONTACT PERSON Daisy Mo	TELEPHONE NUMBER 213-978-1338
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<u>EXEMPT STATUS: (Check One)</u>	<u>CITY CEQA GUIDELINES</u>	<u>STATE EIR GUIDELINE</u>
<input type="checkbox"/> MINISTERIAL	Art. III, Sec. 2b	Sec. 15073
<input type="checkbox"/> DECLARED EMERGENCY	Art. III, Sec. 2a (1)	Sec. 15071 (a)
<input type="checkbox"/> EMERGENCY PROJECT	Art. III, Sec. 2a (2) & (3)	Sec. 15071 (b) & (c)
<input checked="" type="checkbox"/> GENERAL EXEMPTION	Art. II, Sec. 1	Sec. 15061 (b) (3)
<input type="checkbox"/> CATEGORICAL EXEMPTION	Art. VII, Sec. 1	Sec. 15100
<input type="checkbox"/> OTHER	(See Public Resources Code Sec. 21080 (b) and set forth state and city guideline provision. <u>Exemption Art. II, Sec. 2 (m)</u>)	

JUSTIFICATION FOR PROJECT EXEMPTION: The proposed ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines 15061(b)(3) and City CEQA Guidelines Article II, Section 1 because it can be seen with certainty that the proposed ICO will not have a significant negative effect on the environment.

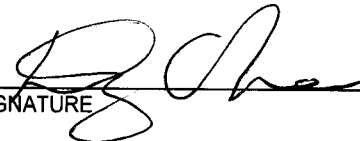
IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.

SIGNATURE 	TITLE City Planning Associate	DATE November 4, 2008
FEE: N/A	RECEIPT NO. N/A	RECEIVED BY N/A
		DATE N/A

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Form Gen. 183 (Rev. 8-90) (Appendix A) (C.S. 4/98)

THE APPLICANT CERTIFIES THAT HE OR SHE UNDERSTANDS THE FOLLOWING:
Completion of this form by an employee of the City constitutes only a staff recommendation that an exemption from CEQA be granted. A Notice of Exemption is only effective if, after a public review and any required public hearings, it is adopted by the City agency having final jurisdiction (including any appeals) over the project application. If a CEQA exemption is found inappropriate, preparation of a Negative Declaration or Environmental Impact Report will be required. IF THE INFORMATION SUBMITTED BY THE APPLICANT IS INCORRECT OR INCOMPLETE SUCH ERROR OR OMISSION COULD INVALIDATE ANY CITY ACTIONS ON THE PROJECT, INCLUDING CEQA FINDINGS.

Daisy Mo
NAME (PRINTED)

* 
SIGNATURE