

SUBJECT: ZONE TEXT AND SUNSET SPECIFIC PLAN AMENDMENT FOR
CREATIVE TEMPORARY OFF-SITE SIGNAGE WITHIN THE
SUNSET SPECIFIC PLAN AREA

INITIATED BY: COMMUNITY DEVELOPMENT DEPARTMENT
(Stephanie DeWolfe, AICP, Director) *SD*
(John Keho, AICP, Assistant Director) *JK*
(Bianca Siegl, Long Range & Mobility Planning Manager) *BS*
(Steve Gerhardt, AICP, Contract Senior Planner)

STATEMENT ON THE SUBJECT:

The City Council will consider amendments to the Zoning Ordinance and Sunset Specific Plan regarding creative temporary off-site signage within the Sunset Specific Plan area and receive an update regarding the comprehensive Sunset Off-Site Signage study.

RECOMMENDATIONS:

Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and introduce on first reading Ordinance 16-___, **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AMENDMENTS TO THE ZONING ORDINANCE AND SUNSET SPECIFIC PLAN RELATED TO TEMPORARY CREATIVE OFF-SITE SIGNAGE”** (ATTACHMENT A)

BACKGROUND ANALYSIS:

The purpose of this Zoning Text Amendment and Sunset Specific Plan Amendment is to provide zoning language to encourage quality and customization of existing billboards and tall wall signs by establishing standards for creative tall walls and clarifying existing standards for creative billboards, and extending the staff-approved permit period for approved creative billboards and tall walls. All the signs referenced in this report and draft ordinance are “off-site signs.” More specifically, these amendments will: 1) clarify what types of temporary creative off-site signs are encouraged; 2) encourage installation of more creative advertising on the Sunset Strip; 3) establish a process for administrative approval for those signs; and 4) provide updated standards for their design and operation. The proposed amendments were unanimously approved by the Planning Commission on November 19, 2015 (Attachment B).

This proposed amendment is one component of the City’s comprehensive study of off-site signage, specifically billboards and tall walls, along the Sunset Strip. The purpose of

the study is to develop regulations to enhance quality, creativity and encourage customization off-site signage. The intent is to encourage existing signs to become more iconic and creative (see examples, Attachment G). There are currently 65 existing signs along the Sunset Strip, with a total of 81 sign faces. These existing signs represent the best opportunity to improve the quality of the advertising environment along the Sunset Strip.

This process has involved extensive community and advertising industry outreach. As a result of this outreach, it was determined that a focused set of revisions to the existing requirements and procedures for temporary creative off-site signs was warranted in order to facilitate more unique, high-quality off-site signs on the Sunset Strip. The objectives of this focused effort include the following:

- Improve the quality of existing off-site signs through creativity and innovation, increasing the vitality and energy of the Sunset Strip.
- Encourage creative off-site signs that are consistent with the vibrant character of the Sunset Strip while minimizing or avoiding potential aesthetic nuisances.
- Allow for creative tall wall signs along the Sunset Strip.
- Increase the number of creative billboards that are implemented on the Sunset Strip.
- Streamline the process of approving temporary creative off-site signs and provide predictability in the process.

The proposed zoning text and Sunset Specific Plan amendments are designed to encourage creativity and innovation within the existing sign inventory. During early public outreach efforts of the comprehensive study, key industry representatives stated that a simplified review and approval process and clear design guidelines are essential to achieving this goal.

Since its adoption in 1996, the Sunset Specific Plan has included provisions for creative billboards and tall walls; however, while the Zoning Code implemented standards for temporary creative billboards, it did not provide clear guidance for temporary creative tall walls. In addition, definitions for a number of key signage terms either required revision or update, and definitions for creative tall walls and creative and 3D extensions to billboards and tall walls were missing and need to be added to Section 19.90.020.

During the public outreach, it was noted that creative signage proposals required shorter approval timeframes and greater predictability to respond to the fast-paced requirements for the top-tier companies seeking to be truly creative with their branding and advertising. The existing approval process and lack of design guidance in the code may have discouraged creative off-site signage. For these reasons, the proposed changes are being proposed.

The Zoning Text Amendment limits sizes for physical extensions, provides new safety, nuisance avoidance, and landscaping and aesthetic standards, including lighting. The Zoning Text Amendment and Sunset Specific Plan amendment streamlines the

approval process for administrative approvals, simplifies the timeframe for approvals to 12 months plus an additional 6-month extension, and eliminates Planning Commission review of these temporary creative signs.

The design standards for temporary creative billboards as proposed in the zoning text amendment refine and clarify existing requirements, and allow for creative extensions up to 25% of the existing sign area, limits the height of these extensions no more than 25 feet from the edge of the existing billboard, and limits overall height to no more than 100 feet above the adjacent sidewalk.

For temporary creative tall walls, the proposed text provides a comprehensive set of design standards. The design standards as proposed allow for creative extensions of tall walls up to 25 feet from the edge of the existing tall wall, and may wrap around the corner of the building with an extension of no more than 500 square feet. The size of creative extensions on the primary plane can be 10% of the existing tall wall sign area or 1000 square feet in size, whichever is less. The 500 square-foot wrap is included in the 1000 square-foot total. The text on creative temporary tall walls is limited to 15% of the total sign area, unless the text is an integral part of the artistic expression of the proposed tall wall.

The expected outcome of these proposed zoning and specific plan changes is to encourage more creative temporary billboards and tall walls on the existing off-site signs along the Sunset Strip, and to re-establish Sunset as a destination for innovative and exciting signage.

Planning Commission

On November 19, 2015, the Planning Commission held a public hearing and unanimously recommended approval of the proposed ZTA and SPA (Attachments C and D). The Commission discussed the proposed 25-foot limit for extensions from the existing sign face, but not amended. Language changes were suggested to make the clarify the overall height limit for creative off-site signs in both the zone text and specific plan. The definition for creative billboards was corrected for an unintended deletion. Lastly, the Commission requested that the existing section 19.34.080(J) of the West Hollywood Municipal Code, related to off-site signage in the Eastside Redevelopment Project Area should be deleted, since the Redevelopment Area sunsetted in 2008. No one from the public spoke on the item.

The text included in the attached ordinance includes further clarifications to strengthen the intent of the code changes. These added provisions include requiring permission from adjacent property owners for any extensions proposed to extend beyond the property line, clarification of the prohibition of digitally displayed images, including new and updated definitions in the zoning text amendment and Sunset Specific Plan amendment related to digital signs, and allowing creative elements not specified in the proposed language to be considered for approval. The revised draft text of these proposed changes is provided in Attachment A.

Public Comment and Correspondence

On December 18, 2015, the City received a comment letter from Victor De la Cruz of Manatt, Phelps & Phillips, LLP, representing Regency Outdoor Advertising, Inc., (Attachment H) raising a concern about what constituted a prohibited digital sign under the proposed ordinance, and requesting further clarification. To respond to that concern, definitions for digital sign and thematic lighting have been added to the proposed text of the zoning code amendment.

California Environmental Quality Act (CEQA)

The proposed regulations were subject the preparation of an Initial Study/Negative Declaration, which was prepared in August 2015, circulated in draft form from August 20 to September 10, 2015, and finalized with response to one comment letter received as required by CEQA §15070 (Attachment F).

Sunset Off-Site Signage Study

The broader policy study to evaluate the off-site signage regulations is actively being pursued in parallel to the subject zoning text and Sunset Specific Plan amendments. Completion of a comprehensive study and amendments to the Zoning Ordinance and Sunset Specific Plan will address regulations for three categories of off-site signs: 1) modifications to existing signs, 2) digital signs, and 3) new signs (static or digital).

Draft proposed policy alternatives for digital and new signs will be presented to the Planning Commission and City Council for feedback in Spring 2016. Following discussion of the proposed draft guidelines, an Environmental Impact Report (EIR) will be initiated to review the impacts of the proposed new regulations. Following completion of the EIR and adoption of the policy amendments, the City could begin accepting and processing applications for new signs and/or digital signs, as allowed by the new policy. Based on the time necessary to complete the formal environmental review and adoption process, it is anticipated that this effort will be completed no earlier than Spring 2017.

One of the main issues identified as critical to resolve in the Sunset Off-Site Signage policy study is to encourage creativity in off-site signage and to enhance the Sunset Strip as a premiere and unique signage district. As one of the most valuable locations for off-site signage in the world, billboards and tall wall signs on the Strip have the potential to contribute to a truly unique and exciting destination. Through industry outreach conducted as part of this study, it has become clear that the City has the ability and the leverage to require great signage on Sunset, and that our best tools are a combination of improved comprehensive and clear policy and processes, as well as expanded promotional efforts.

The policies and programs developed through the Sunset Off-Site Signage Study have the potential to enhance the Sunset Strip as a vibrant destination featuring truly unique signs that can only be seen in West Hollywood. The intent is to bring back the creative displays that harken back to the heyday of advertising of the Rock and Roll era of the 1960s through early 1980s on the Sunset Strip.

Pilot Project

The City currently contracts with an advertising company to operate a billboard on City-owned property at 8755 Sunset Boulevard. This existing contract will expire in March 2016, and convert to a month-to-month thereafter. A Request for Proposal (RFP) for a creative digital pilot project was approved by the City Council on October 5, 2015 to replace this existing contract. Responses to the RFP will be due on February 2, 2016. After initial evaluation, proposals received from a shortlist of finalists will be presented to the public prior to final selection being brought to the City Council for approval.

This project will provide a real-world experiment for cutting edge digital signage to allow for public and staff review of best practices for state of the art digital advertising. The lessons learned from this pilot project will help inform the comprehensive update of the Sunset Off-Site Signage Study.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST HOLLYWOOD GENERAL PLAN:

This item is consistent with the Ongoing Strategic Programs of **Adaptability to Future Change and Promote Economic Development While Maintaining Business Vitality & Diversity.**

This item is consistent with the following Goals of the West Hollywood General Plan:

LU-15: Maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of the City; and

LU-16: Maximize the iconic urban design value and visual creativity of signage in West Hollywood.

EVALUATION:

The Long Range & Mobility Planning Division will carefully track the creative billboard and tall wall applications submitted under the new regulations and review the design quality of the submittals to ensure that the intended outcome to encourage more creative off-site signage along the Sunset Strip is fulfilled.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH

None at this time.

OFFICE OF PRIMARY RESPONSIBILITY:

Community Development Department

FISCAL IMPACT:

None at this time.

ATTACHMENTS:

- A. Ordinance # _____
- B. Planning Commission Resolution PC 15-1162
- C. Planning Commission Staff Report: November 19, 2015
- D. Planning Commission Minutes: November 19, 2015
- E. Summary Table of Proposed Text Changes
- F. Initial Study/Negative Declaration
- G. Sample Images of Creative Off-Site Signage
- H. Comment Letter

ORDINANCE NO. 16-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO THE ZONING ORDINANCE AND SUNSET SPECIFIC PLAN RELATED TO TEMPORARY CREATIVE OFF-SITE SIGNAGE.

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City of West Hollywood initiated amendments to the Zoning Ordinance, Article 19 of the Municipal Code to add clarifying language to Section 19.34.080 and definitions in Section 19.90.020, and amendments to Section (l)(3)(b) (Requirements, Creative Billboards) of Part 8 (Billboards and Art Advertising) of Section 1 (Requirements and Guidelines for Development), Part 2 of the Sunset Specific Plan.

SECTION 2. A public hearing was duly noticed for the City Council meeting of December 21, 2015 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, required state and local agencies, and the City website and by announcement on City Channel 6 by December 10, 2015. A notice for cancellation and continuance of public hearing was posted on November 5, 2015 for the Planning Commission meeting on November 19, 2015. On November 19, 2015, the Planning Commission unanimously voted to adopt Resolution PC 15-1162, and recommend approval of the zone text and specific plan changes discussed herein.

SECTION 3. The proposed text changes to the City's Municipal Code and Sunset Specific Plan are subject to analysis under the California Environmental Quality Act (CEQA) pursuant to Section 15070 of the CEQA Guidelines. A Negative Declaration was prepared and circulated as required by State law. The Negative Declaration concluded that the proposed project would not induce any significant environmental impacts, and that no additional mitigation measures were required for the proposed project.

SECTION 4. The West Hollywood City Council hereby finds that Zone Text Amendment ZTA015-0010 and Sunset Specific Plan Amendment SPA15-0001 are consistent with the Goals and Policies of the General Plan:

- LU-15, Maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of the City; and
- LU-16, Maximize the iconic urban design value and visual creativity of signage in West Hollywood.

SECTION 5. Based on the foregoing, the City Council of the City of West Hollywood hereby amends the West Hollywood Municipal Code and Sunset Specific

Plan pursuant to Zoning Text Amendment 015-0010 and Sunset Specific Plan Amendment 015-0001 which are attached hereto as Attachment A and Attachment B, respectively.

PASSED, APPROVED, AND ADOPTED by the West Hollywood City Council at a regular meeting held this 19th day of January , 2016, by the following vote:

AYES: Councilmember:
NOES: Councilmember:
ABSENT: Councilmember:
ABSTAIN: Councilmember:

LINDSEY HORVATH, MAYOR

ATTEST:

City Clerk

ORDINANCE #_____

Attachment A

**ZONE TEXT AMENDMENT 015-010
WEST HOLLYWOOD MUNICIPAL CODE
SECTIONS TO BE MODIFIED**

Section 1. Section 19.34.080(D) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

D. *Approval Authority.* The Commission shall have the authority to approve district identification signs, large-screen video signs, conditional use permits for tall wall signs, second sides for existing billboards, and new billboards integrated into new construction. The Director may approve all other off-site signs.

Section 2. Section 19.34.080(E) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

E. *Billboards - Creative.* A creative billboard may be approved as a temporary modification to an existing billboard, in compliance with this section. The following regulations are intended to encourage creatively designed billboards that make a positive visual contribution to Sunset Boulevard and to the overall image of the city.

1. *Limitation on Location.* Creative billboards may be approved only within the SSP (Sunset Specific Plan) zoning district and only in conjunction with an existing billboard.

2. *Approval Authority.* A creative billboard is subject to approval by the Director.

3. *Time Limit.* The Director may approve the placement of a creative billboard for a maximum period of twelve months. One six-month time extension may be approved or denied by the Director and the creative billboard shall be removed immediately upon expiration. Certain types of physical extensions may be installed for a longer period, as allowed by state law.

4. *Standards.* A creative billboard shall be designed and located in compliance with all of the following standards.

a. The creative billboard shall alter an existing billboard without changing its location. Any enlargement of the billboard shall be designed as an integral part of the billboard image and contribute to the overall creativity of its design.

b. The creative billboard shall be properly sited and well integrated within the context of its surroundings.

c. Creative billboards shall be an inventive and original representation of the product or business being advertised. The creative billboard shall exhibit one or more of the following elements:

- (1) Three-dimensional props and extensions
- (2) Extensions with cut-out shapes or voids
- (3) Integrated thematic lighting such as neon, LED, images which change from day to night through lighting effects, projected light, video projections, or other emerging technologies.
- (4) Moving or animated mechanical elements.
- (5) Different day-time and night-time images.
- (6) Hand-painted graphics or graphics crafted on-site
- (7) Alternative textures and materials, such as plants and vegetation.
- (8) Live action.
- (9) Innovative technologies such as passive participatory attributes or three-dimensional anamorphic illusions over multiple surfaces.
- (10) Other features as approved by the Director of Community Development.

d. The following elements do not qualify as creative for the purposes of a creative billboard: use of color, and/or use of stretched vinyl material.

e. Creative billboards that incorporate three-dimensional elements and extensions shall also meet the following criteria:

- (1) The area of any prop or extension shall not be more than 25% of the overall area of the existing billboard sign face, or the maximum area allowed by state law for customary maintenance, whichever is greater.
- (2) No extension shall exceed 100' above the adjacent sidewalk on Sunset Boulevard as taken from the curb at the nearest point to the sign support.
- (3) Extensions shall not project more than 25' from any billboard edge.
- (4) Extensions shall have a distinct shape and shall not be used to uniformly expand the area of the billboard.

f. Moving or changing visuals shall be timed to not cause driver distraction or interfere with the flow of traffic, or otherwise adversely impact public health, safety, or welfare. Moving or changing visuals shall be designed to minimize the impact on neighboring residential uses.

g. The creative billboard shall not result in removal or alteration of trees or landscaping in nearby public parks or in the public right-of-way.

h. No three-dimensional element or extension to a billboard shall extend or project beyond the property line of the subject site without

approval of the Director of Community Development and express written permission of the adjacent affected property owner(s).

i. Lighting of the creative billboard shall be designed to minimize glare onto other properties and uses. Creative billboards that incorporate thematic lighting shall also meet the following criteria:

- (1) The creative billboard shall be located and designed not to cause light and glare impacts on neighboring residential uses. The light emitted from the subject property at any adjacent residential property line shall not exceed three footcandles above existing light levels. Glare shall not exceed a 30:1 contrast ratio, or latest IESNA standards.
- (2) Light shall not have stroboscopic or flashing effects.
- (3) Lighting shall not transition suddenly and/or repetitively between light and dark.
- (4) Moving light shall flow smoothly across the surface(s) of the billboard and not oscillate, rapidly pulse, or suddenly change direction.
- (5) Projected light shall not spill beyond the surface(s) of the billboard and onto adjacent parcels and/or surfaces.
- (6) Animated or moving light shall not be in operation from 2:00 AM through 45 minutes before sunrise.
- (7) Digital signs are not permitted.

Section 3. The title of Section 19.34.080(I) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read:

I. *Tall Wall Signs - Standard*

Section 4. Section 19.34.080(J) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

J. *Tall Wall Signs - Creative.* A creative tall wall sign may be approved as a temporary modification to an existing, permitted tall wall, in compliance with this section. The following regulations are intended to encourage creatively designed tall walls that make a positive visual contribution to Sunset Boulevard and to the overall image of the city.

1. **Limitation on Location.** Creative tall walls may be approved only within the SSP (Sunset Specific Plan) zoning district and only in conjunction with an existing, permitted tall wall.

2. **Approval Authority.** A creative tall wall is subject to approval by the Director.

3. **Time Limit.** The Director may approve the placement of a creative tall wall for a maximum period of twelve months. One six-month extension may be

permitted by the Director and the creative tall wall shall be removed immediately upon expiration.

4. Standards. A creative tall wall shall be designed and located in compliance with all of the following standards.

a. The creative tall wall shall alter an existing tall wall without changing its location. Any enlargement of the tall wall shall be designed as an integral part of the tall wall image and contribute to the overall creativity of its design.

b. The creative tall wall shall be properly sited and well integrated within the context of its surroundings.

c. Creative tall walls shall be an inventive and original representation of the product or business being advertised. The creative tall wall shall exhibit one or more of the following elements:

- (1) Three-dimensional props and extensions
- (2) Extensions with cut-out shapes or voids
- (3) Integrated thematic lighting such as neon, LED, images which change from day to night through lighting effects, projected light, video projections, or other emerging technologies.
- (4) Moving or animated mechanical elements.
- (5) Different day-time and night-time images.
- (6) Hand-painted graphics or graphics crafted on-site
- (7) Alternative textures and materials, such as plants and vegetation.
- (8) Live action.
- (9) Innovative technologies such as passive participatory attributes or three-dimensional anamorphic illusions over multiple surfaces.
- (10) Text covering the tall wall surface, when such text is an artistic component of the sign.
- (11) Other features as approved by the Director of Community Development.

d. The following elements do not qualify as creative for the purposes of a creative tall wall: use of color and/or use of stretched vinyl material.

e. The area of an approved creative tall wall containing text shall not exceed 15 percent of the total sign area as measured in compliance with Section 19.34.040(C) (Measurement of Sign Area), except as described in 19.34.080(J)(4)(c)(10), above.

f. Creative tall walls that incorporate three-dimensional elements and extensions shall also meet the following criteria:

- (1) The area of any prop or extension shall not be more than 10% of the overall area of the existing tall wall or 1,000

square feet, whichever is smaller, measured as the total area of material.

- (2) No extension shall extend more than 25' from any edge of the existing tall wall.
- (3) Extensions may wrap or project beyond a building corner, with the following limitations:
 - a. The area of the extension wrapping a corner may not exceed 500 square feet, and must be an integrated and continuous part of the main advertising image on the existing tall wall sign.
 - b. The area of the extension may not contain text.
 - c. The extension shall have a distinct shape and shall not be used to uniformly expand the area of the tall wall sign.
- (4) Three-dimensional props fully integrated into the artistic theme of the tall wall may be placed on the rooftop of the building above the tall wall in a location that is clearly visible from the same viewing angle as the primary plane of the tall wall, subject to a limit of 25' above the existing rooftop.
 - g. Moving or changing visuals shall be timed to not cause driver distraction or interfere with the flow of traffic, or otherwise adversely impact public health, safety, or welfare. Moving or changing visuals shall be designed to minimize the impact on neighboring residential uses.
 - h. The creative tall wall shall not result in removal or alteration of trees or landscaping in nearby public parks or in the public right-of-way.
 - i. No three-dimensional element or extension to a tall wall shall extend or project beyond the property line of the subject site without approval of the Director of Community Development and express written permission of the adjacent affected property owner(s).
 - j. Lighting of the creative tall wall shall be designed to minimize glare onto other properties and uses. Creative tall walls that incorporate thematic lighting or projections shall also meet all of the following criteria:
 - (1) The creative tall wall shall be located and designed not to cause light and glare impacts on neighboring residential uses. The light emitted from the subject property at any adjacent residential property line shall not exceed three footcandles above existing light levels. Glare shall not exceed a 30:1 contrast ratio, or latest IESNA standards.
 - (2) Light shall not have stroboscopic or flash effects.
 - (3) Lighting shall not transition suddenly and/or repetitively between light and dark.
 - (4) Moving light shall flow smoothly across the surface(s) of the tall wall and not oscillate, rapidly pulse, or suddenly change direction.

- (5) Projected light shall not spill beyond the surface(s) of the tall wall and onto adjacent parcels or surfaces.
- (6) Light shall not be projected onto surfaces which are highly reflective or composed primarily of reflective surfaces.
- (7) Animated or moving light shall not be in operation from 2:00 AM through 45 minutes before sunrise.
- (8) Digital signs are not permitted.

Section 5. The definitions for “Sign” in Section 19.90.020, Chapter 19.90 of Title 19 of the West Hollywood Municipal Code are amended to read as follows:

Sign. An object, device, display, or structure, or any part thereof, situated outdoors or indoors, which is used to identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected image. The following are definitions related to signs.

1. Abandoned Sign. Any sign which advertises a business, lessor, owner, product, service or activity no longer on the premises where the sign is placed.
2. Alteration. Any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.
3. Animated or Moving Sign. A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
4. Area of a Sign. See “Sign area.”
5. Awnings and Canopies. Awnings and canopies are roof-like covers that project from the wall of a building for the purpose of shielding a doorway or window from the elements.
6. Awning Sign. Any sign copy or logo attached to or painted to the valance or flap of an awning.
7. Banner, Flag, or Pennant. Any cloth, bunting, plastic, paper, or similar nonrigid material used for advertising purposes attached to any structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
8. Bench Sign. Copy painted on any portion of a bench.
9. Billboard. An off-site sign with minimum dimensions of twelve feet by twenty feet, a typical dimension of fourteen by forty-eight feet, and maximum dimensions of twenty feet by sixty feet.
10. Blade or Bracket Sign. A wall-mounted sign that projects perpendicular to the wall face.
11. Building Frontage. The building elevation which fronts on a public street, or pedestrian walk where customer access to a structure is available.

12. **Business Frontage.** That portion of a building frontage occupied by a single business tenant having a public entrance within the building frontage. A primary business frontage is that which fronts on a public street; a secondary frontage provides access to the building from a facing courtyard, pedestrian corridor or other walkway, parking lot, or alley.

13. **Business Identification Sign.** A sign that serves to identify only the name, address, and lawful use of the premises upon which it is located and provides no other advertisements or product identification.

14. **Cabinet Sign (Can Sign).** A sign that contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be illuminated.

15. **Canopies.** See "Awnings and canopies."

16. **Changeable Copy Sign.** A sign designed to allow the changing of copy through manual, or mechanical means. Includes reader boards where letters are changed manually. See also "Digital Sign."

17. **Channel Letters.** Three-dimensional individually cut letters or figures, illuminated or unilluminated, affixed to a structure.

18. **Civic Event Sign.** A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar noncommercial organization.

19. **Contractor or Construction Sign.** A sign which states the name of the developer and contractor(s) working on the site and any related engineering, architectural or financial firms involved with the project.

20. **Convenience Sign.** A sign that conveys information (e.g., restrooms, no parking, entrance) or minor business identification for directional purposes, and is designed to be viewed on-site by pedestrians and/or motorists.

21. **Copy.** Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

22. **Creative Billboard.** A billboard which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standard size or aspect ratio.

23. **Creative Signs.** A sign with a higher quality of design that meets the creative sign requirements of Section 19.34.060 (Creative Signs) and has a creative sign permit.

24. **Creative Tall Wall.** A tall wall which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections or extensions, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface tall wall of standard size.

25. **Digital Sign.** A Digital Sign is an electronic image display that presents changeable content on a regularly rotating basis, and typically uses remote content

management to control images and messaging. Digital Signs may be displayed on building exteriors or freestanding structural supports and use electronic images that are either static, scrolling, moving, flashing or include video and/or animation. The changeable, electronic content may constitute any portion of the sign area in which multiple images are rotated, or video or multimedia content is displayed for informational or advertising purposes.

26. Directional Sign. An on-site sign which is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.

27. Directory Sign. A sign for listing the tenants of a multiple tenant structure or center, which may include suite numbers.

28. Double-Faced Sign. A sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes.

29. Extensions. A three-dimensional or structural projection beyond the standard existing face of a billboard or tall wall, either projecting outwardly from the primary plane or projecting laterally from the primary plane of the billboard or tall wall.

30. Flashing Sign. A sign that contains an intermittent or sequential flashing light source.

31. Future Tenant Identification Sign. A temporary sign that identifies the names of future businesses that will occupy a site or structure.

32. Grand Opening. A promotional activity not exceeding thirty calendar days used by newly established businesses, within two months after initial occupancy, to inform the public of their location and services available to the community. "Grand Opening" does not mean an annual or occasional promotion of retail sales or services by a business.

33. Height of Sign. The vertical distance from the uppermost point used in measuring the area of a sign to the average grade immediately below and adjoining the sign or the top of the nearest curb of the public street on which the sign fronts, whichever measurement is the greatest.

34. Holiday Decoration Sign. Temporary signs, in the nature of decorations, clearly incidental to and customarily associated with recognized holidays and which contain no advertising message.

35. Illegal Sign. Any of the following:

a. A sign erected without first complying with all regulations in effect at the time of its construction or use;

b. A sign that was legally erected, but because of changes in the occupancy of the structure or site, no longer identifies a business or activity on the site;

c. A sign that was subject to an amortization period for the correction of nonconformities or removal, where the amortization period has expired;

d. A sign that was legally erected which later became nonconforming and then was damaged to the extent of 50 percent or more of its current replacement value;

e. A sign that is a danger to the public or is unsafe;

f. A sign that pertains to a specific event, which was not removed after the event.

36. Internally Illuminated Sign. A sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.

37. Large Screen Video Sign. A sign comprised of a large video screen displaying advertising content in animated or motion picture form.

38. Marquee (Canopy) Sign. A sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the building wall in the form of a large canopy to provide protection from the weather.

39. Mobile Billboard. Mobile billboard advertising includes any vehicle, or wheeled conveyance which carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising.

40. Monument Sign. Permanent signs where the bottom edge of the sign face is no more than twelve inches above the ground, which are not attached to a building.

41. Multiple Tenant Structure. A development consisting of two or more separate uses or tenancies that share either the same parcel or structure and use common access and parking facilities.

42. Neon Sign. Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

43. Nonconforming Sign. An advertising structure or sign which was lawfully erected and maintained prior to the adoption of this Zoning Ordinance, and which has subsequently come under the requirements of this Zoning Ordinance, but does not now completely comply.

44. Off-site Directional Sign. A sign identifying a publicly owned facility, emergency facility, or a temporary subdivision sign, but excluding real estate signs.

45. Off-site Sign. A sign identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises as the sign or which identifies a use, service, or product by a brand name which, although sold or manufactured on the premises, does not constitute the principal item for sale or manufactured on the premises.

46. Off-site Subdivision Sign. A temporary off-site, free-standing sign designed, erected, and maintained to serve the public by providing directions and information as to new residential project developments and/or community facilities.

47. Pedestrian-oriented Sign. A sign that is intended to attract the attention of pedestrians only, located at the ground floor, and is easily legible from the sidewalk in front of the business.

48. Permanent Sign. A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

49. Pole Sign. A sign mounted on a freestanding pole or other support so that the bottom edge of the sign is six or more feet above finished grade.

50. Political Sign. A sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election, or conveying another political, religious, or ideological message, not advertising any product or service.

51. Portable Sign. A sign that is not permanently affixed to a structure or the ground.

52. Projecting Sign. A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.

53. Promotional Sign. A sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

54. Property Frontage. The side of a parcel or development site abutting on a public street.

55. Real Estate Sign. A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

56. Roof Sign. A sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

57. Sign Area. The entire area within a perimeter defined by a continuous line composed of right angles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed, not including any approved projections or extensions.

58. Special Event Sign/Banner. A temporary sign or banner that is intended to inform the public of a unique happening, action, purpose, or occasion (i.e., grand opening or community event).

59. Tall Wall Sign. An off-site sign with minimum area of 5,000 square feet, attached to an existing building wall visible from, but not facing, Sunset Boulevard.

60. Temporary Sign. Any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.

61. Thematic Lighting. Thematic lighting uses lighting to enhance and reinforce the static content of an off-site sign,. Thematic lighting is controlled either on-site or from a remote location.

62. Vehicle-oriented Sign. A sign that is primarily intended to attract the attention of motorists, and is easily legible by motorists but can only be seen with difficulty by pedestrians on the sidewalk.

63. Vehicle Sign. A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

64. Wall Sign. A sign that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

65. Window Area. Window area shall be computed by calculating each window pane or panel. The area shall be separate for each building face, and for each window. A group of window panes or panels may be considered one window if they are adjoining on the building face and are less than six inches apart.

66. Window Sign. A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view and is located within three feet of the window is also a window sign.

Attachment B

AMENDMENT SPA15-0001 TO SUNSET SPECIFIC PLAN, PART 8, BILLBOARDS AND ART ADVERTISING

Section (I)(3) (Requirements, Creative Billboards) of Part 8 (Billboards and Art Advertising) of Section 1 (Requirements and Guidelines for Development), Part 2 of the Sunset Specific Plan (Page 135 of the original document) to be revised as follows:

3. Creative Billboards

Creative Billboard shall mean a billboard or tall wall (off-site sign) which may incorporate elements such as enlarged size, irregular shape, moving parts, inflated additions, electronic media, participatory attributes, three dimensional or structural projections, and or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standard size.

Through the Creative Billboard Application process, the City encourages temporary creative “non-standard” billboards or tall walls which may incorporate elements such as larger-than-standard and irregular shapes, moving parts, inflated additions, electronic media, and/or participatory attributes, such as tuning into radio stations.

- a. The City will also encourage the creation of temporary, long-term, nonstandard billboards which may become symbols of West Hollywood and the Sunset Strip, such as the Marlboro Man. All creative billboards shall be approved through the Creative Billboard Process.
- b. [A creative billboard or tall wall shall not be included in the total permitted sign area.] The Director of Community Development may approve or renew a Creative Off-Site Sign Permit for a period of twelve months with one six-month extension if all of the following findings of fact can be made in a positive manner:
 - i. The creative off-site sign is located on Sunset Boulevard;
 - ii. The creative off-site sign must be related to existing billboard or tall wall, and may enlarge it.
 - iii. The off-site sign is properly sited and well-integrated into the context.
 - iv. The billboard or tall wall exhibits one of the following elements:
 - Architectural – The proposed off-site sign structure is compatible with and enhances the architectural elements of the building(s) or site.
 - Media – The proposed billboard or tall wall incorporates neon, unusual lighting techniques, electronics, graphics, moving parts, or other creative concepts deemed appropriate by the Director of Community Development.
 - v. The creative off-site sign application includes a scale drawing of the intended design with specific measurements and statistics for any non-standard parts, extensions or protrusions and lighting.
 - vi. Moving or changing visuals are timed in a way that does not cause confusion or interfere with the flow of traffic.

Part Three, Development Information, Section 1, Glossary, amend definition for Creative Billboard (Page 262 of the original document) as follows:

Creative Billboard A billboard which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standard size or aspect ratio.

Part Three, Development Information, Section 1, Glossary, add definition for Creative Tall Wall (Page 262 of the original document) as follows:

Creative Tall Wall A tall wall which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections or extensions, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface tall wall of standard size.

RESOLUTION NO. PC 15-1162

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT AND A SUNSET SPECIFIC PLAN AMENDMENT TO REFINE REGULATIONS FOR CREATIVE BILLBOARDS AND ALLOW FOR CREATIVE TALL WALLS IN THE SUNSET SPECIFIC PLAN AREA, WEST HOLLYWOOD, CALIFORNIA.

The Planning Commission for the City of West Hollywood hereby finds, resolves, and orders as follows:

SECTION 1. The City of West Hollywood initiated amendments to the Zoning Ordinance, Article 19 of the Municipal Code to add clarifying language to Section 19.34.080 and definitions in Section 19.90.020, and amendments to Section (l)(3)(b) (Requirements, Creative Billboards) of Part 8 (Billboards and Art Advertising) of Section 1 (Requirements and Guidelines for Development), Part 2 of the Sunset Specific Plan.

SECTION 2. A public hearing was duly noticed for the Planning Commission meeting of November 5, 2015 by publication in the Beverly Press newspaper, the West Hollywood Independent Newspaper, required state and local agencies, and the City website and by announcement on City Channel 6 by October 26, 2015. The discussion was continued to November 19, 2015, without discussion.

SECTION 3. The proposed text changes to the City's Municipal Code and Sunset Specific Plan are subject to analysis under the California Environmental Quality Act (CEQA) pursuant to Section 15070 of the CEQA Guidelines. A Negative Declaration was prepared and circulated as required by State law. The Negative Declaration concluded that the proposed project would not induce any significant environmental impacts, and that no additional mitigation measures were required for the proposed project.

SECTION 4. The Planning Commission of the City of West Hollywood hereby finds that zoning text amendment ZTA15-010 and Sunset Specific Plan Amendment SPA15-0001, are consistent with the Goals and Policies of the General Plan:

- LU-15: Maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of the City; and
- LU-16: Maximize the iconic urban design value and visual creativity of signage in West Hollywood.

SECTION 5. The objectives of this focused effort include the following: allow for creative tall wall signs along the Sunset Strip; increase the number of creative billboards that are implemented on the Sunset Strip; encourage creative off-site signs that are

ATTACHMENT B

consistent with the vibrant character of the Sunset Strip while minimizing or avoiding potential aesthetic nuisances; improve the quality of off-site signs through creativity and innovation, increasing the vitality and energy of the Sunset Strip; and, streamline the process of approving temporary creative off-site signs.

SECTION 6. Based on the foregoing, the Planning Commission of the City of West Hollywood hereby recommends approval to the City Council of Zoning Text Amendment ZTA15-010, which is attached hereto as Attachment A, and Sunset Specific Plan Amendment SPA15-0001, which is attached hereto as Attachment B.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 19th day of November, 2015 by the following vote:

AYES: Commissioner: Buckner, DeLuccio, Huebner, Jones, Lightfoot,
Chair Altschul.

NOES: Commissioner: None.

ABSENT: Commissioner: Vice-Chair Aghaei.

ABSTAIN: Commissioner: None.



JOHN ALTSCHUL, CHAIRPERSON

ATTEST:



BIANCA SIEGL, PLANNING MANAGER
LONG RANGE AND MOBILITY PLANNING

Decisions of the Planning Commission are subject to appeal in accordance with the procedures set forth in West Hollywood Municipal Code Chapter 19.76. Any action to challenge the final decision of the City of West Hollywood made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section §1094.6.

Attachment A

ZONE TEXT AMENDMENT 015-010 WEST HOLLYWOOD MUNICIPAL CODE SECTIONS TO BE MODIFIED

(New text indicated with underlining, deleted text with strikethrough.)

Section 1. Section 19.34.080(D) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

D. *Approval Authority.* The Commission shall have the authority to approve district identification signs, large-screen video signs, conditional use permits for tall wall signs, ~~creative billboards requested for periods longer than six months,~~ second sides for existing billboards, and new billboards integrated into new construction. The Director may approve all other off-site signs.

Section 2. Section 19.34.080(E) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

E. *Billboards - Creative.* A creative billboard may be approved as a temporary modification to an existing billboard, in compliance with this section. The following regulations are intended to encourage creatively designed billboards that make a positive visual contribution to Sunset Boulevard and to the overall image of the city.

1. *Limitation on Location.* Creative billboards may be approved only within the SSP (Sunset Specific Plan) zoning district and only in conjunction with an existing billboard.

2. *Approval Authority.* A creative billboard is subject to approval by the Director ~~or the Commission based on the proposed length of display of the creative billboard per subsection (3), below. A Director approved creative billboard shall not be subsequently considered for approval or extension by the Commission.~~

3. *Time Limit.*

a.— The Director may approve the placement of a creative billboard for a maximum period of six twelve months. ~~No extensions of the approved time limit are permitted~~ One six-month time extension may be approved or denied by the Director and the creative billboard shall be removed immediately upon expiration. Certain types of physical extensions may be installed for a longer period, as allowed by state law.

b.— ~~The Commission may approve the placement of a creative billboard for a maximum of two years, and may grant extensions of time to the two-year limit at its discretion, provided that the sign continues to meet the intentions and requirements of this section.~~

4. Standards. A creative billboard shall be designed and located in compliance with all of the following standards.

a. The creative billboard shall alter an existing billboard without changing its location, ~~or exceeding the height limitations identified in the Sunset Specific Plan.~~ Any enlargement of the billboard shall be designed as an integral part of the billboard image and contribute to the overall creativity of its design.

b. The creative billboard shall be properly sited and well integrated within the context of its surroundings.

~~c. The creative billboard shall not have more impact on public or private views than the building envelope allowed by the Sunset Specific Plan.~~

d.c. Creative billboards shall be an inventive and original representation of the product or business being advertised. The creative billboard shall exhibit one or more of the following elements:

- (1) Three-dimensional props and extensions
- (2) Extensions with cut-out shapes or voids
- (3) Integrated thematic lighting such as neon, LED, images which change from day to night through lighting effects, projected light, video projections, or other emerging technologies.
- (4) Moving or animated mechanical elements.
- (5) Different day-time and night-time images.
- (6) Hand-painted graphics or graphics crafted on-site
- (7) Alternative textures and materials, such as plants and vegetation.
- (8) Live action.
- (9) Innovative technologies such as passive participatory attributes or three-dimensional anamorphic illusions over multiple surfaces.

~~(1) Architectural: The proposed creative billboard is compatible with the architectural elements of the structures or site; or~~

~~(2) Media: The proposed creative billboard incorporates neon, unique lighting techniques, electronic graphics, moving or animated mechanical elements, three-dimensional elements, City of West Hollywood logo, or other creative concepts deemed appropriate by the review authority. Use of LCD or LED technology as part of a creative sign may only be approved by the Planning Commission.~~

d. The following elements do not qualify as creative for the purposes of a creative billboard: use of color, and/or use of stretched vinyl material.

e. Creative billboards that incorporate three-dimensional elements and extensions shall also meet the following criteria:

- (1) The area of any prop or extension shall not be more than 25% of the overall area of the existing billboard sign face, or the

maximum area allowed by state law for customary maintenance, whichever is greater.

- (2) No extension shall exceed 100' above the adjacent sidewalk on Sunset Boulevard as taken from the curb at the nearest point to the sign support.
- (3) Extensions shall not project more than 25' from any billboard edge.
- (4) Extensions shall have a distinct shape and shall not be used to uniformly expand the area of the billboard.

ef. Moving or changing visuals shall be timed to not cause ~~confusion~~ driver distraction or interfere with the flow of traffic, or otherwise adversely impact public health, safety, or welfare. Moving or changing visuals shall be designed to minimize the impact on neighboring residential uses.

fg. The creative billboard shall not result in removal or substantial alteration of trees or landscaping in nearby public parks or in the public right-of-way. ~~Any trimming deemed by the city to be reasonable to accommodate a sign shall be undertaken only by the city's Landscape and Maintenance Division.~~

gh. Lighting of the creative billboard shall be designed to minimize glare onto other properties and uses. Creative billboards that incorporate thematic lighting shall also meet the following criteria:

- (1) The creative billboard shall be located and designed not to cause light and glare impacts on neighboring residential uses. The light emitted from the subject property at any adjacent residential property line shall not exceed three footcandles above existing light levels. Glare shall not exceed a 30:1 contrast ratio, or latest IESNA standards.
- (2) Light shall not have stroboscopic or flashing effects.
- (3) Lighting shall not transition suddenly and/or repetitively between light and dark.
- (4) Moving light shall flow smoothly across the surface(s) of the billboard and not oscillate, rapidly pulse, or suddenly change direction.
- (5) Projected light shall not spill beyond the surface(s) of the billboard and onto adjacent parcels and/or surfaces.
- (6) Animated or moving light shall not be in operation from 2:00 AM through 45 minutes before sunrise.
- (7) Digital images are not permitted.

Section 3. Section 19.34.080(J) in Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

J. Tall Wall Signs - Creative. A creative tall wall sign may be approved as a temporary modification to an existing, permitted tall wall, in compliance with this section. The

following regulations are intended to encourage creatively designed tall walls that make a positive visual contribution to Sunset Boulevard and to the overall image of the city.

1. Limitation on Location. Creative tall walls may be approved only within the SSP (Sunset Specific Plan) zoning district and only in conjunction with an existing, permitted tall wall.

2. Approval Authority. A creative tall wall is subject to approval by the Director.

3. Time Limit. The Director may approve the placement of a creative tall wall for a maximum period of twelve months. One six-month extension may be permitted by the Director and the creative tall wall shall be removed immediately upon expiration.

4. Standards. A creative tall wall shall be designed and located in compliance with all of the following standards.

a. The creative tall wall shall alter an existing tall wall without changing its location. Any enlargement of the tall wall shall be designed as an integral part of the tall wall image and contribute to the overall creativity of its design.

b. The creative tall wall shall be properly sited and well integrated within the context of its surroundings.

c. Creative tall walls shall be an inventive and original representation of the product or business being advertised. The creative tall wall shall exhibit one or more of the following elements:

- (1) Three-dimensional props and extensions
- (2) Extensions with cut-out shapes or voids
- (3) Integrated thematic lighting such as neon, LED, images which change from day to night through lighting effects, projected light, video projections, or other emerging technologies.
- (4) Moving or animated mechanical elements.
- (5) Different day-time and night-time images.
- (6) Hand-painted graphics or graphics crafted on-site
- (7) Alternative textures and materials, such as plants and vegetation.
- (8) Live action.
- (9) Innovative technologies such as passive participatory attributes or three-dimensional anamorphic illusions over multiple surfaces.
- (10) Text covering the tall wall surface, when such text is an artistic component of the sign.

d. The following elements do not qualify as creative for the purposes of a creative tall wall: use of color and/or use of stretched vinyl material.

e. The area of an approved creative tall wall containing text shall not exceed 15 percent of the total sign area as measured in compliance

with Section 19.34.040(C) (Measurement of Sign Area), except as described in 19.34.080(K)(4)(c)(10), above.

f. Creative tall walls that incorporate three-dimensional elements and extensions shall also meet the following criteria:

- (1) The area of any prop or extension shall not be more than 10% of the overall area of the existing tall wall or 1,000 square feet, whichever is smaller, measured as the total area of material.
- (2) No extension shall extend more than 25' from any edge of the existing tall wall.
- (3) Extensions may wrap or project beyond a building corner, with the following limitations:
 - a. The area of the extension wrapping a corner may not exceed 500 square feet, and must be an integrated and continuous part of the main advertising image on the existing tall wall sign.
 - b. The area of the extension may not contain text.
 - c. The extension shall have a distinct shape and shall not be used to uniformly expand the area of the tall wall sign.
- (4) Three-dimensional props fully integrated into the artistic theme of the tall wall may be placed on the rooftop of the building above the tall wall in a location that is clearly visible from the same viewing angle as the primary plane of the tall wall, subject to a limit of 25' above the existing rooftop.
- (5) Three-dimensional props and extensions projecting over property lines must obtain written permission from adjacent property owners.

g. Moving or changing visuals shall be timed to not cause driver distraction or interfere with the flow of traffic, or otherwise adversely impact public health, safety, or welfare. Moving or changing visuals shall be designed to minimize the impact on neighboring residential uses.

h. The creative tall wall shall not result in removal or alteration of trees or landscaping in nearby public parks or in the public right-of-way.

i. Lighting of the creative tall wall shall be designed to minimize glare onto other properties and uses. Creative tall walls that incorporate thematic lighting or projections shall also meet all of the following criteria:

- (1) The creative tall wall shall be located and designed not to cause light and glare impacts on neighboring residential uses. The light emitted from the subject property at any adjacent residential property line shall not exceed three footcandles above existing light levels. Glare shall not exceed a 30:1 contrast ratio, or latest IESNA standards.
- (2) Light shall not have stroboscopic or flash effects.
- (3) Lighting shall not transition suddenly and/or repetitively between light and dark.

- (4) Moving light shall flow smoothly across the surface(s) of the tall wall and not oscillate, rapidly pulse, or suddenly change direction.
- (5) Projected light shall not spill beyond the surface(s) of the tall wall and onto adjacent parcels or surfaces.
- (6) Light shall not be projected onto surfaces which are highly reflective or composed primarily of reflective surfaces.
- (7) Animated or moving light shall not be in operation from 2:00 AM through 45 minutes before sunrise.
- (8) Digital images are not permitted.

~~J. Billboards—Replacement in the Eastside Redevelopment Project Area.~~

~~1. Replacement of existing billboards is permitted within the Eastside Redevelopment Project Area on a one-for-one basis when substantial rehabilitation or redevelopment necessitates the removal of a billboard, provided an application for a rehabilitation/redevelopment project is deemed complete within five years following December 31, 2003. Applications for replacement of billboards shall be accompanied by a survey prepared to the satisfaction of the Director by a licensed surveyor or engineer indicating the location, size, and height of the existing billboard on the property. For purposes of this zoning code provision, substantial rehabilitation or redevelopment is defined as construction exceeding fifty percent of the replacement cost of a building as determined by the City's Building Department based on the most current International Conference of Building Officials (ICBO) Index.~~

~~2. Construction of new billboards within the Eastside Redevelopment Project Area is prohibited.~~

~~3. A certificate of occupancy is required for the property redeveloped or rehabilitated prior to issuance of a permit for the reinstallation of a billboard.~~

~~4. The Commission shall have the authority to approve the replacement of an existing billboard proposed as part of a redevelopment or rehabilitation project within the Eastside Redevelopment Project Area.~~

~~5. Standards for Replacement Billboards. Replacement of existing billboards shall be subject to the following standards:~~

~~a. The maximum area of the replacement billboard shall not exceed the area of the existing billboard.~~

~~b. The maximum height for replacement billboards within the CC and CN zoning districts from existing grade to top of sign shall not exceed the height of the existing billboard prior to redevelopment (as determined by a survey prepared by a licensed surveyor or engineer and as approved by the City). The maximum height for a billboard within the CA zoning district from existing grade to the top of billboard shall not exceed the maximum height established for the CA zoning district.~~

~~c. Except as provided for in subsection (d), below, if a redevelopment project does not result in an increase in building footprint or height, the replacement billboard shall be reinstalled in the same location as existed prior to redevelopment. In cases where redevelopment results in increased building scale and mass, the reinstallation of the billboard may be installed in an alternate location on the building provided the alternative location results in improved off-site views of the project and does not have a negative impact on surrounding residential property and subject to a~~

~~finding by the Planning Commission that the alternate location does not negatively impact existing views currently enjoyed by surrounding properties.~~

~~d. Billboards may be incorporated into the architecture of the building pursuant to subdivision (c), above, if the design of the building is determined by the Planning Commission to be of exemplary design. A maximum distance of six feet shall be permitted between the base of the sign face and the top of a building.~~

~~e. Addition of a second face to a replacement billboard is prohibited.~~

Section 4. The definitions for "Sign" in Section 19.90.020, Chapter 19.90 of Title 19 of the West Hollywood Municipal Code is amended to read as follows:

Sign. An object, device, display, or structure, or any part thereof, situated outdoors or indoors, which is used to identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected image. The following are definitions related to signs.

1. Abandoned Sign. Any sign which advertises a business, lessor, owner, product, service or activity no longer on the premises where the sign is placed.
2. Alteration. Any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.
3. Animated or Moving Sign. A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
4. Area of a Sign. See "Sign area."
5. Awnings and Canopies. Awnings and canopies are roof-like covers that project from the wall of a building for the purpose of shielding a doorway or window from the elements.
6. Awning Sign. Any sign copy or logo attached to or painted to the valance or flap of an awning.
7. Banner, Flag, or Pennant. Any cloth, bunting, plastic, paper, or similar nonrigid material used for advertising purposes attached to any structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
8. Bench Sign. Copy painted on any portion of a bench.
9. Billboard. An off-site sign with minimum dimensions of twelve feet by twenty feet, a typical dimension of fourteen by forty-eight feet, and maximum dimensions of twenty feet by sixty feet.
10. Blade or Bracket Sign. A wall-mounted sign that projects perpendicular to the wall face.
11. Building Frontage. The building elevation which fronts on a public street, or pedestrian walk where customer access to a structure is available.
12. Business Frontage. That portion of a building frontage occupied by a single business tenant having a public entrance within the building frontage. A primary business frontage is that which fronts on a public street; a secondary frontage provides

access to the building from a facing courtyard, pedestrian corridor or other walkway, parking lot, or alley.

13. Business Identification Sign. A sign that serves to identify only the name, address, and lawful use of the premises upon which it is located and provides no other advertisements or product identification.

14. Cabinet Sign (Can Sign). A sign that contains all the text and/or logo symbols within a single enclosed cabinet and may or may not be illuminated.

15. Canopies. See "Awnings and canopies."

16. Changeable Copy Sign. A sign designed to allow the changing of copy through manual, or mechanical means. Includes reader boards where letters are changed manually. See also "Electronic display sign."

17. Channel Letters. Three-dimensional individually cut letters or figures, illuminated or unilluminated, affixed to a structure.

18. Civic Event Sign. A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar noncommercial organization.

19. Contractor or Construction Sign. A sign which states the name of the developer and contractor(s) working on the site and any related engineering, architectural or financial firms involved with the project.

20. Convenience Sign. A sign that conveys information (e.g., restrooms, no parking, entrance) or minor business identification for directional purposes, and is designed to be viewed on-site by pedestrians and/or motorists.

21. Copy. Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

22. Creative Billboard. A billboard which may incorporate elements including enlarged size, irregular shape, ~~flashing lights~~ thematic lighting, moving parts, inflated additions, ~~electronic media~~, passive participatory attributes, three dimensional or structural projections, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standard size or aspect ratio.

23. Creative Signs. A sign with a higher quality of design that meets the creative sign requirements of Section 19.34.060 (Creative Signs) and has a creative sign permit.

24. Creative Tall Wall. A tall wall which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections or extensions, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface tall wall of standard size.

2425. Directional Sign. An on-site sign which is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.

2526. Directory Sign. A sign for listing the tenants of a multiple tenant structure or center, which may include suite numbers.

~~26~~27. Double-Faced Sign. A sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes.

~~27~~28. Electronic Display Sign. A sign with a fixed or changing display/message formed by the selective illumination of an array of individual light bulbs or light emitting diodes (LEDs). These signs may display text and/or graphic images, and may be programmable.

29. Extensions. A three-dimensional or structural projection beyond the standard existing face of a billboard or tall wall, either projecting outwardly from the primary plane or projecting laterally from the primary plane of the billboard or tall wall.

~~28~~30. Flashing Sign. A sign that contains an intermittent or sequential flashing light source.

~~29~~31. Future Tenant Identification Sign. A temporary sign that identifies the names of future businesses that will occupy a site or structure.

~~30~~32. Grand Opening. A promotional activity not exceeding thirty calendar days used by newly established businesses, within two months after initial occupancy, to inform the public of their location and services available to the community. "Grand Opening" does not mean an annual or occasional promotion of retail sales or services by a business.

~~31~~33. Height of Sign. The vertical distance from the uppermost point used in measuring the area of a sign to the average grade immediately below and adjoining the sign or the top of the nearest curb of the public street on which the sign fronts, whichever measurement is the greatest.

~~32~~34. Holiday Decoration Sign. Temporary signs, in the nature of decorations, clearly incidental to and customarily associated with recognized holidays and which contain no advertising message.

~~33~~35. Illegal Sign. Any of the following:

- a. A sign erected without first complying with all regulations in effect at the time of its construction or use;
- b. A sign that was legally erected, but because of changes in the occupancy of the structure or site, no longer identifies a business or activity on the site;
- c. A sign that was subject to an amortization period for the correction of nonconformities or removal, where the amortization period has expired;
- d. A sign that was legally erected which later became nonconforming and then was damaged to the extent of 50 percent or more of its current replacement value;
- e. A sign that is a danger to the public or is unsafe;
- f. A sign that pertains to a specific event, which was not removed after the event.

~~34~~36. Internally Illuminated Sign. A sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.

~~35~~37. Large Screen Video Sign. A sign comprised of a large video screen displaying advertising content in animated or motion picture form.

3638. Marquee (Canopy) Sign. A sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the building wall in the form of a large canopy to provide protection from the weather.

3739. Mobile Billboard. Mobile billboard advertising includes any vehicle, or wheeled conveyance which carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising.

3840. Monument Sign. Permanent signs where the bottom edge of the sign face is no more than twelve inches above the ground, which are not attached to a building.

3941. Multiple Tenant Structure. A development consisting of two or more separate uses or tenancies that share either the same parcel or structure and use common access and parking facilities.

4042. Neon Sign. Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

4143. Nonconforming Sign. An advertising structure or sign which was lawfully erected and maintained prior to the adoption of this Zoning Ordinance, and which has subsequently come under the requirements of this Zoning Ordinance, but does not now completely comply.

4244. Off-site Directional Sign. A sign identifying a publicly owned facility, emergency facility, or a temporary subdivision sign, but excluding real estate signs.

4345. Off-site Sign. A sign identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises as the sign or which identifies a use, service, or product by a brand name which, although sold or manufactured on the premises, does not constitute the principal item for sale or manufactured on the premises.

4446. Off-site Subdivision Sign. A temporary off-site, free-standing sign designed, erected, and maintained to serve the public by providing directions and information as to new residential project developments and/or community facilities.

4547. Pedestrian-oriented Sign. A sign that is intended to attract the attention of pedestrians only, located at the ground floor, and is easily legible from the sidewalk in front of the business.

4648. Permanent Sign. A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

4749. Pole Sign. A sign mounted on a freestanding pole or other support so that the bottom edge of the sign is six or more feet above finished grade.

4850. Political Sign. A sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election, or conveying another political, religious, or ideological message, not advertising any product or service.

4951. Portable Sign. A sign that is not permanently affixed to a structure or the ground.

5052. Projecting Sign. A sign other than a wall sign suspending from, or supported by, a structure and projecting outward.

5453. Promotional Sign. A sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

5254. Property Frontage. The side of a parcel or development site abutting on a public street.

5355. Real Estate Sign. A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

5456. Roof Sign. A sign that is mounted on the roof of a building, or which is dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

5557. Sign Area. The entire area within a perimeter defined by a continuous line composed of right angles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed, not including any approved projections or extensions.

5658. Special Event Sign/Banner. A temporary sign or banner that is intended to inform the public of a unique happening, action, purpose, or occasion (i.e., grand opening or community event).

59. Tall Wall Sign. An off-site sign with minimum area of 5,000 square feet, attached to an existing building wall visible from, but not facing, Sunset Boulevard.

~~**57. Temporary Creative Billboard Display.** A display temporarily installed on an existing billboard which may incorporate elements (e.g., enlarged size, irregular shape, flashing lights, moving parts, inflated additions, electronic media, participatory attributes, three-dimensional or structural projections or other similar elements) that would substantially differ from a traditional flat surface billboard of standardized size.~~

5860. Temporary Sign. Any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.

5961. Vehicle-oriented Sign. A sign that is primarily intended to attract the attention of motorists, and is easily legible by motorists but can only be seen with difficulty by pedestrians on the sidewalk.

6062. Vehicle Sign. A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

6463. Wall Sign. A sign that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

6264. Window Area. Window area shall be computed by calculating each window pane or panel. The area shall be separate for each building face, and for each window. A group of window panes or panels may be considered one window if they are adjoining on the building face and are less than six inches apart.

6365. Window Sign. A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view and is located within three feet of the window is also a window sign.

Attachment B

AMENDMENT SPA15-0001 TO SUNSET SPECIFIC PLAN, PART 8, BILLBOARDS AND ART ADVERTISING

Section (I)(3)(b) (Requirements, Creative Billboards) of Part 8 (Billboards and Art Advertising) of Section 1 (Requirements and Guidelines for Development), Part 2 of the Sunset Specific Plan (Page 135 of the original document) to be revised as follows:

- b. [A creative billboard or tall wall shall not be included in the total permitted sign area.] The Director of Community Development may approve or renew a Creative Off-Site Sign Permit for a period of ~~six months~~ twelve months with one six-month extension if all of the following findings of fact can be made in a positive manner:
- i. The creative ~~billboard~~ off-site sign is located on Sunset Boulevard;
 - ii. The creative ~~billboard~~ off-site sign either:
 - enlarges an existing billboard in the same location ~~and in such a way that does not exceed the height limitations set forth in the Sunset Specific Plan~~; or
 - is on the wall of a building on Sunset Boulevard.
 - iii. The ~~billboard~~ off-site sign is properly sited and well-integrated into the context.
 - iv. The billboard or tall wall exhibits one of the following elements:
 - Architectural – The proposed ~~billboard~~ off-site sign structure is compatible with and enhances the architectural elements of the building(s) or site.
 - Media – The proposed billboard or tall wall incorporates neon, unusual lighting techniques, electronics, graphics, moving parts, or other creative concepts deemed appropriate by the Director of Community Development.
 - v. The creative ~~billboard~~ off-site sign application includes a scale drawing of the intended design with specific measurements and statistics for any non-standard parts, extensions or protrusions and lighting.
 - vi. Moving or changing visuals are timed in a way that does not cause confusion or interfere with the flow of traffic.

SUBJECT: ZONE TEXT AMENDMENT AND AMENDMENT TO THE SUNSET SPECIFIC PLAN, TO REFINE REGULATIONS FOR CREATIVE BILLBOARDS AND ALLOW FOR CREATIVE TALL WALLS, IN THE SUNSET SPECIFIC PLAN AREA

INITIATED BY: DEPARTMENT OF COMMUNITY DEVELOPMENT
(Bianca Siegl, Long Range & Mobility Planning Manager)
(Steve Gerhardt, AICP, Contract Senior Planner)

STATEMENT ON THE SUBJECT

Officially continued from Thursday, November 5, 2015. The Planning Commission will hold a public hearing to consider text changes to the Zoning Ordinance and Sunset Specific Plan related to the approval of temporary creative off-site signs (billboards and tall walls) within the Sunset Specific Plan area.

RECOMMENDATION

Staff recommends that the Planning Commission hold the public hearing, consider all pertinent testimony, and adopt the following:

- 1) Draft Resolution No. PC 15-1162 "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT AND A SUNSET SPECIFIC PLAN AMENDMENT TO REFINE REGULATIONS FOR CREATIVE BILLBOARDS AND ALLOW FOR CREATIVE TALL WALLS IN THE SUNSET SPECIFIC PLAN AREA, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A)

BACKGROUND

The purpose of this Zoning Text Amendment and Sunset Specific Plan Amendment is to provide zoning language to encourage quality and customization of existing billboards and tall wall signs by establishing standards for creative tall walls and clarifying existing standards for creative billboards, and extending the staff-approved permit period for approved creative billboards and tall walls. All the signs referenced in this report and draft ordinance are "off-site signs." More specifically, these amendments will: 1) clarify what types of temporary creative off-site signs are encouraged; 2) encourage installation of more creative advertising on the Sunset Strip; 3) establish a process for administrative approval for those signs; and 4) provide updated standards for their design and operation.

The City is undertaking a comprehensive study of off-site signage, specifically billboards and tall walls, along the Sunset Strip of which this proposed amendment is one component. The purpose of the study is to develop zoning regulations to enhance quality, creativity and encourage customization off-site signage. The intent is to encourage existing signs to become more iconic and creative. There are currently 65 existing signs along the Sunset Strip, with a total of 81 sign faces. These existing signs represent the best opportunity to improve the quality of the advertising environment along the Sunset Strip.

This process has involved extensive community and advertising industry outreach. As a result of this outreach, it was determined that a focused set of revisions to the existing requirements and procedures for temporary creative off-site signs was warranted in order to facilitate more unique, high-quality off-site signs on the Sunset Strip. The objectives of this focused effort include the following:

- Improve the quality of existing off-site signs through creativity and innovation, increasing the vitality and energy of the Sunset Strip.
- Encourage creative off-site signs that are consistent with the vibrant character of the Sunset Strip while minimizing or avoiding potential aesthetic nuisances.
- Allow for creative tall wall signs along the Sunset Strip.
- Increase the number of creative billboards that are implemented on the Sunset Strip.
- Streamline the process of approving temporary creative off-site signs and provide predictability in the process.

The proposed zoning text amendments and Sunset Specific Plan amendment are designed to encourage creativity and innovation within the existing sign inventory. During early public outreach efforts of the comprehensive study, key industry representatives stated that a simplified review and approval process and clear design guidelines are essential to achieving this goal.

Since its adoption in 1996, the Sunset Specific Plan has included provisions for creative billboards and tall walls; however, while the Zoning Code implemented standards for temporary creative billboards, it did not provide clear guidance for temporary creative tall walls. In addition, definitions for a number of key signage terms either required revision or update, and definitions for creative tall walls and creative and 3D extensions to billboards and tall walls were missing and need to be added to Section 19.90.020.

During the public outreach, it was noted that creative signage proposals required shorter approval timeframes and greater predictability to respond to the fast-paced requirements for the top-tier companies seeking to be truly creative with their branding and advertising. The existing approval process and lack of design guidance in the code may have discouraged creative off-site signage, and applicants who might have otherwise considered creative signage have avoided going through the process. As a result, the Planning Commission has rarely been presented with creative billboards. For these reasons, the proposed changes are being proposed.

The Zoning Text Amendment limits sizes for physical extensions, provides new safety, nuisance avoidance, and landscaping and aesthetic standards, including lighting. The Zoning Text Amendment and Sunset Specific Plan amendment streamlines the approval process for administrative approvals, simplifies the timeframe for approvals to 12 months plus an additional 6-month extension, and eliminates Planning Commission review of these temporary creative signs.

The design standards for temporary creative billboards as proposed in the zoning text amendment refine and clarify existing requirements, and allow for creative extensions up to 25% of the existing sign area, limits the height of these extensions no more than 25 feet from the edge of the existing billboard, and limits overall height to no more than 100 feet above the adjacent sidewalk.

For temporary creative tall walls, the proposed text provides a comprehensive set of design standards. The design standards as proposed allow for creative extensions of tall walls up to 25 feet from the edge of the existing tall wall, and may wrap around the corner of the building with an extension of no more than 500 square feet. The size of creative extensions on the primary plane can be 10% of the existing tall wall sign area or 1000 square feet in size, whichever is less. The text on creative temporary tall walls is limited to 15% of the total sign area, unless the text is an integral part of the artistic expression of the proposed tall wall.

A more detailed summary of these proposed changes is provided in matrix form in Exhibit A. The complete text of these proposed changes is provided in Exhibit B, Attachments A and B.

It is important to note that existing State law pre-empts local regulations that are more restrictive. These provisions already allow for the expansion of existing billboards, typically 14-x48' in size, up to a size of 20x60' in what is considered to be "customary maintenance" under the State law. Existing billboards along the Sunset Strip have been or could be expanded under this provision in the future. Standard extensions to existing billboards made under this customary maintenance provision of State law no longer require City approval.

The expected outcome of these proposed zoning and specific plan changes is to encourage more creative temporary billboards and tall walls on the existing off-site signs along the Sunset Strip, and to re-establish Sunset as a destination for innovative and exciting signage.

Public Notice

A legal notice was published in the Beverly Press and West Hollywood Independent on October 26, 2015; the Planning Division also noticed all of the West Hollywood neighborhood groups on October 26, 2015, for the item to be considered at the November 5, 2015, Planning Commission meeting. This item was continued to tonight's meeting without discussion.

California Environmental Quality Act (CEQA)

The zone text changes and specific plan amendment revise existing language that could effect the physical environment through implementation of the Zoning Ordinance and Sunset Specific Plan, and thus, constitute a project requiring analysis under the California Environmental Quality Act (CEQA). An Initial Study/Negative Declaration (IS/ND) pursuant to Section 15070 of the CEQA Guidelines was prepared. This study was circulated to the public as required under Section 15073 from August 20 to September 10, 2015. One comment was received from Los Angeles County Fire Department during the public review period, and has been responded to in the final IS/ND document provided in Exhibit C. In addition, Native American consultation regarding the Sunset Specific Plan amendment as required under SB-18 was initiated. No comments have been received from this effort to date.

Planning Commission Long-Range Planning Subcommittee

The proposed zone text and Sunset Specific Plan amendments were discussed by the Long-Range Planning Subcommittee on May 21 and June 18, 2015. At the initial discussion, the Commissioners requested more details about the design parameters allowed in the new language, and were supportive of the zone text changes at the conclusion of the second discussion.

Public Comment & Correspondence

As of November 9, 2015, staff received no written comments.

Sunset Off-Site Signage Study

The broader study to evaluate the off-site signage regulations is actively being pursued in parallel to the subject zoning text and Sunset Specific Plan amendments. Completion of a comprehensive study and amendments to the Zoning Ordinance and Sunset Specific Plan will address regulations for three categories of off-site signs: 1) modifications to existing signs, 2) digital signs, and 3) new signs (static or digital).

Draft proposed policy alternatives for digital and new signs will be presented to the Planning Commission and City Council for feedback in Spring 2016. Following discussion of the proposed draft guidelines, an Environmental Impact Report (EIR) will be initiated to review the impacts of the proposed new regulations. Following completion of the EIR and adoption of the policy amendments, the City could begin accepting and processing applications for new signs and/or digital signs, as allowed by the new policy. Based on the time necessary to complete the formal environmental review and adoption process, it is anticipated that this effort will be completed no earlier than Spring 2017.

Pilot Project

The City currently contracts with an advertising company to operate a billboard on City-owned property at 8755 Sunset Boulevard. This existing contract will expire in March 2016. A Request for Proposal (RFP) for a creative digital pilot project was approved by the City Council on October 5, 2015 to replace this existing contract. Responses to the RFP are due on December 15, 2015. After initial evaluation, proposals received from a shortlist of finalists will be presented to the public prior to final selection.

This project will provide a real-world experiment for cutting edge digital signage to allow for public and staff review of best practices for state of the art digital advertising. The lessons learned from this pilot project will help inform the comprehensive update of the Sunset Off-Site Signage Study.

EXHIBITS

- A. Draft Resolution No. PC 15-1162
- B. Summary of Proposed Zoning Text Amendment

PLANNING COMMISSION
STAFF REPORT 11-19-2015



PLANNING COMMISSION MINUTES
Regular Meeting
November 19, 2015

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

THE CITY OF WEST HOLLYWOOD HAS ADOPTED SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT www.weho.org/weho-tv/other-city-meetings

1. **CALL TO ORDER:** Chair Altschul called the meeting of the Planning Commission to order at 6:30 P.M.

2. **PLEDGE OF ALLEGIANCE:** Ric Abramson led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Buckner, DeLuccio, Huebner, Jones, Lightfoot, Chair Altschul.

Commissioners Absent: Vice-Chair Aghaei.

Staff Present: Francisco Contreras, Innovation and Strategic Initiatives Manager, Adrian Gallo, Associate Planner, Steve Gerhardt, AICP, Contract Senior Planner, Bianca Siegl, Long Range and Mobility Planning Manager, David DeGrazia, Current and Historic Preservation Planning Manager, Shahiedah Coates, Acting Assistant City Attorney, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Move New Business Item 11.A.

Street Media Needs Assessment before Public Hearing Item 10.A.

Public Hearing Item 10.A.

8950 Sunset Boulevard will be continued to a date uncertain.

Public Hearing Item 10.D.

950 N. Ogden Drive and 7760 Romaine Street will be continued to Thursday, January 21, 2016.

ACTION: Approve the Planning Commission Agenda of Thursday, November 19, 2015 as amended. **Moved by Commissioner DeLuccio, seconded by Commissioner Buckner, and passes, noting Vice-Chair Aghaei ABSENT.**

5. APPROVAL OF MINUTES.

Commissioner Lightfoot requested verbatim minutes forwarded to City Council when projects are recommended by the Planning Commission.

A. November 5, 2015

ACTION: Approve the Planning Commission regular meeting minutes of Thursday, November 5, 2015 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Lightfoot and passes, noting Vice-Chair Aghaei ABSENT.**

6. PUBLIC COMMENT.

MICHAEL WOJTKIELEWICZ, WEST HOLLYWOOD spoke regarding accessibility deficiencies at the West Hollywood Community Housing Corporations housing development known as Sierra Bonita.

DAN MORIN, WEST HOLLYWOOD spoke regarding the inadequacy's regarding the City of West Hollywood's summary and action minutes from Boards and Commissions and had concerns regarding 8950 Sunset Boulevard and 950 N. Ogden Drive.

7. DIRECTOR'S REPORT.

John Keho, Assistant, Community Development Director presented the Director's Report.

City Council Meeting - Monday, November 16, 2015:

City Council approved and entered into a contract with an engineering firm to do a seismic analysis of all buildings within the City of West Hollywood. This will be a proactive survey and inventory of all existing buildings, identify seismically vulnerable buildings and prioritize them by their potential seismic risk. New seismic ordinances will be developed at a later date.

City Council directed planning staff to start the process to develop an Overlay District and Design Guidelines for the Norma Triangle, and to look at the zoning regulations regarding live/work facilities, and home business ordinances.

City Council approved the amendment to the development agreement regarding the mixed use project located at 9001 Sunset Boulevard, West Hollywood, California.

8. ITEMS FROM COMMISSIONERS.

Commissioner Jones requested the meeting be adjourned in memory of all the victims of the attacks in Paris, France.

9. CONSENT CALENDAR. None.

THE FOLLOWING ITEM WAS HEARD OUT OF ORDER AS PART OF THE AMENDED AGENDA.

11. NEW BUSINESS.

A. Street Media Needs Assessment:

Francisco Contreras, Innovation and Strategic Initiatives Manager, provided a verbal and visual presentation and background information as presented in the staff report dated Thursday, November 19, 2015.

He stated the goal of the West Hollywood Street Media Project is to create a unified pedestrian wayfinding and street media system that uses technology to integrate mapping, signage, information throughout the City for enhanced urban design, promotion of public transit use, and increased revenue generation.

He detailed the three components to the Street Media System: 1) Citywide Wayfinding System; 2) Citywide Gateway Entries Program; and 3) Citywide Street Furniture Project.

The Design Ad Hoc Committee will provide input and feedback to the Street Furniture vendor and Wayfinding and Gateway Entry design team during various design development phases of the project.

The Committee will meet on the first Tuesday of every month, beginning Tuesday, January 5, 2016 from 5:00-6:30pm at the Community Meeting Room of the West Hollywood Library for approximately 8-10 months.

ACTION: 1) Appoint Stacey Jones to the Street Media Project Design Ad Hoc Committee. **Motion carried by consensus of the Commission.**

10. PUBLIC HEARINGS.

A. 8950 Sunset Boulevard

Officially continued from Thursday, October 15, 2015 and Thursday, November 5, 2015. Applicant is requesting to extend and amend existing entitlements to construct a mixed-use hotel development with four residential units, 165 hotel guestrooms, retail, restaurant, bar, conference and personal service uses.

There are outstanding items that must be resolved prior to Planning Commission consideration. The public hearing item will be fully re-noticed in compliance per W.H.M.C. regulations, and scheduled for a future Planning Commission meeting.

ACTION: 1) Continue to a date uncertain. **Moved by Commissioner DeLuccio, seconded by Commissioner Buckner, and passes as part of the amended agenda, noting Vice-Chair Aghaei ABSENT.**

B. Zone Text Amendment

Temporary Creative Off-Site Signs:

Steve Gerhardt, Contract Senior Planner, provided a verbal and visual presentation and background information as presented in the staff report dated Thursday, November 19, 2015.

He provided background history, stating staff has been working on updating regulations for creative off-site signage along the Sunset Strip.

The City is undertaking a comprehensive study of off-site signage, specifically billboards and tall walls, along the Sunset Strip of which this proposed amendment is one component. The purpose of the study is to develop zoning regulations to enhance quality, creativity and encourage customization off-site signage. The intent is to encourage existing signs to become more iconic and creative. There are currently 65 existing signs along the Sunset Strip, with a total of 81 sign faces. These existing signs represent the best opportunity to improve the quality of the advertising environment along the Sunset Strip.

From the city's perspective, the goal has been to encourage more iconic and creative advertising signs, enhance the vibrancy along Sunset Boulevard, and to bring back the creative signs of the 1970's and 1980's.

From the advertiser's perspective, the goal is to streamline the process, to provide more creative off-site signage and allow for more signs.

The proposed zoning text amendments and Sunset Specific Plan amendment are designed to encourage quality and customization of the existing creative signs and to provide guidance for creative tall walls.

He stated another primary purpose is to streamline the design review process, so more of these signs are applied for and approved.

He provided examples and detailed the following:

Overall Design Quality Standards:

Creative billboards and tall walls on Sunset Boulevard shall use wit, creativity and originality with the goal of provoking a "smile in the mind" of its audience.

Creative billboards and tall walls shall inspire and challenge their surrounding offsite competitors on the Sunset Strip to create designs of the same or better standards of excellence and originality.

Proposed Policy for Creative Billboards:

Creative billboards shall be an inventive and original representation of the product or business being advertised. Creative billboards shall exhibit at least one or more of the following: a) three-dimensional props and

extensions; b) extensions with cut-out shapes or voids; c) integrated thematic lighting; d) moving or animated mechanical elements; e) different daytime and night-time images; e) hand-painted graphics or graphics crafted on-site; f) alternate textures and materials such as plants and vegetation; g) live action; and h) innovative technologies.

He stated for the record there are limitations to the extensions: 300 square-feet, none can be 100 feet above the existing sidewalk height (some cases will exceed the height limit in the Sunset Specific Plan); extensions can be in multiple directions, but no more than 25' from the existing sign face; and staff will not approve any rectangular expansions of regular signs.

Proposed Policy for Creative Tall Walls:

Creative tall walls shall be an inventive and original representation of the product or business being advertised. Creative tall walls shall exhibit at least one or more of the following: a) three-dimensional props and extensions; b) extensions with cut-out shapes or voids; c) integrated thematic lighting; d) moving or animated mechanical elements; d) different day-time and night-time images; e) hand-painted graphics or graphics crafted on-site; f) alternate textures and materials; g) live action; h) innovative technologies; and i) artistically integrated text.

He clarified the area of any prop or extension shall not be more than 10% of the overall area of the existing wall or 1,000 square-feet, whichever is smaller. No extension shall extend more than 25' from any edge of the existing tall wall, and three-dimensional props which are fully integrated into the artistic theme of the wall are permitted and may extend no more than 25' above the existing roofline.

The area of an approved creative tall wall containing text shall not exceed 15% of the total sign area. Text is permitted on 100% of the creative tall wall if it is an artistic component of the sign.

He provided timelines for the next steps in the process.

Commissioner DeLuccio requested clarification regarding the Sunset off-site signage study.

Bianca Siegl, Long Range and Mobility Planning Manager stated this is a component of the overall sign study, the remainder of the study focuses on whether, and how to allow for new signs and also whether, and how to allow digital signage on the Sunset Strip. Other considerations include looking at the land use impacts of signs.

Commissioner DeLuccio questioned if this has been checked against consistency with the General Plan.

Bianca Siegl, Long Range and Mobility Planning Manager stated the General Plan includes language that encourages sign creativity and encourages revitalization on the Sunset Strip. It is consistent with the General Plan.

Commissioner DeLuccio requested clarification regarding digital signage and questioned why Section K of the Initial Study is not addressed; which deals with the Eastside redevelopment project area.

Bianca Siegl, Long Range and Mobility Planning Manager stated the focus was primarily addressing the temporary creative signs.

Commissioner Huebner requested clarification regarding Section 22; questioning the inflated additions of the tall wall versus the billboard.

Bianca Siegl, Long Range and Mobility Planning Manager stated inflated additions would be allowed on both tall walls and billboards. The strike through in the summary table is in error. The text in the resolution is correct and does not have the strike through.

Commissioner Buckner had concerns and requested clarification regarding projections of 25' from any billboard edge.

Discussion was held regarding billboard height, billboard extensions, size limitations, lighting and animation.

Steve Gerhardt, Contract Senior Planner, stated in order for extensions to qualify, they would be subject to standard design review. There are also very specific lighting provisions that have been added for the creative billboards. Animation would not constitute driver distraction.

Commissioner Lightfoot questioned the number of new signs.

Commissioner Jones clarified for the record this only affects existing inventory, adding tall walls and no digital.

Commissioner Lightfoot had concerns regarding changing and expanding the existing signs; before the larger study can be completed within the Sunset Specific Plan. She stated this might take away the flexibility for what might later be conceived for new signs. She would like to see in the review process that staff considers impacts on businesses as well.

Chair Altschul stated it is perfectly appropriate to accept staff's recommendation, and to use staff's language to start this process.

ACTION: Close public hearing for Item 10.B. **Motion carried by consensus of the Commission.**

Chair Altschul moved to: 1) approve staff's recommendation to City Council.

Seconded by Commissioner DeLuccio.

Steve Gerhardt, Contract Senior Planner, stated for the record there was a revised Attachment B with two minor changes regarding the inconsistency between the height limit in the zoning text amendment. The other amendment is to change the strikeout in Section 22 regarding the inflated additions to the creative billboards.

Commissioner DeLuccio suggested removing Section K; regarding the Eastside Redevelopment Area.

Commissioner Jones stated there are numerous ways to be creative with a billboard without having to be 25' high; the ramifications need to be thought-out.

Commissioner Huebner requested clarification regarding the pilot project.

Bianca Siegl, Long Range and Mobility Planning Manager clarified the pilot project is actually a pilot digital sign on city owned property that will be tested in terms of the regulations that relate to digital. She read into the record the following changes will be added to the amended resolution: 1) revise Attachment B; a) which removes language in the Sunset Specific Plan relating to signs that may exceed height limitations; b) adding back language that will allow inflatable additions on creative billboards; and 2) removing sub-section "K".

Commissioner Lightfoot questioned if verbatim minutes will be processed and forwarded to City Council when this item goes forward.

Acting Assistant City Attorney Shahiedah Coates stated for the record the City of West Hollywood has adopted "Summary and Action Minutes" only for official recording purposes. Verbatim minutes are not mandated. The Planning Commission would need to make a policy change by motion of vote to officially change the Planning Commission minutes to verbatim. Meetings are recorded live and archived on-line for anybody that needs to review commissioner comments on specific items.

ACTION: 1) Adopt Resolution No. PC 15-1162 as amended, a) *revise Attachment B; which removes language in the Sunset Specific Plan relating to signs that may exceed height limitations; b) adding back language that will allow inflatable additions on creative billboards; and c) removing sub-section "K":* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT AND A SUNSET SPECIFIC PLAN AMENDMENT

TO REFINE REGULATIONS FOR CREATIVE BILLBOARDS AND ALLOW FOR CREATIVE TALL WALLS IN T THE SUNSET SPECIFIC PLAN AREA, WEST HOLLYWOOD, CALIFORNIA", and 2) Close Public Hearing Item 10.B. **Moved by Chari Altschul, seconded by Commissioner DeLuccio, and passes, noting Vice-Chair Aghaei ABSENT.**

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:30 P.M. AND RECONVENED AT 7:40 P.M.

C. 1035 N. Vista Street:

Adrian Gallo, Associate Planner, provided a verbal oral and visual presentation and background information as presented in the staff report dated Thursday, November 19, 2015.

He provided a history of the project and stated the applicant is requesting to demolish the existing single-family dwelling and construct a new three-story, four-unit townhome development with semi-subterranean parking.

The project will be a high achieving Green Building project, exceeding 90 points under the City of West Hollywood's Green Building Point System. Two variances have been requested to reduce front and rear setbacks. In addition, the applicant requests a modification to increase the overall height of the project by ten percent and second modification to reduce the minimum side setback on the south by ten percent. A total of eight standard parking spaces are provided within four one-car garages under each unit. Each garage contains a mechanical parking lift for two vehicles.

The applicant has requested two variances to allow a reduction in the required front and rear setbacks.

The front setback for this site is the average of the setback of the property to the north and south or 15 feet (whichever is greater). The multi-family structure to the north has a setback of 12.98' and the multi-family structure to the south has a setback of 9.83'. Averaging these two adjacent properties as required by the Zoning Ordinance, would yield a setback of 11.4'.

Consequently, the minimum setback of 15' is applied. The applicant has requested a variance to permit an 11'-5" setback. The rear setback requirement is 15'. The applicant has requested a variance to permit an 11'-0" setback.

There are exceptional or extraordinary conditions related to the subject property which denies the property privileges enjoyed by similarly situated properties. These include the shape of the property, the curvature of the street, the topography, and a previous zoning change.

He illustrated Vista Street curves as it moves south from Santa Monica Boulevard. As a result, the property is an irregular shape in the front yard characterized by an angled property line. This irregular relationship and angular geometry to the street results in a reduced footprint available on which to build.

The shape of the lot makes it extraordinarily difficult to configure four townhome units on the property and still meet the minimum 90% density standard in the Zoning Code.

The site slopes downward from north to south approximately 1'-6" and the existing natural grade sits 3'-0" to 4'-6" above the sidewalk. The result is a high cross slope.

The height allowed on Vista Street was reduced in 2009 as part of the Ordinance regulating heights and maximum average unit sizes in the R3 and R4 Zoning Districts. This action has resulted in an unusual situation where the property is situated between two buildings that had one additional floor to work with in the building envelope. The property is subject to the same density requirements, but with a lower height volume, the density must be met by building out.

Extraordinary circumstances exist that would necessitate a variance from the Zoning Code. The variance requests for the front and rear yard setback reductions are necessary to physically accommodate the townhome type dwelling units and better fulfill the intent of the City's General Plan and Zoning Ordinance.

These reductions merely put the project in alignment with and allow the applicant to enjoy the same rights already granted to the immediately adjacent property owners.

Stephanie Reich, Urban Designer, presented the design Review report. She stated the size, scale and massing of the proposed project is appropriate for the location; as it relates to the Building on either side, while standing out as a much more appealing design. She indicated the building is pushed towards the north side of the site for southern exposure to maximize sunlight for units and outdoor space.

The indoor/outdoor quality of the units, will give the residents a premiere quality of life. The parking is cleverly designed with the use of mechanical lifts that enable the garages to utilize the site area more efficiently.

The front yard is designed with a sloped pedestrian walkway, with layers of landscaping in front of an elevated patio, which serves the front unit. This provides a well-designed, open feeling at the street, promoting a pedestrian friendly environment. The project is expressed as four individual townhouse units. Each unit consists of a combination of elements, highlighted with a different material. Each townhouse unit is

differentiated and identifiable on the exterior and has an individually expressed roof form, helping to break up the volume and add visual interest.

The proposal includes a request to be designated exemplary design; exempting it from the setback required above the ground floor. Due to the modulation of the project, differentiation of each unit, playful elements, this project can be identified as exemplary design.

Staff fully supports the design, and the request for exemplary design.

Adrian Gallo, Associate Planner stated this project reflects a high level of architectural quality and consideration of massing, incorporates sustainable design principles, is complementary to the context of the neighborhood, and meets the intent of the development standards with the exception of the variances and modifications requested.

Staff would like to amend Resolution 15-1155 by adding standard language regarding Inclusionary housing fees as condition 3.11 as follows:

3.11) West Hollywood Municipal Code, Article 19-1, Chapter 19.64, the applicant shall pay a fee based on the square footage of livable area in each unit being constructed (including all private decks, patios, and balconies), according to the fee schedule established by the City Council. The fee in effect at the time of building permit issuance shall be the fee that is applied to this project. The fee shall be paid prior to issuance of building permits. (___ RSHD)

Staff is recommending approval of the project.

Commissioner DeLuccio stated he does not support the one variance regarding the shape, topography and zoning changes. He requested clarification regarding the reasons for the two modifications

Adrian Gallo, Associate Planner stated the additional feet regarding the height of the building is necessary for the design to work; ventilation and lighting; and the additional feet do not impact the neighboring properties.

The side setback, along the south is only an eighteen foot stretch of the building for the garage. The 5'5" dimension, if they were to accommodate the six foot dimension could not accommodate the size of the garage.

Commissioner DeLuccio clarified he understands why the applicant is requesting the variance and stated he is not against the variance, however the zoning change has nothing to do with the shape or topography. The zoning change is not the appropriate way to accomplish the request. He commented the zoning was down-zoned, and this application was submitted after. He does not feel it has anything to do with the additional story

Commissioner Jones disclosed for the record she met with the applicant on-site. They discussed matters contained in the staff report.

Commissioner Lightfoot disclosed for the record she received and email from the applicant.

There were no other official disclosures.

Chair Altschul opened the public hearing for Item 10.C.:

RIC ABRAMSON, WEST HOLLYWOOD, applicant's representative, presented the applicants report. He provided a history of the project and spoke regarding neighborhood compatibility, environmental topography, design standards and architectural styles, landscaping, greenspace, garden space, public art integration, pedestrian experience, parkway, terraces, drive court, activity spaces, storm water capture, screening, passive cooling, cross ventilation, and thermal chimney.

He clarified the project is under the height limit; the modification is for the thermal chimney element. That is allowing all the hot air that naturally rises to expel naturally.

He spoke regarding the variances and the contradiction in the current code that make it impossible to do a project without asking for a variance. These adjustments that are requested are to tailor the project better.

Chair Altschul commented on the innovation and stated the look of the building is unbelievably sensational.

DAN MORIN, WEST HOLLYWOOD, has concerns regarding this item. He stated he does not oppose the project; but has concerns regarding the zoning changes, in-lieu fees and the lack of affordable housing units.

EDWARD LOSCH, WEST HOLLYWOOD, 1029 Vista Street Homeowners Association, has concerns regarding this item. He spoke regarding the height limits.

RIC ABRAMSON, WEST HOLLYWOOD, applicant's representative, presented the applicants report. He commented on affordable housing, in-lieu fees, and stated more conversation and discussion need to take place. He stated for the record the light well projections are sixteen feet lower than the projections on the condominium to the south.

ACTION: Close public hearing for Item 10.C. **Motion carried by consensus of the Commission.**

Commissioner DeLuccio moved to 1) approve staff's recommendation of approval; and 2) amend draft Resolution No. PC 1150, Condition 6; page 4: strike the entire paragraph regarding Zone Changes.

Commissioner DeLuccio stated it is a very well designed project. The reasons for the variances and the modifications for the projections for the ventilation and the setbacks are warranted.

Seconded by Commissioner Buckner.

Commissioner Buckner stated there are sufficient reasons to grant the variances and modifications. She spoke regarding the setbacks, vegetation, and parking, the incorporation of the art element, common and private open space, neighborhood compatibility, and materials. She stated it is an outstanding design.

Commissioner Jones stated this project sets a higher bar for the kinds of projects that are looked at in the city. She commented on the drawings, and stated the design is exceptional and creative. She stated her support of the project.

Commissioner Lightfoot stated this is an outstanding project. She commented on the zone change and the variances. She commended the architect on the design and commented how it makes the area cohesive. She remarked how each of the modifications and variances, in some way, is mitigated for the neighbors. There is no detriment to the neighborhood. She stated her support of the project.

Commissioner Huebner stated the design is thoughtful, very considerate to its surroundings, forward thinking, and make the highest and best use of this challenging lot. It is a great transitional piece. He stated his support of the project.

ACTION: 1) Approve the application; 2) Adopt Resolution No. PC 15-1155 as amended, a) *add standard language regarding Inclusionary Housing Fees as Condition 3.11, and b) Condition 6; page 4: strike the entire paragraph regarding "Zone Changes":* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT DEVELOPMENT PERMIT, VARIANCES FOR FRONT AND REAR YARD SETBACKS, AND TWO MODIFICATIONS, IN CONNECTION WITH THE DEMOLITION OF A SINGLE-FAMILY DWELLING AND CONSTRUCTION OF A THREE-STORY, FOUR-UNIT TOWNHOME DEVELOPMENT, LOCATED AT 1035 N. VISTA STREET, WEST HOLLYWOOD, CALIFORNIA", 3) Adopt Resolution No. PC 15-1156 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A TENTATIVE PARCEL MAP (MAJOR LAND DIVISION NO. 72921), FOR THE PROPERTY LOCATED AT 1035 N. VISTA STREET, WEST HOLLYWOOD, CALIFORNIA", and 4) Close Public Hearing Item 10.C. **Moved by Commissioner DeLuccio, seconded by Commissioner Buckner and passes, noting Vice-Chair Aghaei ABSENT.**

D. 950 N. Ogden Drive and 7760 Romaine Street:

Applicant is requesting to demolish five residential units on two adjoining corner lots and construct two, five-unit residential condominium buildings above semi-subterranean parking.

A memo was handed out indicating that it has come to staff's attention that the project may not be in full compliance with ADA accessibility. Although, ADA compliance is reviewed by the Building and Safety Division during the structural plan check process, required changes may have an effect on the design to the project.

The applicant has agreed to continue the item to allow the project architect to address the applicable requirements.

ACTION: 1) Continue to Thursday, January 21, 2016. **Moved by Commissioner DeLuccio, seconded by Commissioner Buckner, and passes as part of the amended agenda, noting Vice-Chair Aghaei ABSENT.**

THE FOLLOWING ITEM WAS MOVED AND HEARD OUT OF ORDER AS PART OF THE AMENDED AGENDA.

11. NEW BUSINESS.

A. Street Media Needs Assessment:

The Planning Commission will receive an overview of the Street Media Project; which is seeking one representative from the Planning Commission to Serve on the Street Media Project Design Ad Hoc Committee and report back to the Planning Commission on a regular basis.

ACTION: 1) Move this item before Public Hearing Item 10.A. **Moved by Commissioner DeLuccio, seconded by Commissioner Buckner, and passes as part of the amended agenda, noting Vice-Chair Aghaei ABSENT.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

David DeGrazia, Current and Historic Preservation Planning Manager stated City Council has not come up with a definitive date for the joint meeting with the Planning Commission. Staff will update the commission as soon as City Council confirms a date.

15. PUBLIC COMMENT.

ROXANNE MC BRYDE, WEST HOLLYWOOD, commented on affordable gay senior housing and the transient concerns on the east side of West Hollywood.

TODD HALLMAN, WEST HOLLYWOOD, commented on affordable gay senior housing and the transient concerns on the east side of West Hollywood.

16. ITEMS FROM COMMISSIONERS.

Commissioner Buckner wished everyone a safe and happy holiday.

Commissioner Huebner wished everyone a safe and happy holiday.

Commissioner Jones commented on the attacks in Paris, France, thanked the commission for her recent appointment to the Streets Media Needs Assessment and wished everyone a safe and happy holiday.

Commissioner DeLuccio wished everyone a Happy Thanksgiving.

Chair Altschul Commissioner DeLuccio wished everyone a happy holiday.

- 17. ADJOURNMENT:** The Planning Commission adjourned at 8:30 P.M. in memory of all the victims of the attacks in Paris, France, to a regularly scheduled meeting on Thursday, November 19, 2015 beginning at 6:30 P.M. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 3rd day of December, 2015 by the following vote:

AYES: Commissioner: Buckner, DeLuccio, Jones, Lightfoot, Chair
Altschul.

NOES: Commissioner: None.

ABSENT: Commissioner: Huebner.

ABSTAIN: Commissioner: Vice-Chair Aghaei.



JOHN ALTSCHUL, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY

ATTACHMENT E
Summary of Proposed Changes

Table 1
Summary of Changes to Zoning Code Section 19.34.080

Section	Proposed Language	Purpose of Changes
Section D – Approval Authority	D. <i>Approval Authority.</i> The Commission shall have the authority to approve district identification signs, large-screen video signs, conditional use permits for tall wall signs, creative billboards requested for periods longer than six months, second sides for existing billboards, and new billboards integrated into new construction. The Director may approve all other off-site signs.	Eliminates time limit provision consistent with Subsection E.2. below.
Section E.2. – Approval Authority	A creative billboard is subject to approval by the Director or the Commission based on the proposed length of display of the creative billboard per subsection (3), below. A Director approved creative billboard shall not be subsequently considered for approval or extension by the Commission.	Allows the Director to approve temporary creative off-site signage.
Section E.3. – Time Limit	The Director may approve the placement of a creative billboard for a maximum period of six <u>twelve</u> months. No extensions of the approved time limit are permitted <u>One six-month time extension may be approved or denied by the Director</u> and the creative billboard shall be removed immediately upon expiration. <u>Certain types of physical extensions may be installed for a longer period, as allowed by state law.</u> Delete Subsection 3.b.	Allows the Director to approve temporary creative off-site signage for a limited duration, and eliminates the provision for Planning Commission approval.

Section 4.a. - Standards	<p>a. The creative billboard shall alter an existing billboard without changing its location, or exceeding the height limitations identified in the Sunset Specific Plan. Any enlargement of the billboard shall be designed as an integral part of the billboard <u>image</u> and contribute to the overall creativity of its design.</p>	Eliminates limitations for signs that exceed the SSP height limit (new height limits specified in Section 4.e.2 below).
Section 4.c. - Standards	<p>c. <u>Creative billboards shall be an inventive and original representation of the product or business being advertised.</u> The creative billboard shall exhibit one <u>or more</u> of the following elements:</p> <ol style="list-style-type: none"> 1. <u>Three-dimensional props and extensions</u> 2. <u>Extensions with cut-out shapes or voids</u> 3. <u>Integrated thematic lighting such as neon, LED, images which change from day to night through lighting effects, projected light, video projections, or other emerging technologies.</u> 4. <u>Moving or animated mechanical elements.</u> 5. <u>Different day-time and night-time images.</u> 6. <u>Hand-painted graphics or graphics crafted on-site</u> 7. <u>Alternative textures and materials, such as plants and vegetation.</u> 8. <u>Live action.</u> 9. <u>Innovative technologies such as passive participatory attributes or three-dimensional anamorphic illusions over multiple surfaces.</u> 10. <u>Other features as approved by the Director of Community Development.</u> 	Provides more specific creative design criteria for temporary creative signs.

Section 4.d. - Standards	<p><u>d. The following elements do not qualify as creative for the purposes of a creative billboard: use of color, and/or use of stretched vinyl material.</u></p>	Limits what qualifies as creative materials beyond simply color, and prohibits stretched vinyl.
Section 4.e. - Standards	<p><u>e. Creative billboards that incorporate three-dimensional elements and extensions shall also meet the following criteria:</u></p> <ol style="list-style-type: none"> 1. <u>The area of any prop or extension shall not be more than 25% of the overall area of the existing billboard sign face, or the maximum area allowed by state law for customary maintenance, whichever is greater.</u> 2. <u>No extension shall exceed 100' above the adjacent sidewalk on Sunset Boulevard as taken from the curb at the nearest point to the sign support.</u> 3. <u>Extensions shall not project more than 25' from any billboard edge.</u> <p><u>Extensions shall have a distinct shape and shall not be used to uniformly expand the area of the billboard.</u></p>	Adds new criteria for 3D elements and extensions.
Section 4.f. - Standards	<p>Moving or changing visuals shall be timed to not cause confusion-<u>driver distraction</u> or interfere with the flow of traffic, or otherwise adversely impact public health, safety, or welfare. Moving or changing visuals shall be designed to minimize the impact on neighboring residential uses.</p>	Clarifies language prohibiting driver distraction.
Section 4.g. - Standards	<p>The creative billboard shall not result in removal or substantial alteration of trees or landscaping in nearby public parks or in the public right-of-way. Any trimming deemed by the city to be reasonable to accommodate a</p>	Prohibits trimming/removal of trees for creative billboards.

	sign shall be undertaken only by the city's Landscape and Maintenance Division.	
Section 4.h. - Standards	<p><u>gh.</u> Lighting of the creative billboard shall be designed to minimize glare onto other properties and uses. <u>Creative billboards that incorporate thematic lighting shall also meet the following criteria:</u></p> <ol style="list-style-type: none"> 1. <u>The creative billboard shall be located and designed not to cause light and glare impacts on neighboring residential uses. The light emitted from the subject property at any adjacent residential property line shall not exceed three footcandles above existing light levels. Glare shall not exceed a 30:1 contrast ratio, or latest IESNA standards.</u> 2. <u>Light shall not have stroboscopic or flashing effects.</u> 3. <u>Lighting shall not transition suddenly and/or repetitively between light and dark.</u> 4. <u>Moving light shall flow smoothly across the surface(s) of the billboard and not oscillate, rapidly pulse, or suddenly change direction.</u> 5. <u>Projected light shall not spill beyond the surface(s) of the billboard and onto adjacent parcels and/or surfaces.</u> 6. <u>Animated or moving light shall not be in operation from 2:00 AM through 45 minutes before sunrise.</u> 7. <u>Digital signs are not permitted.</u> 	Provides new language regarding the intensity and operation of lighting of off-site signs, and prohibits digital signs.
Section J. – Tall Wall Signs – Creative	Not reiterated in summary table due to length. Existing subsection J related to the billboards in the	Adds extensive new subsection for creative tall walls.

	Eastside Redevelopment Project area, became obsolete in 2008, and is being removed. Please refer to Resolution.	
--	---	--

Table 2
Summary of Changes to Zoning Code Section 19.90.020, "Signs" (Definitions)

Definition	Proposed Language	Purpose of Changes
9. Billboard.	An off-site sign with minimum dimensions of twelve feet by twenty feet, <u>a typical dimension of fourteen by forty-eight feet</u> , and maximum dimensions of twenty feet by sixty feet.	Includes dimension of typical billboard
16. Changeable Copy Sign.	A sign designed to allow the changing of copy through manual, or mechanical means. Includes reader boards where letters are changed manually. See also " <u>Electronic display sign</u> <u>Digital Sign</u> ."	Update cross-reference to new Digital Sign definition added.
22. Creative Billboard.	A billboard which may incorporate elements including enlarged size, irregular shape, flashing lights <u>thematic lighting</u> , moving parts, inflated additions, electronic media , <u>passive participatory attributes</u> , three dimensional or structural projections, <u>alternative or unique materials</u> , and/or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standardized size or aspect ratio.	Revises language consistent with the amendments to creative billboards in Section 4.e. above.
24. Creative Tall Wall.	<u>A tall wall which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections or extensions, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface tall wall of standard size.</u>	Adds new definition for creative tall walls.
25. Digital Sign	<u>A Digital Sign is an electronic image display that presents changeable content on a regularly rotating basis,</u>	Adds new definition for digital sign.

	<p><u>and typically uses remote content management to control images and messaging. Digital Signs may be displayed on building exteriors or freestanding structural supports and use electronic images that are either static, scrolling, moving, flashing or include video and/or animation. The changeable, electronic content may constitute any portion of the sign area in which multiple images are rotated, or video or multimedia content is displayed for informational or advertising purposes.</u></p>	
27. Electronic Display Sign.	<p>A sign with a fixed or changing display/message formed by the selective illumination of an array of individual light bulbs or light emitting diodes (LEDs). These signs may display text and/or graphic images, and may be programmable.</p>	Replaced by broader and more current "digital sign" definition
29. Extensions.	<p><u>A three-dimensional or structural projection beyond the standard existing face of a billboard or tall wall, either projecting outwardly from the primary plane or projecting laterally from the primary plane of the billboard or tall wall.</u></p>	Adds new definition for extensions.
57. Sign Area	<p>The entire area within a perimeter defined by a continuous line composed of right angles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed, <u>not including any approved projections or extensions.</u></p>	Excludes any projections or extensions approved as part of a creative off-site sign for the sign area calculation.
57. Temporary Creative Sign	<p>Billboard Display. A display temporarily installed on an existing billboard which may incorporate elements (e.g., enlarged size,</p>	Deletes definition of temporary creative sign as no longer applicable due to revised approval language.

	irregular shape, flashing lights, moving parts, inflated additions, electronic media, participatory attributes, three-dimensional or structural projections or other similar elements) that would substantially differ from a traditional flat surface billboard of standardized size.	
59. Tall Wall Sign.	<u>An off-site sign with minimum area of 5,000 square feet, attached to an existing building wall visible from, but not facing, Sunset Boulevard.</u>	Adds new definition for tall wall sign.
61. Thematic Lighting	<u>Thematic lighting uses lighting to enhance and reinforce the static content of an off-site sign.. Thematic Lighting is controlled either on-site or from a remote location.</u>	Adds new definition for thematic lighting.

Table 3
Summary of Changes to Sunset Specific Plan

Definition	Proposed Language	Purpose of Changes
Section (l)(3), Subsection 3, introduction first paragraph	Creative Billboard <u>or Tall Wall</u> shall mean a billboard <u>or tall wall (off-site sign)</u> which may incorporate elements such as enlarged size, irregular shape, flashing lights, moving parts, inflated additions, electronic media, <u>passive</u> participatory attributes, three dimensional or structural projections, <u>alternative or unique materials,</u> and or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standardized size <u>or aspect ratio, or</u> tall wall.	Amended definition to clarify that tall walls are included in off-site signs, and that flashing lights are not a desirable feature consistent with the ZTA above and definitions in Sunset Specific Plan glossary below.
Section (l)(3), Subsection 3, b.	[A creative billboard or tall wall shall not be included in the total permitted sign area.] The Director of Community Development may approve or renew a Creative Off-Site Sign Permit for a period of twelve six months <u>with one six-month extension</u> if all of the following findings of fact can be made in a positive manner:	Revised review requirements to allow Community Development Director to approve temporary creative off-site signage consistent with the ZTA, Section D above.
Section (l)(3), Subsection 3, b, items i.-vi.	<p>i. The creative off-site sign is located on Sunset Boulevard;</p> <p>ii. The creative billboard either: off-site sign must be related to enlarges-an existing billboard or tall wall, and may enlarge it in the same location and ins such as way that does not exceed the height limitations set forth in the Sunset Specific Plan: or is on the wall of a building on Sunset Boulevard.</p> <p>iii. The off-site sign is properly sited and well-integrated into the context.</p> <p>iv. The billboard <u>or tall wall</u> exhibits one of the following elements:</p> <ul style="list-style-type: none"> • Architectural – The proposed billboard-off-site sign structure is compatible with and enhances the architectural elements of the building(s) or 	<p>Amended to clarify that tall walls are included in off-site signs.</p> <p>For bullet ii, amended so that creative off-site signs relate only to existing signs, eliminate the requirement for enlargement to be considered creative, and make the height limitation consistent with the proposed ZTA.</p>

	<p>site.</p> <ul style="list-style-type: none"> • Media – The proposed billboard <u>or tall wall</u> incorporates neon, unusual lighting techniques, electronics, graphics, moving parts, or other creative concepts deemed appropriate by the Director of Community Development. <p>v. The creative billboard-off-site sign application includes a scale drawing of the intended design with specific measurements and statistics for any non-standard parts, extensions or protrusions and lighting.</p> <p>vi. Moving or changing visuals are timed in a way that does not cause confusion or interfere with the flow of traffic.</p>	
<p>Glossary, Creative Billboard</p>	<p>shall mean a <u>A billboard which may incorporate elements such as including enlarged size, irregular shape, flashing lights, thematic lighting, moving parts, inflated additions, electronic media, passive participatory attributes, three dimensional or structural projections, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface billboard of standardized size or aspect ratio.</u></p>	<p>Amend definition for creative billboard to be consistent with ZTA.</p>
<p>Glossary, Creative Tall Wall</p>	<p><u>A tall wall which may incorporate elements including enlarged size, irregular shape, thematic lighting, moving parts, inflated additions, passive participatory attributes, three dimensional or structural projections or extensions, alternative or unique materials, and/or other unusual characteristics that would substantially differ from a traditional flat surface tall wall of standard size.</u></p>	<p>Add definition for creative tall wall to be consistent with ZTA.</p>

**This attachment is too large to include in
the City Council packet.**

It includes:

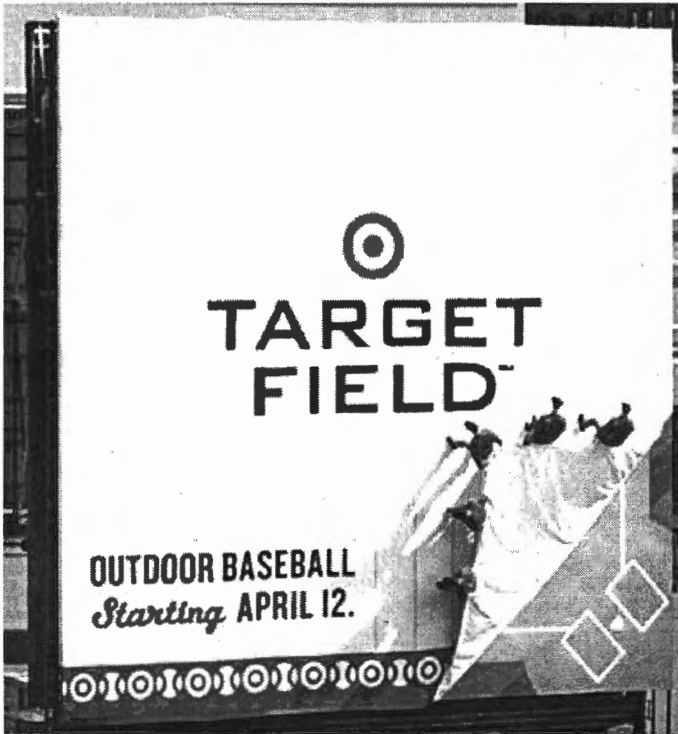
Attachment F

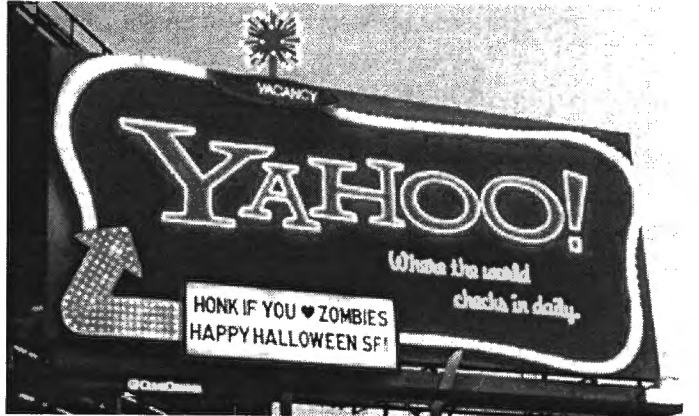
**Initial Study / Negative Declaration
Creative Billboard and Creative Tall Wall
Zoning Text and Sunset Specific Plan
Amendments
(October 2015)**

The document is available online; please
see the following link:

<http://tinyurl.com/oq5qvrq>

Printed copies of the document are also
available at the City Clerk's Office at City
Hall, 8300 Santa Monica Boulevard.





December 18, 2015

Client-Matter: 26881-034

VIA EMAIL

Mayor Horvath and City Council
West Hollywood City Hall
8300 Santa Monica Boulevard
West Hollywood, California 90069

Re: December 21, 2015 City Council Agenda Item No. 3.C. – Zone Text and Sunset Specific Plan Amendment for Creative Temporary Off-Site Signage Within the Sunset Specific Plan Area

Mayor Horvath and Honorable Councilmembers:

On behalf of Regency Outdoor Advertising, Inc. (“Regency”), we respectfully request that before the City Council adopts the proposed ordinance for the above-referenced Zone Text and Sunset Specific Plan Amendments concerning creative billboards and creative tall wall signs (the “Ordinance”), you clarify the Ordinance to specify exactly what constitutes a prohibited digital sign. Without such further clarification to address the Ordinance’s potential internal inconsistency and vagueness, billboard operators, property owners, City of West Hollywood (“City”) staff and the general public will lack the necessary certainty concerning whether, what type, and how much digital signage may be permitted as an element of a creative billboard or creative tall wall sign, inevitably leading to confusion.

As currently drafted, the Ordinance allows for, and perhaps even encourages, the incorporation of LED/digital images as thematic lighting elements on creative billboards and creative tall wall signs, while also purporting to prohibit “digital signs”. Specifically, proposed West Hollywood Municipal Code (“WHMC”) Sections 19.34.080(E)(4)(c)(3) and 19.34.080(J)(4)(c)(3) require that creative billboards and creative tall wall signs, respectively, exhibit one or more design elements, which may include “integrated thematic lighting such as neon, LED, images which change from day to night through lighting effects, projected light, video projections, or other emerging technologies.”¹ However, the Ordinance also includes proposed WHMC Sections 19.34.080(E)(4)(i)(7) and 19.34.080(J)(4)(j)(8), which state that “digital signs are not permitted” on creative billboards and creative tall wall signs, respectively,

¹ See Ordinance Sections 2 and 4.

December 18, 2015
Page 2

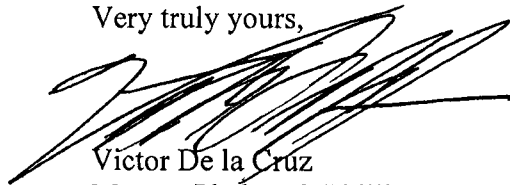
that incorporate thematic lighting.² As the WHMC does not expressly define “digital sign”, the Ordinance is ambiguous regarding both the amount and the character of LED imagery that may be permitted on a creative billboard or creative tall wall sign before it becomes a prohibited digital sign.

The City’s intent with respect to the use of digital imagery on creative billboards and creative tall wall signs is simply not clear. According to the Staff Report, prior versions of proposed WHMC Sections 19.34.080(E)(4)(i)(7) and 19.34.080(J)(4)(j)(8) included prohibitions of “digital images”, but the Ordinance was recently revised to instead prohibit “digital signs”. The Staff Report does not explain the reason for this revision, and it is open to multiple interpretations. Moreover, the Ordinance proposes to eliminate the phrase “electronic media” from the design elements currently included in the definition of a creative billboard under WHMC Section 19.90.020. This just adds to our confusion about what is truly intended.

Without further revision, the City’s intent concerning digital media on creative billboards and creative tall signs cannot be reasonably ascertained. As a result of its vagueness, the Ordinance risks the widely disparate treatment of different signage applications based on varying interpretations. Accordingly, I urge you to revise the Ordinance to clarify the City’s intent concerning the use of digital imagery and technologies on creative billboards and creative tall wall signs.

Should you wish, I would welcome the opportunity to discuss these issues further.

Very truly yours,



Victor De la Cruz
Manatt, Phelps, & Phillips, LLP

cc: Stephanie DeWolfe, AICP, Community Development Dept., Director
John Keho, AICP, Community Development Dept., Assistant Director
Bianca Siegl, Community Development Dept., Long Range & Mobility Planning Manager
Steve Gerhardt, AICP, Community Development Dept., Contract Senior Planner
Michael Jenkins, Esq., City Attorney
C.J. Laffer, Esq., Manatt, Phelps & Phillips, LLP
Chris Burt, Esq., Manatt, Phelps & Phillips, LLP

² *Ibid.*