



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 23 - 0455
DEC 01 2023

REPORT RE:

DRAFT ORDINANCES TO ESTABLISH THE TRANSPORTATION COMMUNICATION NETWORK ON PROPERTY OWNED BY THE LOS ANGELES METROPOLITAN TRANSPORTATION AUTHORITY IN THE CITY OF LOS ANGELES TO PERMIT SIGNS WITH DIGITAL DISPLAYS

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

This Office has prepared and now transmits for your consideration three draft ordinances, approved as to form and legality, to establish a contiguous and non-contiguous Supplemental Use District called the Transportation Communication Network (TCN) on property owned by the Metropolitan Transportation Authority (Metro), a publicly-owned regional transportation authority in Los Angeles County, for the purpose of permitting signs with digital displays.

Background

On April 5, 2022, a motion (Krekorian-Harris-Dawson) was introduced instructing the Planning Department, with the assistance of the City Attorney, to prepare and present an ordinance to allow digital off-site signs to be displayed on structures that are part of the TCN Program between the City and Metro. On June 21, 2022, the City Council's Planning and Land Use Management (PLUM) Committee recommended adoption of the motion. On June 28, 2022, the Council adopted the PLUM Committee's recommendation [amended by Motion (De Leon-Krekorian) requesting reports from the City Administrative Officer and the Department of Transportation].



The City Planning Commission (CPC) considered the proposed ordinances transmitted by the Planning Department on September 14, 2023. The CPC recommended approval of the ordinances with modifications. On November 7, 2023, the PLUM Committee adopted the CPC's recommendation [amended by Motions from Council Districts 1, 2, 5, and 13] and requested the City Attorney's Office to transmit the final draft ordinances.

As requested by the City Council, this Office has prepared and now transmits for your consideration the enclosed draft ordinances, approved as to form and legality, which would create the Transportation Communication Network (TCN) Sign District.

Summary of Ordinances

The CPC's transmittal report to the City Council, dated October 26, 2023 (CPC Transmittal Report), includes the Planning Department's staff report, which provides a detailed description of the ordinances' provisions. The first two draft ordinances are enabling ordinances that amend the Zoning Code to provide for the establishment of a TCN signage supplemental use district (Sign District). The first draft ordinance amends Chapter 1 of the Zoning Code; the second draft ordinance presents the same policy but amends Chapter 1A of the Zoning Code to allow the creation of a TCN Sign District. This draft ordinance amending Chapter 1A of the Zoning Code is being put forth for the City Council's consideration at this time so that the TCN program can be implemented in areas where the new Zoning Code would take effect, should the City Council vote to adopt Chapter 1A in the future. Finally, the third draft ordinance enacts this particular TCN Sign District.

In total, these draft ordinances would create a new Sign District for the TCN Project, which consists of 43 off-site digital sign structures containing a total of 75 digital displays to not exceed a maximum of 45,500 square feet of total sign area on properties owned by Metro throughout the City. The Sign District would authorize new digital signage for the project and require the removal of existing, static signage.

Charter Findings

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section, namely adoption of the draft ordinance will be in conformity with public necessity, convenience, general welfare, and good zoning practice. Charter Section 558(b)(3)(A) allows the City Council to adopt an ordinance conforming to the CPC's recommendation of approval of the ordinance, if the CPC recommends such approval. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the purposes, intent, and provisions of the General Plan. The City Council can either adopt the CPC's findings and recommendations as set forth in the CPC Transmittal Report to the City Council or make its own.

CEQA Findings

Metro certified EIR No. ENV-2022-5286-EIR, SCH No. 2022040363, for various discretionary actions relating to the project on January 26, 2023. On September 14, 2023, the City Planning Commission determined that the Metro had certified the EIR and that with the August 2023 Addendum, no additional environmental clearances were required. The Council may find, pursuant to CEQA Guidelines Section 15162, that no subsequent EIR or subsequent mitigated negative declaration is required for the current discretionary approval where the whole of the administrative record demonstrates that no major revisions to the EIR are necessary due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect resulting from changes to the project, changes to circumstances, or the existence of new information. The Council may find that no additional addendum is required if no changes or additions to the EIR are necessary pursuant to CEQA Guidelines Section 15164.

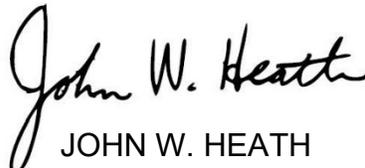
Council Rule 38 Referral

Copies of the draft ordinances were sent, pursuant to Council Rule 38, to the Department of Building and Safety, the Fire Department, the Department of Transportation, and the Department of Public Works with a request that all comments, if any, be presented directly to the City Council at the time this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Ernesto Velazquez at (213) 978-8188. A member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By 
JOHN W. HEATH
Senior Assistant City Attorney

JWH:EV:jr
Transmittal