

# PLANNING DEPARTMENT TRANSMITTAL

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CPC-2020-1931-SN	ENV-2020-1935-EIR-ADD; SCH. 2005091041	14 – De Leon
PROJECT ADDRESS:		
100 South Grand Avenue and 111-161 South Olive Street		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Rick Vogel, CORE/Related Grand Ave Owner, LLC 333 South Grand Avenue Unit Suite 4450 Los Angeles, CA 90071	(213) 984-4105	<a href="mailto:rick.vogel@related.com">rick.vogel@related.com</a>
<input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Cindy Starrett, Latham & Watkins, LLP 355 South Grand Avenue Suite 100 Los Angeles, CA 90071	(213) 891-7905	<a href="mailto:cindy.starrett@lw.com">cindy.starrett@lw.com</a>
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
TBD	TBD	TBD
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
TBD	TBD	TBD
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Rey Fukuda	(213) 847-3686	<a href="mailto:rey.fukuda@lacity.org">rey.fukuda@lacity.org</a>
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Sign District (-SN Supplemental Use District)		

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

TBD

**ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- ☒ Letter of Determination
- ☒ Findings of Fact
- ☒ Staff Recommendation Report
- ☐ Conditions of Approval
- ☒ Ordinance
- ☒ Zone Change Map
- ☐ GPA Resolution
- ☐ Land Use Map
- ☐ Exhibit A - Site Plan
- ☒ Mailing List
- ☐ Land Use
- ☒ Other

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- ☐ Categorical Exemption
- ☐ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Mitigation Monitoring Program
- ☒ Other

- ☐
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- ☐
- ☐

**NOTES / INSTRUCTION(S):**

Fourth Addendum to the EIR (dated August 2020) can be found here:

[https://planning.lacity.org/eir/TheGrandAve/Addendum%20\(7.30\)%20Proof.pdf](https://planning.lacity.org/eir/TheGrandAve/Addendum%20(7.30)%20Proof.pdf)

**FISCAL IMPACT STATEMENT:**☒ Yes☐ No

\*If determination states administrative costs are recovered through fees, indicate "Yes".

**PLANNING COMMISSION:**

- ☒ City Planning Commission (CPC)
- ☐ Cultural Heritage Commission (CHC)
- ☐ Central Area Planning Commission
- ☐ East LA Area Planning Commission
- ☐ Harbor Area Planning Commission

- ☐ North Valley Area Planning Commission
- ☐ South LA Area Planning Commission
- ☐ South Valley Area Planning Commission
- ☐ West LA Area Planning Commission

<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
October 22, 2020	8 – 0
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
TBD	TBD
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Cecilia Lamas Commission Executive Assistant	November 19, 2020



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: **NOV 19 2020**

**Case No. CPC-2020-1931-SN**

Council District: 14 – de León

CEQA: ENV-2020-1935-EIR-ADD; SCH. No. 2005091041

Plan Area: Central City

Related Case: CPC-2006-9702-ZC-CU-CUB-ZV-DA

**Project Site:** 100 South Grand Avenue and 111-161 South Olive Street

**Applicant:** Rick Vogel, CORE/Related Grand Ave Owner, LLC  
Representative: Cindy Starrett, Latham & Watkins, LLP

At its meeting of **October 22, 2020**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Project:

The Grand Sign District involves the implementation of a comprehensive signage program, in conjunction with the previously approved Grand Mixed-Use development.

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the previously certified Environmental Impact Report SCH No. 2005091041, certified on November 20, 2006, and in subsequent addenda dated July 2010, April 2014, and June 2018; and pursuant to CEQA Guidelines, Sections 15162 and 15164 and the Addendum, dated August 2020, that no major revisions to the EIR are required and no subsequent EIR, or negative declaration is required for approval of the Project;
2. **Approved and Recommended** that the City Council **adopt**, pursuant to Section 13.11 of the Los Angeles Municipal Code, a Sign District (-SN Supplemental Use District) for the Grand Mixed-Use development; and
3. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Ambroz

Second: Perlman

Ayes: Choe, Khorsand, Leung, Mack, Millman, Mitchell

**Vote: 8 – 0**

Irene Gonzalez, Commission Office Manager  
Los Angeles City Planning Commission



**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission as it relates to the Sign District is appealable by the Applicant only, if disapproved in whole or in part by the Commission. The decision of the Los Angeles City Planning Commission is appealable to the Los Angeles City Council 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

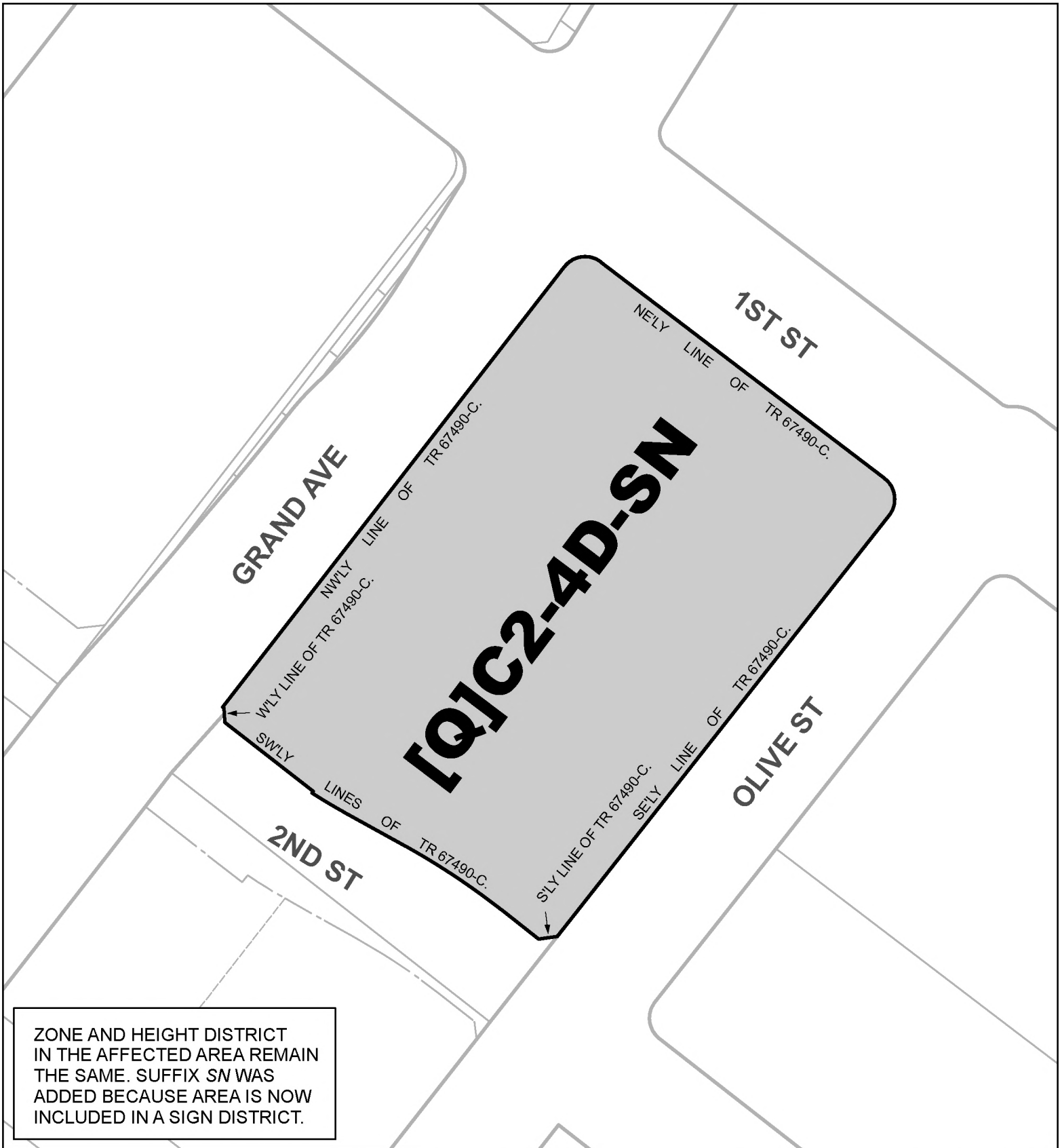
**FINAL APPEAL DATE:** DEC 09 2020

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

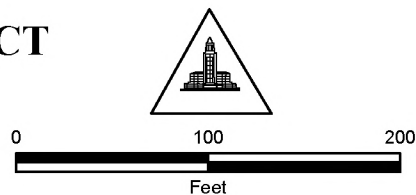
If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Ordinance, Map, Amended Findings, Interim Appeal Filing Procedures, Appeals Fact Sheet

c: Luciralia Ibarra, Principal City Planner  
Milena Zasadzien, Senior City Planner  
Kathleen King, City Planner  
Rey Fukuda, Planning Assistant



## THE GRAND SIGN DISTRICT

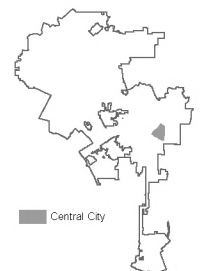


CPC-2020-1931-SN

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City of Los Angeles



## ORDINANCE \_\_\_\_\_

(As modified by the City Planning Commission at its meeting on October 22, 2020)

An Ordinance establishing The Grand Sign District (Sign District) pursuant to the provisions of Section 13.11 of the Los Angeles Municipal Code.

**WHEREAS**, the Grand Sign District will be located in the Downtown Center, where the General Plan Framework calls for the continuation and expansion of commercial, residential, transportation, entertainment, and visitor-serving functions that distinguish and uniquely identify the Downtown Center;

**WHEREAS**, the Grand Sign District will be located directly across Grand Avenue from the Walt Disney Concert Hall, adjacent to The Music Center, and in close proximity to the Museum of Contemporary Art, the Colburn School, the Broad, the Dorothy Chandler Pavilion, hotels, and restaurants, and will continue to transform the Bunker Hill neighborhood into a vibrant area comprised of creative signage, world-class entertainment venues, historic buildings, and regional attractions;

**WHEREAS**, additional urban infill and redevelopment, including hotels, multi-family residential, commercial and retail uses, on and around Grand Avenue continue to transform the Bunker Hill, Historic Core, and Civic Center neighborhoods into an energetic area comprised of world-class entertainment venues, creative signage, historic buildings, regional attractions, and residential uses with a distinct demographic and aesthetic identity;

**WHEREAS**, the Grand Sign District will foster a lively urban environment with a unified aesthetic and sense of identity, by setting standards for uniform signage design, providing well-planned placement of signage with consideration for surrounding uses, while also providing functional way-finding and building identification along streets, thereby connecting regional transit, entertainment, and cultural venues;

**WHEREAS**, the Grand Sign District will be part of the Grand Project which will include programming that is designed to serve the surrounding community, including a goal of 10,000 square feet of retail space leased to local tenants, 20 percent on-site affordable units for households with incomes at or below 40 percent and 50 percent of median income (89 units), a public plaza, streetscape improvements, and embedding sustainability features throughout the project, guided by a Leadership in Energy and Environmental Design Silver commitment further evolve the physical and aesthetic identity of the area for residents, visitors, and businesses in the Central City area and to further promote the entertainment character of the Bunker Hill neighborhood and surrounding areas;

**WHEREAS**, the permitting of off-site digital display signs and wall signs located on the interior of the site will directly advance the purposes of improving the aesthetics of the area by carefully regulating the placement and design of such signs;

**WHEREAS**, the Grand Sign District will contribute to the activation of all sides of Parcel Q and promote accessibility for patrons arriving on foot as well as by car or transit;

**WHEREAS**, the Grand Sign District will emphasize the importance of Parcel Q as a gateway to the cultural icons mentioned above by displaying artwork, programming, identification, and current events messaging for local cultural venues;

**WHEREAS**, the signage plan has been designed to complement the architecture, facilitate directional and informational signage at The Grand's perimeter and interior including for pedestrians and transit users, and to allow for intuitive circulation through and within Parcel Q; and

**WHEREAS**, on December 11, 2019, the City Council instructed the Department of City Planning Major Projects Unit to initiate a Sign District for Parcel Q appropriate for a mixed-use project with various commercial uses including hotel, retail, restaurants, and entertainment.

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

**Sec. 1 ESTABLISHMENT OF THE GRAND SIGN DISTRICT.**

The City Council hereby establishes The Grand Sign District (Sign District), which shall be applicable to that area of the City shown within the heavy dashed line on Exhibit 1 - Sign District, comprising approximately 3.22 acres, bounded by Grand Avenue on the northwest, 1st Street on the northeast, Olive Street on the southeast, and 2nd Street on the southwest, including without limitation those properties located at 100 South Grand Avenue and 111-161 South Olive Street.

**Sec. 2 PURPOSES.**

The Sign District is intended to:

A. Support and enhance the land uses and urban design objectives of the Central City Community Plan, the Grand Avenue Project, and Downtown Los Angeles;

B. Create a unique and recognizable identity utilizing creative signage elements, to draw visitors to the Grand Avenue Project to benefit the local economy and reduce lingering blight;

C. Permit a variety of signage elements to allow for creativity and flexibility in design over time;

D. Ensure that new off-site digital display signs and wall signs are responsive to and integrated with the aesthetic character of the structures on which they are located; E. Protect adjacent residential uses from potential adverse impacts by concentrating signage, and setting standards for signage numbers, size, illumination, and sign motion/animation; and

F. Coordinate the location, type, and display so as to enhance the pedestrian realm, minimize potential traffic hazards, protect public safety, and maintain compatibility with surrounding uses.

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

A. This Ordinance regulates signs within the Sign District. The regulations of this Ordinance are in addition to those set forth in the Planning and Zoning provisions of the Los Angeles Municipal Code (Code). These regulations do not convey any rights not otherwise granted under the provisions and procedures contained in the Code or other relevant ordinances, except as specifically provided for in this Ordinance.

B. Wherever this Ordinance contains provisions that establish regulations that are different from, more restrictive than, or more permissive than the Code or other relevant codes and ordinances, this Ordinance shall prevail.

#### **Sec. 4 DEFINITIONS.**

Whenever the following terms are used in this Ordinance, they shall be construed as defined in this Section. Notwithstanding Code Section 13.11, words and phrases not defined herein shall be construed as defined in Sections 12.03 and Article 4.4 of the Code.

**Advertising Kiosk.** A freestanding, double-sided, ground-mounted sign, which is incorporated into a freestanding architectural structure, and which may incorporate digital faces and contain on-site and/or off-site signage.

**Can / Cabinet Sign.** A wall sign whose text, logos and symbols are placed on the plastic face of an enclosed cabinet or recessed into the face of the enclosed cabinet.

**Captive Balloon Sign.** Any object inflated with hot air or lighter-than-air gas that is tethered to the ground or a structure.

**Digital Display.** A sign face, building face, and/or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation through the use of grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of or attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means.

**Exposed Neon Sign.** A sign made solely of shaped visible neon tubing.

**Monument Sign.** A sign that is erected directly upon the existing or artificially created grade, or that is raised no more than 12 inches from the existing or artificially created grade to the bottom of the sign, and that has a horizontal dimension equal to or greater than its vertical dimension.

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

**On-Site Sign.** A sign that is other than an Off-Site Sign.

**Projecting Sign.** A sign, other than a Wall Sign, that is attached to a building and projects outward from the building with one or more sign faces approximately perpendicular to the face of the building.

**Sign.** Any whole or part of a display board, wall, screen or object, used to announce, declare, demonstrate, display or otherwise present a message and attract the attention of the public.

**Supergraphic Sign.** A sign, consisting of an image projected onto a wall or printed on vinyl, mesh or other material with or without written text, supported and attached to a wall by an adhesive and/or by using stranded cable and eyebolts and/or other materials or methods, and



which does not comply with the following provisions of the Code: 14.4.10 (Wall Signs), 14.4.16 (Temporary Signs), 14.4.17 (Temporary Signs on Temporary Construction Walls), 14.4.18 (Off-Site Signs) and/or 14.4.20 (Art Murals and Public Art Installations).

**Tenant Frontage.** The linear length of building frontage of a tenant space, hotel, or residential lobby along a public street or right-of-way, driveway, or pedestrian walkway or plaza. Tenant frontage length shall be calculated separately for each building story.

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

**Window Sign.** Any sign, that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the sign is visible from outside the building.

*Note: Definitions for other Signs referenced in this Ordinance are provided in the Code.*

## **Sec. 5 PROCEDURAL REQUIREMENTS.**

**A. Building Permits.** The Los Angeles Department of Building and Safety (LADBS) shall not issue a permit for a sign, a sign structure, sign illumination, or alteration of an existing sign within the Sign District unless the sign complies with: (1) the requirements of this Ordinance as determined by the Director of Planning (Director); and (2) applicable requirements of the Code.

**B. Director Sign-Off Required.** LADBS may issue a permit for the following types of signs with only a Director sign-off on a sign permit within the Sign District:

1. Advertising Kiosks;
2. Digital Displays;
3. Monument Signs;
4. Projecting Signs;
5. Wall Signs; and
6. Window Signs in compliance with the standards in Section 7.H of this Ordinance (for Window Signs which do not meet the standards of Code Section 14.4.14.A).

The Director shall sign off on the permit application if the sign complies with all of the applicable requirements of this Ordinance and Exhibits and the applicable requirements of the Code. The Director's approval shall also be indicated by stamping the permit plans.

**C. Exempt Signs.** The following types of signs shall be subject to LADBS review, based on the applicable requirements of this Ordinance and the Code, but are exempt from Director's review and do not require a Director's permit signoff:

1. Information Signs;
2. Original Art Murals;
3. Public Art Installations;
4. Temporary Signs; and
5. Window Signs in compliance with Code Section 14.4.14.A.

**D. Requests for Deviations from or Interpretations of Regulations.** The procedures for adjustments, exceptions, amendments and interpretations to this Ordinance shall follow the procedures set forth in Section 11.5.7.E-H of the Code.

## **Sec. 6 GENERAL REQUIREMENTS.**

**A. General Requirements of Code.** Unless specified in this Ordinance to the contrary, the general sign requirements set forth in the Code shall apply to this Sign District for permits, plans, design and construction, materials, street address numbers, identification, maintenance, prohibited locations and sign illumination. Notwithstanding the foregoing, any combined area restrictions in Article 4.4, including but not limited to Sections 14.4.14.B, 14.4.10.A.4 and 14.4.10.A.5, shall not apply to signs within the Sign District. A building permit shall be obtained from LADBS in accordance with the applicable provisions of the Code for all signs, sign structures, and/or alterations to existing signs, other than changes to or replacement of sign face copy.

**B. Permitted Signs.** Except as otherwise prohibited in Section 6.C (Prohibited Signs), below, and notwithstanding Section 14.4.4.B of the Code, all signs described and regulated in Section 7 (Standards for Specific Types of Signs) of this Ordinance and all signs otherwise permitted by the Code shall be permitted within the Sign District.

**C. Prohibited Signs.** The following signs shall be prohibited:

1. Banner Signs;
2. Can / Cabinet Signs;
3. Captive Balloon Signs;
4. Illuminated Architectural Canopy Signs;
5. Inflatable Devices;
6. Pole Signs, excluding Information Signs;
7. Supergraphic Signs;
8. Roof Signs;
9. Exposed Neon Signs;
10. Supergraphics; and
11. Any sign not specifically authorized by this Ordinance or by the Code

**D. Permitted Sign Types by Location.** The location of signage within the Sign District is subject to standards identified in Section 7 (Standards for Specific Types of Signs) of this Ordinance, and Code Section 14.4.4.C (Prohibited Locations). In addition:

1. Signage shall be installed in substantial conformance with the approximate locations identified for each sign type in the Sign Location Map (Exhibit 1) as applicable.
2. Signage shall only be permitted from the street level to the 12th building story and shall be permitted within 50 vertical feet below the top of the building parapet of Tower 2, in accordance with the following Vertical Sign Zones (VSZ), as depicted in Exhibit 1:
  - a. **Vertical Sign Zone 1:** All signage types permitted by this Sign District shall be permitted from street level (L-1) to the 12<sup>th</sup> building story (L-12)

- b. **Vertical Sign Zone 2:** No signage shall be permitted from the 12<sup>th</sup> building story (L-12) to within 50 vertical feet below the top of the building parapet of Tower 2.
- c. **Vertical Sign Zone 3:** Within 50 vertical feet below the top of the building parapet of Tower 2, only two Wall Signs shall be permitted. All other signs and sign types shall be prohibited.
- d. No sign shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents, unless the Department of Building and Safety with the concurrence of the Los Angeles Fire Department (LAFD) determines, in writing, that the sign would not create a hazardous condition.

**E. Illumination.** Except for Temporary Signs (which may not be illuminated), all signs may be illuminated by either internal or external means. The illumination regulations set forth in the Code, including but not limited to Section 93.0117, shall apply. Methods of signage illumination may include, but are not limited to: electric lamps, such as neon tubes; fiber optics; incandescent lamps; LED; LCD; cathode ray tubes exposed directly to view; shielded spot lights and wall wash fixtures. In addition, signage shall be subject to the following regulations:

- 1. All illuminated signs shall be designed, located or screened so as to minimize to the greatest reasonable extent possible direct light sources onto any exterior wall of a residential unit and into the window of any commercial building. If signs are to be externally lit, the source of the external illumination shall be shielded from public view on adjoining lots.
- 2. Signage shall not use highly reflective materials such as mirrored glass.
- 3. All light sources, including illuminated signage, shall comply with CALGreen (Part 11 of Title 24, California Code of Regulations) and the Green Code of the City of Los Angeles.
- 4. Each Digital Display shall be fully dimmable, and shall be controlled by a programmable timer so that luminance levels may be adjusted according to the time of day and applicable lighting standards.

**F. Refresh Rates.**

- 1. **Refresh Rate.** The Refresh Rate is the rate at which a Digital Display may change content. The Refresh Rates are as follows and shall apply to Digital Displays as set forth in Section 7.G.
- 2. **Non-Controlled Refresh Rate.** The Non-Controlled Refresh Rate shall permit images, videos, animation, parts and/or illumination that flash, change, move, stream, scroll, blink or otherwise incorporate motion to change at an unrestricted rate.

**G. Visual Maintenance.** All signs shall be maintained to meet the following criteria at all times:

1. The building and ground area around the signs shall be properly maintained. All unused mounting structures, hardware, and wall perforation from any abandoned/removed sign shall be removed and building surfaces shall be restored to their original condition.
2. All signage copy shall be properly maintained and kept free from damage and other unsightly conditions, including graffiti.
3. All sign structures shall be kept in good repair and maintained in a safe and sound condition and in conformance with all applicable codes.
4. Razor wire, barbed wire, concertina wire, or other barriers preventing unauthorized access to any sign, if any, shall be hidden from public view.
5. No access platform, ladder, or other service appurtenance, visible from the sidewalk, street, or public right-of-way, shall be installed or attached to any sign structure.
6. Existing signs that are no longer serving the current tenants, including support structures, shall be removed and the building facades originally covered by the signs shall be repaired/resurfaced with materials and colors that are compatible with the facades.

**H. Hazard Review.** Signs that adhere to the regulations outlined in this Ordinance shall be exempted from hazard determination review procedures in the Code.

**I. Alterations, Repairs or Rehabilitation.** Any alteration, repair or maintenance work on a legally permitted sign or sign structure shall be governed by the Code.

**J. Materials.** The materials, construction, application, location and installation of any sign shall be in conformance with the Los Angeles Building Code and the Los Angeles Fire Code.

**K. New Technologies.** The Director may permit the use of any technology or material that did not exist as of the effective date of this Ordinance provided that the material is approved by LADBS, utilizing the Director's Interpretation procedure outlined in Code Section 11.5.7.H, if the Director finds that such technology or material is consistent with the regulations described herein.

## **Sec. 7 STANDARDS FOR SPECIFIC TYPES OF SIGNS.**

### **A. Information Signs.**

1. **General.** Information Signs are allowed within the Sign District and shall comply with the applicable provisions of the Code. Notwithstanding Code Section 14.4.7.B, this Ordinance authorizes Information Signs to be located at heights greater than six feet six inches above the sidewalk grade or edge of roadway grade nearest the sign.

**B. Monument Signs.**

1. **Sign Area.** Each tenant is limited to one Monument Sign. The sign area of each Monument Sign shall not exceed 2 square feet per foot of Tenant Frontage and each individual Monument Sign shall not exceed 30 square feet in area per sign face. Monument Signs may be incorporated with landscape walls and other architectural elements. The individual sign area of a Monument Sign is measured based on the area containing signage, and does not include any adjacent or attached landscape or architectural elements.
  - a. Notwithstanding the foregoing, any on-site residential building shall be permitted two Monument Signs and each individual Monument Sign shall not exceed 30 square feet in area per sign face.
2. **Height.** The top of a Monument Sign shall be limited to a maximum height of 8 feet above grade, planter, or adjacent finished floor level.
3. **Location.** The location of the Monument Sign shall not interfere with or present a hazard to pedestrian or vehicular traffic.
4. **Design.** Monument Signs may be double sided.
5. **On-Site Signs.** Monument Signs shall be On-Site Signs and shall not be Off-Site Signs.

**C. Projecting Signs.**

1. **Sign Area.** A maximum of four Projecting Signs shall be permitted. Each individual Projecting Sign shall not exceed 600 square feet in area, including a maximum of 300 square feet in area per sign face. Cylindrical signs shall be interpreted as having two sign faces, each face comprising half of the cylindrical sign area.
2. **Height.** A Projecting Sign shall not be located lower than eight feet above finished grade of finished floor level directly below the sign face or structure.
3. **Location.** Projecting Signs shall be in substantial conformance with the locations shown in Exhibit 1. The plane of the sign face of a Projecting Sign shall be within 15 degrees of being perpendicular to the face of the building, except at the corner of the building.
4. **Design.**
  - a. A Projecting Sign shall align with major building elements such as materials, scale, and general design aesthetic. Projecting Signs may be double-sided or cylindrical.
  - b. The width of the sign face of a Projecting Sign that is perpendicular to the building shall not exceed ten feet. This measurement shall not include the dimensions of the sign's supporting structure.



- c. No portion of a Projecting Sign that is parallel to the face of the building shall not exceed four feet in width.
  - d. No portion of a Projecting Sign that is parallel to the face of the building shall contain any text, message, or logo.
5. **On-Site Signs.** Projecting Signs shall be On-Site Signs and shall not be Off-Site Signs.

**D. Wall Signs.** Wall Signs do not include Supergraphic Signs or Digital Displays.

1. **Sign Area.**

- a. **Vertical Sign Zone 1:** Below the 12<sup>th</sup> building story (L-12), the following shall apply:

Each tenant shall be limited to a maximum of two Wall Signs. The sign area of each Wall Sign shall not exceed 2 square feet per foot of Tenant Frontage. Each individual Wall Sign shall not exceed 150 square feet. Notwithstanding the foregoing, the following Wall Signs shall be permitted in addition to other signs allowed by this Sign District:

- (1) Three additional Wall Signs or areas for Wall Signs shall be permitted, in substantial conformance with Exhibit 1:
  - (a) one along Olive Street and not to exceed 400 square feet;
  - (b) one along 1st Street and not to exceed 150 square feet; and
  - (c) one along the Valet Parking area on Level L-3 (Porte Cochere), not to exceed 420 square feet. This sign shall be located a minimum distance of 50 feet from any public right-of-way.
- (2) For any on-site hotel uses, three additional Wall Signs shall be permitted. Each individual Wall Sign shall not exceed 100 square feet.

- b. **Vertical Sign Zone 3:** Within 50 vertical feet of the top of parapet of Tower 2, the following shall apply:

A maximum of two Wall Signs shall be permitted. The sign area of each Wall Sign shall be limited to a maximum of 300 square feet. Each Wall Sign shall be located on a wall and shall not be located on a roof, including a sloping roof, and shall not obscure views out from the interior of the building.

- 2. **Height.** Wall Signs shall not extend above the top of the wall of the building.

### 3. Design.

- a. Within 50 vertical feet of the top of parapet of Tower 2, Wall Signs are encouraged to meet the following guidelines:
  - i. The use of symbols or logos, rather than names or words, is encouraged.
  - ii. Wall Signs should be integrated into the architectural design of the building.
  - iii. Wall Signs should be designed to be easily changed over time, in order to accommodate new tenants.
  - iv. Wall signs should be designed to preserve outward views.
  - v. Nighttime lighting of Identification Signs, as well as of distinctive building tops, is encouraged and the two should be integrated. Lighting of Identification Signs should include backlighting that creates a “halo” around the Wall Sign. Backlighting may be combined with other types of lighting.

4. **On-Site and Off-Site Signs.** Wall Signs shall be On-Site Signs and shall not be Off-Site Signs, with an exception to allow for one Off-Site Wall Sign to be located on the Valet Parking area on Level L-3 (Porte Cochere), for a maximum of 420 square feet in sign area.

**E. Advertising Kiosks.** Advertising Kiosks with digital faces shall not be considered Digital Displays.

1. **Sign Area.** Each individual Advertising Kiosk shall not exceed 80 square feet in area, including a maximum of 40 square feet in area per sign face, with the exception of one Advertising Kiosk, which shall not exceed 100 square feet in area, including a maximum of 50 square feet in area per sign face.
2. **Height.** Advertising Kiosks shall not exceed a maximum of 13 feet in height from grade or finished floor level.
3. **Location.** A maximum of six Advertising Kiosks with digital faces shall be permitted and a maximum of 12 Advertising Kiosks with no digital faces shall also be permitted.
4. **Illumination and Operation.** Advertising Kiosks shall be internally illuminated.
5. **Refresh Rate and Operation.** A maximum of six Advertising Kiosks may incorporate digital faces. Any digital faces shall be subject to the Non-Controlled Refresh Rate. Digital faces shall operate only between the hours of 6:00 a.m. and 2:00 a.m.
6. **On-Site and Off-Site Signs.** Advertising Kiosks may be On-Site and/or Off-Site Signs.

**F. Digital Displays.**

1. **Sign Area.** The total combined area of Digital Displays in the Sign District shall not exceed 164 square feet. A maximum of eight Digital Displays shall be permitted; seven of which are not to exceed 12 square feet in area, and one of which is not to exceed 80 square feet in area.
2. **Location.** Digital Displays shall be subject to the following:
  - a. A maximum of eight Digital Displays shall be permitted within the Sign District that do not face the Public right-of-way. The Digital Display which is greater than 12 square feet in area shall be located on the Valet Parking area on L-3 (Porte Cochere), and shall be located a minimum distance of 50 feet from any public right-of-way.
3. **Design.** Digital Displays shall use grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology to be developed.
4. **Illumination and Illumination Plan.** Digital Displays shall be internally illuminated and subject to the applicable illumination standards of Section 6.E. of this Ordinance.
5. **Refresh Rates and Operation.**
  - a. The eight Digital Displays shall be subject to the Non-Controlled Refresh Rate.
  - b. The eight Digital Displays shall operate only between the hours of 6:00 a.m. and 2:00 a.m.
6. **On-Site and Off-Site Signs.** The Digital Displays permitted by this subsection may be On-Site or Off-Site Signs.

**G. Window Signs.**

1. **Sign Area.**

The sign area of Window Signs shall not exceed 2 square feet of tenant frontage
2. **On-Site Sign.** Window Signs shall be On-Site Signs.

**H. Temporary Signs.**

1. **General.** Temporary Signs are allowed within the Sign District and shall comply with the applicable provisions of the Code.

**I. Original Art Murals / Public Art Installations.**

1. **General.** Original Art Murals and Public Art Installations are allowed within the Sign District and shall comply with the applicable provisions of the Code.

**Sec. 8      SEVERABILITY.**

If any provision of this Ordinance or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other provisions, clauses or applications of said Ordinance which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Ordinance are declared to be severable.

## FINDINGS

(As amended by the City Planning Commission at its meeting on October 22, 2020)

**A. The requested Sign District is in conformance with the purposes, intent and provisions of the City of Los Angeles General Plan.**

The Grand Sign District is in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the Grand Sign District is consistent with and implements policies in the Central City Community Plan, a component of the Land Use Element of the General Plan, and the Bunker Hill Specific Plan, as explained below:

**Framework Element.** The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element denotes the Project area as a “Downtown Center”, which is identified as an international center for finance and trade that serves the population of the five-county metropolitan region. Downtown Los Angeles is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, and regional transportation facilities. The Downtown Center is generally characterized by a floor area ratio up to 13:1 and high-rise buildings.

The Sign District involves tailored signage including Wall signs, Projecting signs, Monument signs, Advertising Kiosks, Window signs, Digital Displays, on- and off-site advertising and other standard sign types. The Sign District would enhance a sense of identity by concentrating project identification signage along visible corridors, providing functional way-finding signage and directories, and activating the central on-site plaza by incorporating a variety of sign typologies. As such, the Sign District would support the mix of housing and employment to the Downtown Center area, and the objectives of the Framework Element.

**General Plan Land Use Designation.** The Project Site is located within the Central City Community Plan, updated, and adopted by the City Council on January 8, 2003. The existing Plan designates the Site for Regional Center Commercial land uses with corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The Regional Commercial land use designation is subject to Footnote No. 3 which restricts parcels to Height Districts 3 and 4 and establishes a maximum FAR of 6:1 unless a transfer of floor area is requested, which would then permit a transfer of floor area up to 10:1 or 13:1, respectively. On September 19, 2007, the City Council approved a zone change for various properties (The Grand Avenue Project as a whole) including the Project Site from R5-4D to the [T][Q]C2-4D Zone. In the course of the legislative action, the City Council found that the zone change and zone establishment were consistent with the proposed land use designation and footnotes and were in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan. The Project Site is currently zoned [Q]C2-4D and the proposed Sign District would result in a zone change to [Q]C2-4D-SN to establish the Grand Avenue Sign District over the entire site. As such, the Sign District would be consistent with the existing land use designation for the Site.

**General Plan Text.** The Central City Community Plan (Plan) categorizes the Framework’s Downtown Center into various uses and defines the Project Site as Regional Center Commercial. The Plan guides the development and improvement of the community to meet existing and anticipated needs and conditions, as well as balance growth and stability. Further, the Plan identifies the Grand Avenue Cultural Corridor as an arts, culture, and architectural asset “that promotes pedestrian use and provides a unique and striking environment that links together the important civic, cultural, and institutional uses and facilities concentrated there.”



The Plan further discusses the need to create a pedestrian friendly environment and to implement the streetscape improvements guided by the Bunker Hill Specific Plan.

**Bunker Hill Specific Plan.** The City adopted the Bunker Hill Specific Plan in 2013 to replace and refine the regulations of the prior Community Redevelopment Agency Redevelopment Plan. The Bunker Hill Specific Plan combined with the Central City Community Plan encourages mixed-use districts with expanded housing opportunities and commercial retail uses that create a 24-hour downtown environment. The Bunker Hill Specific Plan also encourages infill development that enlivens the street and public spaces, as well as a mix of land uses that support high levels of transit use and additional employment opportunities. The Site is located within the boundaries of the Bunker Hill Specific Plan, specifically in the subarea of Parcel Q and supports the goal to create pedestrian access with the introduction of a through mid-block with wayfinding signage and active uses. Regarding signage, the Bunker Hill Specific Plan encourages congruency with the Downtown Design Guide. The Specific Plan does not further restrict land uses or add any signage limitations and is superseded by the Sign District. The Site is not otherwise located within any other specific plan or special land use district.

The Sign District is consistent with the General Plan Framework, Central City Community Plan, land use designations, and Bunker Hill Specific Plan. Due to the unique nature of the Grand Avenue Mixed-Use development as a regional-scale commercial center and a residential development, the proposed signage would be generally appropriate for the use of the Site and is in-line with the City's signage policies. The proposed sign program would create a unified aesthetic and sense of identity by concentrating project identification signage along visible corridors, ensuring the appropriate identification of individual tenant spaces, providing functional way-finding signage and directories, and activating the plaza as a focal point of the Site through the use of a variety of sign typologies. Additionally, the Digital Displays hours of operation and refresh rates are comparable to nearby sign districts, creating level opportunities for commercial identification and advertising as with other sites located within the Downtown Center area. The Sign District would improve the economic vitality of the area by integrating signage to identify, enliven and support commercial uses onsite, in-line with Plan policies for the Bunker Hill area and specifically the Grand Avenue Cultural Corridor. Therefore, the proposed Sign District is consistent with the General Plan and the land use designation and will serve to implement the goals and objective of the adopted Community Plan.

**B. The Sign District would conform to public necessity, convenience, general welfare and good zoning practice.**

The unique characteristics of the Grand Avenue Sign District would include specific sign regulations designed to enhance the theme and unique qualities of the Sign District. The Sign District proposes a comprehensive sign program for the 3.22-acre Site, primarily focused on the connection between the surrounding cultural venues, including the Walt Disney Concert Hall and The Music Center as well as the Metro Civic Center/Grand Park Station.

The Sign District conforms to the public necessity, convenience, and general welfare of the City. The Grand Sign District would be located on Grand Avenue, 1st Street, Olive Street, and 2nd Street and surrounded by the Walt Disney Concert Hall, the Los Angeles Superior Courthouse, the Colburn School and nearby the Broad Museum and MOCA, adjacent to rail transit and various bus lines, and in proximity to office uses and Grand Park. Due to the unique nature of the Sign District location, the proposed signage would be generally appropriate for the use of the Site and in-line with other sign districts within approximately one mile of the

Project Site (including the Olympia Sign District Ordinance No. 186,466, the Figueroa and Olympic Sign District Ordinance No. 182,200, and the Figueroa and Seventh Street Sign District Ordinance No. 181,637) and the City's signage policies. In particular, the Sign District would support the convenience and public necessity of the area and specifically, the Grand Avenue corridor's identity as an arts and cultural district, compatible with venues that have regional draws, such as the Walt Disney Concert Hall and the Music Center. The Sign District Ordinance (Exhibit A) proposes specially tailored signage regulations that will advance the general welfare and goals for economic development of the area by creating an engaging visual environment for visitors and residents of the district. The proposed sign program creates a unified aesthetic and sense of identity by setting standards for uniform signage design, instilling flexibility in signage design, providing well-planned placement of signage with consideration for surrounding uses, while also providing functional way-finding and building identification along streets, thereby connecting regional transit, entertainment, and cultural venues in the area.

The Sign District signage regulations reflect good zoning practice in that they establish signage design criteria, standards, locations, illumination levels, and types of permitted and prohibited signs within the Sign District. Appropriate and balanced sign regulations are necessary to maintain compatibility with surrounding development while fostering a vibrant urban environment. The Digital Displays and Advertising Kiosks would be concentrated on the interior of the site and would not face any residential uses, with the closest residential use being a high-rise apartment located on the southeast corner of 2nd street and Olive Street. The Sign District would therefore establish regulations that allow signs which are appropriate for the context of Grand Avenue and the Bunker Hill area.

In addition, the proposed Sign District meets the technical requirements for establishment of the district, as defined in LAMC Section 13.11. The Sign District includes one parcel in the commercial "C" zone, and the Site is comprised of one block or 3.22 acres in area. On December 12, 2019, the City Council voted initiated a Sign District for the Grand Mixed-Use development site or Parcel Q (Council File No.19-1468).

## **CEQA Findings**

### **PROJECT BACKGROUND**

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 et seq. (CEQA Guidelines), in November 2006, the Environmental Impact Report (EIR) for the Grand Avenue Project (State Clearinghouse No. 2005091041) was certified by the Los Angeles Grand Avenue Authority (Authority)<sup>1</sup>, for 1) the creation of Grand Park (formerly Civic Park), 2) streetscape improvements along Grand Avenue, and 3) the development of five parcels, referred to as Parcels Q, W-1, W-3, L, and M-2. The City found that the Certified EIR was completed in compliance with the CEQA, State, and City CEQA Guidelines, and adopted findings and a Mitigation Monitoring and Report Program.

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<sup>1</sup> The Los Angeles Grand Avenue Authority (Authority) was established through a Joint Exercise of the Powers Agreement between the Community Redevelopment Agency of the City of Los Angeles and the County of Los Angeles.

The Grand Avenue Mixed-Use development, located on Parcel Q, is a mixed-use building currently under construction and will contain up to 176,000 square feet of commercial and retail uses, 309 hotel guest rooms/hotel condominium units, and up to 436 residential units (a mix of apartment and condominium units), of which 89 units would be designated as affordable units (50% AMI and below) on a 3.22-acre site. After approval of the Grand Avenue Mixed-Use development, three addenda were prepared. In 2010, an addendum (First Addendum) was prepared and approved that addressed two proposed changes to the Certified EIR consisting of (1) changes to development of Parcels L and M-2 to reflect a different mix of land uses and a different site configuration; and (2) changes to the original schedule for implementation of the overall development. Specifically, the Approved Project included a Disposition and Development Agreement (DDA) and a Ground Lease, which set forth a schedule for implementing the various phases and components of the Approved Project. Intervening events necessitated the modification and extension of this schedule to allow for extended time frames to complete all phases and project components.

In 2013, a second addendum (Second Addendum) was prepared and approved to address changes in the location of approved towers on Parcel Q and the overall net square-footage of proposed retail and restaurant uses. Particularly, the Second Addendum addressed revisions to the overall height envelope, tower locations, minor changes to driveways, a reduction in the overall amount of retail, restaurant, and health facility uses from 284,000 square feet to 220,000 square feet, and the addition of 50,000 square feet of office space.

In 2018, a third addendum (Third Addendum) was prepared and approved to assess impacts related to the proposed non-protected street tree removals and replacements, and to assess potential impacts related to air quality, greenhouse gas emissions, and noise, associated with a haul route application for the development of Parcel Q. The Addenda, collectively with the Certified EIR, concluded that the proposed changes would not cause any new significant impacts or substantial increase in the severity of the previously identified impacts in the Certified EIR. The Project analyzed in the Certified EIR as modified by these Addenda currently represent the approved Grand Mixed-Use development.

#### CEQA Authority for an Addendum

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that: *"The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."*

Section 15162 of the CEQA Guidelines requires a subsequent EIR to a certified EIR or subsequent Negative Declaration to an adopted MND when one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code Section 21166 states that no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occur:

1. Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
2. Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
3. New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

#### CEQA Addendum Findings

The City of Los Angeles Planning Department, acting on behalf of the City as lead agency, prepared an Addendum to the Certified EIR, dated August 2020, pursuant to Section 15164 of the State CEQA Guidelines, for the Grand Avenue Project. The August 2020 Addendum analyzes the proposed modifications to the Grand Avenue Mixed-Use project approved in 2007 and demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts as already evaluated in the Certified EIR.

The Addendum specifically addressed potential impacts associated with the establishment of the Sign District, which would result in a comprehensive signage program in conjunction with the development of the Grand Mixed-Use development on Parcel Q, a 3.22-acre portion of The Grand Avenue Project.

In accordance with the CEQA, this Addendum analyzed the proposed modifications to the Grand Mixed-Use development to determine whether such modifications would result in any new significant environmental impacts that were not identified in the Certified EIR or a substantial increase in the severity of impacts set forth in the Certified EIR or otherwise require preparation of a supplemental or subsequent EIR; and concluded that the anticipated environmental impacts

associated with the Sign District are consistent with the analysis contained in the Certified EIR, and implementation of the Sign District would not generate significant impacts not previously analyzed or require additional mitigation measures.

Additionally, the Addendum supplements the information necessary for evaluation of the Sign District and does not present new information of substantial importance which would create one or more significant effects not previously disclosed or increase the severity of the significant events already evaluated in the previously Certified EIR. Lastly, all of the mitigation measures included as part of the Certified EIR would continue to be implemented under the Grand Mixed-Use development as outlined in the Mitigation Monitoring and Reporting Program, dated November 2006. As such, this Addendum is the appropriate CEQA document for the proposed modification to establish a Sign District for a comprehensive signage program in conjunction with the Grand Mixed-Use project on Parcel Q, a 3.22-acre portion of the Grand Avenue Project. The signage program would include Wall signs, Projecting signs, Monument signs, Advertising Kiosks, Window signs, Small-Scale Digital Displays, , on- and off-site advertising, and other standard sign types in accordance with said modifications to the Project, pursuant to Section 15162 of the CEQA Guidelines.

## **RECORD OF PROCEEDINGS**

The record of proceedings for the decision includes the Record of Proceedings for the original CEQA Findings, including all items included in the amendment file, as well as all written and oral information submitted at the hearing on this matter. The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA Findings are based are located at the Department of City Planning, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90021. This information is provided in compliance with CEQA Section 21081.6(a)(2).



# COVID-19 UPDATE

## Interim Appeal Filing Procedures

March 27, 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, the Department of City Planning is implementing new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction. There are two options for filing appeals, which are effective immediately and described below.

### OPTION 1: EMAIL PLUS US MAIL

This is a two-step process including pre-clearance by email of the appeal application followed by application and payment submittal via US Mail.

#### STEP 1:

Email [planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org) with the subject line: **"Request to File Appeal."** In the email body provide:

- The case number
- Appellant contact information (name, email, telephone number)

Include as individual attachments to the email:

- Copy of Signed Appeal Application
- Justification
- Letter of Determination

City Planning staff will contact the appellant to confirm whether the appeal is complete and meets the applicable provisions of the Los Angeles Municipal Code (LAMC). The appellant will then be instructed to move forward with Step 2.

#### STEP 2:

Send appeal application via US Mail, postmarked no later than the last day of the appeal period. The package shall include:

- Original Appeal Application (wet signatures),
- Copy of email correspondence with City Planning staff (from Step 1)
- Appeal fee, check payable to the City of Los Angeles (\$109.47 for an aggrieved party, not the Project Applicant.)

#### Mail the appeal application to:

Department City Planning - Metro DSC  
201 N. Figueroa St., 4th Floor  
Los Angeles, CA 90012

City Planning staff will email and mail the appellant with a receipt for payment. Note: only the original application, email, and check need to be sent via US Mail. This ensures a standard envelope with standard postage is sufficient, and no trip to the Post Office is necessary. Steps 1 and 2 must both be completed. An email alone is not sufficient to satisfy appeal requirements.

### OPTION 2: DROP OFF AT DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop off appeal applications and payment. **Drop off areas are monitored in secure locations outside the three DSCs (Metro/Downtown, Van Nuys, and West Los Angeles) and are available during regular business hours.**

City Planning staff will follow up with the appellant via email and phone to:

- Confirm that the appeal package is complete and meets the applicable provisions of the LAMC
- Provide a receipt for payment

# FACT SHEET

## Planning Entitlement Appeals

### Summary

Discretionary planning decisions in Los Angeles can be appealed, at times, to one of the eight City Commissions that oversee planning-related issues and, in some instances, directly to the City Council. These appeals provide members of the public with an opportunity to challenge certain planning decisions, exercising their rights in accordance with the Los Angeles Municipal Code (LAMC). City Planning has developed an informational fact sheet, complete with frequently asked questions, to inform the public of their rights and opportunities for filing project appeals.

### Background

The LAMC outlines a process to allow members of the public to appeal land use decisions that are issued by the City. Appeals are intended to challenge the merits of the decision, specifically to contend that a decision maker erred or abused their discretion. To allow community members the ability to appeal qualifying planning decisions at a minimal personal cost, City Planning has consistently (and significantly) subsidized non-applicant appeal fees. This has allowed individuals to be part of a fair and equitable process, one which has provided the public with the opportunity to question certain decisions.

The Department has developed a fact sheet to further clarify the process for filing project-related appeals. This document will be updated periodically, as needed. For additional information, please contact the planning staff located at the Figueroa Plaza (Downtown), Marvin Braude (Van Nuys), or West Los Angeles Development Services Centers preferably via email at [planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org).

## Frequently Asked Questions

### Where are project appeals filed?

Appeals can be filed at any of the three Development Services Centers (DSCs)—[Downtown, Van Nuys, and West Los Angeles](#)—where planning staff is located. A physical drop off area has been set up at each location to allow applicants to submit their applications, without having to file an initial appointment or enter the premises. As an additional option, the Department has also created an online portal for electronic appeal applications. Click this [link](#) to access the online forms and submit the relevant information electronically.

### How long do applicants have to submit a project-related appeal?

An appeal must be filed within a specified period of time as established by the LAMC—varying in length from 10 to 15 days of the issuance of the Letter of Determination (LOD), depending on the planning entitlements being appealed. As a point of reference, deadlines for filing appeals are noted in the [Los Angeles Municipal Code](#) (LAMC) and typically also identified within the LOD.


### Where can applicants access the appeal form and corresponding instructions?

The appeal form and instructions can be found [here](#). Both an applicant and “aggrieved party” (a community member opposing the decision) may choose to file an appeal. All appeals will be processed at the same time. Each appeal form represents one appeal, regardless of the number of individuals who have signed the appeal form. For certain planning entitlements, such as determinations for projects that file under the Density Bonus and [Transit Oriented Communities Incentive](#) Programs, appeals are limited to adjacent and abutting owners of property or occupants, as specified in the implementing State and/or local statute. Neighborhood Councils and/or City-appointed decision-making bodies may not file an appeal.

### Who decides the outcome of project appeals?

Letters of Determination are issued by the Director of Planning (DIR), Associate Zoning Administrator (AZA), Deputy Advisory Agency (DAA), Area Planning Commission





(APC), or City Planning Commission (CPC). Depending on the initial decision-maker, there are three appellate bodies for planning cases in Los Angeles: the Area Planning Commissions, the City Planning Commission, and the City Council. The LAMC establishes appeal procedures including which types of decisions are eligible for a first- and second-level appeal (meaning that in some cases, the project can be appealed again to a higher decision maker).

### **How long does the City have to consider the appeal of a land use decision?**

According to the LAMC, the City must process appeals under strict time limits. Depending on the planning entitlements, the date that an appeal hearing must be scheduled varies between 30 days from appeal submittal up to 75 days from the last day of the appeal period. These time periods may be extended if there is mutual agreement between the applicant and the City. The LAMC does not, however, allow a non-applicant to request an extension beyond this allotted time period for project appeals.

### **How (and when) are notifications sent notifying the appellant of their hearing date?**

The LAMC specifies the timelines by which appeal hearings must be held. In general, appellants receive notice of their upcoming hearing at least 10 days prior to the hearing date. Notices for some appeal hearings may be published in a local newspaper. If unavailable to attend the date of the hearing, the appellant can submit written comments to the decision-maker or appoint a representative to provide public testimony on their behalf at the public hearing.

### **Who from City Planning can provide assistance, should there be any questions?**

Planning staff at the DSCs serve as a main point of contact for [general inquiries](#). Once a project appeal has been submitted, questions can be directed to the assigned planner, who will process the appeal and take it to the hearing. The contact information for the assigned planner may be found on the Department's [Planning Case Tracking System \(PCTS\)](#).

## When can documents be sent to the appellate decision maker who will hear the appeal?

In addition to the appeal application, the appellant may submit documents for the official public record at the time the appeal is filed. If there is a need to provide additional documents after the appeal has been filed, the appellant can send them to the planner assigned to the appeal. Information submitted after a staff recommendation report has been drafted will be included in the public record, but it will not have been considered at the time of the writing of the staff report.

City Planning's Commission Office requires that supplemental information be provided more than 48 hours in advance of the hearing, and meet the criteria as outlined below.

### *REQUIREMENTS FOR COMMISSION SUBMISSION OF MATERIALS*

*Regular Submissions: Initial Submissions, not limited as to volume must be received no later than by 4:00 pm on the Monday of the week prior to the week of the Commission meeting. Materials must be emailed to the assigned staff and Commission identified on the project's public hearing notice.*

*Rebuttal Submissions: Secondary Submissions in response to a Staff Recommendation Report and/or additional comments must be received electronically no later than 48 hours prior to the Commission meeting. For the Central, South Los Angeles and Harbor Area Planning Commissions, materials must be received no later than by 3:00 pm, Thursday of the week prior to the Commission meeting. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on this announcement.*

*Day of Hearing Submissions: Submissions less than 48 hours prior to, and including the day of the hearing, must not exceed two (2) written pages, including exhibits, and must be submitted electronically to the staff and Commission identified on the project's public hearing notice. Photographs do not count toward the page limitation.*

*Non-Complying Submissions: Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission and will not be included in the official administrative record for the item at issue.*

### **Commission email addresses:**

City Planning Commission: [cpc@lacity.org](mailto:cpc@lacity.org)

Central Los Angeles Area Planning Commission: [apccentral@lacity.org](mailto:apccentral@lacity.org)

East Los Angeles Area Planning Commission: [apceastla@lacity.org](mailto:apceastla@lacity.org)

Harbor Area Planning Commission: [apcharbor@lacity.org](mailto:apcharbor@lacity.org)

North Valley Area Planning Commission: [apcnorthvalley@lacity.org](mailto:apcnorthvalley@lacity.org)

South Valley Area Planning Commission: [apcsouthvalley@lacity.org](mailto:apcsouthvalley@lacity.org)

South Los Angeles Area Planning Commission: [apcsouthla@lacity.org](mailto:apcsouthla@lacity.org)


West Los Angeles Area Planning Commission: [apcwestla@lacity.org](mailto:apcwestla@lacity.org)

### **Are appellants required to sit through the entire meeting when there are multiple items on the agenda?**

The answer is no; however, the agenda items can be taken out of order. Therefore, it is in the interest of each appellant to attend the full meeting at the scheduled start time, until their item is taken up for consideration. Depending on how many items are on the agenda, and the agenda order, your item could be heard very quickly or you may have to wait through several items which could take a few hours. As a point of reference, commission meetings for Area Planning Commissions and City Planning Commission generally start at 4:30 PM and 8:30 AM, respectively. For additional details, please consult the “[Events Calendar](#)” on City Planning’s website. For City Council and Council Committee meetings, please consult the Meeting Calendar page for [City Council](#) and [Committees](#).

### **Will the appellant have an opportunity to speak during the hearing?**

Following the presentation by the planner assigned to the appeal case, the appellant can present their case. After the appellant’s presentation, the project applicant will be given an equal amount of time to provide a rebuttal to the appellant’s presentation. There is often time for an additional rebuttal by the applicant or appellant. While there are exceptions to the rule, the appellate body may invite the appellant to respond to



questions. It is important to note that the appellate body will not engage in a back and forth conversation with either the applicant or appellant. This is done to be both fair and consistent in the amount of time allocated to each party.

### **What is the format and structure of a typical hearing for a project appeal?**

Each appellate body follows a slightly different set of procedures when hearing project appeals. That said, there are a number of common features that apply regardless of whether the appellate body is the Area Planning Commission, Cultural Heritage Commission, City Planning Commission, or City Council. A formal public meeting structure is always maintained in order to ensure a fair and predictable process—one where all sides are heard, and the meeting is conducted in an orderly manner. In the case when a planning commission is the appellate body, there are additional steps, such as: a presentation from the Department, an opportunity for the appellant to testify, a forum for the applicant to offer their rebuttal, and time reserved for public testimony. This would take place leading up to any formal action on the part of the commissioners, as it relates to a project appeal.

To slow the spread of COVID-19, City Planning has implemented new procedures for public hearings and outreach meetings in order to practice proper physical distancing protocols. Until notified otherwise, commission meetings will be conducted virtually to allow applicants and the public to participate using a webcam or by telephone. For more information, consult the City Planning's [website](#) with detailed instructions.


### **How much time does the appellant have to present their argument?**

The time allocated to the appellant for the purposes of their presentation varies. It is ultimately determined by the appellate body and communicated at the start of the meeting. More often than not, appellants are allocated five to 10 minutes to make their presentation. Project appeals that are heard by City Council follow slightly different procedures, which the assigned planner can explain.

### **Is there a need for the appellant to submit a PowerPoint presentation?**

Appellants can prepare a PowerPoint presentation, in addition to making verbal remarks when it is their turn to speak. If a PowerPoint is being prepared, the appellant should





submit the document to City Planning no less than 72 hours in advance of the meeting. The assigned planner will coordinate the submission for the appellant.

### **What role does the planner assigned to this project play during the appeal process?**

The role of the assigned planner is to ensure that an appellant is notified of the appeal hearing as an interested party, to provide them with a courtesy copy of the staff report if prepared, and to make sure that all parties are informed of the outcome or final decision of the appeal. The assigned planner will analyze the appeal points and prepare a staff recommendation report responding to each of the points raised by the appellant. At the hearing, the assigned planner will make a presentation to the decision maker. All information about the case is available for public view in the case file, and the Planner can assist in making an appointment to review it. The planner can also ensure that translation and special accommodations for individuals with disabilities can be provided at the public hearing, if requested.

### **What happens after the Appellate Body issues a formal decision, one way or another?**

After the Commission takes a vote, a formal Letter of Determination is issued. If the decision is not further appealable, this concludes the appeal process. Under the LAMC and City Charter, only certain Commission-level appellate decisions are further appealable to City Council.

### **When can a CEQA appeal be filed?**

Generally, a standalone CEQA appeal to the City Council may only be filed if a project's land use determination is not further appealable to the City Council (with some exceptions). If a determination made by an Area Planning Commission or City Planning Commission is further appealable to the City Council, the City Council will consider CEQA related appeal points made by an appellant when considering the entire appeal of the project.





## **When should appellants fill out the CEQA Appeal Form?**

The CEQA Appeal form shall only be used if the Area Planning Commission or City Planning Commission issues a determination for a project that is not further appealable. In these situations, an individual may file an appeal of a project's CEQA clearance to the City Council. Forms and procedures for the appeal of CEQA documents can be found here listed under "CEQA Appeal Application."