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CF17-0893 / Temporary Signs on Construction Walls Code Amendment / Item #11 PLUM 4/6/21

1 message

Barbara Broide <bbroide@hotmail.com>

Tue, Apr 6, 2021 at 9:39 AM

To: "clerk.plumcommittee@lacity.org" <clerk.plumcommittee@lacity.org>, "armando.bencomo@lacity.org" <armando.bencomo@lacity.org>, Councilmember Marqueece Harris-Dawson <councilmember.harris-dawson@lacity.org>, Councilmember Gil Cedillo <councilmember.cedillo@lacity.org>, Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>, "councilmember.ridley-thomas@lacity.org" <councilmember.ridley-thomas@lacity.org>, "councilmember.lee@lacity.org" <councilmember.lee@lacity.org>

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Please see the attached letter sent on behalf of Westwood South of Santa Monica Blvd. Homeowners Association.

While we support many of the changes proposed to update the Temporary Wall Sign program, we also oppose some aspects of the proposal and have suggestions on others.

Thank you.



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Westwood South of Santa Monica Blvd Homeowners' Association
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April 5, 2021

LA City Council PLUM Committee

Honorable Chair Marqueece Harris-Dawson

Honorable Committee Members: Bob Blumenfield, Gilbert Cedillo, Mark Ridley-Thomas, John S. Lee

Los Angeles City Hall

Los Angeles, CA 90012

Via Email: clerk.plumcommittee@lacity.org, zina.cheng@lacity.org,

RE: Council File 17-0893 / Temporary Signs on Construction Walls Code Amendment

Support strengthening measure, Oppose some recommendations, Recommend changes.

PLUM Committee Agenda Item #11, April 6, 2021.

Dear Chair Harris-Dawson and Fellow PLUM Committee Members:

It is very important that amendments to strengthen the Department of Building and Safety's ability to enforce the provisions of the Temporary Construction Wall Program be adopted as quickly as possible. However, there are other elements of the revised measure that are problematic and should not move forward. They should be reviewed and considered for further amendment.

It is interesting to note that comments to the Council File in support of the measure refer to it as the "Graffiti Abatement Program" (not as the Temporary Wall Sign Program) and address the program's value in keeping the exterior walls of construction sites (and construction sites) free from vandalism and graffiti. Those comments do not discuss the program's proposed expansion to include the placement of temporary walls around operating businesses, and to RAS zones. Nor do they address the problems that have been experienced with the current program that have left many communities experiencing MORE blight as a result of these not-so-temporary wall construction signs.

It is time that the City takes stock of its visual environment and the fact that this program, when abused, contributes to blight; it does not solve it. In some cases, the program offers an opportunity to trade one form of blight for another. It seems that in most instances, the opportunity to generate advertising revenues is what drives the erection of the gray plywood walls with advertising posters in locations around LA. Language in the CEQA environment clearance paperwork clearly states that "no new structures are permitted to be erected to support temporary signs." Yet, it is quite evident that the gray ply walls are erected precisely to "host" advertising posters.

The stated purpose of the program is "to protect the integrity of the neighborhood and improve the aesthetics of the environment by allowing temporary signs on transitional properties" in exchange for cleaning up the area around the construction site or empty lot. The amended ordinance seeks to expand the areas where the temporary wall signs may be placed to include RAS 3 and RAS 4 zones and at

construction locations where there are operating businesses. From our community's point of view, one of the major reasons that the City should be revising the program is to ensure that the Dept. of Building and Safety is able to cite and have removed any temporary wall signs around businesses in operation. There have been constant and continued abuses of the program at such locations. The abuses have been seen around car washes, on empty lots leased for vehicle storage, on business sites in transition where a new temporary active use is taking place behind construction walls, at parking lots of bars and restaurants.-and the list goes on. Construction permits have been pulled for minor alterations in some cases but the "work" continues on for months and months.

The language in the revised ordinance does not appear to close a loophole that will exist with the language that seeks to define an active construction site. The proposed definition of "continuously active" as being "not idle for periods exceeding 90 days" could allow for a single day or two of construction within the 90 days to meet the criteria of active construction--with the clock then resetting for another 90 day period? Does this language run the risk of having the impact of dragging out construction intentionally over a longer period than needed in order to maintain the temporary signage?

Related to permit issuance: How can the City protect against the piecemealing of construction permits in order to maintain a construction barricade or wall at a specific site for a prolonged period of time?

Tied to the proposed expansion of the program to operating businesses, it appears that the proposal to allow for expanded construction walls at locations with operating businesses so that, as explained at the most recent PLUM meeting, the signage will "pencil out" is included in the revised measure. This is wrong and will add to blight in a neighborhood. If there is an operating business that has construction then it is the responsibility of the business or property owner to keep that site clean and clear of graffiti and trash. There are people present at the location able to monitor the site. Why should expanded barricades or walls be erected if solely to allow for more signage. This is wrong. No temporary barricades or walls should be extended in length to allow for signage that is not financially attractive unless of a certain length.

The proposed addition to require the posting of permit information is excellent. However, there should be added required text that refers the public to DBS in order to report any expired permits or problems viewed. How will the City know that the permit holder has breached their requirements if the only party to whom problems are reported are the actual permit holders? How will the Office of Beautification know whether or not there have been problems when evaluating a request for permit renewal? Additionally, there should be an opportunity for public and neighborhood council notification of a pending renewal request so that relevant input might be obtained prior to permit issuance.

The revised measure fails to address a new issue related to these types of signs: illumination. It is critical that this ordinance prohibits any interior or exterior lighting of the temporary wall signs. This has added relevance when one notes that the program may be expanded to include RAS zones where people are living. In addition, the signs must be prohibited from being converted to any digital format or with images that change messaging. The construction walls should be dark at night, illuminated by whatever street lighting exists. The portable generator powering lights for temporary wall signs from behind a gray construction wall on Santa Monica Blvd. (the first we have seen) was noisy and intrusive as were the lighted wall signs.

It has been mentioned many times that fines for failure to comply be meaningful and should exceed the revenues that can be gained so that fines are not seen as an acceptable cost of doing business. There should be automatic increases tied to the CPI so that new Council measures are not needed to keep pace with inflation. Further, permit application fees should include at least a single inspection fee.

We are not aware of previous discussion as to whether or not such signage should be permitted within 500 feet of the center line of a scenic roadway. We support the protection of scenic roadways from all off-site signage and thus would suggest that the program be prohibited on such designated streets. This would bring the measure into compliance with the General Plan.

Is there a provision included that will allow for periodic viewing openings so that public safety can be assured? Construction barricades often have such openings. However, we have never seen them on temporary construction walls associated with this program and off-site signage walls.

The program could have an impact that would warrant environmental review under "unusual circumstances." The impact of a large area of such signage (and the associated walls) could have a noticeable impact on the character of a neighborhood should there be a very large construction site with these walls and/or if there are multiple sites with these structures in a limited geographic area. This would suggest that by their very imposing nature, large installations or multiple installations could have a cumulative impact.

Failure to enforce signage related to this measure (and others) has added to the public's lack of confidence in the City's ability to enforce its own laws. The measure must include whatever tools are needed so that the Department of Building and Safety can enforce in an expeditious manner to rebuild the trust of the community and to demonstrate to vendors that they must follow the rules. We are sick and tired of looking at operating businesses surrounded by gray plywood walls. We are sick and tired at looking at gray plywood walls at a single site for years and years knowing that the time allowed for such walls had/has long passed. Having a simple chain link fence around an empty lot would provide a much more user-friendly view in many instances.

We are grateful for the opportunity to comment. Thank you for your consideration.

Sincerely,



Barbara Broide, President

cc: Councilmember Paul Koretz, Sr. Planning Deputy Daniel Skolnick, CD5
Bonnie Kim, Darby Whipple, Hagu Solomon-Cary, Planning Dept.