

ORDINANCE NO. 19-1079

AN ORDINANCE OF THE CITY COUNCIL OF WEST HOLLYWOOD, APPROVING AN AMENDMENT TO THE SUNSET SPECIFIC PLAN TO CLARIFY CERTAIN PROVISIONS RELATED TO MODIFICATION OF EXISTING OFF-SITE ADVERTISING SIGNS, AND APPROVING AN AMENDMENT TO THE ZONING ORDINANCE TO REMOVE INCONSISTENCIES IN THE REVIEW AUTHORITY OF CERTAIN TYPES OF SIGNS IN THE SUNSET SPECIFIC PLAN AREA, IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA

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

SECTION 1. The City of West Hollywood initiated an amendment to the Off-Site Advertising Section of the Sunset Specific Plan to add clarity to the newly adopted provisions that regulate the modification of existing billboards and to amend the Zoning Ordinance to remove inconsistencies in the review authority of certain types of signs.

SECTION 2. On August 15, 2019 the Planning Commission held an duly noticed public hearing and adopted PC Resolution 1337, recommending approval of the proposed amendments to the Sunset Specific Plan and West Hollywood Zoning Ordinance.

SECTION 3. A public hearing was duly noticed for the City Council meeting of September 23, 2019 by publication in the Beverly Press newspaper and through mailed notice.

SECTION 4. On March 18, 2019 the City Council adopted Resolution 19-5155, which adopted a Mitigated Negative Declaration (MND) for the Sunset Off-Site Advertising Policy. The proposed technical clarifications are within the scope of analysis of the adopted MND.

SECTION 5. The West Hollywood City Council hereby finds that the amendment to the Sunset Specific Plan (SPA19-0002) and the amendment to the Zoning Ordinance (ZTA 19-0005) are consistent with the Goals and Policies of the General Plan. General Plan Policy G-2 directs the city to "maintain transparency and integrity in West Hollywood's decision-making process", which the proposed modifications achieve by adding clarity and consistency to the decision-making and approval process. Additionally, General Plan Policy states that the City should "maintain Sunset Boulevard as a regional, national, and international destination for entertainment, and the primary economic engine of

the City.” The proposed update is in support of and part of the larger Sunset Boulevard Off-Site Advertising Signage program, which supports the economic vitality of Sunset Boulevard.

SECTION 6. The Sunset Specific Plan is amended as shown in Exhibit A.

SECTION 7. Subsection 19.34.100(B) of Chapter 19.34 of Title 19 of the West Hollywood Municipal Code is amended as shown in Exhibit B.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 7th day of October, 2019 by the following vote:

AYES:	Councilmember:	Duran, Heilman, Meister, Mayor Pro Tempore Horvath, and Mayor D’Amico.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.



JOHN D’AMICO, MAYOR

ATTEST:



YVONNE QUARKER, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST HOLLYWOOD)

I, YVONNE QUARKER, City Clerk of the City of West Hollywood, do hereby certify that the foregoing Ordinance No. 19-1079 was duly passed, approved, and adopted by the City Council of the City of West Hollywood at a regular meeting held on the 7th day of October, 2019, after having its first reading at the regular meeting of said City Council on the 23rd day of September, 2019.

I further certify that this ordinance was posted in three public places as provided for in Resolution No. 5, adopted the 29th day of November, 1984.

WITNESS MY HAND AND OFFICIAL SEAL THIS 8th DAY OF OCTOBER, 2019.



YVONNE QUARKER, CITY CLERK

SUNSET SPECIFIC PLAN : Billboard Section

a. Project Requirements

- i. **Development Agreements.** New billboard projects, modification of tall wall signs, and alternative projects are subject to the review and approval procedures and requirements of Chapter 19.66 of the Zoning Code. In addition:
 1. Each approved project is required to provide public art programming as outlined in Section 3.e.
 2. In addition to the Required Findings of Zoning Code Section 19.66.030, the approval of the Development Agreement shall also require a finding that the project includes public benefits, which include: Physical site improvements or monetary contribution intended for streetscape amenities or publicly accessible open space that enhances the quality and comfort of the pedestrian experience.
- ii. **Screening For Design Excellence.**
 1. Applications for new off-site signs shall be screened for design excellence in accordance with a process and procedures established by the City Manager, or designee.
 2. Design excellence shall be evaluated based on the specific design principles in Section 2.
 3. Qualifying submissions are granted a concept award, valid for a period of 2 years, and making the applicant eligible to apply for a development agreement.
 4. The City may choose to limit the number of concept awards/applications for digital billboards under review at one time.

b. Alternative Projects.

- i. All Off-Site Sign projects are subject to the applicable design and development requirements, guidelines and standards listed in this Chapter. However, the City retains discretion to approve an alternative proposal if the project is shown to further the vision, goals and policies stated by the Sunset Specific Plan and is consistent with the intent of the urban design vision, design and development requirements, guidelines, and standards that would otherwise apply to the project as demonstrated by making the required findings below.
- ii. In addition to the Required Findings of Zoning Code Section 19.66.030, the approval of the Development Agreement for an alternative project shall also require findings that the project:
 1. Meets the overall intent of the Design Principles of Section 2 above;
 2. Represents an exceptional design that furthers the vision of both the Specific Plan and of Part 2, Section 1, Subsection 8; and
 3. Creates or includes an extraordinary benefit to the City.

c. Alternative Sign Area Measurement

- i. In lieu of the provisions of WHMC Section 19.34.040, the surface area of any irregularly-shaped sign may be calculated by measuring those portions used for off-site advertising content on a 1' x 1' grid. Area may be non-contiguous; however, portions located within 5 feet in any dimension shall constitute a contiguous measurement.

iii. **Sign Area**

1. **New Billboards.**

- a. The total combined sign area of new billboards on any site shall not exceed 1,500 square feet.
- b. The total sign area of digital billboards on a site shall not exceed 1,000 square feet.

2. **Existing Billboards.**

a. **Cultural Resources.**

- i. The cumulative digital sign area among all eligible cultural resource sites shall be limited to 4,000 square feet.
- ii. Digital billboards on a site with a designated cultural resource shall be limited to 1 sign face per site.
- iii. The sign area of digital billboards allowed on any cultural resource site shall be the lesser of:
 1. The existing sign area of an existing billboard as recorded in the 2019 Inventory of Outdoor Advertising Signs on Sunset Blvd. (2019 Inventory); or
 2. 1,000 square feet.

3. **Reallocation of Sign Area for Existing Billboards.**

- a. The sign area of any existing sign(s) or billboard(s) may be reallocated or combined to existing new off-site signs subject to the requirements of Section C.4.v below or reallocated or combined to new off-site signs subject to the requirements of Section 3.a above.

iv. **Modification to Existing Billboards on Designated Cultural Resources Sites.**

Designated cultural resources with existing off-site advertising signs may modify or improve their off-site advertising assets to encourage preservation of historic structures, including opportunities to convert existing billboards to digital technology subject to the following:

1. All projects involving a designated cultural resource shall submit a Certificate of Appropriateness application to be reviewed by the City of West Hollywood Historic Preservation Commission in accordance with WHMC Chapter 19.58.
2. All new or modified signs located on or directly adjacent to a property containing cultural resources shall conform with Secretary of the Interior's Standards for Rehabilitation to ensure projects do not adversely impact the integrity of the resource or its setting, obscure character-defining features of any adjacent historical resources, and are compatible with the scale, size, and proportion of the historic resource.

v. **Modification of Existing Signs.** Existing non-digital signs, as identified in the 2019 Inventory, may be modified subject to the Administrative Permit requirements and procedures.

1. **28-Day Notification.** Notwithstanding the notice requirements of Section 19.44.050 of the WHMC, an Administrative Permit for a modification of

an existing off-site sign shall be posted on-site for 28 days and shall meet the posting size and location requirements of W.H.M.C. Section 19.74.020.c.

2. **Height.** Existing billboards with sightlines that are obstructed by City street trees or existing buildings may apply for a one-time exception for additional height of up to 14 feet above the allowable height limit of the parcel if can be demonstrated that such a modification is necessary to improve visibility.
 3. **Area.** An existing billboard may add 33% of new sign area up to a maximum area of 1,200 square feet per face. Approval of such increases shall be limited to once every 36 months.
 4. **Relocation on Site.** An existing billboard may change its location or orientation with the submittal of a Viewshed Analysis. Additionally, the relocation shall be no closer than three feet from an adjoining property line.
 5. **Addition of Second Face.** A second billboard face to be added to an existing traditional billboard to cover the supporting back structure is permitted in accordance with the provisions of this section:
 - a. The new billboard face shall be no larger than the existing billboard face and no part of the new billboard face shall exceed the dimensions of the existing face, and to the extent feasible should match the dimensions of the existing sign. The new billboard face shall serve to effectively screen the back supporting structure of the existing billboard.
 - b. The height of the second face shall not be greater than the height of the existing face.
 - c. The new billboard face shall be visible from Sunset Boulevard.
 - d. One-sided billboard faces that are part of an existing "v-shaped" billboard shall not be converted into a two-sided billboard.
 - e. The addition of a second face shall not create a "v-shaped" billboard.
 - f. If the existing billboard height exceeds the height limitation of the zoning district of the parcel, the height of the existing billboard and the new second face shall be reduced to comply with the height limitation. Notwithstanding, a second side may be allowed above the height limit on a billboard mounted directly on a rooftop if the existing billboard is kept in the exact location with no change of angle and provided that both the existing face and the proposed second face otherwise meet all requirements of this section.
 - g. Maximum distance between billboard faces shall be six feet, and the new billboard face shall be mounted on the same support structure as the existing billboard.
- d. **Tall Wall Sign**
- i. **Sign Area.** The sign area for a single tall wall sign shall be no less than 5,000 square feet.
 - ii. **Design Standards**
 1. Each sign shall be attached to the face of a building.

2. The image area may include the use of windows, provided that windows comprise no more than 15 percent of the image area and provided further that any material used to cover windows allows visibility through the windows from the building's interior.
3. The sign shall be designed and oriented to provide an unobstructed view of the minimum image area of the sign from at least one pedestrian vantage point at ground level on Sunset Boulevard.
4. The area of the sign containing text shall not exceed 15 percent of the total sign area as measured in compliance with West Hollywood Municipal Code *Section 19.34.040(C)*.
5. The wall occupied by the sign may have separate planes, provided that the sign is perceived as a continuous image from at least one point on Sunset Boulevard.
6. The primary wall (whichever wall contains the most sign area) shall contain no other signs, except for street address, building identification sign, or the logo of the primary tenant.
7. The use of the proposed wall for a tall wall sign shall not substantially impair the aesthetic appeal of the building's architecture.

iii. **Modification of Tall Wall Signs.**

1. Existing tall wall signs may be modified to reallocate existing sign area to change the proportions, orientation, and location of the sign with the approval of a Development Agreement.
2. Addition of building wall area, use of backlighting technology, or the addition of new sign area are not considered a modification and are not permitted.
3. The image displayed on tall wall signs may change subject to a Zone Clearance process.
 - a. The Zone Clearance shall have a term grant of 6 months, after which the image must be removed. The Director may approve a one-time extension for an additional six month period.

9. Definitions

2019 Off-Site Sign Survey. The 2019 document that records all existing off-site signage as of the effective date of this amendment. Incorporated herein as *Attachment A*.

Alternative Sign Area. Any sign area intended for display of off-site advertising content as measured by a continuous 1' x 1' grid.

Architectural Lighting. Lighting features using any technology that may be integrated into a building façade that enhances the architectural design of the building.

Animated Content. Illuminated content on a sign that moves or otherwise changes via the use of motion picture or video technology, digital or otherwise.

Billboard. A large panel or display designed to carry outdoor off-site advertising content.

Commercial Content. Text, images, graphics, or objects in an off-site advertising display intended to promote a use, facility, service or product.

Cultural Resource. Please refer to West Hollywood Municipal Code, Chapter 19.90.

Development Agreement. Please refer to West Hollywood Municipal Code, Chapter 19.90.

Development Project. A stand-alone building that may or may not be part of a multi-phase development.

Digital Billboard. A billboard utilizing digital sign technology on an off-site advertising sign face to broadcast a message containing static or animated Content. For the definitions of a digital sign please refer to West Hollywood Municipal Code, Section 19.90.020.

Director. The Director of Planning and Development Services or successor department, or designee.

Existing Billboard/Sign/Tall Wall Sign. Any billboard (as defined in the West Hollywood Municipal Code), sign, or tall wall sign included in the 2019 Inventory of Outdoor Advertising Signs on Sunset Blvd.

Luminance. Calculation (candelas) of amount of light emitted from a light source.

Luminance Transition. The process of smoothly adjusting intensity of luminance between designated levels.

Moving Patterns. Motion oriented Lighting effects that do not convey Commercial Content.

New Billboards/Sign. Billboards constructed or erected after the effective date of this amendment.

Off-Site Sign. Please refer to West Hollywood Municipal Code, Chapter 19.90.

Sign Face: The portion of an off-site sign designed to display advertising content. A single billboard may have multiple faces.

Standard Billboard Format. A Billboard face with a horizontally oriented rectangle of 14 x 48 feet, 20 x 60 feet or dimensions of the same proportions.

Temporary Advertising Installations. A temporary advertisement or promotional campaign that involves a series of related three-dimensional objects or structures.

Traditional Billboard. A billboard utilizing print technology to convey the advertising message and requiring physical installation, removal and maintenance of the messaging surface (such as, but not limited to stretched vinyl) on a recurring basis.

19.34.100 Sign Permits.

A. *Application Processing and Fee.* A sign permit application shall include the information and materials required by the Planning and Development Services Department, and the filing fee set by the city's Fee Resolution.

B. *Review Authority.* The Planning Commission shall have the authority to approve district identification signs, creative signs as specified by Section 19.34.060 (Creative Signs), **and** large screen video signs, ~~and the addition of a second billboard face on an existing single-sided billboard on Sunset Boulevard and identified in the billboard inventory. The addition of a second billboard face shall require approval by the Planning Commission at a public hearing.~~ The Planning and Development Services Director may approve all other types of signs. Appeals of decisions of the Commission or Director shall be processed in compliance with Chapter 19.76 (Appeals).

C. *Criteria for Approval.* The Planning and Development Services Director or Commission may approve a sign permit if the proposed sign:

1. Meets the requirements of this chapter;
2. Is in compliance with the Sign Design Guidelines;
3. Would not interfere with pedestrian or vehicular safety;
4. Would not detract from the character of a historic or architecturally significant structure;
5. Would not be located so as to have a negative impact on adjacent property;
6. Would not detract from the pedestrian quality of street or area; and
7. Would not add to an over-proliferation of signs on a particular property.

D. *Modification of Standards.* Modifications to the requirements of this chapter may be requested in compliance with Chapter 19.60 (Variances and Modifications).

E. *Revocation or Modification of Sign Permits.* The Planning and Development Services Director may revoke or modify a sign permit, in compliance with Section 19.80.060 (Revocations and Modifications) if it is found that the signs has been erected, altered, reconstructed, or is being maintained in a manner that is inconsistent with the approved permit. (Ord. 19-1058 § 120, 2019; Ord. 01-594 § 2, 2001)