

**Background/Supplemental Info. – Motion recommended by
WRAC LUPC to the WRAC Board: Oppose Metro TCN Program**

METRO COMMUNICATION NETWORK PROGRAM: DIGITAL ADVERTISING BILLBOARD PROGRAM

CPC-2022-5401-CA, CPC-2023-3653-ZC, ENV-2022-5286-EIR

City Fact Sheet:

https://planning.lacity.org/odocument/bd39830a-47e2-4b37-a98a-7148035cc11e/Metro_TCN_-_Fact_Sheet_-_Final.pdf

City Council File #: 22-0392

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=22-0392>

Amending Motion June 28, 2022

https://clkrep.lacity.org/online/docs/2022/22-0392_misc_amnd_kdl_mar_mo_kdl_kre_6-28-22.pdf

To submit a comment to the Council File: <https://cityclerk.lacity.org/publiccomment/?cfnumber=22-0392>

LA CITY Docs

Release of Planning Dept. proposed mechanism to enable the Metro TCN to be implemented in the City on Metro right-of-way:

Program Announcement: <https://planning.lacity.org/plans-policies/metro-tcn>

Fact Sheet:

https://planning.lacity.org/odocument/bd39830a-47e2-4b37-a98a-7148035cc11e/Metro_TCN_-_Fact_Sheet_-_Final.pdf

Q & A:

Draft Ordinance:

https://planning.lacity.org/odocument/73bc140b-863c-4afa-b263-21f9ce502ecc/Final_Draft_-_Metro_TCN_Ordinances.pdf

Recording of July 12, 2023 Planning Dept. Hearing on proposed City Ordinances:

<https://www.youtube.com/watch?v=zuE3ruYZ1PQ>

Memorandum of Agreement between LA City and Metro (C139852) signed prior to completion of EIR and without open public hearings (presented as a subitem in a supplementary budget report):

https://clkrep.lacity.org/onlinecontracts/2022/C-139852_c_2-3-22.pdf

Council File is **CF 22-0392** Digital Off- Signs / Outdoor Advertising / Transportation Communication Network Program Structures / Los Angeles County Metropolitan Transportation Authority (MTA)

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=22-0392>

Written comments can be submitted directly from a link in the Council File above and at:

[LACouncilComment.com](https://lacouncilcomment.com)

The origin of the program can be found in a revised supplementary budget report from the CAO:

https://clkrep.lacity.org/online/docs/2021/21-0600-S110_rpt_BF_120621.pdf

See item #7 – where Metro TCN came alive without any agenda notification.

BACKGROUND:

The City Planning Dept. has been charged by the City Council to create and draft a mechanism that would allow the City to approve and participate in what is being referred to as the **Metro Transportation Communication Network (TCN)**. The program is a digital billboard advertising program whose main purpose is to generate advertising revenues proposed to be split between Metro and the City.

As proposed, the TCN cannot be implemented in the City because it does not comply with the City's 2002

Sign Ordinance which regulates off-sites signs (billboards and other advertising where the product advertised is not sold on-site). (On-site signage consists of signs that identify a building or business and that advertise products or services sold at the location where the sign is placed. On-site and off-site advertising are regulated differently.)

Under the Sign Ordinance new billboards are banned, with the exception of those located in defined Sign Districts. Those Sign Districts contain signs in a defined geographic area that is contiguous – As the Metro TCN seeks to place digital billboards from Sylmar to South LA, in single locations, they cannot be permitted or regulated under the 2002 Sign Ordinance. Thus the City is searching for a mechanism to permit the TCN to go forward.

The City Council authorized the CAO to execute a Memorandum of Agreement (MOA) for the development of the TCN Program between Metro and the City (Council File 21-0600-SI 10 on Dec. 9, 2021. The MOA has been executed without any public input (Contract No. C-139852), which establishes a revenue sharing framework that brings the City 50 % of net revenue from outdoor advertising on TCN structures within the City's boundaries in a 20-year agreement. The implementation, however, is CONDITIONED upon the City enacting an ordinance that allows off-site advertising to be displayed on the TCN structures through the duration of the MOA, and subject to any design and development standards, including any mitigation measures; and take-down of static billboards. Per the MOA, Metro is the lead agency for CEQA compliance. The adopted Council File requests the Planning Dept. with assistance of the City Attorney, to present an ordinance to allow digital off-site signs to be displayed on structures that are part of the TCN program between the City and Metro (Council File 21-0600-SI 10).

The Planning Department released three proposed ordinances to the public and held a public hearing on the measures on July 12. The written comment period formally ended on August 4 but remains open at the current time. A Final Staff Report which is to include reflection on the public comments received is expected to be released at the end of August with a City Planning Commission hearing likely to be held mid-September (the 14th?). Public comment was presented at the Aug. 10 CPC meeting requesting additional time for consideration of the proposed final report and the proposed ordinances to enable the NCs adequate time to schedule consideration. (The CPC was originally planned to consider the proposal on August 17, but that meeting was postponed.)

The adoption of a new LAMC to allow the off-site digital signs as part of the TCN program should be opposed. There has been no transparency and a failure to address important questions and concerns related to public safety and many negative environmental impacts of the program. There are also potential devastating legal consequences should the establishment of a Supplemental Use District to permit billboards prove to establish an opening for legal challenges to the 2002 Sign Ordinance. The courts carved out the City's right to ban new billboards within a specific framework. If that framework and the court's guidance are ignored (that the City permit new signage only in sign districts and when it benefits traffic safety and aesthetics (and leads to blight reduction)), billboard companies may attempt to litigate to obtain their own Supplemental Use Districts.

CIS statements from neighborhood councils and public comments, both oral and written to the CPC are encouraged. It is hoped that the CPC will recommend against approval of the proposed ordinances and will act to halt further consideration of the program. In the past, the CPC has been the body that has stood firm to protect the City's visual environment – pushing back against then PLUM Chair Huizar's (and member Englander's) efforts to weaken the Sign Ordinance and oppose measures to strengthen it. Future public, neighborhood and community council involvement at the CPC, PLUM and Council levels is encouraged.

For the reasons outlined below, this alert seeks to empower your voice(s) to oppose the approval of the

Metro TCN program advancing with a partnership between Metro and the City of Los Angeles. The proposed program has had no public vetting, and no outreach has been done to neighborhood councils. Although digital billboards are a proven source of driver distraction which leads to accidents, the dangers presented have not been addressed, and the proposed program has not been considered by the Council's Transportation Committee (or DOT) but continues to move forward actively avoiding any review related to traffic safety, driver distraction as a cause of accidents, injury and deaths, and how Vision Zero's efforts have been failing.

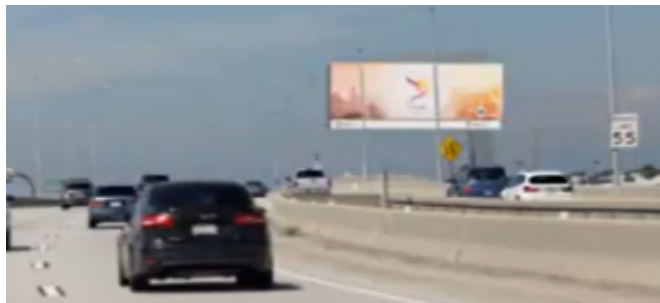
Further Background

Council President Paul Krekorian appears to be the driving force behind this effort to monetize and commercialize our visual landscape, attempting to rush the Program through as quickly as possible, resulting in the expedited scheduling of the CPC hearing for September 14, 2023 (delayed from August 17 when originally scheduled).

In December 2021, Krekorian's [Budget and Finance Committee](#) approved a Memorandum of Agreement (MOA) with Metro that was buried in an amended [supplementary budget report](#), with no agenda posting or public notice. In June 2022, Krekorian removed an important paragraph from a [PLUM motion](#) that would have required an analysis of the Program's consistency with the City's Mobility Plan and pending Sign Ordinance.

Until now, the biggest supporters of these types of digital advertising displays have been convicted City Councilmembers Mitch Englander and Jose Huizar. Of special interest, one of the key lobbyists for AllVision (Metro's single-source vendor for the project) is Areen Ibranossian, former Chief of Staff to Councilmember Krekorian, who was lobbying for AllVision when Krekorian approved the MOA (as Chair of the Council's Budget Committee) and continues lobbying the City on the Program to this day.

The proposed program will obstruct views, distract drivers, consume energy, negatively affect quality of life, contribute to night sky pollution, and alter the City's visual environment from Sylmar to Southeast Los Angeles and all points in between. Some of these structures will tower 40-100 feet over freeways, others will be built adjacent to proposed housing developments, and still others will shine into sensitive habitat areas (see link to maps [here](#)).



Examples of freeway-facing signs

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