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Executive Summary:

The Metro Transportation Communications Network (TCN) plan to install 34 freeway-facing and 22 non-freeway facing digital billboards within the City of Los Angeles will harm drivers, and is bad policy for the City. The Draft Environmental Impact Report (DEIR) is flawed and does not account for the harms caused by digital signs, nor does it fully account for the City of Los Angeles' [ban on billboards](#) that was adopted in 2002 to reduce visual blight and improve community aesthetics and traffic safety.

Dear Shine Ling, Development Review Team, and Metro TCN Staff,

As the only national nonprofit dedicated to protecting and enhancing America's visual character, Scenic America actively supports local efforts to preserve scenic beauty and oppose visual blight in cities throughout the United States. Our organization has identified billboards as a particularly harmful form of scenic blight, with significant negative impacts, and for almost 40 years we have worked with national, state, and local officials to ensure that outdoor advertising is properly regulated.

We have learned of Metro TCN's plan to install digital signs on Metro-owned property within the City of Los Angeles, and we have reviewed the project's DEIR, published September 9, 2022. Based on the experiences of cities which have completed similar projects, as well as robust research evidence, Scenic America recommends that Metro and the City halt this project. The DEIR is flawed and incomplete, omitting key information about the impacts of digital signs. The TCN project would increase scenic blight throughout the city, and create hazards to human health, natural environment, and quality of life.

To begin, on page IV.A-49, in the Aesthetics section, the DEIR concludes:

"...the Project would conflict with plan polices regarding scenic quality. To the extent that there are related projects that also would result in inconsistencies with plan policies regarding scenic quality, cumulative impacts associated with scenic views would be significant."

This is accurate, and the DEIR includes details about specific scenic impacts to residences and businesses at certain proposed sign locations. The DEIR also includes a review of potential for

mitigation related to alternative proposals, and concludes that allowing any digital signs will have negative aesthetic impacts. This section of the report clearly acknowledges the ways in which the proposal will conflict with the City of Los Angeles General Plan, but does not sufficiently account for the Mobility Element, specifically regarding Scenic Highways. The DEIR mentions the historic Arroyo Seco Parkway, but dismisses potential impacts to the scenic quality of the route. In light of the General Plan, these potential harms must be reevaluated.

Regarding Scenic Highways, the General Plan Mobility Element states:¹

“2.16 Scenic Highways: Ensure that future modifications to any scenic highway do not impact the unique identity or characteristic of that scenic highway. Scenic Highways include many of the City’s iconic streets. Preservation and enhancement of these streets and their scenic resources need to be preserved per the Scenic Highways Guidelines in Appendix B of this Plan.”

Appendix B includes the following provisions;

“Appendix B: Inventory of Designated Scenic Highways and Guidelines

4. Signs / Outdoor Advertising

- a. Only traffic, informational, and identification signs shall be permitted within the public right-of-way of a Scenic Highway.
- b. Off-site outdoor advertising is prohibited in the public right-of-way of, and on publicly-owned land within five hundred feet of the center line of, a Scenic Highway.
- c. A standard condition for discretionary land use approvals involving parcels zoned for non-residential use located within five hundred feet of the center line of a Scenic Highway shall be compliance with the sign requirements of the CR zone.
- d. Designated Scenic Highways shall have first priority for removal of nonconforming billboards or signs. Such priority extends to properties located along, or within five hundred feet of the center line of, designated Scenic Highways.”

To ensure the above was appropriately implemented, the following language was adopted by City Council at the request of CM Rosendahl when the bus bench contract came up for renewal in 2011:

"(6) CONTRACTOR's site preference. New Bus Benches will be installed in a manner that is consistent with all local zoning codes, including restrictions on off-site advertising set forth in the General Plan, Community Plans, Specific Plans as enacted by City Ordinance, the California Coastal Act, and all other applicable law."

Regarding the traffic safety portion of the DEIR raises other concerns:

Contrary to the findings of the DEIR, there is a preponderance of evidence demonstrating the negative impacts digital billboards have on public safety by altering driver behavior. In brief, digital billboards create dangerous and unavoidable driver distractions, by design and for the

¹ <https://planning.lacity.org/plans-policies/initiatives-policies/mobility>

purpose of drawing driver attention away from the road and toward the advertisements. Human error is the leading cause of traffic accidents, and lawmakers have come to recognize the importance of reducing driver distraction by enacting laws to ban cell phone use while driving. As digital billboards have become more common, an emerging body of research indicates that digital billboards create similar distraction conditions. For an extensive list of the dangers which digital billboards pose to drivers, please refer to this compendium of research studies which describe the hazards at length.² Also note that the illumination standards, hours of operation and take-down rate of the TCN proposal do not match those recommended by the LA City Planning Commission in [Version B+ May 2021](#).

The latest research demonstrates that even changing electronic signs erected solely for public information purposes create hazards for drivers, indicating that the medium of digital signs is inherently dangerous.³

The Traffic Safety section of the DEIR fails to account for this evidence. The report contains no original analysis of the relationship between signs and driver safety, and relies on a literature review of stale and inadequate research. This review was itself limited to three studies. First, it cites a FHWA 2013 report on digital signs which is badly flawed, as explained at length in the 2015 report “A Peer-Reviewed Critique of the Federal Highway Administration (FHWA) Report Titled: *“Driver Visual Behavior in the Presence of Commercial Electronic Variable Message Signs (CEVMS)”* The other two studies in the report were sponsored by the outdoor advertising industry.⁴ The other two studies were sponsored by the outdoor advertising industry, and should not be taken at face value.

This is not a sufficiently robust research design for concluding that digital signs will not harm drivers. The compendium of research cited above contains a thorough meta-analysis of dozens of studies, including tests of individual driver behavior, and concluded that digital signs draw driver attention to a dangerous degree. The DEIR acknowledges that the City of Los Angeles has committed to the Vision Zero program, with the goal of eliminating pedestrian deaths. However, regarding this program, the draft concludes:

“The TCN Structures would be located outside of the public right-of-way on Metro-owned property. Thus, the TCN Structures would not preclude the City from installing Vision Zero improvements to enhance the safety of the High Injury Network and, therefore, would not conflict with the Vision Zero Program.”

Essentially, Metro states that hazards created by installing digital signs are a problem which the rest of the city must mitigate. However, the dangers posed by Metro’s signs would not be limited to its property. The City’s roadway users would suffer the consequences, which would undermine the Vision Zero Program.

² Compendium of Recent Research Studies on Distraction from Commercial Electronic Variable Message Signs (CEVMS), Jerry Wachtel, CPE President, The Veridian Group, Inc. Berkeley, California, Feb., 2016 (October 2020 edition), <https://www.scenic.org/wp-content/uploads/2021/10/Billboard-Safety-Study-Compendium-10-16-2020.pdf>

³ <https://www.scenic.org/blog/research-shows-that-digital-traffic-safety-messages-contribute-to-highway-accidents-and-fatalities/>

⁴ <https://www.scenic.org/wp-content/uploads/2021/06/Critique-of-FHWA-2013-Billboard-Safety-Final-Report.pdf>

The DEIR and related TCN communications cite the advantages of digital signs as an opportunity to remove static billboards. This tactic has been employed by other cities and its implications are significant, because it acknowledges that billboards are undesirable, and that reduction in the total number of billboard structures or faces can serve as a compromise to expediate the approval of digital billboards. If they were to accept a compromise like this, Los Angeles should understand the exchange ratios which other cities have negotiated.

For example, Tampa, FL accepted a deal for a ten to one ratio. Kansas City, MO considered a proposal for an equivalent seven to one conversion agreement. Gulfport, MS had an agreement for a six to one conversion ratio. The terms in the Los Angeles plan are uncompetitive, with a two to one ratio. Once again, the basis of these provisions is an understanding that billboards in general are bad for communities. Further, the LA City Planning Commission recommended a take-down ratio of ten static billboards for every digital billboard.

Finally, evidence indicates that all billboards, including digital billboards, can reduce property values by more than \$30,000 for individual homes.⁵ Because of the high visibility of digital billboards, many homeowners would be impacted by the TCN plan. In addition, while the TCN plan notes that no sign structures are to be erected on residentially-zoned land, recent housing programs are incentivizing the placement of residential housing units on commercial and other zoned lots. Thus increasing the likelihood of direct impacts of these signs in and around residential dwelling units and all of those who live within them.

In light of these concerns, which the DEIR fails to address, we strongly recommend that neither Metro nor the City move forward with the installation of digital signs on its property within the City of Los Angeles.

Thank you for your consideration, and we will be available to answer your questions and provide guidance as needed.

Sincerely,



Mark Falzone,
President, Scenic America

⁵ https://www.scenic.org/wp-content/uploads/2019/09/Beyond_Aesthetics1.pdf