

Noa E. Elliott

From: Calvin A. Lopes <clopesea@gmail.com>
Sent: Sunday, March 17, 2019 11:05 PM
To: CPCinfo; Nicolette P. Jones
Subject: Billboard Study Public Comment | M-18-319

EMAIL FROM EXTERNAL SENDER

During the 1980's there was a national effort to reduce or eliminate many billboards along federal highways to allow travelers the opportunity to view the countryside in a serene manner. To a large extent that program was highly successful but we now have the number of such billboards back to the original levels. What started out in the early 20th century, with signage on rural roads meant to entertain while promoting a product, has morphed into a highly sophisticated, complex, concentrated form of blight.

This City, thankfully, has been relatively successful in stemming this resurgence of walled-off highways.

I have never been a proponent of electronic signage and regularly report what I consider violations of existing laws. With one or two exceptions most of these locations have been removed. There may be other factors contributing to their removal than just responding to a violation notice, e.g. the recurring cost for the signage.

It appears, from a reading of the preliminary Billboard Study Staff Report, that this City already has a workable set of regulations and these current restrictions should not be relaxed.

There currently exist several locations in this City that don't adhere to either the "spirit of the law" nor the "letter of the law". It's possible some of these many have benefited from prior non-conforming use and can't be removed. Some of these now refer to themselves as historical murals (1300 block N Rampart).

Just a few months ago there was a fixed billboard (Lamarque Ford, I-610 westbound mile 2) that stretched a fabric banner across its face ("Seasons Greetings"). This banner remained for about four weeks. The banner was swept by wind and clearly violated the regulations against "actual or appearance of visual movement".

Years ago there were many examples of "sign extenders" that were clearly outside the maximum allowed sign areas. We have not seen any of these violations for several years, perhaps due to the tightened, more restrictive, regulations now in place.

I'm not certain how stacked billboards are considered legal but there currently exist a couple of locations in this City that start at the ground level, one on top of the other. These should not be allowed to remain. One location exceeds the total square footage limits when combined.

My strongest objections center around electronic billboards. The regulations currently in place addresses the "visual movement" restrictions; I have not seen any violations of that restriction.

What I do regularly see are clear violations of the brightness limits. The maximum intensity levels are much too high for either of the time periods, day and night.

During the day I've seen many instances where the light levels seemed to be too high even when the driver is facing into the sun.

There does not appear to be any limit on brightness when fog is present.

At night the brightness levels are entirely too high. The regulations allow 500 nits (candles per square meter). According to Wikipedia this is equivalent to a brightly lit office space. That level needs to be reduced.

I've had the opportunity to view the New Orleans and Metairie skyline from a highrise building on the lakefront at N Causeway. From this perch one can easily see the brightness of electronic billboards located at the Superdome. A sign, detectible from that great distance (approx 5 miles) clearly is too bright.

Either the nighttime brightness limits are not effective or they are not enforced.

I'd propose that no electronic billboard ever be so bright that it illuminates the roadway.

The only means I can envision regulating these levels at night is by requiring dynamic limiting of the billboard brightness compared to the ambient roadway illuminated by streetlights. Limiting brightness in this manner could be difficult to put into a regulation. Perhaps the advertising media is already able to dynamically limit brightness levels if encouraged to do so.

My thanks to the City for undertaking this study. I hope my comments can contribute to better regulations.

Calvin Lopes
east New Orleans

Noa E. Elliott

From: Calvin A Lopes <clopesea@gmail.com>
Sent: Monday, April 8, 2019 4:18 PM
To: CPCinfo; Nicolette P. Jones
Subject: Re: Billboard Study Public Comment | M-18-319

EMAIL FROM EXTERNAL SENDER

Recently I attended an NPP meeting for a proposed new electronic billboard on the Interstate in east New Orleans.

The applicant answered some of my questions about how billboard intensities are controlled. I learned that the State enforces complaints on intensity limits that may be lower than the City of New Orleans. I remain unsatisfied with the intensity on most of the electronic billboards.

I never want this city to be lit up like a christmas tree year 'round.

Several years ago I attended a convention in a northern Phoenix suburb. I was impressed with the subdued street lighting, most of which was appeared to be provided as landscape lighting bollards. This city could well adopt a more comprehensive lighting plan that prohibits or at least curtails the adverse impact of electronic billboards and simiplar signage.

It is possible for billboard content to be linked in tandem to become a nuisance. The existing regulations do not address content.

There needs to be a prohibition of converting print billboards to electronic without being subject to the Conditional Use applications procedures. I've seen some instances where there seemingly was no advance public notice, input, or processing subject to public hearing.

Calvin Lopes
east New Orleans



Louisiana Landmarks Society

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March 18, 2019

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City of New Orleans
City Planning Commission
1300 Perdido Street
New Orleans LA 70112

Re: Billboard Study

Dear CPC:

Thank you for the opportunity to comment regarding the CPC billboard study. Please make these comments a part of the billboard study record, and provide earnest and active consideration and review of these comments as part of your final report.

As we first expressed in January of 2014, the Louisiana Landmarks Society has long been and remains disappointed in and concerned about the growth and proliferation of billboards in the City of New Orleans, especially (though not only) the digital billboards.

Digital billboard technology emerged since the last major overhaul of the signage article of the CZO more than twenty-five years ago, and while statutory and regulatory efforts were made to respond, it is now clear that those efforts failed to adequately respond to the scope and consequence of the new and now dominant billboard technology.

The entire purpose of a billboard is to distract the driver's attention from the roadway. A comprehensive study by the Swedish National Road and Transport Research Institute found that digital billboards captured a driver's attention for longer than other roadside signage, in some cases more than two seconds. That may not appear to be long, but two seconds has been determined by the National Highway Traffic Safety Administration (2006) to be enough time to be a potential cause of crashes and near crashes.

While in the interest of safety, commonly imposed issues of spacing, intensity and coloration of illumination, intermittency intervals and related issues represent legitimate efforts at controlling the advertising expression within the digital medium, such regulatory controls represent an inadequate, defensive and ineffective response to the growth and effect of the digital industry on the urban landscape and of its effects and impact on the urban esthetic of a historic city like New Orleans.

It cannot reasonably be denied that billboards visually impact a community. A glut of billboards can be said to characterize a community that does not sufficiently respect itself or the face that it presents to the motor or visiting public, and that fails to offer visual protection to the places that we should cherish, like established residential neighborhoods, churches, cemeteries, landmarks and historic districts, among other areas deserving of protection. Even billboards that can be argued to not directly impact such areas offer no positive impact, contributing as they do to driver stress (Texas A&M study) and accident rates (FHA, 1980), among other consequences.

Public agencies should avail themselves of opportunities to grow and enhance community values. In this instance, the CPC must come to recognize billboards for the visually blighting influence that they represent to the urban landscape. Many other cities have long understood such blight and have reacted to it by banning new billboards and instituting amortization programs to remove existing boards. Four states with tourism-based economies (Vermont, Alaska, Hawaii and Maine) ban billboards altogether and have recognized that sign control actually benefits local economies and attracts tourist dollars. Local communities have acted firmly and preemptively as well. Houston banned new billboards in 1980 and that same year enacted an ordinance with amortization provisions to reduce the then existing inventory of billboards. Other cities banning new billboard construction include Palm Springs, CA; Key West, FL, Santa Fe, NM; Aspen and Boulder, CO and Portland, OR, among others.

The CPC should view this study as an opportunity to bring real change, and real progress, to this issue, and not seek to modestly or defensively reform a regulatory system that has long been broken. Caution will only serve to perpetuate the ill-advised and failed system that has resulted in rapid and largely unchecked growth of the negative influence that billboards represent.

Finally, it must be pointed out that while the 1992 Article 12 revisions represented sweeping change, those changes were enacted without proper consideration of the then unchecked authority of the City Council to disregard the intentions and regulatory framework of those changes, and on appeal to substitute its unabashedly political judgment for what had been carefully and purposefully considered public policy determinations. Great thought must be given during this study to the same issue, and mechanisms crafted, premised on principled support offered by the City's master plan, that would serve to obviate a repeat of this regrettable experience.

We would appreciate the opportunity to review any recommendations that may arise from this study and to offer more pointed and detailed response to such recommendations.

Sincerely yours,



Michael Duplantier
President



Sandra L. Stokes
Vice-President
Co-Chair of Advocacy

April 15, 2019

Via Email Only

New Orleans City Planning Commission
CPCinfo@nola.gov

Re: Lamar Advertising
File No. 78.652

Dear City Planning Commission Staff:

As you know from previous meetings this firm represents Lamar Advertising. As I came to understand from our previous meetings and after reading the report submitted by staff I understand that this will be the first of several steps in the process of proposed new legislation during which time we will have an opportunity to comment. Because this will likely be an evolving process we have limited our comments. First, in the first full paragraph on page 105 there is a reference that ... "this system proposes that 60 points be required to convert" 'any' non-conforming billboard to digital." We believe that the word *any* is inconsistent with all of the previous conversations among members of the industry and CPC staff. We believe that *any* should be clarified and perhaps only refer to specific zones like BIP, MU1 or MU2 ,for example. Secondly, on Page one 105 there is a section that refers to Amortization of Non Conforming billboards. Please note that Lamar Advertising objects to any proposed legislation that would support amortization of non-conforming billboards.

We sincerely appreciate the efforts that the staff in the city have taken to create this study. It is readily apparent that the study provided is a result of many hours of detailed investigation into this issue.

We look forward to working with you to get this legislative project accomplished.

April 15, 2019
Page 2

Very truly yours,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

David J. Halpern

DHte

cc: Nicolette Jones (Nicolette.jones@nola.gov)

From: Cortizas, Richard <rcortizas@joneswalker.com>
Sent: Monday, April 15, 2019 4:18 PM
To: Nicolette P. Jones
Subject: Re: [EXTERNAL] City Planning Commission Billboard Study

EMAIL FROM EXTERNAL SENDER

IN SUPPORT (OUTFRONT media)

Hi Nicolette,

For the record and on behalf of OUTFRONT Media, we are in support of the study recommendation of the CPC staff. We appreciate all your efforts and look forward to the next steps in the process and the hearing.

Thank you.

Richard

[Jones Walker LLP]

Richard F. Cortizas
Partner
Jones Walker LLP
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On Apr 10, 2019, at 5:07 PM, Nicolette P. Jones
<nicolette.jones@nola.gov<mailto:nicolette.jones@nola.gov>> wrote:

Good evening,

The City Planning Commission staff has released the preliminary version of the Billboard Study on the CPC's website. Here is a link:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nola.gov%2fnola%2fmedia%2fCity-Planning%2fBillboard-Study-Preliminary.pdf&c=E,1,yqEjPFdV19pK-JAk_zwxZJ3k0DpJuf_JxlnZB32fZ378M2mTmZ71rFcv01UgPnXfl4GNvq83x5nVhk1tlB5hXFc9V4pscHU0PC9eFzEwCBomotao_3Ohms0f&typo=1

As a reminder, the study will be presented at the City Planning Commission's April 23, 2019 meeting at City Hall at 1:30pm. The CPC will also be accepting written comments until Monday, April 15, 2019 at 5:00pm. Other materials can be found at CPC's webpage here:

<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.nola.gov%2fcity-planning%2fmajor-studies-and-projects%2fbillboards-study%2f&c=E,1,ECRfGZH8uB2vqFIdvzO-dyd4poO3VsjC-drOXERUI-MIZHGTTz9nFWsLu0s4COGwhrcPbJvCDPqHQc4KcZ6SSx4-SRLf2VKKbZ0-grkVbA,,&typo=1>

Thank you for your participation in the study.

Best,

Nicolette Jones
Senior City Planner
New Orleans City Planning Commission
1300 Perdido Street, 7th Floor
New Orleans, Louisiana 70112
nicolette.jones@nola.gov<<mailto:nicolette.jones@nola.gov>>
504.658.7025

From: John Jackson <jd@pelicanbillboards.com>
Sent: Monday, April 15, 2019 4:10 PM
To: Nicolette P. Jones
Cc: Paul Cramer; Wheeler L. Manouchehri; Noa E. Elliott; Larry W. Massey Jr.; Leslie T. Alley; Robert D. Rivers
Subject: RE: City Planning Commission Billboard Study

EMAIL FROM EXTERNAL SENDER

Nicolette: Happy day. Thank you and everyone else for putting this Billboard Study together. I know that it took a lot of time and effort and I appreciate it.

My same concerns are there as were before which is primarily as follows: This “bump stocks” LED conversion if you have junk inventory for an automatic bypass around concerned citizens, neighborhood associations and the City Council. *Why would the City Planning Commission want to have any policy in place that would sidestep the City of New Orleans?*

I would keep LED permit applications for billboards the same as it is currently in place.

If Outfront Media wants to offer their “junk inventory” for LED permit variance(s) then they will get credit for this which should increase their chances of getting this variance.

Any questions, please chime in.
Thank you-JD

- **If I did not correctly understand the City Planning Commission’s Billboard Study then please let me know-JD**

*Unless Otherwise noted above, all rates are Net. The above offer Expires in 15 days and is also Dependent on Availability.

“The Billboard Guy” John D. Jackson III

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From: Nicolette P. Jones [<mailto:nicolette.jones@nola.gov>]
Sent: Wednesday, April 10, 2019 4:59 PM
To: Paul Cramer <pcramer@nola.gov>; Wheeler L. Manouchehri <wheeler.manouchehri@nola.gov>;
Noa E. Elliott <Noa.Elliott@nola.gov>; Larry W. Massey Jr. <lwmasssey@nola.gov>
Cc: Leslie T. Alley <ltalley@nola.gov>; Robert D. Rivers <rdrivers@nola.gov>
Subject: City Planning Commission Billboard Study

Good evening,

The City Planning Commission staff has released the preliminary version of the Billboard Study on the CPC's website. Here is a link: <https://www.nola.gov/nola/media/City-Planning/Billboard-Study-Preliminary.pdf>

As a reminder, the study will be presented at the City Planning Commission's April 23, 2019 meeting at City Hall at 1:30pm. The CPC will also be accepting written comments until Monday, April 15, 2019 at 5:00pm. Other materials can be found at CPC's webpage here: <https://www.nola.gov/city-planning/major-studies-and-projects/billboards-study/>

Thank you for your participation in the study.

Best,

Nicolette Jones
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Paul Cramer

From: Nicolette P. Jones
Sent: Saturday, June 1, 2019 7:55 AM
To: Paul Cramer
Subject: FW: Areas for digital conversions

FYI.

From: Orlando, Dominic A [mailto:dominic.orlando@outfrontmedia.com]
Sent: Friday, May 31, 2019 12:05 PM
To: Nicolette P. Jones <nicolette.jones@nola.gov>
Cc: Richard F. Cortizas - Jones Walker LLP (rcortizas@joneswalker.com) <rcortizas@joneswalker.com>
Subject: Areas for digital conversions

EMAIL FROM EXTERNAL SENDER

Nicolette,

Good afternoon. Per the request of Commissioner Issacson, below are the areas of the City that we believe would benefit from digital conversions. We also believe that the industry would have common interest in these areas.

- Canal St. Theater District
- CBD and Warehouse District
- I-10/Pontchartrain Expressway
- Tulane @ Carrollton & Carrollton @ Washington

Please let me know if you have any questions or need additional information.

Thanks,

Dominic Orlando
Real Estate Manager

T 504-323-2388
8001 Townsend Place, New Orleans, LA 70126

OUTFRONT/

Please note: All Lease proposals are subject to final Approval by an authorized signatory of OUTFRONT Media LLC.

Paul Cramer

From: John Jackson <jd@pelicanbillboards.com>
Sent: Monday, June 10, 2019 1:21 PM
To: Nicolette P. Jones
Cc: Robert D. Rivers; Leslie T. Alley; Paul Cramer
Subject: RE: June 11 CPC Planning & Special Projects Committee Meeting

EMAIL FROM EXTERNAL SENDER

Nicolette: Happy day. First, I appreciate everyone meeting with me and listening to what I think. I also appreciate everyone's time and effort.

Thank you for the **CPC staff's memo**.

So you know after we met, I wanted to meet with Lamar, Outfront and others so to see if the billboard industry could get on the same page. I thought that this meeting would have occurred by now but it has not.

Below are my thoughts about the **CPC staff's memo (Memo)**:

-) Existing regulations are working with the overall reduction of billboards in Orleans Parish. In my opinion, the market place has also greatly reduced the # of billboards in Orleans Parish. The market place over time eliminates locations that cannot be placed in commerce so this is a natural business occurrence. According to the Memo, around 17.24 billboard locations per year have been removed since 1990 which = around 500 removed billboard locations.

-) Bump stocking LED Conversions short circuits the "process", avoids area notification with NNP Meetings and devalues rate integrity of billboard advertising in our market place with an abrupt increase of billboard faces which is not organic growth. A lot of the viability of the billboard industry centers around supply and demand. Placing a "sunset date" on LED Conversions will speed up the unhealthy bump stocking of LED Conversions with a lot of supply. Also if businesses are not profitable then they skip on expenses which would normally offset profit so to pay less income taxes in April of each year. This means that if businesses are not profitable because of a market downturn then electrical maintenance, paint rotations and other maintenance gets pushed back year after year.

-) There is only one company that has "inventory" to convert to LED's and this one company is Outfront. I think that this "inventory" will be removed sooner than later by the market place because it is no longer viable.

-) Does it matter to the City of New Orleans that one (1) company can participate in the LED Conversion and is this fair. I think that it does matter and if anything the City of New Orleans wants to set the example of important bed rock issues like fairness.

Solution: Increase the point system and cap the LED conversion by one company to two (2) LED Locations. Also if the billboard is located on a roof top then there is additional point(s) given to this one company (Ex: 6' x 12' an extra 1 point, 12' x 25' an extra 3 points and 14' x 48' an extra 5 points – or more points here).

Doing it this way, keeps fairness in mind, keeps supply and demand healthy and also limits the avoidance of the NNP Process.

Other points of Interests of the Memo:

-) 300 square feet (compared to a 14' x 48' (regular bulletin) @ 672 sqft) will basically not work along the interstate system or major thoroughfares because the square footage is too small to be seen well especially for the cross read (Left-Hand Read).

-) The architect Lorcan O'Herlihy blue billboard is cool.

-) I do not think that the 20% wall mural idea will work well. So on the sales front, you would be asking a client to pay for 100% of the display but only get 20% of it. So most of the time, the paying customer will go elsewhere for a better business return. I always thought that the Zatarain's Wall Mural on the corner of Poydras Street and Camp Street was cool.

-) Basically, billboards do not block on premise signs. Thinking about the order of events, a billboard company does not want to pay for a billboard location if it is blocked by on-premises sign(s) because blocked billboards are tough to rent. Billboards are typically there first then if anything on-premise signs block billboards. This does not happen much because the two (2) entities want to work together to find a way for each of their signs to be in place without obstructing each other. So the billboard company will work with the business who owns the on-premise sign to place the on-premise sign where it is mutually beneficial to both parties.

-) Billboard advertising mainstay along the interstate system is to promote local businesses in the area and businesses near the various interstate exits that would otherwise not be seen. I have not seen an exit off of any interstate that was not served very well by a billboard which keeps this business and other businesses around this business because of the increased traffic healthy so taxes were paid and employees were hired.

-) LED billboards on buildings and on the side of buildings would depend on the situation because each situation is different. So if the building had a high architectural value that is very unique to our City and the billboard did not offer much then it would probably not work. It would also matter if this was a new, existing or replacement billboard structure and what the billboard would offer.

-) 500 foot setback from a residential zone should be allowed with a variance. Each location is different and should merit or not merit a variance so a variance should be an option if it is not already.

-) Design overlay should be allowed with a variance. Each location is different and should merit or not merit a variance so a variance should be an option if it is not already.

-) Non-conforming billboards should be able to get rebuilt. A lot of billboards were damaged after Hurricane Katrina (An Act of God).

Any questions, please chime in.
Thank you-JD

*Unless Otherwise noted above, all rates are Net. The above offer Expires in 15 days and is also Dependent on Availability.

"The Billboard Guy" John D. Jackson III

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From: Nicolette P. Jones [mailto:nicolette.jones@nola.gov]
Sent: Friday, June 7, 2019 3:13 PM

Cc: Paul Cramer <pcramer@nola.gov>

Subject: FW: June 11 CPC Planning & Special Projects Committee Meeting

Good afternoon,

Please see attached a memo which includes CPC staff's revision to *Part 7. Recommendations* of the Billboard Study. The memo outlines the changes made per the requests of the members of the Planning and Special Projects Committee.

Thank you,

Nicolette Jones

Senior City Planner

New Orleans City Planning Commission

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New Orleans, Louisiana 70112

nicolette.jones@nola.gov

504.658.7025