



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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October 20, 2011

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Receive and file a report on proposed zoning amendments related to the City's regulation of billboards (off-site advertising), and recommend approval of proposed zoning amendments to the City Council (Citywide).

APPLICANT: City of Long Beach, Department of Development Services  
333 W. Ocean Blvd., 5<sup>th</sup> Floor  
Long Beach, CA 90802  
(Application No. 0911-03)

## DISCUSSION

In December 2009, the City Council adopted an ordinance initiating a one-year moratorium on the issuance of permits for the development of billboards (off-site advertising), "supergraphic" signs, and conversion of existing billboards to electronic billboards within the City. In December 2010, the City Council extended the moratorium for another year to allow staff more time to research and develop comprehensive regulations for billboards throughout the City. Across a series of study sessions spanning nearly two years, the Planning Commission and City Council have provided direction and guidance to staff on the development and framework of this ordinance. Staff also received community comments at a number of community meetings, finding a wide range of opinions on the subject of billboards. With the completion of the September 15, 2011 electronic billboard demonstration at the Planning Commission meeting, staff has concluded the conceptual, research, and formulation phase of this ordinance amendment and is ready to move forward with a draft ordinance. An overview of this proposed ordinance is presented herein.

The proposed ordinance improves and updates the City's existing billboard rules, which are badly outdated. The current rules fail to anticipate and regulate 21<sup>st</sup>-century trends, such as electronic billboards, supergraphics (building wraps), and mobile billboards. The existing billboard ordinance, adopted in the 1970s, also fails to encourage or incentivize the removal of hundreds of billboards installed in the 1940s through 1960s that are located in areas of the City where they would not be legally permitted under current code. Many of these nonconforming billboards are found in residential neighborhoods, where they contribute to blighted conditions.

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The proposed Draft Billboard Ordinance (see Attachment – Draft Billboard Ordinance) implements the following core objectives:

- Caps the amount of billboard space in the City; requires removal of a specified amount of existing billboard space before new billboard or electronic billboard space can be constructed (8:1 ratio for new electronic billboard, 6:1 for new non-electronic billboard).
- Requires a Conditional Use Permit (CUP) for any major billboard project, including a new billboard, conversion of an existing billboard to electronic, and expansion of an existing billboard.
- Allows conversion of existing billboards to electronic in appropriate commercial and industrial areas; prior removal of a specified amount of existing billboard space also is required (4:1 removal ratio for conversion to electronic billboard).
- Sets priorities for removal of nonconforming billboards exchanged for new or converted billboards; will result in highest-priority removal from neighborhoods first.
- Prohibits supergraphics (building wraps) and mobile billboards.

As an example, if the above standards are implemented, staff estimates that the approval of a project to convert one fourteen by forty-eight-foot (672-square-foot) billboard to electronic would result in the removal of up to 38 nonconforming “8-sheet” size billboards (72 square feet each). These “8-sheets” are some of the most widespread nonconforming billboards in the City. The proposed ordinance also provides that once all nonconforming billboards are eliminated, new billboard space requires only a 1 to 1 removal ratio. This will result in the total amount of billboard space in the City remaining capped. This “cap-and-replace” strategy has been implemented with success in many places across the United States. It is a legally tested concept that has been put into practice through similar ordinances in places such as San Diego and Oakland. Additionally, staff has conducted several meetings with representatives from all four companies representing billboards in Long Beach, and all are aware of staff’s general cap-and-replace approach.

The issue of electronic billboards, in particular, is complex, complicated, and controversial, especially considering that in Long Beach, currently none exist. However, the City is faced with a choice of either providing some incentive to cause removal of a majority of the City’s billboards—especially those in residential areas—or preserving the status quo. Under California State law, billboards are a highly protected use of land, and the City’s ability to eliminate them outright through local controls is practically nonexistent. Staff believes that adoption of this cap-and-replace strategy will provide appropriate incentive for removal of old nonconforming billboards, while adequately regulating new billboards and electronic billboards.

Staff is of the position that the cap-and-replace strategy is central to any effective update of billboard regulations in Long Beach. As previously directed by the City Council, staff has designed the ordinance specifically to include the ability to convert existing billboards to electronic through a cap-and-replace system. Any ordinance that staff brings forth to City Council will necessarily include these provisions for electronic billboards and a cap-and-replace system, as any amendment without these requisites would be ultimately fruitless.

Staff recommends that the Planning Commission forward this proposed code amendment to the City Council with a recommendation for approval.

**PUBLIC HEARING NOTICE**

A public hearing notice was published in the Long Beach Press-Telegram on October 1 and 2, 2011, as required by the Long Beach Municipal Code. Staff has received a number of inquiries as to the content and general concepts of the draft ordinance as of the writing of this report. Knowledge of and interest in this ordinance amendment appears to be widespread, since this item has been ongoing for nearly two years.


**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE) was prepared for the proposed project (Exhibit B – CE 11-066).

Respectfully submitted,



DEREK BURNHAM  
PLANNING ADMINISTRATOR



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AB:DB

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Attachments

Exhibit A – Draft Ordinance

Exhibit B – Categorical Exemption CE 11-066

**Proposed Changes to Chapter 21.32 – Commercial Districts**

**Table 32-1 Uses In All Other Commercial Zoning Districts**

Billboards	Neighborhood			Community				Regional		Other
	CNP	CNA	CNR	CCA	CCP	CCR	CCN	CHW	CS	
Miniposter or poster (up to 300 sq. ft.) <b>Billboards</b>	N	N	N	N	N	N	N	Y C	N C	Subject to special standards (see chapter 21.54). <b>Non-freeway-oriented billboards prohibited in CS district.</b>
<del>Painted board (300 sq. ft. or more)</del>	N	N	N	N	N	N	N	N	N	Permitted in industrial zones only

**Proposed Changes to Chapter 21.33 – Industrial Districts**

**Table 33-2 Uses In Industrial Districts**

Use	IL	IM	IG	IP	*Notes and Exceptions
14.7 Billboards* (outdoor advertising)	Y C	Y C	Y C	N	b. Billboards subject to regulations and standards contained in Chapter 21.54.

## **Proposed changes to Chapter 21.15 – Definitions**

### **21.15.370 Billboard.**

"Billboard" means a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. This includes, but is not limited to, electronic billboards, building graphics, supergraphics, building wraps, and wall drop signs containing off-site messages, and billboards painted or applied to building walls.

(Ord. C-6533 § 1 (part), 1988).

### **21.15.372 Billboard, Abandoned.**

A billboard shall be considered abandoned consistent with the definition and standards set forth in Section 2272 (Abandoned Display) of the Outdoor Advertising Act, California Business and Professions Code, as amended from time to time. If the billboard in question is not subject to the Outdoor Advertising Act, it shall be considered abandoned consistent with the definition of "abandoned" contained in Section 21.15.030 ("Abandoned") of this Title.

### **21.15.374 Billboard, Electronic.**

An electronic billboard is a billboard whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements. This includes billboards with displays that have to be preprogrammed to display only certain types of information (i.e., time, date, temperature) and billboards whose informational content can be changed or altered by means of computer-driven electronic impulses. This includes, without limitation, billboards also known as digital billboards or LED billboards.

### **21.15.376 Billboard, Freeway-oriented.**

Any billboard located within the right-of-way or within 660 feet of the right-of-way of any federal or state-designated freeway, with the copy visible from the right-of-way, shall be considered a freeway-oriented billboard.

### **12.15.1835 Mural.**

"Mural" is used in regard to signs and means a graphical image, with or without text, that covers all or a portion of a building façade, and does not contain any advertising message, but consists of an artistic representation of a subject not for the purposes of creating a sign or billboard, as defined in this Title.

### **21.15.2980 Supergraphics/mural.**

~~"Supergraphics/mural" is used in regard to signs and means a painted or mosaic sign which covers all or a major portion of a building facade and is used either to advertise a product or service available on the site or to identify the building.~~ Supergraphic means a sign, containing either on-site or off-site advertising, consisting of an image that is applied to and made integral with a wall, or projected onto a wall, or printed on vinyl, mesh, or any other material, and which does not comply with the provisions of Sections 21.44.070 (Exempt Signs), 21.44.130 (Wall Signs), 21.44.220 (Backdrop Wall Signs), 21.44.310 (Promotional Activity Signs), or Chapter 21.54 (Billboards). The term "supergraphic" also shall include signs known as "building wraps."

## **Proposed Changes to Chapter 21.54 – Billboards**

### **Chapter 21.54 BILLBOARDS**

#### **21.54.010 Purpose.**

Billboards are recognized as a legitimate form of commercial use in the city. However, the size, number and location of billboards can have significant influence on the city's visual environment, and can, without adequate control, create or contribute to blighted conditions. The purpose of this chapter is to provide reasonable billboard control, recognizing that community appearance is an important factor in ensuring the general community welfare.

#### **21.54.020 Definition of terms.**

- A. The terms "billboard" and "off-premises sign" may be used interchangeably to mean the same thing. The term "billboard," when used generally, shall also include electronic billboards and any other form of off-premises advertising.
- B. Mixed-use districts, when referenced in this Chapter, shall include Planned Development (PD) Districts, or sub-areas thereof, allowing residential and/or commercial uses.
- C. Residential districts, when referenced in this chapter, shall include those Planned Development (PD) Districts, or sub-areas thereof, allowing residential uses.

#### **21.54.030 Consistency with the Outdoor Advertising Act.**

To the extent that there is any conflict between the provisions of this Chapter and the provisions of the Outdoor Advertising Act, California Business and Professions Code sections 5200, *et seq.*, the Outdoor Advertising Act shall prevail.

#### **21.54.040 Severability clause.**

If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other article provisions or clauses or applications, and to this end the provisions and clauses of this ordinance are declared to be severable.

(Ord. C-6533 § 1 (part), 1988).

### **Division I Use Regulations**

#### **21.54.110 Use regulations.**

Billboards are a principal use of land and are restricted to the zoning districts indicated in the use tables contained in Chapters 21.32 (Commercial Districts) and 21.33 (Industrial Districts) Table 54-1 of this title Chapter. Any type or location of billboard development not specifically allowed by this Chapter shall be prohibited.

(Ord. C-6533 § 1 (part), 1988).

### **21.54.111 Conditional Use Permit required.**

A Conditional Use Permit shall be obtained prior to the issuance of a building permit for any project involving construction of a new billboard or electronic billboard, conversion of an existing billboard to an electronic billboard, expansion or modification of a billboard, or addition of additional face(s) to a billboard, and as otherwise specified in this Chapter and Title. Required findings are contained in this Chapter.

### **21.54.112 Separate applications.**

Each individual proposal for construction of a new billboard or electronic billboard, modification of a billboard, or conversion of an existing billboard to electronic, shall be considered a separate application, and each application shall be separately and individually subject to a Conditional Use Permit, and the provisions and requirements of this Chapter. Multiple sites shall not be combined into one application.

### **21.54.115 Required findings.**

In addition to the required findings for a conditional use permit (section 21.25.206), the Planning Commission or City Council, as applicable, shall not approve a conditional use permit for any billboard project unless positive findings also can be made for the following:

- A. The proposed billboard does not represent a net increase in billboard sign area Citywide, and the applicant or developer has provided a written plan explaining how the removal requirements of Section 21.54.160.A or B will be accomplished.
- B. The billboard shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway.
- C. For electronic billboards, the applicant has demonstrated that the billboard will not cause light and glare to intrude upon residential land uses, including those in mixed-use districts.

### **21.54.118 Locations allowed.**

Billboards shall be allowed in the locations set forth in Table 54-1.

### **21.54.119 Street classification types allowed.**

A billboard shall only be located on a lot having frontage on a certain classification of public right-of-way, as set forth in Table 54-1.

### **21.54.120 Locations prohibited.**

- A. No off-premises sign (billboard) shall be located:
  1. On or over a public right-of-way or public property;
  2. Within ninety feet of any residential, institutional or park district;
  3. Within any Planned Development District (PD), unless explicitly allowed by that PD ordinance;
  4. On the roof of any building whether in use or not;
  5. On a wall of a building or otherwise attached or integrated to, or suspended from a building;
  6. Overhanging a building; or
  7. Within 8 feet, in any direction, of a building, measured at the nearest distance between the sign structure and the building, so as not to provide an attractive nuisance for graffiti and vandalism.

- B. In addition to the above restrictions, no freeway-oriented off-premises sign (**billboard**) shall be located:
1. Within five hundred feet of any residential, institutional or park district;
  2. Within six hundred feet in any direction of the following landscaped **freeway** segments (as set forth in California Business and Professions Code Section 5440):
    - a. 710 Freeway:
      - (1) North city boundary to south side of interchange with 91;
      - (2) South of interchange with 91 to south side of northbound Long Beach Boulevard off-ramp on east side of freeway only;
      - (3) South of north edge of southbound Del Amo Avenue off-ramp to south edge of northbound Del Amo Avenue off-ramp;
      - (4) North edge of southbound transition ramp to 405 Freeway to south edge of the 405 to 710 southbound transition ramp on west side of 710;
      - (5) North edge of 405 to 710 transition ramp to south edge of northbound Pacific Coast Highway off-ramp on east side;
      - (6) North edge of southbound Willow Street off-ramp to south edge of southbound Willow Street on-ramp on west side of 710;
      - (7) North edge of southbound Anaheim Street off-ramp to center line of Anaheim Street;
      - (8) South of Fifth Street.
    - b. 91 Freeway:
      - (1) West city boundary to east edge of eastbound Long Beach Boulevard on-ramp;
      - (2) Western edge of 710 Freeway right-of-way to eastern city boundary.
    - c. 405 Freeway--Entire length in city;
    - d. 605 Freeway--Entire length in city;
    - e. 22 Freeway--Entire length in city.

(Ord. C-6534 § 1, 1988; Ord. C-6533 § 1 (part), 1988).

#### **21.54.125 Types of billboards prohibited.**

As set forth in Section 21.54.110, any type or location of billboard development not specifically allowed by this Chapter shall be prohibited. Additionally, the following types of prohibited billboards are specified for clarity. However, this shall not limit the types of prohibited billboards to those described below.

- A. Mobile billboards. Any billboard installed upon, mounted, attached, or applied to any vehicle, non-motorized vehicle, bicycle, scooter, or trailer whose primary purpose is conveyance, transportation, or support of the billboard message surface shall be prohibited from any display or placement on public or private property or the public right-of-way in a manner making it visible from any other public or private property or the public right-of-way;
- B. Any billboard integrated, incorporated, or otherwise included into the architectural design of a building; and
- C. Supergraphics. Any off-site advertisement meeting the definition of "supergraphic" as defined in Section 21.15.2980 shall be prohibited. The only exception shall be for a temporary supergraphic allowed under a special events permit.

#### **21.54.130 Locations restricted.**

~~Accessory boards shall only be located upon street furniture. Any street furniture with such advertising shall not be located on or over a public right of way or public property.~~

(Ord. C-6533 § 1 (part). 1988).



**21.54.140 Conversion of non-electronic billboards to electronic.**

The City hereby declares that the vested rights held by existing billboards, whether conforming or nonconforming to this Chapter, do not allow conversion of said billboards to electronic billboards as a matter of right. No existing billboard shall be converted to an electronic billboard unless the following conditions are met:

- A. A Conditional Use Permit is obtained by the applicant;
- B. The billboard meets the requirements of Table 54-1;
- C. The applicant obtains all required building permits; and
- D. Other existing billboard display surface area is removed from the City as required by Section 21.54.160.A or B, as applicable.

**21.54.150 Expansion of billboard area or addition of faces to existing billboards.**

The City hereby declares that the vested rights held by existing billboards, whether conforming or nonconforming to this Chapter, do not allow expansion of billboard area or addition of billboard faces as a matter of right. No billboard shall have its area increased or have an additional face added unless the following conditions are met:

- A. A Conditional Use Permit is obtained by the applicant;
- B. The billboard meets the requirements of Table 54-1;
- C. The applicant obtains all required building permits; and
- D. Other existing billboard display surface area is removed from the City as required by Section 21.54.160.A or B, as applicable.

**21.54.160 Citywide billboard capacity limited.**

The City of Long Beach finds that, at the time of writing of this Chapter, a plenitude of modes of advertising are available via television, newspaper, magazines, circulars, direct mail, bulk mail, internet, email, mobile phones, city bus ads, bus stop posters, and other constantly-developing sources of ad placement. Also, the City finds that a sufficient or more than sufficient amount of billboard advertising capacity exists in the City to meet or exceed the community's need for outdoor advertising, and that a reduction in the amount of billboards Citywide could not impose any hardship upon the community through diminution of overall advertising capacity or options. Therefore, no building permit shall be issued for a new billboard, conversion of an existing non-electronic billboard to an electronic billboard, or expansion or addition of faces to an existing billboard, unless the following conditions are met:

- A. An existing billboard or billboards nonconforming to this Chapter shall first be removed from within the City as follows:
  1. If a new electronic billboard is proposed, nonconforming billboard(s) totaling 8 times the display surface area of the proposed electronic billboard shall be removed, or
  2. If conversion of an existing billboard to an electronic billboard is proposed, nonconforming billboard(s) totaling 4 times the display surface area of the final size of the converted billboard shall be removed, or
  3. If a new non-electronic billboard is proposed, nonconforming billboard(s) totaling 6 times the display surface area of the proposed billboard shall be removed.
  4. Nonconforming billboards shall be removed with the following priority:
    - a. Nonconforming billboards located in a residential zoning district and not adjacent to a street classified as a Freeway, Regional Corridor, or Major Arterial;
    - b. Nonconforming billboards located in a Planned Development District allowing residential uses and not adjacent to a street classified as a Freeway, Regional Corridor, or Major Arterial;
    - c. All other nonconforming billboards located in a residential zoning district or Planned Development District allowing residential uses;

- d. All other nonconforming billboards located in a General Plan Land Use District allowing residential uses but not located in a residential zoning district or Planned Development District allowing residential uses;
  - e. All other nonconforming billboards located in an active Redevelopment Project Area; and
  - f. All other nonconforming billboards.
- B. If existing billboards nonconforming to this Chapter are removed to satisfy Section 21.54.160.A until no billboards nonconforming to this Chapter remain in the City, then the following conditions shall apply:
- 1. It shall be the responsibility of the applicant to demonstrate, to the satisfaction of the Director of Development Services, that no billboards nonconforming to this Chapter remain in the City;
  - 2. If a new billboard or electronic billboard is proposed, an existing billboard or billboards with total display surface area equal to that of the proposed billboard shall first be removed from within the City;
  - 3. If conversion of an existing billboard to an electronic billboard is proposed, or any other billboard modification or expansion, any net increase in the size of the display area shall first require removal of an existing billboard or billboards with area equal to that of the net increase in size of the converted billboard. If the net size of display area is not increased, no removal of existing billboard area shall be required.
- C. In determining the existing display surface area to be removed to satisfy (A) or (B) above, if a billboard with more than one face is proposed, the sum of both faces shall be used. For example, if a billboard with two 300-square-foot faces is proposed, a sum of 600 square feet shall be used to calculate the amount of removal required.
- D. In all cases, the required removals shall be completed prior to issuance of a building permit for the new, converted, or expanded billboard. The developer shall provide a list of all billboards to be removed to meet the removal requirements of (A) or (B) above, and shall obtain demolition permits and provide proof, to the satisfaction of the Director of Development Services, that such removal has been completed.
- E. Fractional numbers. The purpose of (A) and (B) above is to require removal of a certain amount of billboard display surface area, rather than a specific number of billboards. However, it is not desirable for an existing billboard to be altered to reduce its size to comply with these requirements, due to the negative aesthetic impacts such alteration may create. Therefore, no billboard shall be reduced in size or otherwise altered to provide for the required removal, and only a whole, entire billboard or billboards shall be removed. Provided that all other applicable requirements of this Chapter and Title are met, the applicant or developer may choose the billboard(s) to be removed in order to minimize the difference between the amount of display surface area required to be removed by (A) or (B) and the amount reached by removal of whole billboards. In no case shall less than the required amount of display surface area be removed.
- F. Other removal. Any billboard removed or demolished from within the City, not in conjunction with a project requiring removal under Section 21.54.160.A or B, shall not be credited toward the removal requirements of Section 21.54.160.A or B above.

**Table 54-1  
Billboard Development Standards**

Type of Billboard	Standard					
	Maximum area (sq. ft.)	Max. Height Highway Oriented	Max. Height Freeway Oriented	Spacing radius between billboards <sup>(a)</sup>	Location Street Classification Types Allowed <sup>(b)</sup>	Zoning Districts Allowed
1. <del>Painted Board</del> New freeway-oriented billboard, electronic or non-electronic. <sup>(c)</sup>	675 672 sq. ft.	<del>30 ft.</del>	40 ft. above nearest freeway lane.	300 ft 500 ft.	Freeway oriented only: Freeway only. <sup>(d)(e)</sup>	IL, IM, IG, CHW, CS. <sup>(f)</sup>
2. Other new billboard, electronic or non-electronic.	300 sq. ft.	<del></del>	30 ft. above curb grade.	300 ft.	Regional Corridor, or Major Arterial only. <sup>(d)(e)</sup>	IL, IM, IG, CHW. <sup>(f)</sup>
3. Conversion of existing billboard to electronic.	672 sq. ft. <sup>(g)</sup>	<del></del>	No higher than existing billboard, or 30 ft. above curb grade (or 40 ft. above nearest freeway lane, if freeway-oriented), whichever is greater.	300 ft. between any other electronic billboard(s)	Freeway, Regional Corridor, or Major Arterial only. <sup>(d)</sup>	CCA, CCP, CCR, CCN, CHW, CS, IL, IM, IG. <sup>(f)</sup>
4. Expansion of existing billboard area or addition of face(s) to a billboard.	300 sq. ft., 672 sq. ft. if freeway-oriented. <sup>(c)</sup>	<del></del>	30 ft. above curb grade, 40 ft. above nearest freeway lane if freeway-oriented.	N/A	Freeway, Regional Corridor, or Major Arterial only. <sup>(d)</sup>	IL, IM, IG, CHW, CS. <sup>(f)</sup>
<del>2. Poster board</del>	<del>300</del>	<del>30 ft.</del>	<del>40 ft. above nearest freeway lane</del>	<del>300 ft.</del>	<del>CH, IL, IM, IG, CHW</del>	
<del>3. Mini poster</del>	<del>100</del>	<del>30 ft.</del>	<del>40 ft. above nearest freeway lane</del>	<del>300 ft.</del>	<del>CH, IL, IM, IG, CHW</del>	
<del>4. Accessory board</del>	<del>4</del>	<del>8 ft.</del>	<del>N/A</del>	<del>300 ft.</del>	<del>CR, CO, CH, IL, IM, IG, IP</del>	

Footnotes:

- (a) Required spacing between billboards on same side of the street right-of-way.
- (b) Street classifications are as shown on the Functional Classification of Streets map in the Transportation Element of the General Plan. See equivalence table (Table 54-1A) for updated designations adopted into the pending (as of 2011) General Plan Mobility Element.
- (c) Must be located on property adjacent to or abutting freeway right-of-way.
- (d) If a lot has frontage on a right-of-way that is a Freeway, Regional Corridor, or Major Arterial, and on a street that is not a Freeway, Regional Corridor, or Major Arterial, the billboard shall be located no more than 25 feet from the property line with frontage on a Freeway, Regional Corridor, or Major Arterial.
- (e) Any billboard adjacent to a freeway right-of-way, but not freeway-oriented and not adjacent to a Regional Corridor or Major Arterial, shall be prohibited.
- (f) Also allowed in the deprecated CH commercial highway zoning district.
- (g) Size shall not be increased over that of the existing billboard unless explicitly approved by the Planning Commission.

**Table 54-1A  
Equivalence of Street Classification Type Designations**

<b>1991 General Plan Transportation Element Street Classification Type Designation</b>	<b>Pending General Plan Mobility Element Street Classification Type Designation</b>
Freeway	Freeway
Regional Corridor	Regional Boulevard
	Boulevard
Major Arterial	Major Avenue
Minor Arterial	Minor Avenue
Collector Street	Collector Street
Local Street	Local Street

**Division II Development Standards**

**21.54.210 Maximum area.**

The maximum area of billboards shall be as indicated in Table 54-1.

(Ord. C-6533 § 1 (part), 1988).

**21.54.220 Maximum height.**

The maximum height of billboards shall be as indicated in Table 54-1.

(Ord. C-6533 § 1 (part), 1988).

**21.54.221 Maximum number of faces**

No billboard shall have more than two faces. A face shall be considered the display surface upon which an advertising message is displayed.

**21.54.222 Face orientation**

No billboard shall have more than one face (display surface) oriented in the same vertical plane.

**21.54.223 Name of owner**

No billboard shall be maintained in the City unless the name of the person or company owning or maintaining it is plainly displayed thereon.

### 21.54.230 Spacing.

Spacing between billboards on the same side of a street right-of-way shall be as indicated in Table 54-1. For spacing purposes, any double-faced, V-type, or back-to-back billboard with more than one face (display surface) shall be considered as a single billboard.

(Ord. C-6533 § 1 (part), 1988).

### 21.54.240 Supports.

Billboards shall be provided with no more than two supports, and the supports shall be constructed of steel.

(Ord. C-6533 § 1 (part), 1988).

### 21.54.250 Lighting.

All lighting shall be indirect lighting and shall be directed onto the display surface only. Direct glare shall not shine onto adjacent properties or public areas. All service wiring shall be underground.

(Ord. C-6533 § 1 (part), 1988).

### 21.54.255 Light Pollution Prevention

In order to decrease the negative effects of light pollution upon the night sky, the following light pollution prevention standards are established for all billboards, with the goal of reducing the cumulative light pollution effects of all billboards within the City:

- A. All non-electronic billboards shall be illuminated only by full-cutoff (FCO) lighting fixtures. These fixtures shall be aimed from the top of the billboard down onto the sign. Bottom-up or side lighting is prohibited. The maximum amount of light from these fixtures allowed on the ground shall not be more than 50 foot-candles. Prior to issuance of a building permit, the billboard developer shall provide proof to the satisfaction of the director of Development Services that this requirement is met.
- B. It shall be the responsibility of the billboard owner to maintain the billboard lighting system in compliance with this Section.

### 21.54.260 Clearance.

- A. **Driveways.** Billboards projecting over a driveway or driving aisle shall have a minimum clearance of sixteen feet between the lowest point of the sign and the driveway grade.
- B. **Pedestrian Walkway.** Billboards projecting over a pedestrian walkway shall have a minimum clearance of eight feet between the lowest point of the sign and the walkway grade.
- C. **All Others.** All other billboards shall have a minimum clearance of eight feet between the lowest point of the sign and ground level so as not to provide an attractive nuisance for graffiti and vandalism.

(Ord. C-6533 § 1 (part), 1988).

**21.54.270 Screening.**

All back or rear portions of single-faced and V-type billboards visible from a public right-of-way or residential district other public or private property shall be screened. The screening shall cover all structural members of the sign, not including the pole supports.

(Ord. C-6533 § 1 (part), 1988).

**21.54.280 Design restrictions.**

A. Billboards shall not contain any of the following:

1. Moving parts;
2. Appendages, cut-out letters or figures that exceed twenty percent (20%) of the permitted sign area or that protrude more than twelve inches (12") beyond the flat surface of the sign face;
3. Lights that flash, shimmer, glitter or give the appearance of flashing, shimmering or glittering. Exceptions to this restriction include time, temperature and smog index units, provided the frequency of change does not exceed four (4) second intervals;
4. Walls or screens at the base of the sign which create a hazard to public safety or provide an attractive nuisance;
5. Copy which simulates any traffic sign in a manner which confuses the public; or
6. Devices which emit audible sound, or odor or particulate matter.

B. For electronic billboards, the following restrictions also shall apply:

1. The duration of each message displayed shall be at least 20 seconds;
2. The message shall not move, flash, shimmer, glitter, or give the appearance of moving, flashing, shimmering or glittering;
3. Display of full motion video is prohibited;
4. Any sign area not comprising the electronic display panel is prohibited. This includes, but is not limited to, static sign area, appendages, cut-out letters, and figures;
5. The brightness of the display surface shall be limited as follows:
  - a. Dawn to dusk: unlimited;
  - b. Dusk to dawn: the display surface shall not produce illumination in excess of 500 nits (candelas per square meter);
  - c. The display surface shall be factory-certified as capable of complying with the above brightness standards. Such certification shall be provided to the satisfaction of the Director of Development Services prior to issuance of a building permit;
  - d. The display brightness shall be controlled by a photocell or light sensor that adjusts the brightness based on ambient light conditions without the need for human input. Use of timer-controlled brightness adjustment shall not be substituted; and
  - e. The billboard owner shall provide to the City, upon request, certification by independent contractor that the brightness levels of the electronic billboard are in compliance with the requirements of this Section.
6. All electronic billboards shall be oriented, and adequately shielded if necessary, so as to prevent the intrusion of light and glare upon any residential land uses, including those in mixed-use districts; and
7. All electronic billboards shall be equipped with a control system that, in the event of a display or control malfunction, "freezes" the display on either a single, unchanging message, or a blank screen.

(Ord. C-6533 § 1 (part), 1988).

**21.54.285 Additional requirements.**

Prior to issuance of a building permit for any billboard project subject to the requirements of this Chapter, the applicant shall provide the following:

- A. The telephone number of a maintenance service, to be available 24 hours a day, to be contacted in the event that a billboard becomes dilapidated, damaged, or malfunctions in the case of electronic billboards;
- B. Proof of lease demonstrating a right to install the billboard on the subject property;
- C. A list of locations of all billboards in the City owned or managed by the entity that will own or manage the subject billboard. This information also shall be provided on a map. The intent of this requirement is to facilitate analysis of the proposed billboard's compliance with the spacing and location requirements, as well as the nonconforming billboard removal requirements, of this Chapter.

**21.54.290 Maintenance.**

All billboard structures shall be maintained in an orderly condition. Any structure which is highly rusted, has peeling paint or in any other way appears unattractive or in disrepair shall be deemed in violation of this Chapter and shall be removed or repaired in accordance with the provisions of this Chapter. Any structure which the City Engineer identifies as an immediate threat to public safety may be removed by the City Engineer, or his designee, without notice to the property owner and at the property owner's expense.

(Ord. C-6533 § 1 (part), 1988).

**Division III Abandoned and Illegal Billboards****21.54.310 Abandoned billboards.**

~~All abandoned billboards shall be removed on or prior to May 5, 1979.~~ Any billboard meeting the definition of abandonment in this Title, and which can, under the applicable provisions of State law, be considered abandoned and having no rights to remain, shall be removed immediately at the expense of either the billboard owner or property owner. Consistent with State law, the City Manager or his designee shall have the authority to enter onto private property and cause such removal, and recover the costs of said removal from the property owner.

(Ord. C-6533 § 1 (part), 1988).

**21.54.320 Illegal billboards.**

~~All illegal billboards shall be removed or made to conform to the provisions of this chapter on or prior to May 5, 1979.~~ Illegal billboards shall have no vested rights under the Long Beach Municipal Code. Illegal billboards shall either be brought into legal conforming status, or removed by the owner immediately, subject to any applicable restrictions in State law. Consistent with State law, the City Manager or his designee shall have the authority to enter onto private property and cause such removal, and recover the costs of said removal from the property owner.

(Ord. C-6533 § 1 (part), 1988).

**Division IV Nonconforming Billboards**

**21.54.410 Amortization of Nonconforming billboards.**

It is the intent of this ~~section~~ **division** to require the eventual elimination of existing billboards which do not conform to the provisions of this chapter, **as allowed by State law**. It is also the intent of this section to ensure that the elimination of nonconforming billboards occurs as expeditiously and fairly as possible and avoids any unreasonable invasion of established property rights.

(Ord. C-6533 § 1 (part), 1988).

**21.54.420 Removal by amortization.**

- A. A nonconforming billboard shall be removed ~~in accordance with the schedule indicated in Table 54-2~~ if the billboard meets ~~any of the criteria set forth in Subsection 21.54.420B~~. Any billboard meeting these criteria is allowed to remain in existence for ~~the time period set forth in Table 54-2, beginning on January 1, 1983,~~ and **seven years** after notice of the removal requirements has been issued, **in order that the value of the billboard may be amortized**. ~~The fair market value amounts indicated in Table 54-2 shall be adjusted each January after January 1, 1983 in accordance with changes in building costs, as defined by the United States Department of Commerce composite cost index for construction costs.~~
- B. **Criteria.** A billboard shall be removed if:
  - 1. The billboard is located within an area identified as residential on the general plan land use map; ~~or~~ **and**
  - 2. The billboard is located within an area zoned for residential use.

(Ord. C-6533 § 1 (part), 1988).

**21.54.430 Continuation of use.**

Subject to the ~~schedule~~ **removal requirements** set forth in **Section 21.54.420**, ~~Table 54-2~~, a nonconforming billboard use may be continued and change of billboard copy shall not be prohibited, provided that:

- A. The sign **billboard**, including copy, is maintained in good repair; and
- B. The sign **billboard** is not enlarged, and additional faces are not erected on the billboard structure.

(Ord. C-6533 § 1 (part), 1988).

**Table 54-2**

**Billboard Removal Schedule**

<del>Fair Market Value on Date of Notice of Removal Requirement</del>	<del>Minimum Years Allowed</del>
<del>Under \$2,000</del>	<del>2</del>
<del>\$2,000-3,999</del>	<del>3</del>
<del>\$4,000-5,999</del>	<del>4</del>
<del>\$6,000-\$7,999</del>	<del>5</del>
<del>\$8,000-\$9,999</del>	<del>6</del>
<del>\$10,000 and over</del>	<del>7</del>



**21.54.440 Repair.**

A legal nonconforming billboard may be repaired, provided that: a building permit is obtained for the repair.

- A. ~~Repairs do not result in the removal and replacement of more than fifty percent of the sign face area; or~~
- B. ~~Repairs do not result in the removal and replacement of more than fifty percent of the sign's supporting structure.~~

(Ord. C-6533 § 1 (part), 1988).

**21.54.450 Nonconforming signs billboards--Replacement.**

A. **Catastrophic Damage.** ~~An nonconforming~~ off-premises sign which is damaged by accident, storm, earthquake, other forces of nature, fire or act of vandalism, sabotage or warfare to an extent too great to be repaired ~~may shall not~~ be replaced with a new sign of the same size and number of faces in a zone where it is a non-conforming use, ~~provided that all development standards of this Chapter as set forth in Section 21.54.210 through Section 2 1.54.290 are complied with by the new sign.~~ but may be relocated to a zone where it is a conforming use, subject to the following:

- A. The billboard shall be of the same size or smaller, with the same number of faces or fewer, or else removal of other billboard display area from within the City shall be required in accordance with Section 21.54.160 for any net increase in display area.
- B. All development standards of this Chapter and Title shall be met.
- C. A building permit shall be obtained.
- D. In cases of uncertainty as to the extent of damage to the billboard, the Long Beach Building Official shall be authorized to determine if the billboard is catastrophically damaged.
- E. It shall be the responsibility of the billboard owner or the property owner to remove the catastrophically damaged billboard within 10 days of the date of catastrophic damage.

B. **Modernization.** ~~Nonconforming signs may be removed and replaced with building permit to modernize the sign, provided:~~

- 1. ~~The sign size is not increased; and~~
- 2. ~~The sign is not subject to removal according to Section 21.54.420,~~

(Ord. C-6534 § 2, 1988: Ord. C-6533 § 1 (part), 1988).



CITY OF LONG BEACH NOTICE OF EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: [ ] Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

[ ] L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE-11-066

Project Location/Address: Citywide
Project/Activity Description: Zoning amendment to the City's billboard regulations.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: City of Long Beach, Dept. of Development Services

Mailing Address: 333 W. Ocean Blvd., 5th floor, Long Beach, CA 90802

Phone Number: (562) 570-6194 Applicant Signature:

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 0911-03 Planner's Initials: SK

Required Permits: Zoning Amendment

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15321, Class 21, Enforcement Actions by Regulatory Agencies

Statement of support for this finding: Code amendment for enforcement of billboard regulations.

Contact Person: Craig Chaffant Contact Phone: 562-570-6368
Signature: [Signature] Date: 9/29/11