



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

September 15, 2015

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE 16-169 and approve a Conditional Use Permit (CUP) for the construction of a new double-sided electronic billboard (14 × 48 feet each side), and a Standards Variance to allow construction of a billboard approximately 150 feet from a residential zoning district, located at 2035 W. Wardlow Road in the Commercial Storage (CS) zoning district. (District 7)

APPLICANT: John Duong for Clear Channel Outdoor
19320 Harborage Way
Torrance, CA 90501
Application No. 1607-03

DISCUSSION

The applicant proposes to construct a new double-sided electronic billboard on the subject site, which currently is developed with a self-storage facility. The site is located in the CS (Commercial Storage) zoning district, on a large, quadrilateral lot that is 1.76 acres in area, with a 540-foot-long frontage on the San Diego Freeway (I-405), and a relatively shallow average depth of approximately 150 feet. The site is bounded by the San Diego Freeway on the north, Wardlow Road on the south, and other properties in the CS zoning district on the west and east, between River Avenue on the west and the Union Pacific Railroad right-of-way on the east (Exhibit A – Location Map).

The applicant, Clear Channel Outdoor, Inc., requests approval of a Conditional Use Permit (CUP) to allow construction of a new double-sided 14 × 48-foot billboard (Exhibit B – Plans and Renderings). The new electronic billboard faces will be an industry standard size referred to as “bulletin” size, each 14 × 48 feet in height and width, and 672 square feet in area. The billboard structure will be located at the northern property line, abutting the freeway right-of-way, and the billboard faces are proposed to be back-to-back in a parallel configuration, facing east and west, oriented at the freeway (Exhibit C – Aerial View of Project Site). At the developer’s option, this configuration could be changed to a V-shaped configuration, with both faces angled northwards (with the point of the “V” pointing north), without affecting compliance with the development standards specified in the Zoning Regulations.

CHAIR AND PLANNING COMMISSIONERS

September 15, 2016

Page 2 of 3

The July 2014 Billboard Ordinance allows new billboard projects or conversions in exchange for takedown of existing billboards at specified ratios, depending on the project type. For construction of a new electronic billboard, the required takedown ratio is 8 to 1. For the requested 1,344 square feet of new electronic billboard area to be constructed (two faces at 672 square feet each), a total of 10,752 square feet of existing billboard area must be removed from other locations within Long Beach. The applicant has elected to achieve this takedown by removing 38 existing billboards from the applicant's inventory within Long Beach, consisting of all 300-square-foot billboard faces, which will result in the removal of a total of 11,400 square feet of billboard area (Exhibit D – Billboard Project Site and Removal Sites Map and Spreadsheet).

Staff has found the proposed billboard CUP request to be in conformance with the code requirements for new billboards, as specified in Chapter 21.54 of the Zoning Ordinance, with the exception the required distance from a residential district. The removal of 38 other existing billboards from within the City, totaling 11,400 square feet, will provide a major, tangible community benefit through the elimination of these nonconformities and their associated negative visual impacts. Approval of this project would considerably advance the City's goal of removal of nonconforming billboards.

Staff has found that the proposed project complies with all of the development standards in the Zoning Regulations specified for construction of a new billboard site (zoning district, street classification type, size, height, spacing, etc.) except for a restriction specified only for new freeway-oriented billboards. Section 21.54.120.B.1 of the code requires a distance of 300 feet from the nearest residential district. The southern (nearest) end of the two east- and west-facing parallel billboard faces would be located approximately 150 feet from a residential district located on the south side of Wardlow Road, on the opposite side of the street from the subject self-storage property. This residential district is zone R-1-N, but is developed mostly with nonconforming multifamily residential buildings. The applicant requests a Standards Variance on this code requirement, due to the shallow depth of the subject property that prevents location of the proposed billboard any further north away from the residential district.

Staff supports this variance request, due to the unique shape of the subject property and its shallow depth between Wardlow Road and the San Diego Freeway, and the hardship this imposes on the applicant in complying with the standard on spacing from a residential district. Staff finds that the location and orientation of the proposed billboard structure, perpendicular to Wardlow Road, will not cause negative visual impacts or light and glare impacts upon the nearby residential district, due to the orientation of the billboard, which is perpendicular to Wardlow Road. Also, the construction technology of the billboard display panel causes visible light from the panel to decline significantly when the panel is viewed at an angle (called "off-axis"), meaning the light output toward the residential district will be much less than the light output oriented toward the freeway (Exhibit E – Light Analysis). Additionally, there are a number of large, mature trees in the center median of Wardlow Road on the entire block between the Union Pacific Railroad right-of-way on the east, and River Avenue on the west, which will help to screen the billboard from the residential district (Exhibit F – Vicinity Photos). Staff finds that approval of this variance will be consistent with the purposes of the Zoning Regulations, and will allow the

CHAIR AND PLANNING COMMISSIONERS

September 15, 2016

Page 3 of 3

City to continue the current momentum in nonconforming billboard removal (Exhibit G – Findings).

For these reasons, staff recommends that the Planning Commission approve the requested Conditional Use Permit and Standards Variance, subject to conditions of approval (Exhibit H – Conditions of Approval).

PUBLIC HEARING NOTICE

Public hearing notices were distributed on August 29, 2016, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. At the time of writing of this report, staff has received no questions or comments, written or otherwise, from the public regarding this project. Any public comments received following preparation of this report will be provided to the Planning Commission as soon as possible, up to 5:00 pm on the day of the scheduled hearing.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was prepared for the proposed project (Exhibit I – CE-16-169).

Respectfully submitted,



LINDA F.TATUM, AICP
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:sk

Attachments: Exhibit A – Location Map
 Exhibit B – Plans and Renderings
 Exhibit C – Aerial View of Project Site
 Exhibit D – Billboard Map and Takedown List
 Exhibit E – Light Analysis
 Exhibit F – Vicinity Photos
 Exhibit G – Findings
 Exhibit H – Conditions of Approval
 Exhibit I – Categorical Exemption CE-16-169

CONDITIONAL USE PERMIT FINDINGS

2035 W. Wardlow Road
Application No. 1607-03
September 15, 2016

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Regulations. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The project site is located in Land Use District #8A—Traditional Retail Strip Commercial (p. 14, General Plan land use district map). LUD #8A does not address the regulation of billboards specifically, but specifies that commercial uses that may adversely affect adjoining residential uses are subject to Conditional Use Permits (p. 67, Land Use Element). Consistent with this requirement, a CUP is required for a new billboard project under the standards of the CS zoning district in which the site is located. The project site is located in the General Plan’s “Arlington” neighborhood (pp. 86–87, Land Use Element). The General Plan’s recommendations for this neighborhood focus on property maintenance, and an unrealistically-low assessment of the density of the housing stock in the area, with emphasis on preserving this perceived low density, along with the need for greater provision of neighborhood services and amenities. As the proposed project will not affect density or the provision of neighborhood services and amenities, and will not cause a negative visual impact upon the area, it is consistent with the intent of LUD #8A. The project site is not located within a specific plan or the Coastal Zone. The site is located in the CS (Commercial Storage) zoning district, and the project site is a commercial storage facility. Construction of new electronic billboards is allowed in the CS district through the CUP process. The project (with the included conditions of approval) will carry out the zoning regulations applying to billboards and to this district.

The billboard is located approximately 150 feet from the residential district to the south, as measured to the nearest element of the billboard structure. This does not comply with the requirement of Section 21.54.120.B.1 of the Zoning Regulations, which requires a distance of 300 feet from the nearest residential district. However, the applicant is requesting a Standards Variance on this development standard, and staff believes the variance request is justified based up on the physical configuration of the lot and the site (see Application No. 1607-03 Standards Variance findings).

Approval of this project would be consistent with the General Plan, and the requirements of the Zoning Regulations, provided that the requested Standards Variance is approved.

2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY, GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND

The proposed use will not be detrimental to the surrounding community. A new electronic billboard structure (consisting of two 14 × 48-foot faces) will be constructed on at the northern edge of the subject site, with the billboard faces back-to-back facing west and east (see project plans in Application No. 1607-03). The project site abuts the San Diego Freeway (I-405) to the north, is bounded by other properties in the CS zoning district on the west and east, and is adjacent to an R-1-N residential zoning district across Wardlow Road to the south. Adjacent to the subject property, Wardlow Road has a right-of-way width of 92 feet from property line to property line. The new billboard structure will have a height of 50 feet above freeway grade, as allowed for a freeway-oriented billboard in Section 21.54.220 and Table 54-1 of the Zoning Regulations. Due to the upslope grade difference between the grade at the storage facility where the billboard will be constructed, and the grade of the nearest freeway travel lane, the overall height of the billboard structure from top to bottom will be approximately 85 feet. While this seems tall, it is approximately equivalent to the height of the mature trees in the center median of Wardlow Road, the height of the wooden power poles on the north side of Wardlow Road, and the height of the “Extra Space Storage” freeway-oriented pole sign for the storage facility located at the western end of the subject site. The trees, additionally, will have a significant effect in screening the billboard from the residential district to its south (see site photos and photo-simulations in Application No. 1607-03). The billboard also will be located near the eastern end of the subject property, away from the pole sign at the western end, avoiding the appearance of “sign overcrowding.”

Additionally, the billboard will be oriented perpendicular to the residential district across Wardlow Road to the south, presenting only a narrow end-on profile to the residential properties nearest to it. This will reduce the billboard’s visual impact upon the properties nearest to it and most likely to be affected were it oriented inappropriately. The billboard will result in nighttime light emissions, but these are strictly regulated by the standards specified in Section 21.54.280.B. Furthermore, the billboard’s electronic display panel will consist of a display technology that reduces the visible light emanating from the panel when viewed “off-axis,” or not directly facing the panel (see Light Analysis in Application No. 1607-03). This light reduction functions in both horizontal (side-to side) and vertical (up-and-down) planes, meaning that while the billboard display will be emitting an appropriate amount of light to be legible when viewed from the freeway elevation, the apparent light emanating from the display will be considerably less when viewed from a side

angle, or the Wardlow Road street level. This will further aid in reducing any visual impacts upon the surrounding community. All light emissions are subject to third-party verification for compliance at the City's discretion (Section 21.54.280.B.9 of the Zoning Regulations).

The zoning regulations also contain adequate restrictions on electronic sign copy (preventing the imitation of traffic signs or controls) and message transition (preventing any motion, video, and blinking or bright-dark-bright "pop" transitions) to prevent the electronic billboard from creating a traffic distraction or hazard for the I-405 Freeway or adjacent surface streets. The billboard will generate no noise, air quality, or traffic generation impacts. No negative public health, safety, general welfare, environmental quality, or quality of life impacts will result this project.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.

The special conditions specified in Chapter 21.52 for billboards have been replaced with new findings for billboards, enumerated in Section 21.54.115, as follows:

A. The proposed billboard does not represent a net increase in billboard sign area Citywide;

The proposed project will comply with the removal requirements of Section 21.54.160.A, at the 8:1 area ratio specified for new electronic billboards. The proposed electronic billboard faces total 1,344 square feet, and will require the removal of a total of 10,752 square feet of other billboard area from within the City. The applicant proposes to remove 11,400 square feet of billboard area, totaling 38 billboard faces, each 300 square feet, to comply with this requirement.

B. The applicant or developer has provided a written plan and a letter of intent explaining how the requirements of Section 21.54.160.A or B (which require removal of certain amounts of existing billboard area in exchange for rights to construct a new billboard or convert an existing billboard to electronic) will be accomplished;

The applicant has provided this information, demonstrating compliance with Section 21.54.160 (see billboard removal list and map in Application No. 1607-03). The applicant has identified thirty-eight (38) specific existing billboards that will be removed from within the City prior to issuance of any building permit for the proposed electronic billboard site.

C. The billboard shall not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway;

The project consists of construction of a new freeway-oriented electronic billboard. The proposed billboard is not located near a hazardous road feature (e.g., a sharp curve or hill), and will be subject to review and the development standards of the California Department of Transportation (Caltrans) for freeway-oriented billboards. Also, the restrictions specified in Ch. 21.54 of the zoning regulations will restrict brightness, message transition (to prevent any motion, video, and bright-dark-bright “pop” transitions), and copy (to prevent imitation of traffic signs or controls) such that the electronic billboard will not create a traffic hazard.

D. For a new billboard, adequate spacing will exist between the proposed billboard and any existing or proposed billboards in the vicinity, such that negative visual and aesthetic impacts upon the neighborhood and surrounding land uses shall be avoided.

The proposed electronic billboard will be located with adequate spacing from any existing or proposed billboards in the vicinity. The City’s standards for spacing between billboards are specified in Table 54-1. The Zoning Regulations refer to the spacing standards set by Caltrans for freeway-oriented billboards; otherwise if Caltrans standards for some reason do not apply, the Zoning Regulations specify a spacing of 500 feet between new freeway-oriented billboards. The project will comply with these requirements.

E. The size of the proposed billboard will not be out of context with its visual environment, or be visually disruptive to neighboring properties and structures.

The new electronic billboard will be primarily visible from the I-405 freeway travel lanes, and will not be out of context with its visual environment, or disruptive to neighboring properties or structures. See Finding #2 for discussion of the height of the proposed billboard structure. The proposed billboard will be located as far as possible from the residential district across Wardlow Road to the south. Additionally, there is an existing pole sign for the storage facility of approximately the same height, as well as a significant number of mature trees in the center median of Wardlow Road also of the same height. These trees will act to screen the billboard from the residential district at many locations.

- F. For electronic billboards, the applicant has demonstrated technically, through a light study or similar study, that the billboard will not cause light and glare to intrude upon residential land uses, including those in mixed-use districts.**

The proposed electronic billboard will not negatively affect properties in the residential zoning district across Wardlow Road to the south, or any nearby nonconforming residential uses (see Light Analysis in Application No. 1607-03).

- G. Approval of this permit is consistent with the intent of Chapter 21.54 (Billboards), which is, primarily, to provide reasonable billboard control and to cause the eventual elimination of nonconforming billboards from the City.**

Approval of this permit will require removal of existing billboard area from within the City at an 8:1 ratio for construction of a new electronic billboard. The applicant has identified thirty-eight (38) existing billboards that will be removed to comply with this requirement, representing a total of 11,400 square feet of billboard area that will be removed. This removal will have a significantly positive impact upon the community within the City overall, and will significantly further the Ordinance's and City's stated goals of eventual removal of nonconforming billboards. Approval of this permit therefore is consistent with the intent of Chapter 21.54.

STANDARDS VARIANCE FINDINGS

**2035 W. Wardlow Road
Application No. 1607-03
September 15, 2016**

Per Section 21.25.306 of the Long Beach Municipal Code, the following findings must be analyzed, made and adopted before any action is taken to approve or deny the subject standards variance and must be incorporated into the record of proceedings relating to such approval or denial.

1. THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE COMPARED TO THE OTHER SITES IN THE SAME ZONE;

The applicant requests a Standards Variance on the requirement of Section 21.54.120.B.1, which specifies that new freeway-oriented billboards must be located at least 300 feet from the nearest residential district. The nearest element of the proposed billboard structure would be approximately 150 feet from the nearest residential district across Wardlow Road to the south (see site vicinity and zoning map, and plans in Application No. 1607-03).

The site is physically unique due to its long frontage (approximately 540 feet) but relatively shallow lot depth (an approximate average of 150 feet), which makes it effectively impossible to construct a freeway-oriented billboard anywhere on the site in compliance with the 300-foot spacing from a residential district specified by Section 21.54.120.B.1, despite the fact that the project site is otherwise compliant in all respects with the development standards specified for new freeway-oriented billboards.

2. THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE OF THE PROPERTY AS OTHER PROPERTIES IN THE SAME ZONE ARE USED AND WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH LIMITATIONS IMPOSED ON SIMILARLY ZONED PROPERTIES OR INCONSISTENT WITH THE PURPOSE OF THE ZONING REGULATIONS;

The unique situation, which arises from the physical configuration of the lot, results in the applicant's inability to construct a new freeway-oriented billboard in compliance with the 300-foot spacing from a residential district specified by Section 21.54.120.B.1 in the Zoning Regulations. The project site and the proposed billboard are otherwise compliant in all respects with the development standards specified for construction of a new freeway-oriented billboard (Chapter 21.54 of the Zoning Regulations). This hardship deprives the applicant of the right to use and develop the property in the same manner that other similar properties in this zoning district could be used (i.e., to construct a new freeway-oriented billboard at

a freeway-adjacent commercial storage facility that meets all other zoning standards for billboard development).

Approval of this Standards Variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties, since the property is otherwise an excellent site for development of a new freeway-oriented billboard (a use allowed in the CS zoning district through a CUP), and the property suffers no other deficiencies or handicaps with regards to compliance with billboard development standards. Approval of this variance will not afford a special privilege to the applicant that would not be available to another applicant at another site having sufficient lot depth also located in the CS zoning district and adjacent to the freeway.

Approval also will not constitute a grant of special privilege inconsistent with the purpose of the Zoning Regulations. The purpose of the Zoning Regulations, in this context, must be considered to be twofold, having these criteria: 1) To protect neighboring properties and the community from negative impacts, and 2) to promote the removal of nonconforming billboards by allowing appropriate billboard development at appropriate sites (new billboard development requires the takedown of existing billboard inventory from within the City per Section 21.54.160 of the Zoning Regulations). Approval clearly would be consistent with and further the purposes of the Zoning Regulations for criterion 2 (see billboard removal list and map in Application No. 1607-03), and through careful design and siting, it will be consistent with the purposes of the Zoning Regulations for criterion 1. The avoidance of negative impacts upon neighboring properties and the community is further discussed in Finding 3 below.

3. THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND

The applicant requests a Standards Variance to allow a new electronic billboard to be constructed at a distance of approximately 150 feet from the nearest residential district, instead of the 300 feet required for new freeway-oriented billboards by Section 21.54.120.B.1 of the Zoning Regulations. The purpose of this requirement is, generally, to keep freeway-oriented billboards separated from residential districts due to their potential height and larger size, versus a non-freeway-oriented billboard, which is only required to be separated from the nearest residential district by a distance of 90 feet (Section 21.54.120.A.2). The code assumes that freeway-oriented billboards will be larger, typically 14 × 48 feet and 672 square feet in area, versus a non-freeway-oriented billboard, which would typically be 10 × 30 feet or 12 × 25 feet, and 300 square feet in area. The code also assumes that freeway-oriented billboards will be taller, since they are allowed at a height of up to 50 feet above the nearest freeway travel lane, instead of 35 feet above curb grade for non-freeway-oriented billboards (Table 54-1). With these two factors in mind, the code prescribes the greater 300-foot distance from residential for freeway-oriented

billboards. This development standard predates the code's allowance for electronic billboards, although with the advent of electronic billboards, the potential for light impacts upon residential districts also is an important factor to consider as well.

In this particular case, the applicant has located the proposed billboard on the north property line of the subject site, as far as possible from the residential district across Wardlow Road to the south (see site vicinity and zoning map, and plans in Application No. 1607-03). This results in a separation of approximately 150 feet from the southernmost (nearest) element of the billboard structure from the residential district. The billboard's structural support and footing will be located closer to 200 feet from the residential district, abutting the north property line of the site. Additionally, the billboard will be oriented perpendicular to the residential district across Wardlow Road to the south, presenting only a narrow end-on profile to the residential properties nearest to it. This will reduce the billboard's visual impact upon the properties nearest to it and most likely to be negatively affected were it oriented inappropriately.

Due to the upslope grade difference between the grade at the storage facility where the billboard will be constructed, and the grade of the nearest freeway travel lane, the overall height of the billboard structure from top to bottom will be approximately 85 feet. While this seems tall, it is approximately equivalent to the height of the mature trees in the center median of Wardlow Road, the height of the wooden power poles on the north side of Wardlow Road, and the height of the "Extra Space Storage" freeway-oriented pole sign for the storage facility located at the western end of the subject site. The trees, additionally, will have a significant effect in screening the billboard from the residential district to its south (see site photos and photo-simulations in Application No. 1607-03). The billboard also will be located near the eastern end of the subject property, away from the pole sign at the western end, avoiding the appearance of "sign overcrowding." In light of these facts, staff finds that the size and height of the proposed billboard will not be out of scale or inappropriate to its location, and will not cause substantial adverse effects upon the community and neighboring residential properties.

The billboard will result in nighttime light emissions, but these are strictly regulated by the standards specified in Section 21.54.280.B. Furthermore, the billboard's electronic display panel will consist of a display technology that reduces the visible light emanating from the panel when viewed "off-axis," or not directly facing the panel (see Light Analysis in Application No. 1607-03). This light reduction functions in both horizontal (side-to side) and vertical (up-and-down) planes, meaning that while the billboard display will be emitting an appropriate amount of light to be legible when viewed from the freeway elevation, the apparent light emanating from the display will be considerably less when viewed from a side angle, or the Wardlow Road street level. This will further aid in reducing any visual impacts upon the surrounding community. All light emissions are subject to third-party verification

for compliance at the City's discretion (Section 21.54.280.B.9 of the Zoning Regulations). In light of these facts, staff finds that the potential nighttime light emissions from the proposed billboard will not have a significant adverse effect upon the community and nearby residential properties.

Approval of this variance request would not cause substantial adverse effects upon the community.

4. **IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH PHYSICAL, VISUAL, AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.**

The site is not located within the Coastal Zone.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT and STANDARDS VARIANCE
2035 W. Wardlow Road
Application No. 1607-03
September 15, 2016

Special Conditions:

1. This Conditional Use Permit approval is for the construction of a new freeway-oriented double-sided electronic billboard, with each face no larger than 14 × 48 feet, a maximum area of 672 square feet per face, and a maximum height of not more than 50 feet above the nearest freeway travel lane.
2. The Standards Variance code exception approved for this project is as follows: A new electronic billboard may be constructed at a distance of approximately 150 feet from the nearest residential district, instead of not less than 300 feet as required by Section 21.54.120.B.1 of the Zoning Regulations. The nearest residential district is the R-1-N zoning district across Wardlow Road to the south of the subject property.
3. The two billboard faces may be mounted parallel to each other facing opposite directions (“back-to-back”), or at an acute angle to each other (“V-shaped”), at the applicant’s option.
4. The applicant shall provide for the removal of 10,752 square feet, at a minimum, of existing billboard area from within the City of Long Beach. This removal shall be completed prior to the issuance of any building or electrical permits for the construction of the new electronic billboard. The applicant shall obtain a separate demolition permit for each billboard to be removed, and shall provide to the Planning Bureau photographs of each site prior to removal, and photographs of each site following removal, to the satisfaction of the Director of Development Services.
5. The thirty-eight (38) existing billboards identified by the applicant for removal in the list formally presented to the Department of Development Services for this CUP application shall be the billboard sites to be removed to satisfy Section 21.54.160.A. Any proposed changes to this list shall be subject to the review of the Zoning Administrator and may be discretionally approved or denied in due consideration of the intent of Chapter 21.54 (Billboards) of the Zoning Regulations.
6. At the request of the Director of Development Services, the applicant shall provide, at own expense, a light and glare study for the new electronic billboard, in accordance with Section 21.54.115.F, and shall demonstrate compliance with Section 21.54.280.B.6.b and 21.54.280.B.10.

7. The applicant shall obtain all required permits from the California Department of Transportation (Caltrans) or other involved State or County agency, and provide evidence of such permits to the Department of Development Services when such permits have been secured (the Outdoor Advertising Act requires the applicant to first obtain local jurisdiction permits before Caltrans permits may be issued).
8. The applicant shall provide for all electrical service wiring to be routed to the new billboard underground, per Section 21.54.250.
9. The new electronic billboard shall not overhang the I-405 freeway right-of-way or any other public street or sidewalk, unless approved by the California Department of Transportation (Caltrans) or the City of Long Beach Department of Public Works, or other agency having jurisdiction, as appropriate. The billboard shall not overhang any other private property.
10. Following approval of the Conditional Use Permit and Standards Variance, but prior to issuance of any demolition permit for the required billboard removal, the applicant shall provide written authorization from the property owner of the subject site for the new electronic billboard project.
11. The billboard shall be designed and constructed according to the plans, renderings, and photo-simulations provided to the Planning Bureau for this subject permit (Application No. 1607-03).
12. The billboard applicant and operator, Clear Channel Outdoor (CCO), shall not be responsible for maintenance of any non-billboard-related improvements or areas (buildings, fences, gates, landscaping, parking areas, open space, etc.) on the subject property beyond what (if any) is required by CCO's contract or lease agreement with the property owner. This condition also shall apply to any heirs, assigns, or successors to CCO on this site.

Standard Conditions – Plans, Permits, and Construction:

13. Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval, to the satisfaction of the Director of Development Services.
14. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
15. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.

16. The Director of Development Services is authorized to approve minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change or alter the approved project. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
17. Upon plan approval and prior to issuance of a building permit, the applicant shall submit a reduced-size set of final construction plans for the project file.
18. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.
19. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
20. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
21. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
22. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
23. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
24. Energy conserving equipment, lighting, and construction features shall be utilized in this project.

Standard Conditions – General:

25. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.

26. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).
27. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
28. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
29. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
30. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
31. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
32. Any graffiti found on site must be removed within 24 hours of its appearance.
33. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.

34. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.



CITY of LONG BEACH NOTICE of EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU
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- 16-169

Project Location/Address: APN: 7317-001-023

Project/Activity Description: Construction of message center signs (digital sign). Construction of a new double-sided electronic billboard, oriented to the 1-405 San Diego Freeway, 14x48 feet and 672 sq. ft. per side, at an existing self-storage facility.

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

Applicant Name: Clear Channel Outdoor

Mailing Address: 19320 Harborgate Way, Torrance, Ca 90501

Phone Number: 310-755-7200

Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1607-03 Planner's Initials: SK

Required Permits: Conditional Use Permit, Standards Variance

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15303 New Construction or Conversion of Small Structures

Statement of support for this finding: Project consists of construction and operation of a new electronic billboard, a small non-occupiable structure that generates no surface trips, noise, or air quality impacts.

Contact Person: Scott Kinsey

Contact Phone: (562) 570-6194

Signature: Scott Kinsey

Date: 8/25/16