



December 12, 2011

City Council
City of Long Beach
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

**Re: Zoning Ordinance Amendment Related to City's Regulation of Billboards
(Off-Site Advertising)**

Dear Councilmember:

Lamar Central Outdoor ("Lamar") and the Los Angeles and Orange Counties Building Trades Council appreciate the opportunity to provide additional comments and suggestions related to the City's draft Zoning Ordinance Amendment ("Draft Ordinance"). Lamar most recently raised several concerns related to the Draft Ordinance at the December 6, 2011 City Council hearing. At that hearing, Lamar representatives urged that additional time be taken to address these matters, rather than have the Council rush to approve a Draft Ordinance which would not fulfill the City's intended purpose of removing billboards from residential areas, and could have the unintended effect of disproportionately harming Lamar's legitimate business interests.

In this regard, we have prepared the attached redline changes to the Draft Ordinance, as an alternative version for consideration by the Council. Specifically, these proposed changes would impose a much more reasonable 4:1 replacement ratio for signs that are removed from a residential zoning district (or within 1,000 feet of a residential zoning district).

Currently, Section 21.54.160(A) of the Draft Ordinance would require an **8:1** reduction of nonconforming signs in exchange for construction of a new electronic billboard; and a **6:1** reduction of nonconforming signs for a new non-electronic billboard. According to Section 21.54.160(A)(6), nonconforming billboards located in a residential zoning area shall have highest priority for removal.

We support the City's objective of removing lawful, nonconforming billboards located in residential neighborhoods where such boards would not be legally permitted under the current Code. However, this excessively high¹ replacement ratio provides outdoor

¹ See, e.g., City of Sacramento Municipal Code § 15.148.815(F)(4) [requiring only net reduction of signs]; City of Ontario Municipal Code § 9-1.3176(e) [requiring only 2:1 replacement ratio]; City of Hemet Municipal Code § 90-1280(c)(3) [requiring only that existing nonconforming sign be removed prior to erecting new sign]; and City of Hesperia Municipal Code § 16.36.100(C)(15) [requiring 3:1 replacement ratio].

advertisers such as Lamar with *virtually no incentive* to remove existing signs from residential areas, and is actually counterintuitive to this goal.

Instead, we suggest that the replacement ratio be revised to **4:1** for nonconforming billboards removed from a residential zoning district (or within 1,000 feet of a residential zoning district), for all new electronic and non-electronic billboards.

In addition, the City should consider offering an incentive to place billboards on City-owned property at a **4:1** replacement ratio, which would allow the City to build a positive revenue stream and provide public service and community messages, while still meeting the City's goal of removing billboards from residential areas. Placement of billboards on City-owned property would still require approval of a CUP, and would thus be evaluated on a case-by-case basis, as would any other billboard proposed to be placed in a commercial or industrial zone within the City.

In closing, we are supportive of the City's efforts to update its existing billboard regulations, but urges that the foregoing comments to the Draft Ordinance be carefully evaluated by City staff, and that the Council postpone its approval of the Draft Ordinance until these issues are fully vetted. We welcome the opportunity to discuss these concerns further.

Sincerely,

Ray Baker
Vice-President and General Manager
Lamar Advertising Company

Robert Hunter
Council Executive-Secretary
Los Angeles/Orange Counties Building
Trades Council

Proposed Alternative Ordinance Changes to Chapter 21.54

21.54.160 Citywide billboard capacity limited.

The City of Long Beach finds that, at the time of adoption of this Chapter, a plenitude of modes of advertising were 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 will 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 (see Table 54-2 for summary):

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; except where nonconforming billboards are removed from a residential zoning district or within 1,000 feet of a residential zoning district, in which case nonconforming billboard(s) totaling 4 times the display surface area of the proposed electronic billboard are required to be removed.
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 existing size of the converted billboard shall be removed. ~~If the billboard is proposed to be expanded as part of the conversion to electronic, it shall be considered a new electronic billboard and nonconforming billboard(s) totaling 8 times the display surface area of the final size of the proposed billboard shall be removed.~~
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; except where nonconforming billboards are removed from a residential zoning district or within 1,000 feet of a residential zoning district, in which case nonconforming billboard(s) totaling 4 times the display surface area of the proposed new non-electronic billboard are required to be removed.

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4. If expansion of an existing electronic billboard is proposed, the portion that represents a net increase over the existing display surface area shall require removal of existing nonconforming billboard(s) totaling 8 times the area of the net increase.

5. If expansion of an existing non-electronic billboard is proposed, the portion that represents a net increase over the existing display surface area shall require removal of existing nonconforming billboard(s) totaling 6 times the area of the net increase.

6. If a new electronic or non-electronic billboard is proposed to be relocated or constructed upon City-owned property, nonconforming billboard(s) totaling 4 times the display surface area of the proposed billboard shall be removed.

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6.7. Nonconforming billboards shall be removed with the following priority:

- a. Nonconforming billboards located in a residential zoning district or within 1,000 feet of 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.

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**Table 54-1
Billboard Development Standards**

| Type of Billboard | Maximum Area (sq. ft.) | Max. Height | Standard Spacing between billboards (a) | Street Classification Types Allowed (b) | Zoning Distr Allowed |
|---|---|--|--|--|---|
| 1. New freeway-oriented billboard, electronic or non-electronic | 675 sq. ft. | 40 ft. above nearest freeway lane. | 1,000 ft. between electronic, 500 ft. between non-electronic | Freeway, Regional Corridor, or Major Arterial ^{(c)(d)(h)} | CNP, CAN, CNR, CCA, CCP, CCR, CCN, CHW ^(e) , CS, IL, 1M, IP ^(f) |
| 2. Other new billboard, electronic or non-electronic | 675 sq. ft. | 35 ft. above curb grade. | 1,000 ft. between electronic, 300 ft. between non-electronic | Regional Corridor, or Major Arterial only ^{(c)(d)(h)} | CNP, CAN, CNR, CCA, CCP, CCR, CCN, CHW ^(e) , IM, IG |
| 3. Conversion of existing billboard to electronic (with or without expansion of area) | 675 sq. ft. ^(g) | No higher than existing billboard, or 35 ft. above curb grade (or 40 ft. above nearest freeway lane, if freeway-oriented), whichever is greater. | 1,000 ft. between electronic billboards | Freeway, Regional Corridor, or Major Arterial only ^{(c)(h)} | CNP, CAN, CNR, CCR, CCN, CCA, CCP, CHW ^(e) , CS, IL, 1M, IP ^(f) |
| 4. Expansion of existing electronic or non-electronic billboard (includes addition of faces; does not include conversion to electronic) | 300 sq. ft., 675 sq. ft. if freeway-oriented ^(h) | No higher than existing billboard, or 35 ft. above curb grade (or 40 ft. above nearest freeway lane, if freeway-oriented), whichever is greater. | N/A | Freeway, Regional Corridor, or Major Arterial only ^{(c)(h)} | CNP, CAN, CNR, CCA, CCP, CCR, CCN, CHW ^(e) , CS, IL, 1M, IP ^(f) |

(a) Required spacing between billboards on same side of the 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) 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.

(d) 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.

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(e) Also allowed in the deprecated CH commercial highway zoning district.

(f) Billboards in the IP zoning district shall require approval of the Harbor Department prior to application for a Conditional Use Permit.

(g) Size shall not be increased over that of the existing billboard unless explicitly approved by the Planning Commission.

(h) Billboards on City-owned property may have a maximum area of 675 sq. ft., regardless of location or street classification.

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BUILD A BETTER CITY TOGETHER LONG BEACH

Where are we today?

- Lamar currently owns and operates 143 sign faces in the City.
- Each of these signs are traditional billboard signs that use paper or vinyl advertising material.

What are your goals?

- To reduce the overall number of billboards.
- To create a revenue stream of lease rent by having billboard structures installed and maintained on city-owned property.
- To reduce the blight and clutter citywide.
 - To create a WIN-WIN situation.

How Lamar can help:

- Lamar is a nationwide company that has years of experience with reduction and relocation programs.
- We have positive relationships with hundreds of municipalities nationwide, including those in SoCal.
 - Lamar operates over 160,000 billboards nationwide, including over 1,200 digital billboards.

Lamar's Proposal

- Removal of all existing Lamar billboard structures within 1000' of all residential zoned properties.
 - 25% gross sales revenues = approximately \$250,000 towards the City General Fund to help support Police, Fire, Libraries, etc.
- Public Service Announcements on a space available basis



Airport Cell Phone Lot - new 14' x 48' digital



Storage Yard (adj to I-710) - new 14' x 48' digital