



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

October 2, 2014

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Approve a Conditional Use Permit for the conversion of an existing double-sided static billboard (14 x 48 feet each side) into a double-sided electronic billboard of the same size, located at 1235 West 17th Street in the IG zoning district, and receive Categorical Exemption CE-14-116. (District 1)

APPLICANT: John Duong for Clear Channel Outdoor
19320 Harbortgate Way
Torrance, CA 90501
Application No. 1407-14

DISCUSSION

The location of the proposed project is on a small irregular parcel of land, approximately 3,669 sq. ft., on the north side of 17th Street, abutting the traffic lanes of the southbound I-710 freeway (on the west side of the freeway). An industrial land use abuts the site on the west (Exhibit A – Location Map). The site is in the IG – General Industrial zoning district, on a small, irregular lot, which is improved with a 14 x 48-foot double-sided billboard. The parcel is owned by Clear Channel Outdoor, Inc. The site is fenced with a 12-foot-tall slatted chain link fencing on the curved west-to-northwest property line where it abuts Caltrans right-of-way, and is fenced with open chain link 6 feet tall on the 17th Street frontage. On the property line shared with the industrial property to the west, it is fenced with a variety of 10-foot-tall fencing materials (Exhibit B – Site Photos).

The applicant, Clear Channel Outdoor, Inc., requests approval of a Conditional Use Permit (CUP) to convert the existing double-sided billboard into a double-sided electronic billboard (Exhibit C – Plans). The new electronic billboard faces will be the same size as the existing billboard faces: an industry standard size referred to as “bulletin” size, or 14 x 48 feet. The existing billboards are back-to-back at an angle (making a “V” shape), and the new electronic faces also are planned to maintain this “V” orientation. However, at the developer’s option this could be changed to parallel back-to-back faces without affecting compliance with the development standards.

The new July 2014 billboard ordinance allows new billboard projects or conversions in exchange for takedown of existing billboards at specified ratios, depending on the project

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type. For this project, conversion of an existing static billboard to electronic, with no expansion in area, the required takedown ratio is 4 to 1. That means for the existing total of 1,344 square feet of billboard area (2 faces at 672 sq. ft. each), a total of 5,376 sq. ft. of other existing billboard area must be removed from within Long Beach. The applicant has elected to achieve this by removing eighteen existing 10 x 30-foot billboards from their own inventory within Long Beach, totaling 5,400 square feet. The new billboard ordinance requires priority removal of billboards located in residential and mixed use zoning districts, and the billboard sites selected by the applicant for removal all are in compliance with this requirement. This project, if approved, will result in the removal of eighteen 10 x 30-foot billboards from the City, 11 of them in strictly residential zones, and 7 of them in mixed-use zones (Exhibit D – Billboard Project Site and Removal Sites Map and Spreadsheet).

The existing billboard at the project site will be refurbished and replaced as necessary to comply with the design standards for new billboard structures. This will include:

- Reduction of structural supports to one support for both billboard faces. Currently the south-facing billboard has two steel supports, and the north facing billboard has five.
- The structural support will be concealed with an architectural treatment. Staff has received a sample of this material and found it to be satisfactory.
- The new billboards will be limited in height to 40 feet above the nearest traffic lane, measured to the top of the billboard.
- The backs of the billboards, if exposed in a V-type installation, will be screened to conceal electrical and structural elements.

Additionally, staff is including a number of conditions of approval to require improvements to the site on which the billboard is located, since the billboard is the primary use of the land, with no other principal use. These will include upgrades to fencing materials, secure access, site maintenance, and underground wiring.

Staff has found the CUP request to be in conformance with the code requirements for billboards, as specified in Chapter 21.54 of the Zoning Ordinance, in all respects. Furthermore, the removal of 18 existing nonconforming billboards in residential and mixed-use zoning districts will provide significant benefits to the community through the elimination of these nonconformities and their associated negative visual impacts. Therefore, staff recommends that the Planning Commission approve the CUP request with the attached conditions of approval (Exhibit E – Findings and Conditions of Approval).

PUBLIC HEARING NOTICE

Public hearing notices were distributed on September 15, 2014, 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 a number of factual inquiries from the public, but no comments, written or otherwise, stating either support or opposition.

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ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was issued for the proposed project (Exhibit F – CE-14-116).

Respectfully submitted,



JEFF WINKLEPLECK
ACTING PLANNING ADMINISTRATOR

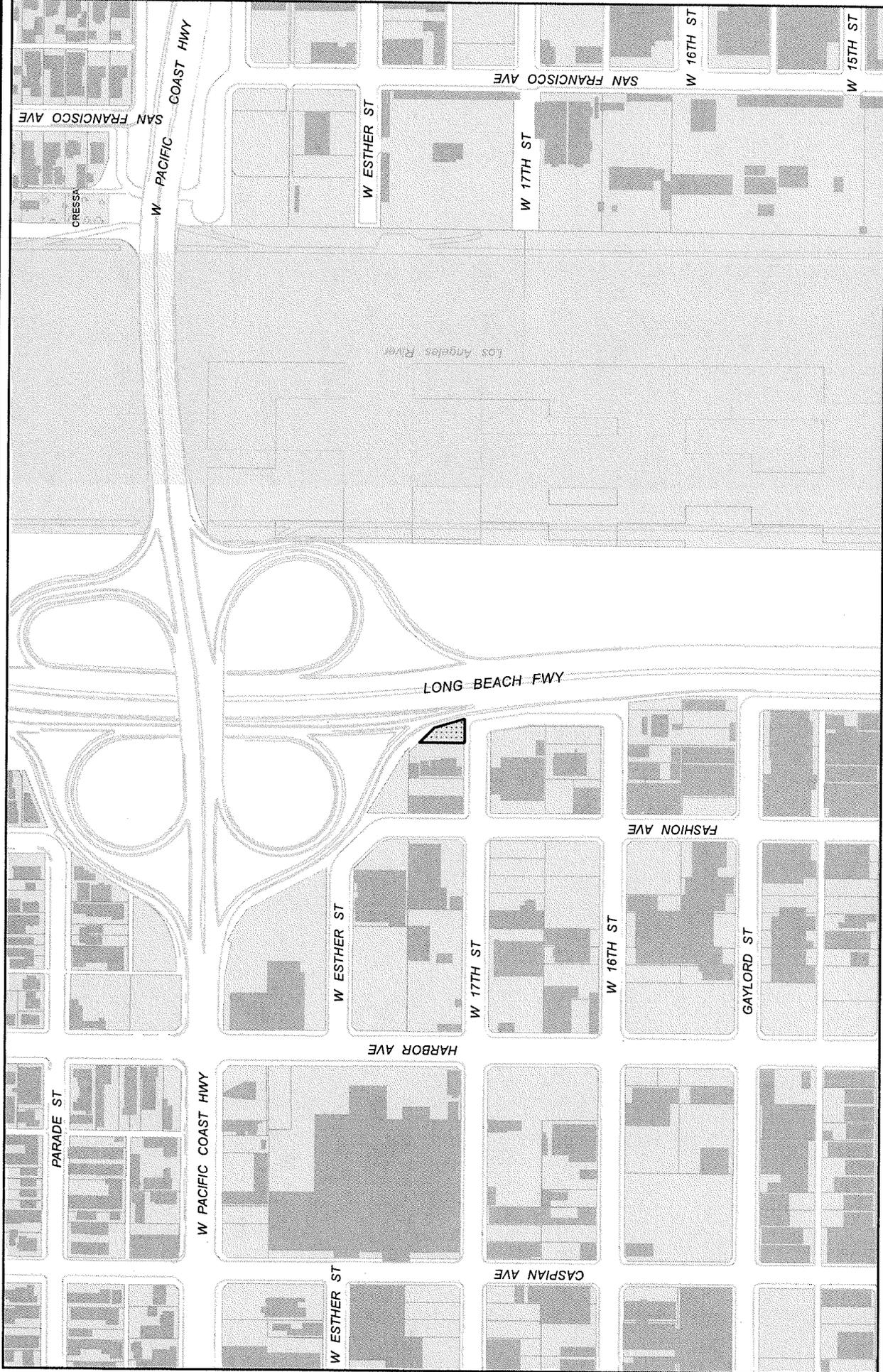


AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:JW:SK

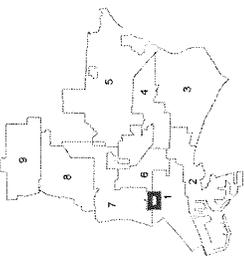
Attachments:

- Exhibit A – Location Map
- Exhibit B – Site Photos
- Exhibit C – Plans
- Exhibit D – Billboard Project Site and Removal Sites Map and Spreadsheet
- Exhibit E – Findings and Conditions of Approval
- Exhibit F – Categorical Exemption CE-14-116



Subject Property:
 1235 W 17th St
 Application No. 1407-14
 Council District 1
 Zoning Code : IG

Exhibit A



CONDITIONAL USE PERMIT FINDINGS

1235 West 17th Street
Application No. 1407-14
October 2, 2014

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;**

Positive Finding: The project site is located in Land Use District #9G—General Industry. LUD #9G does not address the regulation of billboards; however, the Conditional Use Permit process exists for land uses that require an additional level of review to ensure they do not cause adverse impacts to nearby uses. The proposed project is consistent with the intent of this LUD as it relates to the allowance of ancillary uses. The project site is not located within a specific plan or the Coastal Zone. The site is located in the IG (General Industrial) zoning district. Billboards, and conversion of existing non-electronic billboards to electronic, are allowed in the IG district through the CUP process. The project (with the included conditions of approval) will carry out the zoning regulations applying to this district. Approval of this project would be consistent with the General Plan and the Zoning Regulations.

- 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**

Positive Finding: The proposed use will not be detrimental to the surrounding community. The existing billboard on the site will be converted to an electronic billboard. This will result in light emissions from the electronic billboard, but these emissions will be required to comply with the limitations prescribed in Ch. 21.54 of the zoning ordinance, and are subject to third-party verification for compliance at the City's discretion. 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-170 Freeway or adjacent surface streets. The billboard meets all the spacing requirements in Ch. 21.54 for distance of a converted electronic billboard from residential, institutional, and park zoning districts. The proposed electronic billboard, like the existing billboard, will generate no noise, air quality, or traffic generation impacts. The site is surrounded by

industrial land uses, which are expected to receive no impacts from the project. No public health, safety, general welfare, environmental quality, or quality of life impacts are foreseen for 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;

Positive Finding: The proposed project will comply with the removal requirements of Section 21.54.160.A, at a 4:1 area ratio, resulting in the removal of eighteen (18) existing 10 x 30-foot billboards from within the City in exchange for the rights to convert the existing double-sided 14 x 48-foot billboard to electronic.

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;

Positive Finding: The applicant has provided this information to staff's satisfaction. The applicant has identified 18 specific existing billboards that will be removed from within the City prior to issuance of a building permit for the proposed conversion.

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

Positive Finding: The project consists of conversion of an existing, established non-electronic billboard to electronic. The size, siting, and location of the existing billboard has not created a traffic hazard, and its size, siting, and location will not change as it is converted to electronic. 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.**

Not Applicable: The proposed project is a conversion of an existing non-electronic billboard to electronic.

- 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.**

Positive Finding: The converted electronic billboard will be the same size as the existing non-electronic billboard. The billboard will be freeway oriented in an industrial zoning district, and will not be out of context with its visual environment, or disruptive to neighboring properties or structures.

- 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.**

Positive Finding: The proposed electronic billboard is not expected to affect properties in residential zoning districts or mixed-use districts. There are no residential or mixed-use land uses near the project site.

- 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.**

Positive Finding: Approval of this permit will require removal of existing nonconforming billboard area from within the City at a 4:1 ratio in exchange for the rights to convert the existing double-sided 14 x 48-foot billboard at the site to electronic. The applicant has identified eighteen (18) existing 10 x 30 foot nonconforming billboards located in residential and mixed-use zoning districts that will be removed to comply with this requirement. This represents a net area of 5,400 square feet of nonconforming billboard sign 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.

CONDITIONS OF APPROVAL

1235 West 17th St.

Application No. 1407-14

October 2, 2014

Special Conditions:

1. This Conditional Use Permit approval is for the conversion of an existing double-sided 14 x 48-foot billboard into a double-sided 14 x 48-foot electronic billboard, of a maximum height of 40 feet above the nearest freeway traffic lane.
2. The applicant shall provide for the removal of 5,376 sq. ft., at a minimum, of existing billboard advertising area from within the City of Long Beach, not including the two panels of the billboard location that is the subject of this permit for conversion to electronic. This removal shall be completed prior to the issuance of any building or electrical permits for the conversion of the subject billboard to electronic. 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.
3. The eighteen (18) 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 Condition #2. Any proposed changes to this list shall be subject to the review of the Zoning Administrator and may be approved or denied at his discretion, in due consideration of the intent of Chapter 21.54 (Billboards) of the Zoning Regulations.
4. The applicant shall provide, at own expense, a light and glare study for the subject billboard conversion to electronic, 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.
5. 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 prior to issuance of any building or electrical permits for conversion of the subject billboard to electronic.
6. The applicant shall provide for all electrical service wiring to be routed to the billboard underground, per Section 21.54.250.
7. The applicant shall provide for the removal and replacement of the existing chain link fence across the 54-foot width of the site frontage on 17th Street. The chain link fence shall be replaced with a tubular steel or wrought iron fence, or CMU masonry wall. This fence may be up to 12 feet tall, but shall be no less than 6 feet 6 inches at a minimum. A tubular steel or wrought iron fence may be screened if desired; however, perforated metal or metal mesh shall be used as the screening material. Construction screening mesh and fence slats (wooden, plastic, vinyl, or metal) shall be prohibited.

8. Use of barbed wire is allowed in the IG zoning district, per Section 21.43.030. However, no barbed wire shall be placed or maintained on any part of the billboard structure or supports. Additionally, no barbed wire shall be placed or maintained on the fence on the 17th Street frontage, nor on the site fence abutting the Caltrans right-of-way.

Standard Conditions – Plans, Permits, and Construction:

9. 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.
10. 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.
11. 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.
12. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
13. 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.
14. 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.
15. 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.
16. 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.
17. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.

18. 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.
19. Prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations.
20. 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.
21. 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.
22. All landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted with drought tolerant plant materials and shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
23. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller.
24. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
25. Energy conserving equipment, lighting, and construction features shall be utilized in this project.

26. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

Standard Conditions – General:

27. 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.
28. 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).
29. 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.
30. 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).
31. 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.
32. 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.

33. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
34. 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.
35. Any graffiti found on site must be removed within 24 hours of its appearance.
36. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
37. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
38. 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.



NOTICE of EXEMPTION from CEQA

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- 14-116

Project Location/Address: 1235 W 17th St , Long Beach, CA 90813

Project/Activity Description: Conversion of an existing non-electronic off-premises sign (billboard) into an electronic billboard.

Modernize existing advertising signs into message center signs (Digital/LED).

Double-sided, 14 x 48' each side.

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

Applicant Name: Clear Channel Outdoor - John Duong

Mailing Address: 19320 Harborgate Way Torrance CA 90501

Phone Number: 310-755-7263

Applicant Signature:

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1407-14 Planner's Initials: SK

Required Permits: Conditional Use Permit

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15302 Replacement or Reconstruction

Statement of support for this finding: Project consists of replacement/reconstruction of an existing off-premises sign (billboard).

Contact Person: Scott Kinsey

Contact Phone: (562) 570-6194

Signature: Scott Kinsey

Date: 9/22/14