



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

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May 4, 2017

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-17-050 and approve a Conditional Use Permit for the conversion of an existing double-sided static billboard to an electronic format, located at 400 W. Del Amo Boulevard in the Medium Industrial (IM) zoning district. (District 8)

APPLICANT: Dave Ryan for Outfront Media
1731 Workman Street
Los Angeles, CA 90031
(Application No. 1702-16, CUP17-004)

DISCUSSION

The project is a 0.54-acre site, located on the north side of Compton Creek, immediately east of the Long Beach Freeway (I-710). The property abuts the California Department of Transportation's right-of-way on the north and the west, Compton Creek on the south, and a Southern California Edison high-tension transmission line path on the east (Exhibit A – Location Map). The site is in the IM (Medium Industrial) zoning district, and currently is improved with a double-sided V-backed static billboard, having 672 square feet on each face. The subject property, and the abutting property to the east, are otherwise used for the keeping of horses, and contain numerous small structures for these purposes. The general area consists of industrial uses to the north, west, and south, with the Los Angeles River channel's 800-foot-wide right-of-way to the east (Exhibit B – Aerial Photo of Location).

The applicant, Outfront Media, is requesting to convert the existing billboard to an electronic format. The converted electronic billboard will be the same size and have the same number of faces (two faces at 672 square feet each, for a total of 1,344 square feet) as the existing static billboard (Exhibit C – Plans). The billboard will retain its current face orientations toward the northbound and southbound traffic lanes of the I-710 Long Beach Freeway. In addition to conversion of the static faces to electronic displays, the structural support pole will receive an architectural treatment, as required by the Billboard Ordinance (Exhibit D – Renderings). The Zoning Ordinance requires a Conditional Use Permit to convert a static billboard to an electronic message board subject to the required CUP findings. The purpose of a Conditional Use Permit (CUP) is to allow for the special

CHAIR AND PLANNING COMMISSIONERS

May 4, 2017

Page 2 of 3

consideration of a use, such as billboards, which may have an adverse effect on the surrounding uses or environment if it is not designed, located or operated in a manner that is compatible with its surroundings.

The existing static billboard on-site is illuminated at night by light fixtures attached to the structure. The conversion of the existing billboard to an electronic format will result in new light emissions from the display panel itself. However, the new electronic billboard will not scroll, flash or be animated and the message transition is regulated to prevent any motion, video, and bright-dark-bright "pop" transitions. The light from the electronic billboard will be required to comply with the limitations prescribed in Chapter 21.54 of the Zoning Ordinance including but not limited to requirements that the display automatically adjust to the ambient light conditions and is subject to third-party verification for compliance at the City's discretion.

Current Zoning regulations allow new billboard projects or conversions in exchange for takedown of existing billboards at specified ratios, depending on the project type. For this project, conversion of an existing static billboard to electronic, with no expansion of face area, the required takedown ratio is 4 to 1. That means for the total converted area of 1,344 square feet, a minimum of 5,376 square feet of existing billboard area must be removed from within Long Beach, prior to conversion of the subject billboard. The applicant has proposed to comply with this requirement by removing 19 billboard faces from their existing inventory within Long Beach, totaling 6,048 square feet (Exhibit E – Billboard Project Site and Removal Sites Map and List). The zoning regulations establish priority removal of billboards located in residential and mixed-use zoning districts; the billboard sites selected by the applicant for removal comply with this requirement. In fact, all billboards to be removed as part of this project are located in residential zoning districts, and mixed-use, commercial-residential, Planned Development Districts or Specific Plan areas.

Staff finds the CUP request to be in conformance with the zoning requirements for billboards, as specified in Chapter 21.54 of the Zoning Ordinance. Furthermore, the removal of 19 existing nonconforming billboards from within the City will provide significant benefits to the community through the elimination of these structures and their associated negative visual impacts. Therefore, staff recommends that the Planning Commission approve this CUP request subject to the attached findings and conditions of approval (Exhibit F – Findings and Conditions of Approval).

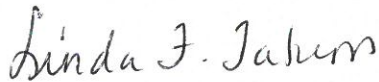
PUBLIC HEARING NOTICE

Public hearing notices were distributed on April 14, 2017, 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 comments or inquiries on the project. Any comments received prior to the Planning Commission hearing will be provided to the Commission prior to or at the hearing.

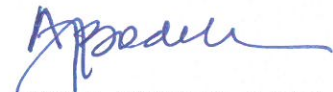
ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was prepared for the proposed project (Exhibit G – CE-17-050), finding that this project qualifies for a Categorical Exemption per Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER

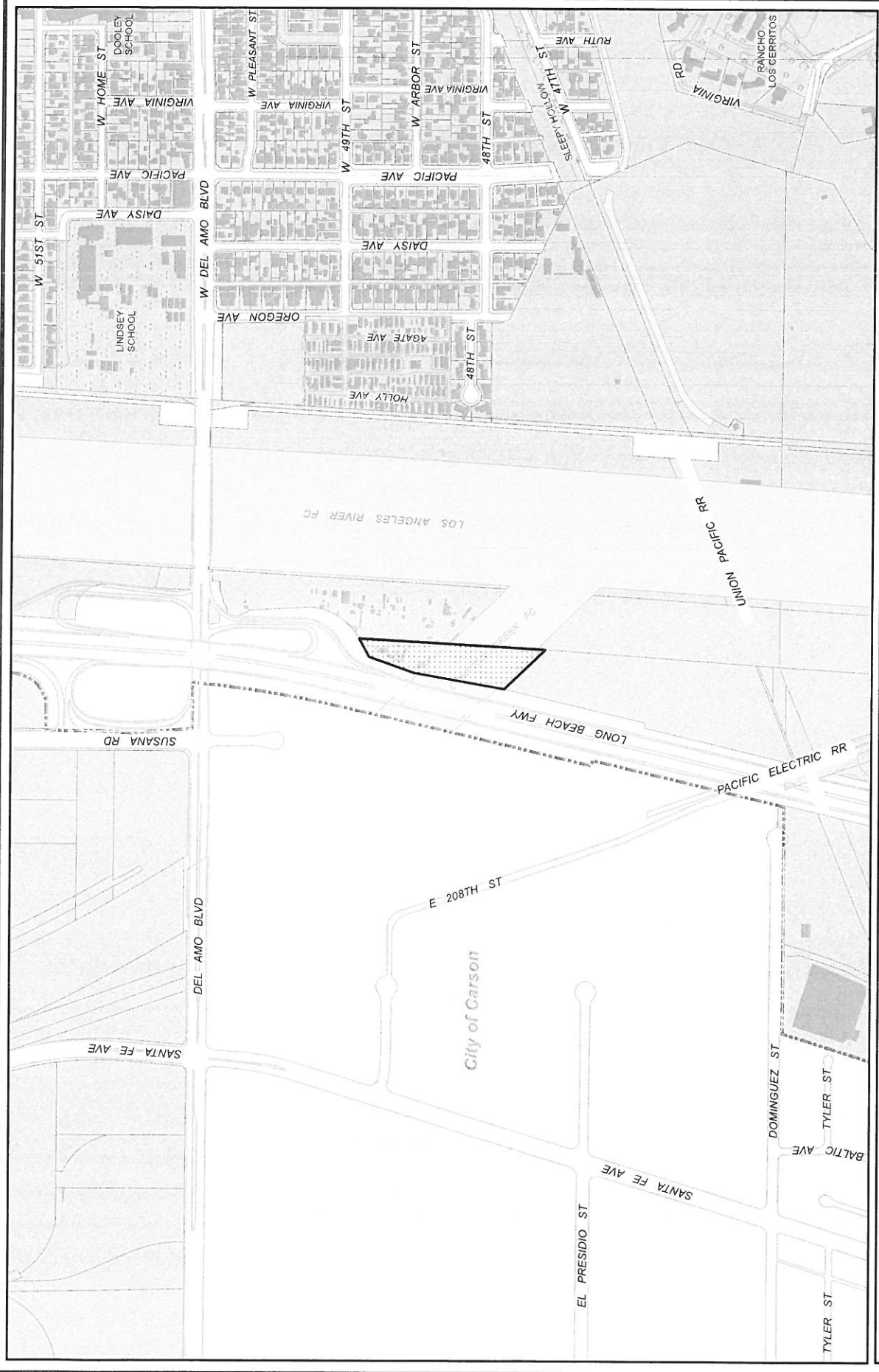


AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:CT:sk

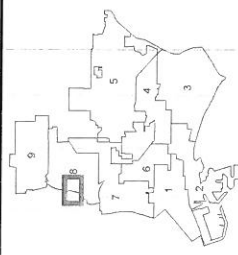
Attachments:

- Exhibit A – Location Map
- Exhibit B – Aerial Photo of Location
- Exhibit C – Plans
- Exhibit D – Renderings
- Exhibit E – Billboard Project Site and Removal Sites Map and List
- Exhibit F – Findings and Conditions of Approval
- Exhibit G – Categorical Exemption CE-17-050



Subject Property:
400 W Del Amo Blvd
Application No. 1702-16
Council District 8
Zoning Code : PR, IM Overlay H

Exhibit A



CONDITIONAL USE PERMIT FINDINGS

400 W. Del Amo Boulevard
Application No. 1702-16, CUP17-004
May 4, 2017

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 applicant proposes to convert an existing double-sided static billboard to an electronic billboard of the same size (see case file, No. 1702-16, CUP17-004). The project site is located in Land Use District #9G—General Industry (see page 22 of the General Plan Land Use District Map). LUD #9G does not address the regulation of billboards; however, the Conditional Use Permit (CUP) 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 IM (Medium Industrial) zoning district (see page 22 of the Zoning Map). Conversion of an existing static billboard to an electronic billboard is allowed in the IM district through the CUP process, subject to the development standards of Chapter 21.54 (Billboards). The project complies with all development standards contained in Chapter 21.54, including, but not limited to, distance from residential, institutional, and park zoning districts, and provision of the required takedown of other existing billboard area at a 4:1 ratio. The project (with the included conditions of approval) will carry out the zoning regulations applying to this district, and 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 double-sided static billboard will be converted to an electronic billboard of the same size and number of faces (two faces at 672 square feet per face), and will retain its orientation toward the northbound and southbound travel lanes of the Long Beach Freeway (I-710). Surrounding land uses are heavily industrial to the north, west, and south, with a Southern California Edison high-tension transmission line path to the east, with the Los Angeles River's 800-foot-

wide right-of-way beyond. The site is located well over 1,000 feet from any residential land uses. Conversion of the existing billboard to electronic will result in new light emissions from the display panel; however, these emissions will be required to comply with the limitations prescribed in Chapter 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 billboard 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-710 Freeway or adjacent surface streets. The billboard meets all the spacing requirements in Chapter 21.54 for distance of a converted electronic billboard from residential, institutional, and park zoning districts. The proposed electronic billboard will generate no noise, air quality, or traffic generation impacts. The site is surrounded by industrial land uses, which will receive no significant negative impacts from the project. No public health, safety, general welfare, environmental quality, or quality of life impacts will be caused 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. The converted electronic billboard faces will be 672 square feet in area each, for a total of 1,344 square feet, and will require the removal of a minimum of 5,376 square feet of other billboard area from within the City. The applicant's proposal for removal exceeds this total. The project will result in the removal of at least nineteen (19) other existing Outfront Media billboards, a totaling 6,048 square feet of billboard area.

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 the existing billboards that will be removed from within the City prior to issuance of a building permit for the

proposed conversion (see billboard removal map and list in project file 1702-16).

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 the conversion of an existing double-sided static billboard to electronic, facing the north- and south-bound traffic lanes of the I-710 Freeway. The size, siting, and location of the billboard will not create a traffic hazard, and the billboard will be subject to review by the California Department of Transportation (Caltrans) for compliance with all State laws and Caltrans regulations governing billboards and traffic safety. Also, Chapter 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 converted 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 will take place at the site of an existing static billboard.

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 proposed billboard will be freeway oriented in an industrial zoning district, will be primarily visible from the I-710 Freeway travel lanes, and will not be out of context with its visual environment, or disruptive to neighboring properties or structures, which are overwhelmingly industrial in a freeway-adjacent environment.

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 converted electronic billboard will not 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 billboard area from within the City at a 4:1 ratio as a requirement for the conversion of two existing 672-square-foot billboard faces to electronic. The applicant has identified at nineteen (19) existing billboard faces that will be removed to comply with this requirement, representing a net area of 6,048 square feet, which is greater than the 5,372 square feet required by code to be removed (see billboard removal map and list in case file No. 1702-16). The billboards identified to be removed are all located within residential zoning districts and commercial-residential mixed used Planned Development Districts and Specific Plan areas. These billboard removals will have a significantly positive impact upon the neighborhoods in which they are located, and 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
400 W. Del Amo Boulevard
Application No. 1702-16, CUP17-004
May 4, 2017

Special Conditions:

1. This Conditional Use Permit approval is for the conversion of an existing double-sided freeway-oriented static billboard to electronic, consisting of two faces of 672 square feet each, at a maximum height not more than the height of the existing static billboard.
2. The applicant shall provide for the removal of 5,372 square feet, at a minimum, of existing billboard advertising 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 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 applicant has provided a list of nineteen (19) existing billboards in Long Beach to be removed to satisfy the requirements of Section 21.54.160.A of the Zoning Ordinance, upon approval of this Conditional Use Permit. The billboards removed shall be the billboards on this list. The Director of Development Services may approve minor changes to this takedown list, provided that compliance is maintained with the takedown requirements and priorities of Section 21.54.160.A.
4. Per Section 21.54.160.E of the Zoning Ordinance, the developer shall not remove a fractional number of billboards, but whole billboards only.
5. At the request of the Director of Development Services, the applicant shall provide, at own expense, a light and glare study for the converted electronic billboard, in accordance with Section 21.54.115.F of the Zoning Ordinance, and shall demonstrate compliance with Section 21.54.280.B.6.b and 21.54.280.B.10.
6. 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).
7. The applicant shall provide for all electrical service wiring to be routed to the billboard underground, per Section 21.54.250, even if the existing service wiring for the existing billboard is not underground.
8. The electronic billboard shall not overhang the public right-of-way.

9. Prior to issuance of a building permit, the developer shall provide written authorization from the property owner for the project.
10. All demolition, site preparation, and construction activities shall comply with the noise requirements of Chapter 8.80 of the Long Beach Municipal Code at all times.
11. The structural support pole for the billboard shall be concealed within an architectural treatment, per Section 21.54.240, as shown on renderings provided to the Planning Bureau in the project file, to the satisfaction of the Director of Development Services. The applicant shall revise plans as necessary to reflect this, and a sample of the architectural material shall be provided to the Director of Development Services for review prior to issuance of a building permit.
12. Applicant may not use the digital billboard to display any message that contains "obscene matter" as that term is defined in California Penal Code section 311, or otherwise promotes adult entertainment, or contains language that is obscene, vulgar, profane, or scatological, or that presents a clear and present danger of causing riot, disorder, or other imminent threat to public safety, peace or order.

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 any anticipated litigation costs, as well as staff costs associated with such litigation.



NOTICE of EXEMPTION from CEQA

EXHIBIT G

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbsds.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., Room 1201
Norwalk, CA 90650

Project Title: CE-17-050

Project Location/Address: 400 W. DEL AMO BLVD

Project Activity/Description: CONVERT EXISTING BILLBOARD SIGN TO
AN LED UNIT, CURRENTLY/TO BE 14' X 48' SIGN
FACE AREA, DOUBLE-FACED

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

Applicant Name: DAVE RYAN / OUTFRONT MEDIA

Mailing Address: 1731 WORKMAN ST. LOS ANGELES, CA 90031

Phone Number: 323 276 7310

Applicant Signature: D. Ryan

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1702-16 CLIP 17-004 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 15301 Existing Facilities

Statement of support for this finding: Project consists of minor alterations to
existing structure (conversion of static billboard to electronic)
with no expansion of use.

Contact Person: Scott Kinsey

Contact Phone: (562) 570-6194

Signature: Scott Kinsey

Date: 4/20/17