



Legislation Details (With Text)

File #: 14-0400 **Version:** 1 **Name:** DS - Billboards Resolution
Type: Resolution **Status:** Adopted
File created: 5/31/2014 **In control:** City Council
On agenda: 6/10/2014 **Final action:** 6/10/2014
Title: Adopt resolution directing the Director of Development Services to submit the ordinance amendments to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program;

Accept the Categorical Exemption CE-13-118; and

Sponsors:

Indexes:

Code sections:

Attachments: 1. 061014-H-1sr&att.pdf, 2. RES-14-0047.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------------------------------|--------|
| 6/10/2014 | 1 | City Council | approve recommendation and adopt | Pass |

Adopt resolution directing the Director of Development Services to submit the ordinance amendments to the California Coastal Commission for a finding of conformance with the Certified Local Coastal Program;

Accept the Categorical Exemption CE-13-118; and

On January 7, 2014, the City Council directed staff to make several changes to the proposed revisions to the Billboards Ordinance that has been under consideration since October 8, 2013. These changes included:

- Modifications to the language permitting development agreements, to address the issue of billboard companies with freeway-only inventory that may not otherwise be incentivized to participate in the cap-and-replace program.
- Changes to the regulations requiring prior removal of existing billboards before a building permit for a new billboard may be issued, in order to protect the City's best interests while giving applicants a number of options.

Additionally, staff has taken the opportunity to make minor enhancements to the overall layout of the proposed Ordinance language to make it more reader-friendly and easier to implement and administer.

Like the January 7 proposal, this returning Ordinance will allow for construction of electronic billboards through the approval of a Conditional Use Permit. When any new billboard is constructed, or any existing billboard is converted to electronic, other nonconforming billboard

inventory will be required to be permanently removed from within the City, according to the ratios specified in the Ordinance. These ratios are: 8:1 for a new electronic billboard, 6:1 for a new non-electronic ("static") billboard, 4: 1 for conversion of an existing static billboard to electronic without expansion of area, and 8:1 for conversion of an existing static billboard to electronic with expansion of area. Once all nonconforming billboard inventory is removed from within the City, all ratios will convert to 1 :1. This will maintain a continuous limit on the net maximum of billboard inventory in the City.

For billboard companies that wish to construct new billboards, but do not have non-freeway billboard inventory or are unable to meet the above-specified ratios, they will be eligible to apply for a statutory Development Agreement, provided they can demonstrate that it is infeasible for them to meet the above takedown ratios. This Development Agreement will allow the billboard company to come to different terms with the City for construction of new billboards or conversion of existing billboards to electronic. However, the proposed code language specifies that the Development Agreement must require, at a minimum, the removal of existing billboard area at a 1: 1 ratio for construction of a new billboard, and that all new freeway-oriented billboards approved in the Development Agreement must be at least 500 feet from residential, institutional, or park zoning districts (the same 500-foot distance restriction applies to new freeway-oriented billboards approved outside of a development agreement). Staff believes these new provisions reflect the direction and desire of the City Council in specifically addressing freeway-oriented billboards. Attached are maps showing existing billboards within the City (Exhibit A-1), and an inventory of freeway-oriented billboards (Exhibit A- 2).

In order to implement the proposed revisions to the Ordinance and ensure that provisions of the Ordinance are met, an initial inventory of an applicant's existing billboards will be conducted following the application for a Conditional Use Permit or Development Agreement. The Department of Development Services will recover the cost to inventory the applicant's billboards by charging a one-time fee. The fee has been set to recover the City's cost based on the hours necessary to verify and document the number, type and location of an applicant's billboards within the City limits. The proposed fee is tiered as follows:

| Number of Billboards | 1-29 | 30-59 | 60-89 | 90+ |
|----------------------|---------|----------|----------|----------|
| Proposed Fee | \$8,250 | \$12,500 | \$16,500 | \$20,750 |

Notice of public hearing was published in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE) was prepared for the proposed project (Exhibit B - CE-13-118).

This matter was reviewed by Assistant City Attorney Michael Mais on May 27, 2014, and by Budget Management Officer Victoria Bell on May 1,2014.

If the Ordinance is not adopted, the existing Billboard Regulations, adopted in March 2012, will continue to apply.

The amount of fee revenue generated will depend on the number of applicants and the size of the applicant's inventory. Assuming two applicants in each of the tiers, revenue from the proposed billboard inventory fee would be \$116,000. Revenue from the fee will accrue to the Development Services Fund (EF 337) in the Department of Development Services.

The proposed action is not anticipated to create local jobs.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO SUBMIT AMENDMENTS TO THE LONG BEACH ZONING REGULATIONS TO THE CALIFORNIA COASTAL COMMISSION FOR APPROVAL

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST
CITY MANAGER