



**Date:** August 5, 2010

**To:** Chairperson Smith and Members of the Planning Commission

**From:** Reginald I. Harrison, Interim Director of Development Services *R.I.H.*

**Subject:** Revised Classification of Use Findings for 3400 Locust Avenue (Off-site Cabe Toyota Sign)

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As directed by the Planning Commission at its May 20, 2010 meeting, staff has prepared the attached negative findings for the Classification of Use request proposed by Cabe Toyota. The request was to allow the development and operation of a non-sales part of the Cabe Toyota dealership for the purpose of installing a static, freeway-oriented freestanding sign (billboard) at 3400 Locust Avenue to advertise the off-site dealership.

Developed in coordination with the City Attorney, the findings state that the proposed use does not carry out the intent of the Community Automobile-Oriented District (CCA) zone nor the General Plan. In addition, the proposed use is listed as prohibited in a less restrictive zone and is not similar in scale, intensity of use and environmental impacts to uses permitted in the zone under consideration.

Staff recommends that the Planning Commission adopt the findings by minute motion.

RIH:DB:JW

Attachment: Classification of Use Findings

**CLASSIFICATION OF USE FINDINGS**  
**3400 LOCUST AVENUE**  
**Date: August 5, 2010**

Pursuant to Chapter 21.25, Division IX of the Long Beach Municipal Code, the City shall not determine that a use is permitted in a zone unless positive findings are made consistent with the criteria set forth in the Classification of Use regulations.

**1. PERMITTING THE USE IN THE ZONE WILL CARRY OUT THE INTENT OF THE ZONE; AND**

The proposed development and operation of a non-sales part of the Cabe Toyota dealership at the subject property for the purpose of locating a static, freeway-oriented freestanding sign to advertise the off-site automobile dealership will not carry out the intent of the zone. The intent of the Community Automobile-Oriented (CCA) District is to permit retail and service uses for an entire community including convenience and comparison shopping goods and associated services while the main purpose of the proposal is to provide an off-site billboard to increase exposure of the existing automobile dealership located approximately 0.75 miles south on Long Beach Boulevard.

**2. PERMITTING THE USE IN THE ZONE WILL CARRY OUT THE GENERAL PLAN, INCLUDING THE LOCAL COASTAL PLAN, WHEN APPLICABLE; AND**

Permitting the proposed use in the zone with the intent to provide advertising for the off-site automobile dealership will not carry out the intent of the General Plan for the site. The designation for the subject site is LUD #1 (Single-family district). This designation is intended to provide a single-family lifestyle as a choice across a spectrum of incomes and environmental preferences. Although the existing General Plan designation and the zoning are not consistent, the proposed use is prohibited under both.

**3. THE USE IS NOT A USE SPECIFICALLY LISTED AS A PERMITTED, CONDITIONAL OR PROHIBITED USE IN ANOTHER ZONE GENERALLY CONSIDERED TO BE LESS RESTRICTIVE THAN THE ZONE UNDER CONSIDERATION; AND**

The proposed development of the site with the sole intent of installing a billboard to provide advertising for the off-site automobile dealership is prohibited in the less restrictive Regional Highway District (CHW) zone. In addition, the proposed billboard is prohibited by Section 21.54.120 of the Long Beach Municipal Code. Therefore, the proposed Classification of Use would be in direct conflict with this section as it states that billboards are prohibited within 500 feet of any residential district and the property adjoining the subject site is zoned R-1-N (Single Family). The section also states that no freeway-oriented off-premises sign shall be located within 600 feet of the 405 freeway.

**4. THE USE IS SIMILAR IN SCALE, INTENSITY OF USE AND ENVIRONMENTAL IMPACTS TO USES PERMITTED IN THE ZONE UNDER CONSIDERATION.**

The proposed use of the site to provide off-premises advertising is not similar in scale, intensity of use and environmental impacts to uses permitted in the zone under consideration. The proposed use is prohibited in the CCA zone as well as all other commercial zones. The proposed size and content of the sign is in direct conflict with the CCA zone and the billboard requirements in Section 21.54.120.