



OFFICE OF THE CITY ATTORNEY
Long Beach, California

H-15

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May 10, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing and declare Ordinance amending Chapter 21.54 of the Long Beach Municipal Code, relating to the regulation of billboards, read the first time and laid over to the next regular meeting of the City Council for final reading; and

Accept Categorical Exemption CE-16-026 for the project, which finds that the proposed code amendment is categorically exempt from the provisions of CEQA under Class 5 - Minor Alterations in Land Use Limitations.
(Citywide)

DISCUSSION

On May 3, 2016, the City Council held a public hearing on certain proposed amendments to the City's billboard regulations. The amendments related to the use of Caltrans issued credits for billboards proposed to be constructed adjacent to certain landscaped freeway segments. The amendments are more thoroughly discussed in the City Council letter that was submitted with the agenda material for the May 3, 2016 hearing.

At the conclusion of the hearing, the City Council voted to adopt the amendments, but also requested that the City Attorney's office prepare a further amendment to the billboard regulations that would raise the allowable height of a new billboard from 40 feet above the nearest freeway lane, to 50 feet above the nearest

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freeway lane. This proposed amendment would apply in the case of a new freeway orientated billboard, whether electronic or non-electronic. No other changes to the existing billboard regulations were proposed. Since the change in billboard height was not discussed in the May 3, 2016 Council letter, this matter, together with the original proposed amendments, are being placed on the Council's agenda for first reading.


SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By


MICHAEL J. MAIS
Assistant City Attorney

MJM:kjm
A16-00866

REDLINED TABLE 54-1

Section 3. The Long Beach Municipal Code is amended by amending Item 1 of Table 54-1 in Chapter 21.54 to read as follows:

Table 54-1

Billboard Development Standards

Type of Billboard	Maximum Area (sq. ft.)	Max. Height	Spacing between billboards	Street Classification Types Allowed	Zoning Districts Allowed
1. New freeway-oriented billboard, electronic or non-electronic	675 sq. ft.	40 50 ft. above nearest freeway lane	As required by California Department of Transportation, otherwise 500 ft.	Freeway, Regional Corridor, or Major Arterial ^{(c)(d)}	CHW ^(e) , CS, IL, IM, IG, IP ^(f)

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- Freeway to south edge of the 405 to 710 southbound transition ramp on west side of 710;
- (5) North edge of 405 to 710 transition ramp to south edge of northbound Pacific Coast Highway off-ramp on east side;
- (6) North edge of southbound Willow Street off-ramp to south edge of southbound Willow Street on-ramp on west side of 710;
- (7) North edge of southbound Anaheim Street off-ramp to center line of Anaheim Street;
- (8) South of Fifth Street.
- b. 91 Freeway:
 - (1) West City boundary to east edge of eastbound Long Beach Boulevard on- ramp;
 - (2) Western edge of 710 Freeway right-of-way to eastern City boundary;
- c. 405 Freeway- Entire length in City;
- d. 605 Freeway- Entire length in City;
- e. 22 Freeway-Entire length in City.

Section 2. Subsection 21.54.130.A of the Long Beach Municipal Code is amended to read as follows:

A. No new billboard shall be constructed or installed within the City through utilization of credits given by the California Department of Transportation or the Outdoor Advertising Act for relocation of billboards located in landscaped freeway segments, unless authorized by the Outdoor Advertising Act and/or Caltrans regulations. In the case that the Outdoor Advertising Act and/or Caltrans regulations authorize the City to

1 permit construction of a new billboard using such credits, the removal
 2 requirements of Subsection 21.54.160.A or B shall apply, unless
 3 preempted by the Outdoor Advertising Act, or unless the conversion is the
 4 subject of a development agreement, in which case the provisions of
 5 Section 21.54.112 (Development Agreements) shall apply.

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 7 Section 3. The Long Beach Municipal Code is amended by amending
 8 Item 1 of Table 54-1 in Chapter 21.54 to read as follows:

9
 10 **Table 54-1**
 11 **Billboard Development Standards**

Type of Billboard	Maximum Area (sq. ft.)	Max. Height	Spacing between billboards	Street Classification Types Allowed	Zoning Districts Allowed
1. New freeway-oriented billboard, electronic or non-electronic	675 sq. ft.	50 ft. above nearest freeway lane	As required by California Department of Transportation, otherwise 500 ft.	Freeway, Regional Corridor, or Major Arterial (c)(d)	CHW (e), CS, IL, IM, IG, IP (f)

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 19 Section 4. The City Clerk shall certify to the passage of this ordinance
 20 by the City Council and cause it to be posted in three conspicuous places in the City of
 21 Long Beach, and it shall take effect on the thirty-first day after it is approved by the
 22 Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2016, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____

Mayor

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