



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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August 6, 2009

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Request for approval of a Conditional Use Permit to allow an electronic message center sign located at 1305 E. Pacific Coast Highway. (District 6)

APPLICANT: Long Beach City College
4901 E. Carson Street, G-9
Long Beach, CA 90808
(Application No. 0906-11 and CE 09-042)

DISCUSSION

The applicant is requesting approval of a Conditional Use Permit to construct and maintain a 140-square-foot, 23-foot-2-inch-high freestanding sign with an electronic message center located at Long Beach City College. The subject site is located on the north side of Pacific Coast Highway, between Orange Avenue and Walnut Avenue (Exhibit A- Location Map). The zoning designation of the subject site is Institutional (I). The site is approximately 15 acres in lot area and is the location of Long Beach City College's Pacific Coast campus. The proposed sign would face Pacific Coast Highway and be set back eight feet from the property line, and 40 feet from the intersection of Orange Avenue and Pacific Coast Highway. The sign will replace two existing freestanding construction signs at the same location. Similar electronic signs have been constructed at Jordan, Long Beach Poly, Wilson and Millikan High Schools, as well as Hill Middle School.

The sign would consist of a two-sided, pylon sign with an LED display screen of approximately 140 square feet (Exhibit B- Plans & Photographs). The sign will include the school name and campus type. The sign will be consistent with the architectural style and colors of the newly renovated campus.

Staff reviewed the request and is recommending approval provided that the new sign does not display messages that are in continuous motion or contain commercial advertising. Conditions of approval have been placed on the project that will limit the hours of display from 6:00 a.m. to 12:00 p.m. (Exhibit C- Findings & Conditions). This is consistent with other approved sites located in areas abutting major streets and located more than 100 feet away from residential properties (Exhibit C- Findings & Conditions).

PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups on June 30, 2009, and public hearing notices were distributed on July 20, 2009, in accordance with the provision of the Zoning Ordinance. No responses have been received at this time.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 09-042) was issued for the proposed project (Exhibit D – Categorical Exemption).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Beck', with a horizontal line extending to the right.

CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:JR

- Attachments
- Exhibit A – Location Map
 - Exhibit B – Plans & Photographs
 - Exhibit C – Findings and Conditions of Approval
 - Exhibit D – Categorical Exemption CE 09-042

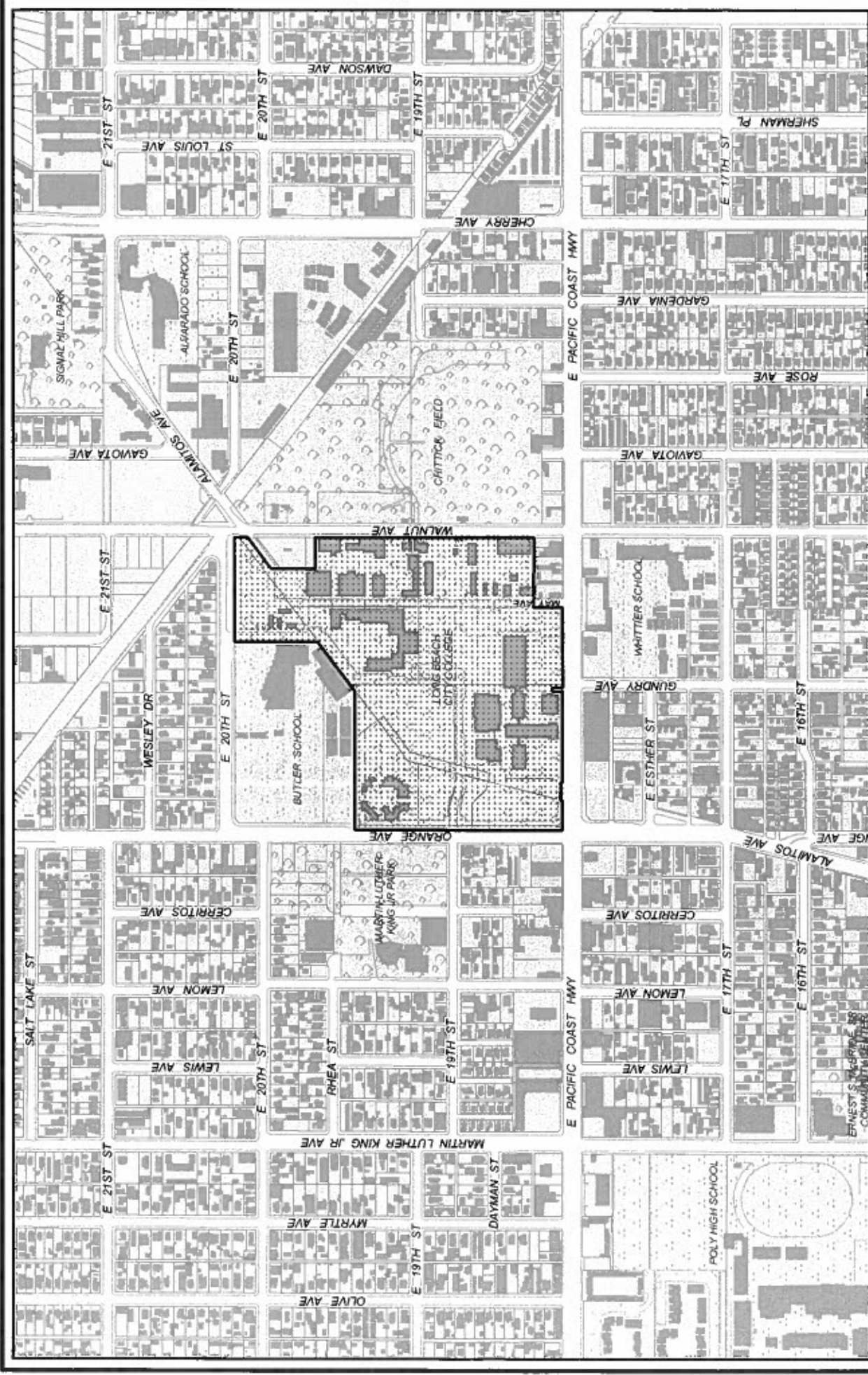
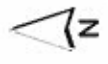


Exhibit A



Subject Property:
1305 E Pacific Coast Highway
Application No. 0906-11
Council District 6
Zoning Code : I



**CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL**

1305 E. Pacific Coast Highway

Application No. 0906-11

August 6, 2009

1. This Conditional Use Permit approval is for the installation of a 140 square-foot, 23'2" high electronic message center pylon sign. The use permitted hereby on the site, in addition to other uses permitted in the Institutional (I) Zone District shall be an electronic message center pylon sign.
2. This approval and all development rights hereunder shall terminate one year from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action 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.
3. This approval 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). 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 Zoning Administrator.
4. 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.

Special Conditions:

5. The applicants shall comply with the requirements of Section 21.44.110 of the City of Long Beach Municipal Code regarding freestanding/monument signs and Section 21.44.115 regarding electronic message center signs, to the satisfaction of the Director of Development Services.
6. The electronic message center pylon sign shall only display information pertaining to Long Beach City College and/or other city or community events. No commercial advertising shall be allowed.
7. The electronic message center pylon sign shall have no illumination which is in continuous motion or which appears to be in continuous motion.

CUP Conditions

Date: August 6, 2009

Page 2

8. The display message(s) of the electronic message center pylon sign shall not change at a rate faster than one message every fifteen (15) seconds.
9. The interval between messages of the electronic message center pylon sign will not be less than one second.
10. The intensity of the illumination of the electronic message center pylon sign will not change to a value greater than 1,200 Millancandella.
11. The hours of operation of the electronic message center pylon sign shall be limited to 6:00 a.m. to 12:00 p.m., seven days per week.
12. If at any time, there are complaints in regards to the glare or lighting intensity of the message center, the applicant shall reduce the lighting intensity and/or the hours of operation to the satisfaction of the Director of Development Services.
13. 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, which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
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 Director of Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Site Plan Review Committee or Planning Commission, respectively.
16. 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.
17. Site preparation and construction activities shall be conducted in a manner which minimizes dust.
18. Site preparation and construction activities are limited to the hours between 7:00 a.m. and 7:00 p.m.

Conditions of Approval

Case No. 0906-22

Date: August 6, 2009

Page 3

19. The use shall not adversely affect the health, peace or safety of persons residing or working on the premises or in the surrounding area.
20. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
21. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

CONDITIONAL USE PERMIT FINDINGS

1305 E. Pacific Coast Highway

Application No. 0906-11

August 6, 2009

In order to approve the requested Conditional Use Permit, the Planning Commission is required to make certain findings in support of an approval decision. These findings along with staff analysis are presented below for consideration, adoption and incorporation into the record of proceedings.

CONDITIONAL USE PERMIT FINDINGS

- A. 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;**

The Land Use designation of the subject is LUD 10, Institutions/Schools. The zoning designation for the project site is I, Institutional District. While the General Plan does not specifically address electronic message centers, the Zoning Code requires approval of a Conditional Use Permit to establish an electronic message center sign regardless of the zone of the subject property. Approval of a Conditional Use Permit is consistent with the General Plan when it can be found that the use provides a beneficial community service and when the use can operate in a manner that does not adversely impact surrounding properties. The proposed message center meets all applicable zoning standards and is more than (100) feet away from the nearest residential property to the north. Staff believes that the sign is compatible in size and scale, blends well with the architecture of the campus, and will not distract vehicles heading east or west on Pacific Coast Highway.

The subject property is not located within the Coastal Zone, and there are no special zoning overlays or applicable specific plans guiding development of the project site.

- B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

In compliance with the electronic message center pylon sign regulations found in section 21.52.229, staff anticipates no detrimental effects to the surrounding community including public health, safety or general welfare, environmental quality or quality of life caused by the installation of the proposed electronic message center sign. The area of the proposed message center sign is 140 square feet. The sign will not be used for any commercial advertising and will not

have any flashing that would cause distractions to motorists. Condition 10 and 12 of the conditions of approval provides for alterations to the lighting intensity and/or hours of operations if a problem should arise. The proposed electronic message center sign will replace an existing construction signs at the same location and is similar to signs that have been constructed at David Starr Jordan, Long Beach Poly, Wilson and Milliken High Schools and Iroquois Middle School.

C. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.229

Special conditions for approval of a Conditional Use Permit to establish an electronic message center are listed in Zoning Code Section 21.52.229. The special conditions for electronic message center are as follows:

- 1. The proposed design of the electronic message center sign is complete and consistent within itself and is compatible in design with the architectural themes or character of the existing or proposed development it will serve and the community in which it will be located.**

The proposed electronic message center sign is well designed and compatible in architectural theme with the building design of Long Beach City College Pacific Coast campus.

- 2. The establishment of the proposed electronic message center sign will not adversely affect the character, livability, or quality of life of the residential community it will be adjacent to or located in.**

The size and scale of the sign makes it easy to read from the roadway while not being obstructive to motorists or adjacent residential properties. Staff has included a condition of approval (No. 11) to limit the hours of operation/illumination of the electronic sign.

- 3. The electronic message center display shall have no illumination which is in continuous motion or which appears to be in continuous motion.**

Condition 7 of the conditions of approval prohibits the sign from having any illumination, which is in continuous motion.

- 4. The display message will not change at a rate faster than one message every four (4) seconds; the interval between messages will not be less than one second; the intensity of illumination will not change; all messages shall be limited to on-site advertising of goods or services or non-commercial messages; and all electric shall conform to the electrical code of the City.**

Condition 8 of the conditions of approval limits the message interval to not less than 15 seconds.