



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 11, 2012

SUBJECT: Development Agreement No. 6-11 between Clear Channel Outdoor, INC. and the City of Carson

APPLICANT: Clear Channel Outdoor, Inc.  
Layne Lawson  
19320 Harborage Way  
Torrance, CA 90501

REQUEST: To consider a Development Agreement between the City of Carson and Clear Channel Outdoor to remove an existing double-sided static outdoor advertising sign (billboard) and replace it with an 75-foot high digital outdoor advertising sign (digital billboard) located along the southbound I-405 at Alameda (APN 7315 012 817).

PROPERTY INVOLVED: I-405 at Alameda Street

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#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Saenz
		Brimmer			Schaefer
		Diaz			Williams
		Goolsby			

***Item No. 11D***

## I. Introduction

The applicant, Clear Channel Outdoor, INC. (CCO), is proposing to enter into a Development Agreement (DA) with the City of Carson to remove an existing double-sided static outdoor advertising sign (billboard) and replace it with a 75-foot-high digital outdoor advertising sign (digital billboard) located along the southbound I-405 at Alameda Street (APN 7315-012-817). CCO also proposes to relocate an existing billboard located on the adjoining property to provide increased separation between the billboards. Staff and the applicant are still finalizing the details of the DA. Staff and the applicant have agreed to request this item to be continued to October 9, 2012 to allow additional time to finalize the details of the DA.

## II. Background

On November 4, 2009, the City Council approved Resolution No. 09-1434 amending Section 9141.1 and Section 9146.7 of the Carson Municipal Code establishing a 405 Freeway Corridor District for digital billboards and permitting them through approval of a DA.

On March 16, 2010, the City Council approved a DA with Bulletin Displays, LLC to permit the construction of the first digital billboard in Carson at 19401 Main Street adjacent to the north side of the I-405. Staff has been concurrently processing the DAs for CBS and Clear Channel Outdoor (CCO). Therefore references to the three agreements will be made throughout the staff report.

The proposed billboard, located at I-405 southbound at Alameda, is 75 feet high and has two sign faces each measuring at 48 feet by 14 feet (672 square feet per sign). The proposed billboard is essentially the same size and height as the existing static displays it will replace. In fact, all freeway oriented billboards have consistent height and size as these standards are strictly regulated by Caltrans.

The CBS billboard is located at Alameda along I-405 northbound and the CCO billboard is located at Alameda along I-405 southbound. The two billboards are the first billboards in Carson as traveling northbound I-405 making these billboards prominent and visible.

### Analysis

#### *What is a Development Agreement?*

State Law allows cities to enter into DAs with private parties. The DA is a legal, binding contract between a city and any person or entity having a legal or equitable interest in a property. The agreement must clearly outline conditions, terms, restrictions and requirements. Once a DA is approved by the City Council, the rules of development for that property cannot change even if the zoning code or other development codes are changed.

#### *Deal Points*



The most important parts of DAs are the financial and non-financial deal points that are agreed upon between the city and the applicant. There are no established rules or policies when negotiating these deal points as each proposal is unique and should be judged on its own merits. This DA includes four basic deal points including the term or length of the Agreement, the fees the developer has to pay to the city, community wide benefits, and urban design enhancements. The following provides a brief discussion of each of these deal points:

#### Term

The term dictates the length of time that both parties are obligated to the deal points in the agreement. Both parties can agree to extend the term of this agreement or negotiate a new agreement after its expiration.

#### Fees

Staff and has been negotiating with CCO to pay the city a fee for the duration of the agreement.

#### Community Benefits

The CCO DA will include language similar to the Bulletin Displays DA. The City will be provided opportunity for displays aimed at promoting the City, for charitable or civic advertising (determined at City discretion) and discount advertising to any business that has its principal place of business in Carson and is a member in good standing with the Carson Chamber of Commerce.

The CCO DA will include similar language as the Bulletin Displays DA regarding not advertising "gentlemen's clubs", adult entertainment businesses, sexually oriented materials, or use sexually oriented images or language.

#### Urban Design Enhancements

Bulletin Displays DA did not include urban design enhancement such as removal of existing city oriented billboards since Bulletin Displays did not control any other billboards within Carson. Staff has been negotiating with CBS and CCO to remove billboards along city streets.

The proposed DA permits the construction of the new digital billboards and provides revenues for the operator and the City for term of the DA. Another benefit is the potential for removal of billboards along city streets. The removal of city-oriented billboards could be very valuable when considering that this maybe the only chance for the city to remove these billboards and improve the urban landscape of the city. Therefore, the DAs are in the City's best interest because they give the City an opportunity to obtain fees, obtain community benefits and take action on older, less desirable billboards.



III. Recommendation

That the Planning Commission:

- **CONTINUE** the Public Hearing to October 9, 2012

IV. Exhibits

1. None

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Reviewed by:

  
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Approved by:

  
Sheri Repp-Loadsman, Planning Officer

