



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

WORKSHOP: February 24, 2009  
SUBJECT: Workshop to discuss existing regulations for outdoor advertising signs.  
APPLICANT: City of Carson  
REQUEST: Discuss and consider changes to existing regulations for outdoor advertising signs.  
PROPERTY INVOLVED: Citywide

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#### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Cannon
		Vice-Chair Saenz			Gordon
		Brown			Graber
		Brimmer			Verrett

***Item No. 12D***

## **I. Introduction**

On October 7, 2008, at the request of Mayor Pro Tem Gipson, planning staff presented a report to the City Council concerning the consideration of possible amendments to zoning regulations for existing outdoor advertising signs (Exhibit Nos. 1 and 2). The City Council referred the item to the Planning Commission to study current regulations for outdoor advertising signs and replacement with more contemporary structures.

This report contains a description of two projects currently being discussed, information pertaining to existing zoning regulations regarding outdoor advertising structures, and an analysis of outdoor advertising structures.

## **II. Background**

In the October 7, 2008 report to City Council, staff identified an application submitted by Clear Channel Outdoor Company in August 2007, which requested an amendment to Carson Municipal Code (CMC) Section 9146.7 to upgrade an existing outdoor advertising structure (located at the 405 Freeway and Alameda Street) from a 300-square-foot sign face to a 672-square-foot "electronic message" (LED) sign. This application was ultimately deemed incomplete due to the applicant being non-responsive to staff's requests for additional information and the applicant was provided notice that the file was closed. Recently, Clear Channel Outdoor Company has re-initiated dialogue with staff concerning their previously submitted (and subsequently closed) development application, which they wish to pursue again.

Staff was also contacted by Bulletin Displays, LLC, concerning development plans for a new outdoor advertising structure (standard billboard) to be located at a corner on Main Street adjacent to and visible from the north-bound 405 freeway. Although new development applications have not been submitted for either of these proposed projects, staff determined that it would be prudent to include them in a discussion of potential amendments to zoning regulations pertaining to existing outdoor advertising structures.

There are currently seventy-seven (77) outdoor advertising structures in the City of Carson (Exhibit No. 3), thirty (30) of which are located along the city streets. Of the forty-seven (47) signs adjacent to the freeways and highways in Carson, four (4) are adjacent to and showing on the 710 Freeway, ten (10) are adjacent to and showing on the 110 Freeway, seven (7) are adjacent and showing to the 91 Freeway, and twenty-six (26) are adjacent to and showing on the 405 Freeway.

## **III. Analysis**

CMC Section 9191.586 defines an Outdoor Advertising Sign as any sign directing public attention to a business, profession, product or service that is not a principal business, profession, product or service which is sold, manufactured, conducted or offered on the premise where such a sign is erected or maintained. Billboards are included in this definition. Since their inception in the United States during the 1850's, the safety, aesthetic, and economic impacts of outdoor advertising displays have been contentiously debated between opponents perceiving their negative impacts, such as visual blight of

the natural landscape, and proponents who attribute economic growth to the use of outdoor advertising displays. In the early years billboards were installed without regulation. The resulting concern over visual blight (and driver safety) caused the public to demand controls. As a result, outdoor advertising displays have been progressively regulated.

#### *Chronology of Notable Events Concerning Outdoor Advertisement Display Regulations*

1850 – The First Outdoor advertising business opens in Boston.

1909 - The Illinois Zoning Statute was enacted. No advertising structure was allowed within 500 feet of any public park or boulevard in any city with a population over 100,000. It was considered one of the first "scenic area" ordinances restricting advertising. Senate bill S1369 proposed a license tax on outdoor advertising.

1926 - Outdoor Advertising Association of America (OAAA) was held in Atlanta, Ga.  
OAAA members served over 15,000 cities and towns by this time.

#### *1965 – Federal Highway Beautification Act*

This Act sought to limit billboards to commercial and industrial zones, and away from areas designated as "scenic areas." Billboards were strictly regulated along the Interstate and other federally-funded primary highways. Federal laws mandated state regulation of billboard size, lighting and spacing standards, requiring each state to adopt and implement its provisions or lose 10 percent of its federal aid highway funds.

#### *1967 – California Outdoor Advertising Act*

Enabling legislation in California which regulated outdoor advertisement displays, including size, height, location, distancing requirements, etc. Included a "landscaped" designation not included in the Highway Beautification Act of 1965. California is the only state with a landscaped freeway restriction, which severely limits the potential proliferation of new outdoor advertisement displays in cities with freeways predominately classified as "landscaped", such as Carson. Important amendments to this Act include the following:

- 1970: A prohibition on certain display copy (i.e. obscene, etc.); and, a requirement for wind-load capacity as an added safety measure;
- 1978: Chapter 5 (Sections 2500-2513) added to Act, creating criteria and procedures for classifying landscaped freeways;
- 1983: A vital amendment which prohibited any person to erect an advertising display in violation of any ordinance of any city, county, or city and county, thus strengthening local control over outdoor advertisement displays.

#### *Landscaped vs. Non-landscaped Highways and Freeways in Carson*

Section 5216 of the Business and Professions Code of the State of California defines a landscaped freeway as, "a section or sections of a freeway that is now, or hereafter may be, improved by the planting at least on one side or on the median of the freeway right-of-way of lawns, trees, shrubs, flowers, or other ornamental vegetation requiring

reasonable maintenance.” No new outdoor advertising signs are permitted within highways and freeways classified as landscaped (while the highway or freeway maintains this classification). An exception to this rule permits a new outdoor advertising sign within a landscaped-classified section of highway or freeway if there is a relocation agreement between the outdoor advertising structure owner and the California Department of Transportation (Caltrans), the agency responsible for highway and freeway maintenance in California.

Caltrans has given permanent legal, non-conforming rights for existing outdoor advertising structures constructed prior to 1967 to remain in place within landscaped classified sections of highway or freeway. If Caltrans requires the removal of an existing, non-conforming outdoor advertising structure (i.e. one located in a landscaped classified section of highway or freeway), then the owner of that sign is given the right to erect a new sign (“relocate”) in another landscaped classified section of highway or freeway, subject to the terms contained in the relocation agreement (i.e. time limit, location restriction, etc.). A crucial aspect of this relocation is that Caltrans requires that all new signs receive zoning approval from the local jurisdiction in which they are proposed prior to receiving approval from Caltrans.

Carson is conveniently accessed by four (4) state designated highways and freeways: the 710, 110, 91, and 405. The two billboard projects currently being discussed involve sections of the 405 Freeway only. The 405 Freeway bisects the City of Carson and runs in a north-south fashion for approximately 4.2 miles through Carson, of which approximately 4.1 miles is classified as landscaped freeway. Therefore, no new outdoor advertising signs are permitted within this area, except as part of a relocation agreement, as is the case with the Bulletin Displays proposal at Main Street and the 405 Freeway. However, the Bulletin Displays proposal is prohibited by the CMC since the Alameda Corridor is the only location that new outdoor advertising signs are allowed. A text amendment would be required to allow consideration of alternative locations. The site at which Clear Channel’s proposed outdoor advertising sign LED conversion is located is within an ‘un-landscaped’ section of the 405 Freeway and within the Alameda Corridor, as defined by CMC Section 91467(A)(3). As such, the existing sign is a permitted use but a text amendment is required to allow for an LED conversion.

*California Business and Professions Code: Section 5408 (Outdoor Advertising in Business Districts)*

In addition to the advertising displays permitted by Section 5405 to be placed within 660 feet of the edge of the right-of-way of interstate or primary highways, advertising displays conforming to the following standards, and not in violation of any other provision of this chapter, may be placed in those locations if placed in business areas:

- (a) Advertising displays may not be placed that exceed 1,200 square feet in area with a maximum height of 25 feet and a maximum length of 60 feet, including border and trim, and excluding base or apron supports and other structural members. This subdivision shall apply to each facing of an advertising display. The area shall be measured by the smallest square, rectangle, triangle, circle, or

combination thereof, which will encompass the entire advertisement. Two advertising displays not exceeding 350 square feet each may be erected in a facing. Any advertising display lawfully in existence on August 1, 1967, that exceeds 1,200 square feet in area, and that is permitted by city or county ordinance, may be maintained in existence.

- (b) Advertising displays may not be placed that are so illuminated that they interfere with the effectiveness of, or obscure any official traffic sign, device, or signal; nor shall any advertising display include or be illuminated by flashing, intermittent, or moving lights (except that part necessary to give public service information such as time, date, temperature, weather, or similar information); nor shall any advertising display cause beams or rays of light to be directed at the traveled ways if the light is of an intensity or brilliance as to cause glare or to impair the vision of any driver, or to interfere with any driver's operation of a motor vehicle.
- (c) Advertising displays may not be placed to obstruct, or otherwise physically interfere with an official traffic sign, signal, or device or to obstruct, or physically interfere with, the vision of drivers in approaching, merging, or intersecting traffic.
- (d) No advertising display shall be placed within 500 feet from another advertising display on the same side of any portion of an interstate highway or a primary highway that is a freeway. No advertising display shall be placed within 500 feet of an interchange, or an intersection at grade, or a safety roadside rest area on any portion of an interstate highway or a primary highway that is a freeway and if the interstate or primary highway is located outside the limits of an incorporated city and outside the limits of an urban area. No advertising display shall be placed within 300 feet from another advertising display on the same side of any portion of a primary highway that is not a freeway if that portion of the primary highway is located outside the limits of an incorporated city and outside the limits of an urban area. No advertising display shall be placed within 100 feet from another advertising display on the same side of any portion of a primary highway that is not a freeway if that portion of the primary highway is located inside the limits of an incorporated city or inside the limits of an urban area.

#### *Recent Legislation Regarding Outdoor Advertising in California*

##### January 13, 2009: Assembly Bill (AB) 109

Assemblymember Mike Feuer (D-Los Angeles) introduced legislation to place a moratorium on the construction of, or conversion to, new digital advertising displays until 2012. The moratorium would give policymakers time to adequately review the results of pending safety studies on the potential driving hazards associated with electronic billboards. The brightness and rapidity of display changes on electronic billboards may be potentially hazardous to motorists, and several studies examining these concerns are currently being conducted. Results from these studies are anticipated to be released at the end of 2009, hence the moratorium to allow government regulatory agencies to analyze and evaluate responses.

### *Existing Carson Municipal Code (CMC) Requirements*

Existing zoning regulations prohibit the establishment of new outdoor advertising signs within the city with the exception of locations along the Alameda Corridor. The following CMC Sections pertain to outdoor advertising signs:

#### Residential Zones

9126.7(C)(4) – Pole signs are not permitted.

#### Commercial Zones

9131.1 – Outdoor advertising signs are permitted with limitations (“L”) in the Commercial, General (CG) zones only, pursuant to Section 9138.71.

9138.71 – Electronic Message Sign (EMS) only permitted in the EMS overlay zone, restricted to a maximum height of 95 feet and maximum width of 46 feet, subject to Section 9167.6.

#### Industrial Zones

9141.1 – Outdoor advertising signs permitted in all manufacturing zones with an approved conditional use permit, subject to the requirements found in Section 9146.7.

9146.7(A) – Outdoor advertising signs subject to:

- (1) Total sign face area on pre-Ordinance No. 01-1237 (Exhibit No. 2) sign structure shall not be greater than 800 square feet. The total sign face area on each new structure shall not exceed 150 square feet.
- (2) Pre-Ordinance No. 01-1237 sign structure height shall not exceed 42 feet, measured from the ground level to the base of the sign. The height for new sign structures shall not exceed 20 feet measured from the ground level to the base of the sign.
- (3) New structures can only be permitted along properties abutting the Alameda Corridor (Alameda Street between Del Amo Boulevard and Lomita Boulevard), with an approved conditional use permit.
- (4) No new sign structure having a total sign face area greater than 80 square feet, not to exceed 150 square feet, shall not be erected within:
  - (a) 200 feet of an outdoor advertising sign having a total sign area of greater than 80 square feet, or,
  - (b) 100 feet of any other outdoor advertising signs located on the same side of the street or right-of-way.
- (5) No new sign structure shall be erected within 100 feet of any outdoor advertising sign located on the same side of the street or right-of-way.
- (6) Any such sign if visible from 660 feet from the freeway (as measured in a horizontal fashion along a perpendicular line stemming from the freeway centerline) shall not be permitted if placed directly so as to be viewed primarily by travelers thereon.
- (7) Such signs shall not be permitted on, or projecting over, building rooftops.
- (8) Such signs cannot encroach into the public rights-of-way.

- (9) Such sign cannot be placed within 200 feet of any residential zone located on the same side of the public street or right-of-way upon which the sign is located.
- (10) Any such sign shall be constructed in the simplest form, free of bracing, angle iron, guy wires, cables, etc.
- (11) All exposed back sides of such signs which are visible to the public shall be suitably covered to conceal the structure from view and shall be properly maintained.
- (12) A conditional use permit is required for new sign structures. The Planning Commission shall render a decision on any new sign proposal within three (3) months of application for such proposal.

9146.7(B)(8) – Electronic Message Signs permitted, subject to the following:

- (a) Shall be located at least 100 feet from any residential zone.
- (b) Shall be located at least 500 feet from any other EMS.
- (c) Must be affixed to a pole and subject to pole sign limitations found in Section 9146.7 (50-foot maximum height limit).
- (d) A conditional use permit is required for any such sign development application.

#### General Development Standards

9167.6(D)(2) – Existing outdoor advertising signs which advertise tobacco and alcoholic beverages are given 90 days to cease such advertising if the contract between the advertise space lessee and billboard owner is terminable, and one year if interminable. In both cases, evidence of such a contract must be furnished to verify contract type.

9167.7 – Any outdoor advertising sign may contain a noncommercial message in lieu of a commercial message directing public attention to a business, profession, product or service that is not a principal business, profession, product or service sold, manufactured, conducted or offered on the premises where the sign is erected or maintained (Ordinance No. 03-1272).

#### *Bulletin Displays, LLC (New Billboard Proposal at Main Street and 405 Freeway)*

Starting in November 2007, Bulletin Displays, LLC approached the City of Carson regarding building one billboard in return for (1) a development fee of \$500,000, (2) free civic and charitable advertising for the City of Carson, (3) 10% discount to City of Carson Chamber of Commerce businesses and (4) a content restriction that prohibited alcohol, tobacco and gentleman's club advertising.

Prior to coming to the City of Carson in November 2007, Caltrans took one of Bulletin Displays billboard permits. Pursuant to this governmental taking, Caltrans would have to either pay compensation or enter into a relocation agreement with Bulletin Displays pursuant to California Business and Professions Code Section 5412. Caltrans and Bulletin Displays agreed to enter into a relocation agreement and this saved the State of California from having to pay compensation to Bulletin Displays. Caltrans is amenable to

extending the time limit of the relocation agreement if the City of Carson is interested in processing the request of Bulletin Displays.

During the early part of the discussions with Bulletin Displays, the City Attorney and the City Manager advised Bulletin Displays that if the city were to consider a proposal, Bulletin Displays should identify a specific location in the Industrial area at the west end of the city and on private property. While not guaranteeing any rights to build in that area, Bulletin Displays secured a location at KL Fenix on the north side of the 405 Freeway between Main Street and Figueroa Street. (Exhibit No. 4).

Due to the time restrictions imposed in the relocation agreement and in the land lease, Bulletin Displays requests that any recommendation to consider an ordinance amendment would need to be processed in a timely manner.

*Clear Channel Outdoor (Convert Existing Sign at 405 Freeway/Alameda Street to LED)*

Clear Channel Outdoor is proposing to upgrade an existing outdoor advertising structure (located at the 405 Freeway and Alameda Street) to LED. The existing billboard is within an un-landscaped segment of the 405 freeway at Alameda Street on the south side (Billboard No. 52 as shown on Exhibit No. 3). The billboard will not change in height, size or orientation. According to the applicant, if the City is willing to support permitting the conversion, they would be willing to remove several existing billboards in the City of Carson currently located along city streets, subject to a development agreement between Clear Channel Outdoor and the city of Carson.

Clear Channel currently operates twenty-one (21), 12-foot by 25-foot poster panel faces on eleven (11) structures along streets in Carson. Along the highways and freeways in Carson, Clear Channel operates the following: Eighteen (18), 14-foot by 48-foot bulletin faces on ten (10) structures adjacent and showing to the 405 freeway; six (6) bulletin faces on four (4) structures and six (6) poster faces on four (4) structures adjacent and showing to the 110 freeway; and two (2) bulletin faces on one (1) structure adjacent and showing to the 91 freeway. In total, Clear Channel has an inventory of twenty-seven (27) poster panel faces on fifteen (15) structures and twenty-six (26) bulletin faces on fifteen (15) structures in the city of Carson (a grand total of fifty-three (53) faces on thirty (30) structures). Clear Channel would consider removing several of the eleven (11) structures located along streets in Carson in exchange for a conversion of their one freeway-oriented sign at the 405 Freeway and Alameda Street to an LED format.

Discussion

Currently, the City of Carson only allows billboards along the "Alameda Corridor" and on the Home Depot signs on the 91 and 405 Freeways within the EMS-Overlay Districts. If the Bulletin Displays, LLC proposal, or a modified version of their project is desired, then a modification to the Sign Ordinance would first need to be processed. Bulletin Displays is suggesting the following modifications to the existing CMC related to outdoor advertising signs (deleted text stricken, added text underlined):



9146.7 – Signs

- (A). Outdoor advertising signs are permitted, subject to the following:
- (1) The total sign face area on each (405) Freeway Corridor sign structure or any pre-Ordinance No. 01-1237 sign structure shall not exceed eight hundred (800) square feet. The total sign face area on any other each new sign structure shall not exceed one hundred fifty (150) square feet.
  - (2) The height of a (405) Freeway Corridor sign structure or any pre-Ordinance No. 01-1237 sign structure shall not exceed forty-two (42) feet measured from the higher of either the ground level at the base of the sign structure or the finished grade of the road which the sign is advertising thereto. The height of a any other new sign structure shall not exceed twenty (20) feet measured from the ground level at the base of the sign structure.
  - (3) A new sign structure shall be erected only on a property that abuts the Alameda Corridor or abuts the (405) Freeway Corridor. For purposes of this provision, the term “Alameda Corridor” means that portion of Alameda Street between Del Amo Boulevard and Lomita Boulevard, and the term “(405) Freeway Corridor” means that portion of the (405) Freeway that is on the north side between Main Street and Figueroa Street.
  - (4) The (405) Freeway Corridor signs shall not be erected within 500 feet of any other outdoor advertising sign on the same side of the freeway. Other than a (405) Freeway Corridor sign structure, ~~n~~No new sign structure having a total sign face area of more than eighty (80) square feet but not exceeding one hundred fifty (150) square feet shall be erected within:
    - a. Two hundred (200) feet of an outdoor advertising sign structure having a total face area greater than eighty (80) square feet; or
    - b. One hundred (100) feet of any other outdoor advertising sign structure located on the same side of the public street or other right-of-way.
  - (5) No new sign structures having a total sign face area of eighty (80) square feet or less shall be erected within one hundred (100) feet of any outdoor advertising sign structure located on the same side of the public street or other right of way.
  - (6) Other than a (405) Freeway Corridor sign structure, ~~a~~Any such sign, having a sign face visible from and within a distance of six hundred sixty (660) feet of the edge of the right-of-way of a freeway or scenic highway measured horizontally along a line perpendicular to the centerline of such freeway or scenic highway shall not be permitted If placed or directed so as to be viewed primarily by persons traveling thereon.

- (7) Such sign shall not be permitted on the roof of a building, and a free-standing sign shall not be permitted to project over the roof of a building.
- (8) Such signs shall not encroach over public rights-of-way.
- (9) Any such sign structures shall not be permitted within two hundred (200) feet of a residential zone located on the same side of a public street or right-of-way.
- (10) Other than a (405) Freeway Corridor sign structure, aAny pre-Ordinance No. 01-1237 sign structure, aAny such sign structure shall be designed in the simplest form and shall be free of any bracing, angle iron, guy wires, cables, etc.
- (11) All exposed back of such signs, which are visible to the public, shall be suitably covered in order to conceal the structure and shall be properly maintained.
- (12) A conditional use permit (CUP) shall be required for each new sign structure. The provisions of this subparagraph shall govern the processing of applications for a CUP for an outdoor advertising sign. Unless an extension is agreed to in writing by the applicant, the Commission shall render its decision on an application for a CUP for an outdoor advertising sign within three (3) months of the date of acceptance of the application. An application for a CUP for an outdoor advertising sign shall be approved by the Commission, or by the Council on appeal, if the proposed sign structure conforms to the requirements of this code and applicable laws.

*Proposed Amendments: Benefits*

- New outdoor advertising signs can bring increased revenue to the city in the form of fees obtained through development agreements, either as one-time payments or payments over time.
- Existing outdoor advertising signs could potentially be removed by negotiation through development agreements with existing outdoor advertisers who wish to upgrade to LED, or otherwise improve their existing signs.
- Advertisement space on new signs could be utilized for city-related activities, or to bring awareness to city and/or charitable causes.
- Time limits could be placed upon new (or converted to LED) outdoor advertisements through development agreements and/or through conditions included in a conditional use permit resolution.

*Proposed Amendments: Drawbacks*

- New outdoor advertising signs may increase visual blight along freeway corridors through the city and may be contrary to redevelopment goals to remove blight.

- Businesses located adjacent to freeway corridors may go unnoticed if new outdoor advertising signs are located nearby.
- LED outdoor advertisements could cause potential distractions for drivers resulting in unsafe conditions.
- Developer agreement fees could be construed as “zoning for sale”.
- Private exploitation of public roadways.
- Sign proliferation can detract from urban environment and create an unattractive appearance.

#### IV. Conclusion

Like many other cities, the city of Carson has gradually restricted the ability to erect outdoor advertising signs within its jurisdiction. However, some cities are realizing that they can negotiate for various benefits while still keeping a tight planning control. While existing outdoor advertising signs may provide limited indirect benefits (i.e. increase sales taxes) and cover administrative fees (i.e. license fees), these new code revisions and development agreements that various cities are now writing, may result in direct and significant benefits. One benefit is a direct financial benefit acquired through a development fee that is paid up front or over time. Another benefit is derived when the outdoor advertising signs permit is conditioned on the removal of existing signs in other areas of the city that would be in the way of future development, or negatively impacting residents and/or businesses in the vicinity. Additionally, content restrictions (i.e. gentleman’s clubs advertisements) can be negotiated beyond the current prohibition against tobacco and alcohol advertising.

Staff recognizes the potential financial benefit from the Bulletin Displays, Inc. proposal in light of current financial issues facing the city. However, absent the fiscal problems, staff would recommend against any further consideration of the proposal. There appears to be limited benefit from the proposal by Clear Channel Outdoor, Inc. to convert an existing static outdoor advertising sign to a digital display and potential for significant public opposition given the response seen in other communities.

While there is the potential for revenue enhancement and other potential benefits, there is question whether the benefits outweigh the risks. As evidenced by recent billboard issues in Los Angeles, there is growing opposition to digital displays once they start being erected. Many communities are taking steps to strengthen ordinances to clearly prohibit both static and digital displays. The state of California has also reconsidered recent proposals. There may also be a statewide ban until 2012 if AB 109, introduced by Assemblyman Feuer in January 2009, is approved.

The Planning Commission is being asked to review and comment on the proposals of Bulletin Displays, LLC and Clear Channel Outdoor, Inc., to determine if support should be given to new regulations regarding outdoor advertising signs in the city of Carson

**V. Recommendation**

That the Planning Commission:

- CONSIDER and DISCUSS existing regulations and project proposals; and,
- DIRECT staff to draft an ordinance for consideration by the Planning Commission at a later date; or
- RECEIVE and FILE.

**VI. Exhibits**

1. City Council staff report with exhibits dated October 7, 2008
2. City Council minutes dated October 7, 2008
3. Map of Billboard Locations in Carson
4. Map of proposed new outdoor advertising sign location (Bulletin Displays LLC)

Prepared by: \_\_\_\_\_

  
Steven C. Newberg, AICP, Associate Planner

Reviewed by: \_\_\_\_\_

  
John F. Signo, AICP, Senior Planner

Approved by: \_\_\_\_\_

Sheri Repp, Planning Manager



# City of Carson Report to Mayor and City Council

October 7, 2008  
New Business Discussion

**SUBJECT: CONSIDERATION OF POSSIBLE AMENDMENT OF ZONING REGULATIONS  
FOR EXISTING OUTDOOR ADVERTISING SIGNS**

Submitted by Clifford W. Graves  
Economic Development General Manager

Approved by Jerome G. Grooms  
City Manager

## I. SUMMARY

This item is on the agenda at the request of Mayor Pro Tem Gipson.

Existing zoning regulations prohibit the establishment of new outdoor advertising signs within the city with the exception of locations along the Alameda Corridor. The vast majority of existing outdoor advertising signs are considered to be legal, nonconforming and many are unattractive in design and maintenance. The City Council is requested to consider a referral to the Planning Commission to study existing regulations to determine if an opportunity should be provided to allow existing outdoor advertising signs to be replaced with more contemporary structures.

## II. RECOMMENDATION

CONSIDER and PROVIDE direction.

## III. ALTERNATIVES

1. DIRECT the Planning Commission to study existing regulations for outdoor advertising signs to determine if an opportunity should be provided to allow existing outdoor advertising signs to be replaced with more contemporary structures.
2. Decline to refer the matter to the Planning Commission.
3. Take another action the City Council deems appropriate.

## IV. BACKGROUND

The City Council is asked to direct the Planning Commission to study existing regulations for outdoor advertising signs to determine if an opportunity should be provided to allow existing outdoor advertising signs to be replaced with more contemporary structures.

The Carson Municipal Code addresses outdoor advertising in the following sections:

Section 9136.7 (Commercial Zones, Signs): Outdoor advertising signs prohibited.

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Section No. 9138.71 (Outdoor Advertising Signs in an Electronic Marquee Signage Overlay District): Establishes an overlay zone to allow for outdoor advertising signs associated with the Home Depot Center subject to the requirements of Section 9167.7. An exception was included to allow for advertising of beer products.

Section No. 9146.7 (Industrial Zones, Signs): Allows a conditional use permit for outdoor advertising signs on property that abuts the Alameda Corridor. All other outdoor advertising signs prohibited in industrial zones.

Section 9167.6 (Tobacco and Alcoholic Beverage Outdoor Billboard Advertisements): Prohibits the advertising of tobacco products or alcoholic beverages within city.

Section 9167.7 (Noncommercial Messages on Outdoor Advertising Signs): Allows for noncommercial message in lieu of commercial message.

In 1990, a citywide inventory of existing outdoor advertising billboards indicated that approximately ninety-two (92) structures and one hundred fifty-five (155) advertising sign faces existed in Carson. On October 8, 2001, a field survey revealed the existence of 79 billboard structures with 83 sign faces. The majority of signs were permitted prior to city incorporation by the County of Los Angeles. Prior to 2001, city ordinances prohibited billboards in commercial zones and permitted in industrial zones, except along the freeways.

On December 18, 2001 (Exhibit No. 2) the City Council adopted an ordinance which limited the location, height and size of future outdoor advertising signs subject to approval of a conditional use permit (CUP). The purpose of the ordinance amendment was to restrict the location, height and size of outdoor advertising signs. The proposed ordinance amendment would permit new signs only within the Alameda corridor between Del Amo Boulevard and Lomita Boulevard. The Council found that without proper regulation, outdoor advertising signs can contribute visual blight and can constitute a traffic hazard. The ordinance justification identified that the proliferation and unregulated operation of outdoor advertising signs may result in adverse impacts on adjacent properties in the community and interfere with the successful redevelopment of blighted areas; there existed a significant number of legal, non-conforming outdoor advertising signs; outdoor advertising sign locations may detract from local businesses (i.e., auto dealerships); and older outdoor advertising signs appeared unattractive in design and maintenance.

Over the past several years, various property owners have continued efforts to remove outdoor advertising signs, most notably Carson Honda and Superior Nissan. With the exception of the Home Depot signs located in the Electronic Marquee Signage Overlay District, only one application has been submitted since 2001 requesting authorization for a new or substantially modified billboard. On August of 2007, Clear Channel Outdoor Company requested an amendment to CMC Section 9146.7 to upgrade an existing outdoor advertising structure (located at the Freeway 405 and Alameda Street) from 300 square-foot sign to a 672 square-foot "electronic message" sign. Staff advised the application would not be supported and identified additional information needed to deem the application complete. However, on June 18, 2008, the application was deemed incomplete due to the applicant being non-responsive. The applicant was provided notice that the file was closed.

V. FISCAL IMPACT

Staff time and resources will be expended to prepare for the study session and preparation of ordinance amendment if deemed appropriate.

VI. EXHIBITS

1. Excerpt from Carson Municipal Code concerning Outdoor Advertising Signs (pgs. 4-6)
2. Minutes, December 18, 2007, Item no. 18. (pg. 7)

Document2

Prepared by: Sheri Repp Loadsman

sf:Rev061902

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development Services	Public Services

<b>Action taken by City Council</b>	
Date _____	Action _____

15 3

MINUTES  
CARSON CITY COUNCIL  
REGULAR MEETING  
DECEMBER 18, 2001

ORDINANCE SECOND READING (Item 18)

ITEM NO. (18)      ORDINANCE NO. 01-1237, REVISING THE REGULATIONS FOR  
OUTDOOR ADVERTISING SIGNS IN THE CITY'S INDUSTRIAL ZONES  
AND AMENDING THE CARSON MUNICIPAL CODE

ACTION:      WITH FURTHER READING WAIVED, Ordinance No. 01-1237, was PASSED,  
APPROVED, and ADOPTED, as read by title only, on motion of Dear, seconded by Frank and  
unanimously carried with Calas absent.





## EXCERPTS FROM CARSON MUNICIPAL CODE

### OUTDOOR ADVERTISING SIGNS

#### § 9136.7 Signs.

A. Outdoor advertising signs are not permitted in commercial zones except as authorized pursuant to CMC 9138.71.

#### § 9138.71 Outdoor Advertising Signs in an Electronic Marquee Signage (EMS) Overlay District.

A. Purpose. The Electronic Marquee Signage (EMS) Overlay District is intended to provide for the off-site advertisement, by means of electronic message center signs, of extraordinary attractions benefiting the City and of the sponsors of such attractions. To the extent the provisions of this Section conflict with any other provision of this Code, the provisions of this Section shall be controlling.

B. Permitted Use. Outdoor advertising signs that are permitted in the Electronic Marquee Signage (EMS) Overlay District.

C. Development Standards. The following development standards shall be applicable to outdoor advertising signs in the Electronic Marquee Signage (EMS) Overlay District:

1. Such sign shall be an electronic message center sign.
2. Such sign shall not exceed the following dimensions: a height of ninety-five (95) feet above freeway grade and a width of forty-six (46) feet.
3. A development plan for such sign shall be submitted and approved in accordance with subsection D of this Section and the Site Plan and Design Review procedure as provided in CMC 9172.23.

D. Development Plan Approval. The provisions of this paragraph shall supersede the provisions of CMC 9172.23 to the extent of any inconsistency. The Commission shall be an advisory agency and the Council shall be the approval authority for a development plan application for an outdoor advertising sign in the Electronic Marquee Signage (EMS) Overlay District.

The Commission shall hold a public hearing on the application and shall, by resolution, render its decision in the form of a recommendation to the Council. Failure of the Commission to render a decision within forty (40) days of the date the matter first appears on a Commission agenda for public hearing shall be deemed approval of the application. The Council shall hold a public hearing following the Commission's decision and shall, by resolution, render its decision on the application. The decision of the Council shall be final.

E. Outdoor advertising signs established pursuant to this Section shall be subject to CMC 9167.6, except that the display on such signage of the names of companies which sell beer products, or the subsidiaries or divisions of such companies which sell beer products, shall be permitted on such outdoor advertising signage. (Ord. 02-1245, § 3)

Exhibit No. 1



**§ 9146.7 Signs\*.**

A. Outdoor advertising signs are permitted, subject to the following:

1. The total sign face area on each pre-Ordinance No. 01-1237 sign structure shall not exceed eight hundred (800) square feet. The total sign face area on each new sign structure shall not exceed one hundred fifty (150) square feet.

2. The height of a pre-Ordinance No. 01-1237 sign structure shall not exceed forty-two (42) feet measured from the ground level at the base of the sign structure. The height of a new sign structure shall not exceed twenty (20) feet measured from the ground level at the base of the sign structure.

3. A new sign structure shall be erected only on a property that abuts the Alameda Corridor. For purposes of this provision, the term "Alameda Corridor" means that portion of Alameda Street between Del Amo Boulevard and Lomita Boulevard.

4. No new sign structure having a total sign face area of more than eighty (80) square feet but not exceeding one hundred fifty (150) square feet shall be erected within:

a. Two hundred (200) feet of an outdoor advertising sign structure having a total sign face area greater than eighty (80) square feet; or

b. One hundred (100) feet of any other outdoor advertising sign structure located on the same side of the public street or other right-of-way.

5. No new sign structures having a total sign face area of eighty (80) square feet or less shall be erected within one hundred (100) feet of any outdoor advertising sign structure located on the same side of the public street or other right-of-way.

6. Any such sign, having a sign face visible from and within a distance of six hundred sixty (660) feet of the edge of the right-of-way of a freeway or scenic highway measured horizontally along a line perpendicular to the centerline of such freeway or scenic highway shall not be permitted if placed or directed so as to be viewed primarily by persons traveling thereon.

7. Such sign shall not be permitted on the roof of a building, and a free-standing sign shall not be permitted to project over the roof of a building.

8. Such signs shall not encroach over public rights-of-way.

9. Any such sign structure shall not be permitted within two hundred (200) feet of a residential zone located on the same side of a public street or right-of-way.

10. Any such sign structure shall be designed in the simplest form and shall be free of any bracing, angle iron, guy wires, cables, etc.

11. All exposed back of such signs, which are visible to the public, shall be suitably covered in order to conceal the structure and shall be properly maintained.

12. A conditional use permit (CUP) shall be required for each new sign structure. The provisions of this subparagraph shall govern the processing of applications for a CUP for an outdoor advertising sign. Unless an extension is agreed to in writing by the applicant, the Commission shall render its decision on an application for a CUP for an outdoor advertising sign within three (3) months of the date of acceptance of the application. An application for a CUP for an outdoor advertising sign shall be approved by the Commission, or by the Council on appeal, if the proposed sign structure conforms to the requirements of this code and applicable laws.



**§ 9167.6 Tobacco and Alcoholic Beverage Outdoor Billboard Advertisements.**

A. Definitions. For the purpose of this Section only, unless it is plainly evident from the context that a different meaning is intended, the following definitions shall apply:

1. Alcoholic Beverage. "Alcoholic beverage" shall have the meaning set forth in Section 23004 of the California Business and Professions Code as it exists now or may be amended hereafter.

2. School. "School" shall mean any public or private elementary school, junior high school or high school.

3. Tobacco Product. "Tobacco product" shall mean any tobacco, cigarette, cigarette papers, other preparation of tobacco or any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco or products prepared from tobacco.

B. Prohibition. No person shall advertise or cause to be advertised any tobacco product or alcoholic beverage on any outdoor advertising sign located within the City of Carson.

C. Exemptions. The provisions of this Section shall not apply to advertising opposing the use of tobacco products or alcoholic beverages; provided, however, that this paragraph shall not be construed to permit an advertisement promoting the use of any tobacco product or alcoholic beverage by including a message opposing the use of such tobacco product or alcoholic beverage within that advertisement.

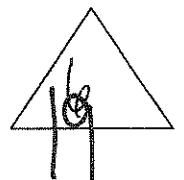
D. Existing Outdoor Billboard Advertisements.

1. Except as provided in subsection (D)(2), this Section shall apply to existing outdoor sign advertisements.

2. Existing outdoor sign advertisements that were placed pursuant to a valid, terminable contract may remain in place for ninety (90) days following the effective date of this Section. Existing outdoor sign advertisements that were placed pursuant to a valid, nonterminable contract may remain in place until the expiration of such contract or for one (1) year following the effective date of this Section, whichever is earlier. No person may maintain an existing outdoor sign advertisement in accordance with this paragraph without first providing the City with a copy of the contract pursuant to which such outdoor sign advertisement was placed. (Ord. 98-1140, § 2)

**§ 9167.7 Noncommercial Messages on Outdoor Advertising Signs.**

Any outdoor advertising sign may contain a noncommercial message in lieu of a commercial message directing public attention to a business, profession, product or service that is not a principal business, profession, product or service sold, manufactured, conducted or offered on the premises where the sign is erected or maintained. (Ord. 03-1272, § 3)



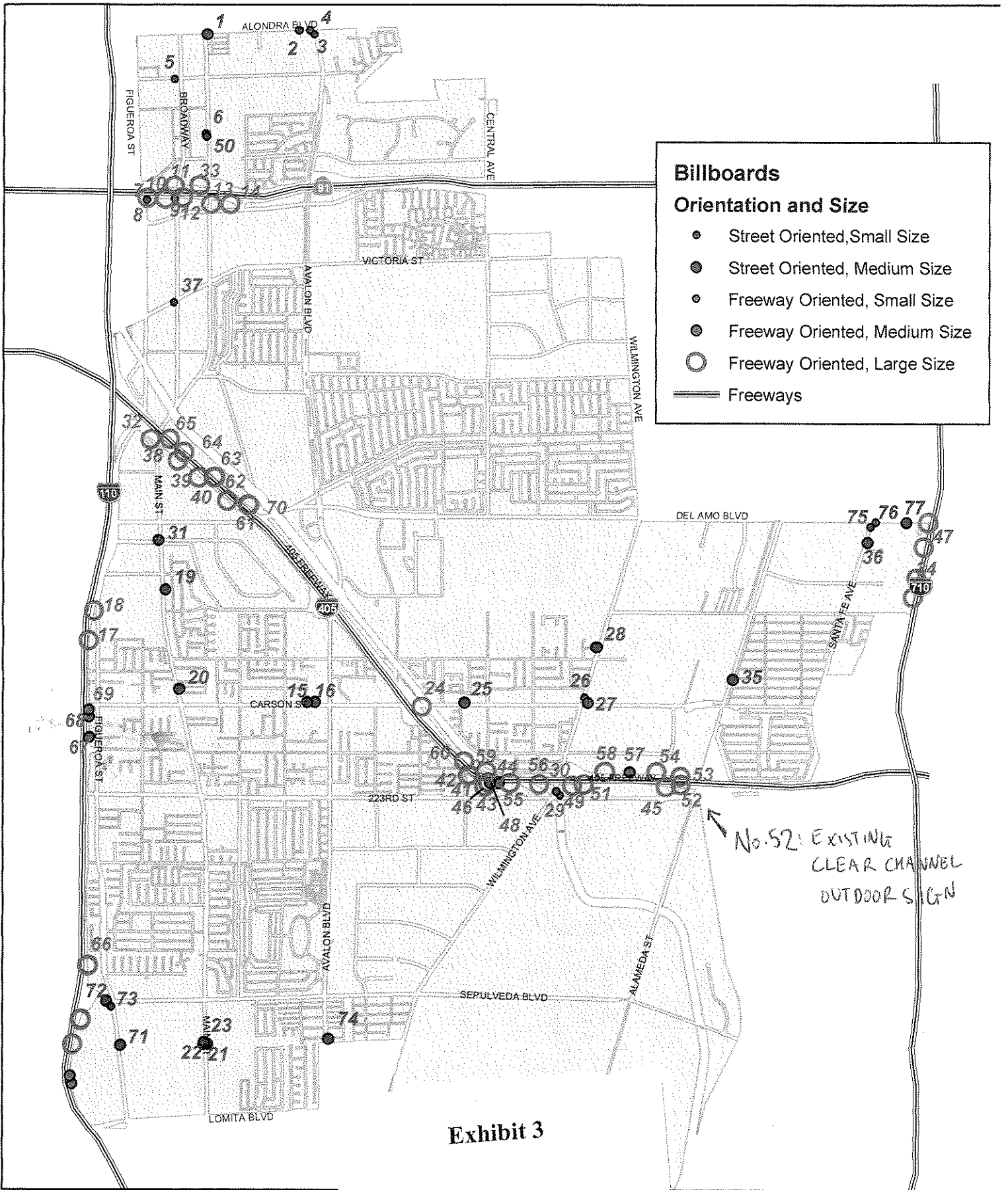


Exhibit 3

City of Carson

BILLBOARD LOCATIONS

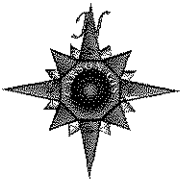


Exhibit 4



Legend



14' x 48' Billboard allowing legal extensions

Exhibit No. 4

Column location

— Approximate property line. If a portion of the dirt that is south-west of the south-west property line is owned by Lessor and is in fact parcel 15, then the bullnose of the sign will go further south-west to the property line.

The column can be located anywhere in the yellow section which is overlaying the grassy area.

