



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 13, 2013

Richard J. Bruckner
Director

Mark Kudler
Bulletin Displays, LLC
3127 E. South St. Ste B
Long Beach, CA 90805

**REGARDING: PROJECT NO. R2012-02173-(2)
CONDITIONAL USE PERMIT NO. 201200122
10100 S. LA CIENEGA BLVD., INGLEWOOD, CA (4038-003-034)**

The Regional Planning Commission, by its action of **June 12, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **June 26, 2013**. **Appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Andrew Svitek of the Zoning Permits West Section at (213) 974-6462, or by email at asvitek@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement
MKK:AS

CC.060412

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2012-02173-(2)
CONDITIONAL USE PERMIT NO. 201200122**

1. **ENTITLEMENT REQUESTED.** The applicant, Bulletin Displays LLC, is requesting a Conditional Use Permit (CUP) to authorize a billboard pursuant to County Code Section 22.32.070 in the M-1-DP (Light Industrial, Development Program) Zone.
2. **HEARING DATE.** June 12, 2013
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** A duly noticed public hearing was held on June 12, 2013 before the Regional Planning Commission. Commissioners Valadez, Louie, Helsley and Modugno were present. Commissioner Pedersen was absent. The applicant's representative, Mark Kudler, presented testimony in favor of the request and answered questions presented by the Commission. A manager of a hotel in the project vicinity testified with concerns of adding an additional billboard in an area with a number of existing billboards and with the possibility that the view of the hotel may be obscured by the billboard. The Commission agreed to modifications of draft Condition No. 4 in order for the indemnification provision to refer to, and be subject to the indemnification provision that was part of conditional settlement agreement and to draft Condition No. 24 to remove the voluntary restriction on advertising of alcohol at the request of the applicant. There being no other testimony, the Commission closed the public hearing and approved the conditional use permit.
4. **PROJECT DESCRIPTION.** The project is a 14-foot by 48-foot back-to-back single column billboard 75-feet in height, with an orientation for visibility from the elevated grade of the I-405 Freeway. The billboard is located on a 2-acre site within a lease area of approximately 1,000 square feet. The site is developed with a self storage facility. The CUP provides for consistent height and bulk of the proposed sign to allow for consistency with billboards viewed from the grade of the I-405 Freeway. As the billboard is freeway-oriented (Interstate 405), the applicant will also be required to obtain an Outdoor Advertising Permit from Caltrans. Pursuant to The California Outdoor Advertising Act (Cal. Bus. & Prof. Code § 5412), the County has entered into a conditional settlement agreement that provides for a relocation of two existing freeway-oriented billboards adjacent to the I-105 Freeway to new locations adjacent to the I-405 Freeway and I-110 Freeway. The billboard relocation authorized by this conditional use permit is from Mona Boulevard (between Imperial Highway and 117th Street) next to the Lynnwood Justice Center. The former location of the billboard interfered with the airspace of the Sheriff's Department helipad. A second relocation is from 12000 S. Western Avenue in the community of West Athens to 800 Sprucelake in the community of Harbor City, and is authorized by Conditional Use Permit No. 201200123.
5. **LOCATION.** 10100 S. La Cienega Boulevard, Inglewood in the Lennox Zoned District

6. **SITE PLAN DESCRIPTION.** The site plan depicts a 14-foot by 48-foot back-to-back 75-foot high billboard, with an orientation for visibility from the freeway. The lease area is the space below the sign, and the access to it and any area needed to install and maintain the sign is limited to approximately 1,000-square feet, and is accessible from a private driveway. The subject property is approximately 2 acres in size and is currently developed with a 4-story self-storage warehouse facility. The ground mount for the billboard is a single column located in the middle of the lease area.
7. **EXISTING ZONING.** M-1-DP (Light Industrial-Development Program)
8. **EXISTING LAND USES.** The project site is currently developed with a self-storage warehouse facility and two rooftop mounted wireless telecommunications facilities.
9. **PREVIOUS CASES/ZONING HISTORY.** The subject property has the following zoning case history:
 - CUP No. 86-456 / Parking Permit No. 86-456 (approved 5/21/87) authorized a public storage facility with less than required parking spaces, with a caretaker unit.
 - CUP No 93-108 (approved 10/7/93) authorized the construction and maintenance of a new wireless telecommunications facility.
 - CUP No 95-117 (approved 2/6/96) authorized the construction and maintenance of a new wireless telecommunications facility.
 - CUP No. 03-335 (approved 2/18/04) was a renewal of CUP No. 93-108 and authorized the continued operation of a wireless telecommunication facility.
 - CUP No. 2006-00464 (approved 9/2/08) was a renewal of 95-117 and authorized the continued operation and maintenance of a wireless telecommunications facility.
 - Revised Exhibit "A" No. 201100097 (approved 4/26/11) authorized a swap out of existing antennas authorized by CUP No. 03-335.
 - Revised Exhibit "A" No. 201200290 (approved 2/20/13) approved the addition of an antenna on an existing wireless telecommunications facility approved by CUP No. 2006-00464.
10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The proposed outdoor adverting display is consistent with the Major Industrial land use category of the countywide General Plan. This designation is described as follows: "These areas are generally appropriate for major industrial uses including manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. The intent of this category is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both the domestic and export markets and providing jobs for a large portion of the resident labor force. (Land Use Element, Page III-23)" The proposed outdoor advertising display is a use that is permitted by the zoning code within industrially-zoned areas, provided a CUP is first obtained. Subject to a CUP, this use is

compatible with the types of uses that are permitted in industrial zones. Therefore, the proposed outdoor advertising display is consistent with the permitted uses of the underlying land use category. The subject property is located within the community of Del Aire, which does not have an adopted Community Plan.

11. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

The proposed sign meets the use-specific requirements that are imposed through a CUP for a billboard, pursuant to Section 22.52.840:

- The sign face area measuring 672 square feet complies meets the requirement of maximum sign area of 800 square feet.
- The height of the sign at 75 feet meets the height requirements as it has been determined that the height will need to exceed the limit of 42 feet, as measured from the base of the sign, in order for it to be visible at the grade level of the elevated I-405 Freeway, as the sign is freeway-oriented. Height and bulk standards are being modified through the CUP to make the bulletin board consistent with other freeway oriented bulletin boards in the area according to Section 22.56.200.
- The sign is located within 660 feet of the I-405 and it is freeway-oriented. However, pursuant to California Business and Professions Code Section 5412, the County has entered into a relocation agreement to authorize a billboard at a new location, provided that a billboard is removed at another location. The previous location was also located within 660 feet of an interstate highway, Therefore there is no net increase in the number of freeway oriented billboards. The applicant is required to obtain an Outdoor Advertising Permit from Caltrans.
- The sign exceeds the maximum 15 percent building overhang provision by approximately 7 feet, but due to the constraints of the site, this standard related to bulk is modified through the conditional use permit process through Section 22.56.200.
- The sign is located entirely on private property and does not encroach over any public rights-of-way.
- The proposed sign is not within 200 feet of a residential zone located on the same side of the street.
- The applicant has voluntarily agreed to prohibit tobacco, alcoholic beverage, and adult telephone message advertising on the billboard, and such prohibition is made a condition of approval of the CUP.

The proposed sign meets the zone-specific requirements for all development in the M-1 Zone, pursuant to Section 22.32.080:

- Outside storage or display (Section 22.32.080.A) - The proposed billboard will be within a lease area that will not be used for storage or display of raw materials, equipment, or finished products.

- Vehicle parking (Section 22.32.080.B) - As parking requirements for billboards are not specifically listed in Part 11 of Chapter 22.52, a determination of the necessary parking is made to ensure that the use be served with adequate parking to prevent traffic congestion and excessive on-street parking. The billboard is unmanned and requires periodic maintenance visits only, the frequency of which is estimated at twice a month for approximately thirty minutes per visit. The appropriate parking for the periodic maintenance visits would be one space, which does not need to be solely dedicated to the billboard use. As the self-storage facility has adequate vehicle parking spaces, one of the spaces provided by the self-storage facility could be utilized for the parking of a maintenance vehicle.
- Signage (Section 22.32.080.C) - As the proposed development is an billboard, it is required to obtain a CUP and comply with the provisions of said CUP.

The proposed sign meets the requirements for development in the Development Program ("--DP") Overlay Zone, pursuant to Section 22.40.040 of the County Code, as the zone may be used for any use permitted in the basic zone provided a CUP is obtained.

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The project is located in an urban area, with a warehouse district to the west, commercial uses to the north (including a gas station and car title loan office) north, I-405 freeway to the east, and other industrial uses to the south.
13. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** Project materials were provided to the Fire Department, Department of Public Works, and Department of Public Health, and each Department cleared the project for public hearing without providing any specific recommendations regarding the proposed project.
14. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** No other agencies had any comments or recommendations. The permittee will be required to obtain all necessary approvals from California Department of Transportation.
15. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
16. **PUBLIC COMMENTS.** No public comments were received.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

17. The Countywide General Plan designates this area as Major Industrial, which allows for industrial and other intensive uses, including outdoor advertising displays.

Therefore, the proposed use is consistent with the adopted general plan for the area.

18. The outdoor advertising display is to be located on private property away from public rights-of-way in an industrial area surrounded by other tall structures. The outdoor advertising display is located along the I-405 Freeway and is buffered from other surrounding uses by multistory office buildings. The project is being designed in a way that will be consistent with the other existing billboards in the area. Also, you might note in this finding that the billboard is not too close to the other billboards, but also is within an area that is already developed with billboards so that it doesn't change the character of the area.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

19. The outdoor advertising display is to be located within a less than 1,000-square foot lease area on 2-acre parcel that is developed with a 4-story self-storage warehouse, and includes two wireless telecommunications facilities. The project is not displacing any required parking spaces and will not interfere with on-site vehicle circulation of the self-storage warehouse. The billboard is meeting all development standards that apply, and it is appropriately modifying them to be consistent with the other uses in the area, including freeway-oriented billboards.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

20. The site has access from 101st Street (the major cross street is La Cienega). The only vehicle traffic will be for intermittent maintenance and replacement of signage.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

21. An initial study was prepared to analyze the environmental setting and project impacts of the proposed project pursuant to the California Environmental Quality Act. The initial study evaluated impacts on visual resources through photo

simulations of the proposed project from various public vantage points. All impacts of the proposed project were found to be less than significant.

Therefore, based on the whole record before the Regional Planning Commission there is no substantial evidence that the project will have a significant effect on the environment.

22. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not: (a) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or (b) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or (c) Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served: (a) By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and (b) by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission, having considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence that the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Regional Planning Commission, and adopts the Negative Declaration.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200122 is approved subject to the attached conditions.

VOTE: 3:1:0:1

Concurring: Valadez, Louie, Helsley

Dissenting: Modugno

Abstaining: 0

Absent: Pedersen

Action Date: June 12, 2013

MKK:AS
6/13/13

c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2012-02173-(2)
CONDITIONAL USE PERMIT NO. 201200122**

PROJECT DESCRIPTION

The project is a billboard (outdoor advertising display) in the M-1-DP Zone subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10 and 11. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and 11 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. Subject to the exclusions contained in Paragraph 2.3 of the conditional settlement agreement between the County and the permittee, the permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$400.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **two (2) inspections during the term of the grant.** Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount

charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently \$2,231.25 (\$2,156.25 for a Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the approved plans on file with Regional Planning, marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

**PERMIT SPECIFIC CONDITIONS – OUTDOOR ADVERTISING SIGNS
(BILLBOARDS)**

19. This permit does not authorize any digital displays, as that term is generally understood in the industry, including, but not limited to, any roadside displays that rotate advertising messages every 8-10 seconds, or a comparable time frame, displays that use LED lights, and displays that utilize flashing motion or animation.
20. The permittee is required to obtain and maintain a valid Outdoor Advertising Permit from Caltrans.
21. The maximum sign face area shall be 672 square feet for each face of the back-to-back billboard.
22. The maximum height shall be 65.5 feet measured from existing grade to the top of the sign structure.
23. The structure shall be painted in coco brown color, or a substantially similar color as determined by the Director of Regional Planning and shall be maintained properly, being repainted on a regular schedule.
24. As agreed to by the permittee, no tobacco products, or adult phone message advertisements shall be placed on the billboard.
25. Structure, billboard face, and pylons open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting.

Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

26. All lighting shall be maintained to prevent glare or direct illumination onto adjoining properties and to avoid affecting vehicles traveling along any public right of way.