



**currently vacant property located at 14500 Firestone Boulevard, within the Freeway Commercial (C-F) Zoning District.**

- 3. DEVELOPMENT AGREEMENT (DA) NO. 17 AND SITE PLAN REVIEW (SPR): Planning Commission consideration of Resolution No. P-05-22 recommending to the City Council the approval of Development Agreement No. 17 and a Site Plan Review Application for the installation of an electronic billboard on a currently vacant property located at 14500 Firestone Boulevard, within the Freeway Commercial (C-F) Zoning District.**

Chairman Cline introduced the items and asked if these two items will be combined into one presentation.

Gabriel Bautista, Community Development Director, responded and stated that the two items will be combined into one presentation as both items involve the same property, and two identical billboards. He also stated that there will need to be a separate public hearing and action for each of the items. Mr. Bautista added that the project planner, Eric Garcia, will present the items.

Mr. Garcia reviewed Development Agreements No. 16 and No. 17 along with the Site Plan Review Applications via a PowerPoint presentation. He stated that on June 1, 2022, in accordance with the provisions of Chapters 21.114 and 21.124 of the Zoning Ordinance, the applicant, Ariana Diverio of Electra Media, Inc. (EMI), filed applications for the two Development Agreements and two Site Plan Reviews to install and maintain two electronic billboards on a vacant property located at 14500 Firestone Boulevard within the Freeway Commercial (C-F) Zoning District. He added that the proposed Resolutions Nos. P-04-22 and P-05-22, recommend City Council approval of the Development Agreements and Site Plan Review Applications.

Mr. Garcia stated that to improve the overall traffic circulation and congestion along the I-5 Freeway, Caltrans has expanded the freeway by increasing the number of north and southbound lanes. He added that the expansion required Caltrans to acquire portions of properties along Firestone Boulevard, resulting in the razing of various structures which created vacant parcels including the subject site.

Mr. Garcia stated that the subject site is a vacant, 7.5 acre parcel located in the southern portion of the City, bordered by the I-5 Freeway to the north, Union Pacific rail lines to the south, and vacant lots to the west and east. He noted that regional access to the site is provided by the I-5 Freeway and Valley View Avenue. He then reviewed the zoning designation and existing land uses of the surrounding properties.

Mr. Garcia stated that the applicant proposes to construct and operate two billboards on the subject site, one on the north end and one on the south end. He further stated that the distance between the two billboards will be slightly over 1,000 feet, and that the nearest existing billboard, on the same side of the freeway, is a static billboard adjacent to Coyote Creek south of the subject site approximately 1,000 feet away. He added that

the proposed billboards comply with all applicable provisions of the C-F Zoning District and the Electronic Billboards regulations found in Section 21.76.140 of the La Mirada Municipal Code (LMMC).

Mr. Garcia reviewed the locations of the proposed billboards. He stated that the code requires that the billboards be 25 feet away from the property line as measured from the center of the sign. He also reviewed the setback for each of the two billboards and noted that neither sign encroaches onto the public right-of-way.

Mr. Garcia stated that the billboards will have a modern design with a proposed height of 50 feet and a double-sided full LED digital displays that measure 14 x 48 feet. He added that the support structure will have a vertical lighted color-changing band that is conditioned to only change colors once per day. He also stated the billboards are required to comply with all City, county, and state regulations regarding light, glare, and brightness levels. Mr. Garcia reviewed the photo simulations of the billboards.

Mr. Garcia stated that the City periodically receives inquiries from businesses and advertising agencies expressing interest in electronic billboards within the C-F Zoning District. He stated that after careful review and consideration, an amendment was proposed to the zoning code allowing for electronic billboards. He stated that some of the key billboard development standards within the amendment approved by the Planning Commission and City Council include: a 700 square foot maximum display area; 50 foot maximum height; a minimum 1,000 foot distance between electronic billboards; and a minimum 500 foot distance between electronic billboards and existing static billboards.

Mr. Garcia stated that Development Agreements are intended to establish the terms, conditions, and regulations that will apply to a development project. He added that some of the terms specified in the two agreements under consideration include: display area size, structure design, timing of construction, sign repair, maintenance and advertising. Mr. Garcia advised the commission that one the attachments listed within the two Development Agreements, Exhibit B – "Constructions Plans and Specifications," will be deleted. He added that the remaining attachments will be re-lettered to account for the deleted exhibit and that the items noted within Exhibit B, are not needed since the architectural plans with the location, design, size and illumination are included.

Mr. Garcia stated that the proposed billboards are permitted with the granting of the Development Agreements and Site Plan Reviews. He added that the project complies with the Zoning Code requirements including the Electronic Billboard standards. He further stated that the project meets the Goals and Policies of the General Plan in that the subject site is physically suitable for the type of land use proposed, and that the use is compatible with any permitted future land use in the area. He also stated that the proposed project will be subject to the approval of the City Council and that it is categorically exempt under Section 15303, "New Construction or Conversion of Small Structures" of the CEQA guidelines.

Mr. Garcia concluded that based on the evidence presented by staff, it is recommended that Planning Commission conduct two public hearings, affirm the Categorical Exemptions; and adopt Resolution Nos. P-04-22 and P-05-22 recommending City Council approval of Development Agreement Nos. 16 and 17 and the Site Plan Reviews Applications to install two (2) electronic billboards at 14500 Firestone Boulevard, subject to the conditions contained therein and/or additional limitations the Planning Commission may wish to add.

Mr. Garcia asked if the commissioners had any questions.

Vice Chairman Massey asked how the agreement is able to prohibit marijuana advertisement given the fact it has been legalized.

Mr. Craig Fox, City Attorney, responded and stated that the advertisement is being prohibited under a contract between the City and the proponent, not by ordinance. He added that this is a subtle distinction which allows the City control of messaging within the Development Agreements.

Vice Chairman Massey asked if the City anticipated an action by the electorate that would modify the agreement as contemplated by Article 12 of the Development Agreement.

Mr. Fox responded and stated that the language within Article 12 was contingent language that is added to all development agreements to preserve all parties' rights. He added that there are cases that could adversely affect either sides' rights under this agreement; so this is a reservation that shows that if things were ever challenged, that this was considered, and that we accommodated that potential.

Vice Chairman Massey thanked City Attorney Fox and said he did not have any further questions.

City Attorney Fox stated and asked, for the record, if Chairman Cline was okay with opening the public hearing for Development Agreement No. 16 and Development Agreement No. 17 concurrently but hold two separate votes.

Chairman Cline agreed and opened the public hearing and asked if anyone wished to speak in favor of the project.

Ms. Ariana Diverio addressed the commission and stated that she is the applicant for the project and offered her sincere thanks to Mr. Garcia for working so diligently with them on this project and the ordinance. She also thanked Alison Moore and Jorge Orozco as they have been very helpful in the process of negotiating the Development Agreements with the City Council. She also stated that they have a representative from the ownership group here today, and he also extends his thanks.

There being no one else wishing to speak in favor of the project, Chairman Cline asked if anyone wished to speak in opposition.

There being no speakers in opposition to the project, Chairman Cline closed the public hearing and opened the item for discussion.

Commissioner Olsen stated that since we had the opportunity to voice our curiosities and concerns when we went through the ordinance amendment, it seems to follow through on all of the regulations and constrictions, so he does not have any questions at this time.

Commissioner Saenz asked if there is a minimum time that advertisement needs to be displayed before the next advertisement appears.

Ms. Diverio responded and stated that per Caltrans the minimum time is four seconds.

There being no further discussion, Chairman Cline closed the public hearing and requested a motion on the first item.

**Commissioner Olsen moved and Commissioner Saenz seconded to affirm the Categorical Exemption and adopt Resolution No. P-04-22 recommending to the City Council the approval of Development Agreement No. 16 and a Site Plan Review Application for the installation of an electronic billboard on a currently vacant property located at 14500 Firestone Boulevard, within the Freeway Commercial (C-F) Zoning District.**

**MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:**

**AYES: Chairman Cline, Vice Chairman Massey, Commissioner Olsen, Commissioner Saenz**  
**NOES: None**  
**ABSENT: None**  
**ABSTAIN: None**

Chairman Cline requested a motion on the second item.

**Commissioner Olsen moved and Commissioner Saenz seconded to affirm the Categorical Exemption and adopt Resolution No. P-05-22 recommending to the City Council the approval of Development Agreement No. 17 and a Site Plan Review Application for the installation of an electronic billboard on a currently vacant property located at 14500 Firestone Boulevard, within the Freeway Commercial (C-F) Zoning District.**

**MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:**

**AYES: Chairman Cline, Vice Chairman Massey, Commissioner Olsen, Commissioner Saenz**  
**NOES: None**  
**ABSENT: None**  
**ABSTAIN: None**

**PUBLIC COMMENT PERIOD**

There were no public comments.

**COMMISSION ANNOUNCEMENTS**

Chairman Cline stated that the veterans of the City are planning a nice Veterans Day event on November 7, 2022.

**STAFF ANNOUNCEMENTS**

Mr. Bautista stated that he wanted to remind the commission of the Volunteer Appreciation Day and hopes that everyone responded to the invitation on time. He stated that a reminder of the event was placed on the dais for each commissioner.

Mr. Bautista stated that the City Council considered the nomination of Mr. Jack Miranda to the commission at the last City Council Study Session and that the nomination was not approved. He stated that Councilman Sarega will nominate a new candidate to serve on the commission and that the new nominee will be interviewed by the City Council at a future meeting.

Mr. Bautista advised the commission that the City initiated the recruitment for a new Community Development Director. He advised the commission that the recruitment is in advance of his retirement and that the next commission meeting will probably be his last.

Mr. Bautista stated that staff anticipated having at least one item on the agenda for next month's meeting.

**ADJOURNMENT**

There being no further business to come before the Planning Commission, Chairman Cline adjourned the meeting at 6:54p.m. to the next regular meeting to be held on Thursday, October 20, 2022.

Submitted:

  
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Yolanda Recio, Secretary

Attest:

  
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Richard Cline, Chairman