

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 21-2715**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF CARSON APPROVING VARIANCE NO. 570-  
19, AND RECOMMENDING TO THE CITY COUNCIL  
APPROVAL OF DEVELOPMENT AGREEMENT NO. 22-19  
BETWEEN THE CITY OF CARSON AND WIN  
CHEVROLET PROPERTIES TO INSTALL ONE DUAL-  
FACED DIGITAL BILLBOARD AT 2201 E 223rd STREET,  
APN 7315-040-013.**

**WHEREAS**, on August 21, 2019, the Department of Community Development received an application from Ariana Diverio, on behalf of Win Chevrolet Properties, LLC, with respect to real property located at 2201 E 223 Street (APN 7315-040-013) for real property located at 19500 Main Street and described in Exhibit “A” attached hereto, requesting approval of Development Agreement No. 22-19 for the removal of their two existing digital pylon signs and installation of a dual-faced digital billboard measuring approximately 64 feet high from ground and Variance No. 570-19 to exceed the maximum allowable height; and

**WHEREAS**, the application was deemed complete on July 7, 2021; and

**WHEREAS**, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the twenty-eighth day of September, 2021, conduct a duly noticed public hearing as required by law to consider said application. Notice of the hearing was posted and mailed to property owners and properties within a 750-foot radius of the project site by September 9, 2021.

**WHEREAS**, an approved Development Agreement between the City and a new digital outdoor advertising sign operator will offer the City the ability to extract improvements or benefits for the City that are not possible by way of a conditional use permit; and

**WHEREAS**, an approved Development Agreement between the City and a new digital outdoor advertising sign operator will provide the City the leverage to control the placement of additional billboards and the terms thereof.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOW:**

**SECTION 1.** The Planning Commission finds that the foregoing recitals are true and correct, and are incorporated herein by reference.

**SECTION 2.** The Planning Commission finds as follows:

1. With respect to the **Development Agreement No. 22-19** to permit one digital billboard,

- a) The Development Agreement is authorized by and satisfies the requirements of Government Section Code 65864 through 65869.5.
- b) The Development Agreement is consistent with the goals and objectives of the City's General Plan.
- c) The Development agreement supports General Plan goal ED-4: Maintain and increase net fiscal gains to the City.

Evidence: The Development Agreement will supplement the general funds via independent development fees paid by Developer to City for the replacement digital billboard to adequately mitigate potential impacts. The Development Fee to City as applied to the Replacement Digital Billboard will commence at \$40,000 per annum, and the applicable annual rate will be increased by six percent (6%) once every three years throughout the term of the Agreement.

2. With respect to the **Variance No. 570-19** to permit additional height for the New Digital Billboard:

- a) Due to special circumstances applicable to the property, including size, shape, topography, location and surroundings, the strict application of Section 9146.7 deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- b) The site's topography, location and surroundings prevent the proposed sign from being clearly visible from the freeway.

Evidence. The proposed height for the Replacement Digital Billboard is low enough to be in a driver's viewing cone, preventing distraction while also allowing for an unobstructed viewing corridor for 405 traffic where the sign displays can be viewed by travelers approaching the dealerships. The proposed sign is just high enough to be seen above the common large vans and box trucks that travel on the 405 freeway. The proposed height of the new sign structure is consistent with existing surrounding sign heights that range from 38' to 64'-6" from earth grade and will prevent blockage by surrounding signage and all for visual recognition not obstructed by other billboards.

- c) Variance No. 570-19 does not become effective until the effective date of the Development Agreement 22-19.

**SECTION 3.** The proposed project was reviewed under the requirements of the California Environmental Quality Act (CEQA). The Planning Commission finds that the project is exempt from environmental review under CEQA Guidelines Section 15311 (Accessory Structures), for on-premise signs and CEQA Guidelines Section 15061(b)(3)'s "general rule" that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

**SECTION 4.** The Planning Commission of the City of Carson, based on the findings set forth above, does hereby (1) approve Variance No. 570-19 and (2) recommend that the City Council (1) approve Development Agreement 22-19 as set forth in Ordinance No. 21-2119, attached hereto as Exhibit "B."

**SECTION 5.** The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**SECTION 6.** This decision of the Planning Commission recommending approval of Development Agreement No. 22-19 shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

**SECTION 7.** This decision of the Planning Commission approving Variance No. 570-19 shall become effective and final upon effectiveness of Development Agreement No. 22-19 by the City Council, unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

**APPROVED** and **ADOPTED** this 28<sup>th</sup> day of September, 2021.

Chair Charles Thomas-Covid Signature

**CHAIRPERSON**

**ATTEST:**

*Lucille Sandoval*  
**SECRETARY**