

PROJECT NO. R2004-00269-(2)
CONDITIONAL USE PERMIT CASE NO. T200400016-(2)
PETITIONER: ROBERT LA GRONE
2408 RANCHO WAY, RANCHO DOMINGUEZ
DEL AMO ZONED DISTRICT

Synopsis:

The applicant, Thompson Media Company, filed a Conditional Use Permit application to authorize the placement of a billboard on an existing industrial building located at 2408 Rancho Way, in the unincorporated community Rancho Dominguez. The property is owned by Aljert Properties. Aljert properties leased space on the site to Thompson Media for the placement of a billboard. The zoning on the subject property is M-2 (Heavy Manufacturing) and prevailing land use within 500 feet of the subject property consists of industrial and warehouse use. The billboard request was approved by the Hearing Officer on August 2, 2005. The approval authorized the placement of a double-faced billboard, 672 square .feet in sign area, on the subject property.

The Hearing Officer approval was appealed by Donald and Mary La Force, property owners adjacent to the subject property. A duly noticed public hearing on this matter was held on November 30, 2005. At the Commission hearing it was determined that a clause within the existing Covenant, Conditions and Restrictions (CC&Rs) on the subject property prohibits the placement of a billboard on the property for off site advertisement purposes. The awareness of this clause in the CC&Rs, and agreement to delay the construction of the billboard, was acknowledged between the owner of the subject property and the applicant in an Amendment to Lease executed on June 17, 2005. This agreement required the lessee, the Thompson Media Company, to delay construction until one of the following actions occur: 1) the revocation of the CC&Rs; 2) amendment to the clause to eliminate the billboard restriction in the CC&Rs, and, 3) legal determination that the property is not governed by the CC&Rs, so as to allow placement of the billboard.

Information regarding the amendment was provided to the Commission at the November 30, 2005 hearing. County Counsel advised the Commission that while the Commission is not required to review the CC&Rs regarding its land use decision, the Commission is not prohibited from giving them consideration. After hearing testimony the Commission determined that matters concerning the Amendment to the lease agreement should have been resolved prior to the hearing. The Commission reversed the Hearing Officer's decision and upheld the appeal.

Staff Recommendation:

That the Board of Supervisors:

Indicate its intent to Uphold the appeal of Project No. R2004-00269-(2) and Conditional Use Permit Case T200400016-(2) as recommended by the Regional Planning Commission.

Instruct County Counsel to prepare the necessary findings to Uphold the Appeal of Project No. R2004-00269-(2) and Conditional Use Permit Case T200400016-(2).