

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING THE CONDITIONAL USE PERMIT TO CONSTRUCT A SINGLE-SIDED DIGITAL LED BILLBOARD AS PART OF A BILLBOARD RELOCATION AGREEMENT LOCATED AT 1700 DUANE AVENUE (APN: 224-42-011), SANTA CLARA, CALIFORNIA**

PLN24-00424 (Conditional Use Permit)

**BRIEF PROJECT DESCRIPTION: Conditional Use Permit for a Single-Sided 672 square-foot (14 feet by 48 feet) mounted on a new 40-foot-tall supporting column and 60-feet in total height, Digital LED Billboard proposed as Part of a Billboard Relocation Agreement.**

**WHEREAS**, on August 19, 2024, Chris Martin with Outfront Media (“Applicant”) submitted an application, on behalf of Bloom Investment Company LP (“Property Owner”), for a Conditional Use Permit to construct a single-sided digital light emitting diode (LED) billboard as part of a Billboard Relocation Agreement (“Project”) on the property located at 1700 Duane Avenue, APN: 224-42-011 (“Project Site”);

**WHEREAS**, the Project Site has a General Plan land use designation of Low Intensity-Office/Research & Development and is currently zoned LO-RD – Low-Intensity Office/Research & Development (LO-RD);

**WHEREAS**, the Project is Categorically Exempt from formal environmental review per Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (“CEQA”);

**WHEREAS**, on February 4, 2025 the application was deemed complete at the Project Clearance Committee;

**WHEREAS**, on April 3, 2025, the notice of public hearing for the April 16, 2025, Planning Commission meeting for this item was mailed to property owners within a 300-foot radius of the project boundaries;

**WHEREAS**, on April 3, 2025, a notice of the April 16, 2025 public hearing was posted in three public places in the City (specifically, at City Hall, the Central Park Library, and the Northside branch library); and

**WHEREAS**, on April 16, 2025, the Planning Commission conducted a duly noticed public hearing to consider the Project and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Conditional Use Permit to construct a single-sided digital LED billboard as part of a Billboard Relocation Agreement located at 1700 Duane Avenue, subject to the Conditions of Approval, attached hereto and incorporated herein by this reference.
3. That the Planning Commission hereby finds as follows:
  - A. The proposed electronic digital display message sign is to be located in an appropriate area as defined by Section 18.42.140.F (Development Standards);
    - a. Sign Face Dimensions: The proposed sign will be 672 square feet, which is less than the maximum display area of 800 square feet, and the overall length is 48 feet, which is less than the maximum length of 60 feet
    - b. Height: As authorized by the Code, the height is set by the Conditional Use Permit to 60 feet for the proposed billboard, which is an appropriate height for a sign adjoining a freeway.

c. Separation: The applicant requests a Minor Modification reducing the 1,500 foot separation distance from another electronic digital display message sign to 1,187 feet.

d. Support Structure: The sign will be mounted on a single cylindrical column support, as required by the Code.

e. Cutouts and Attachments: The sign will not have cutouts or attachments.

f. Double-faced Signs: The sign will be single-faced electronic digital display message sign on a cylindrical column structure.

g. Mechanical Screening: The sign will include a b-deck enclosure to conceal back bracing, framework, structural members, and electrical equipment.

h. Owner Identification: The sign will have an owner identification side located on the bottom left corner.

i. Undergrounding of Utilities: The sign will underground all utilities as required in the Conditions of Approval.:

B. The proposed electronic digital display message sign is placed in the least visually impacting manner;

a. The proposed electronic digital display message sign is located next to US Highway 101 and is located at least 1,125 linear feet from other electronic digital display message signs.

C. The Conditional Use Permit contains appropriate language addressing revenue and/or other public benefits for the City;

a. The proposed Billboard Conditional Use Permit includes a Billboard Relocation Agreement, which establishes mechanisms for ensuring the removal of obsolete billboards, compensation to the City for new billboard installation, and public service and emergency announcements

D. The proposed electronic digital display message sign complies with all the applicable operational standards specified in Section 18.42.140.G, below, unless modified by the Planning Commission, as well as all applicable Federal and State laws;

a. Brightness: The sign will have a brightness of maximum 5,000 nits during daytime hours and maximum 300 nits during nighttime hours. These levels comply with the City's requirements that sign's brightness should not exceed 5,000 nits during the day and 500 nits at night.

b. Dimmer Control: The sign will have a dimmer control to adjust to respond the ambient conditions and change illumination from higher illumination level to lower level for the time period between one half-hour before sunset and one half-hour after sunrise.

c. Brightness Review: The sign is conditioned to a 30-day review period as required by the Zoning Code.

d. Change of Message: The sign will operate constantly, rotating advertisements every eight seconds and change messages instantaneously without any fading in/out, scrolling, dissolving, or similar animation.

e. No Animation: The sign will not show video or motion, nor will it emit noise or audio. The sign will not have any form of moving, animated, oscillating, or rotating images, or any other design intended to attract attention.

f. Maintenance: The sign is conditioned to be maintained in good working order at all times. Sign will be designed and equipped to freeze the changeable message in one position or to go dark if a malfunction occurs. The sign owner will immediately stop the electronic/digital display when notified by the City that is malfunctioning or not complying with regulations of this Section.

g. Nonconforming Sign Structure: The proposed sign will not change an existing sign or sign structure to a new electronic digital display message sign.

h. Public Service Announcements: The sign will provide public service announcements, Amber Alerts, and other community service announcements as required in the Billboard Relocation Agreement, Zoning Code, and Conditions of Approval:

E. The placement of the proposed electronic digital display message sign will not adversely affect the residential use of property;

a. The proposed billboard is not located near residential properties and proposes to remove billboard faces along El Camino Real Boulevard.

F. The placement of the proposed electronic digital display message sign will not pose a traffic hazard.

a. The proposed sign will not create traffic hazard as it is consistent with the operational and development standards in Section 18.42.140

3. Effective date. The approval of this Conditional Use Permit is contingent upon the concurrent approval of the Minor Modification by the Planning Commission (or, if appealed, by the City Council), and the subsequent approval of a billboard relocation agreement by the City Council. This resolution shall become effective only upon the execution of such the billboard relocation agreement by the Applicant and the City. If the Minor Modification is not approved by the Planning Commission (or by the Council if appealed), or if the Relocation Agreement is not approved by the Council, or the Relocation Agreement is not executed by all parties, on or before October 31, 2025, then this resolution shall be of no further force and effect.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16<sup>th</sup> DAY OF APRIL, 2025, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: \_\_\_\_\_  
AFSHAN HAMID, AICP  
DIRECTOR OF COMMUNITY DEVELOPMENT  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:  
1. Conditions of Approval  
2. Development Plans