

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AND THE MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR THE PROJECT LOCATED AT 630 LAURELWOOD ROAD, SANTA CLARA**

PLN2020-14594 (Mitigated Negative Declaration)

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, on August 2, 2020, Bryan Scott, Outfront Media (“Applicant”) applied for a development application to allow the construction of a new LED digital billboard at 630 Laurelwood Road, Santa Clara (“Project Site”);

**WHEREAS**, the Project Site is currently zoned as ML-Light Industrial and has the General Plan land use designation of Light Industrial;

**WHEREAS**, in order to implement the proposed development, the Project Site needs a Billboard Relocation Agreement, to facilitate the construction of a new one faced LED digital billboard, 55 feet in height, and with a total advertising surface area of 672 square feet (14 feet by 48 feet) (“Project”) as shown on the Development Plans, as attached as Exhibit “Development Plans”;

**WHEREAS**, a text amendment is being proposed to the Zoning Ordinance that would allow digital billboard signs to exceed the height limit in Section 18.80.050 with the approval of a relocation agreement;

**WHEREAS**, the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 et seq., requires a public agency to evaluate the environmental impacts of a proposed project;

**WHEREAS**, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”);

**WHEREAS**, on December 16, 2021, the City of Santa Clara (“City”) distributed a Notice of Availability of a Initial Study (“IS”) and posted the Notice at the Santa Clara County Clerk’s office, soliciting guidance on the scope and content of the environmental information to be included in the MND;

**WHEREAS**, in conformance with CEQA, the MND was noticed and circulated for a 20-day public review period from December 16, 2021 to January 5, 2022, and one comment letter was received from the Santa Clara Valley Water District;

**WHEREAS**, the City Council reviewed and considered the information contained in the MND for the Project;

**WHEREAS**, the environmental consultants, Denise Duffy and Associates, prepared a “Response to Comments” (RTC) document on the MND that responds to Valley Water’s comments;

**WHEREAS**, on January 10, 2022, at a duly noticed public hearing, the Planning Commission considered the IS, MND, and MMRP, at the conclusion of which, the Planning Commission voted unanimously to adopt a resolution recommending that the City Council approve the IS/MND and MMRP;

**WHEREAS**, the City Council reviewed and considered the information contained in the MND for the Project;

**WHEREAS**, on February 10, 2022, the notice of public hearing for the February 22, 2022 City Council meeting was posted in three conspicuous locations within 300 feet of the Project Site, and on February 10, 2022, notice was mailed to interested parties within 300 feet of the Project Site boundaries, in accordance with the City Code; and

**WHEREAS**, on February 22, 2022 the City Council held a duly noticed public hearing to consider the adoption of the MND, at which time all interested persons were given an opportunity to provide testimony and present evidence, both in support of and in opposition to the project.

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

1. That the City Council finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That based on the whole record before it, the City Council hereby finds that all potentially significant environmental impacts that may directly or indirectly result from the Project would be reduced to a less than significant level by the mitigation measures specified in the MND and MMRP and that there is no substantial evidence that the project will have a significant effect on the environment.
3. That the City Council hereby finds that the MND is complete, prepared in compliance with CEQA, and represents the independent judgment of the City Council.
4. That the City Council hereby finds that the MND completed for this Project has been completed in compliance with CEQA, and that approval of this Project as mitigated will have no significant negative impacts on the area's resources, cumulative or otherwise, as the impacts fall within the environmental thresholds identified by CEQA, and hereby adopts the MND.
5. That, in order to comply with Public Resources Code Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as set forth in the attached "MMRP". The Program is designed to ensure that, during project implementation, the City, affected landowners, their assigns and successors in interest and any other responsible parties comply with the feasible mitigation measures identified. The MMRP identifies, for each mitigation measure, the party responsible for implementation.
6. That the City Council hereby designates the Planning Division of the Community Development Department as the location for the documents and other materials that constitute the record of proceedings upon which this decision is based and designates the Director of Community Development as the custodian of records.

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7. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 22<sup>nd</sup> DAY OF FEBRUARY 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMINTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA