



Agenda Report

22-352

Agenda Date: 3/22/2022

REPORT TO COUNCIL

SUBJECT

Action to Waive Second Reading and Adopt Ordinance No. 2041 to Amend Section 18.80.210 of the Zoning Code to Increase the Permissible Height of Digital Billboards

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

At the February 22, 2022 Council meeting, proposed Ordinance No. 2041 was introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, proposed Ordinance No. 2041 was published on March 16, 2022, and copies were posted in three public places. The Ordinance now comes to Council for final adoption.

DISCUSSION

The Santa Clara City Code prohibits construction of new billboards in most locations within the City, except pursuant to a billboard relocation agreement. The Council Policy Statement for Billboard Relocation Agreements requires the removal of at least three existing billboard faces before a new “replacement” billboard can be installed. The proposed ordinance does not change the existing prohibition or the Council Policy, but going forward would allow such replacement billboards to be built up to a height of 60 feet, where previously the height limit was 35 feet.

The Code amendment would facilitate the installation of a new, 60-foot tall LED digital billboard at 630 Laurelwood Road by Outfront Media, LLC, pursuant to a relocation agreement approved by the Council on February 22, 2022. In exchange for the installation of the billboard at 630 Laurelwood, Outfront Media is removing four billboard faces, three of which have already been removed.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared for the project by the environmental consultant firm Denise Duffy & Associates in accordance with the California Environmental Quality Act (CEQA). The MND, MMRP and Notice of Availability were posted on the City’s website at www.santaclaraca.gov/ceqa and circulated for 20-day review on December 16, 2021 with the Open Comment Period from December 17, 2021 to January 5, 2022, in accordance with CEQA requirements. One comment letter was received from Valley Water on the MND, which raised minor issues. A response to the Valley Water comment letter was prepared and was attached to the February 22, 2022 Report to Council.

The MND examined environmental impacts associated with project development and identified potential air quality, biological, cultural resources, geology and soils, hazards and hazardous

materials, noise, and water quality impacts that with incorporation of mitigation measures into the project would reduce all potential impacts to less than significant. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the MND and would be implemented through project conditions of approval and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project.

FISCAL IMPACT

Pursuant to the City Council Policy for Billboard Relocation Agreements, as further consideration for the New Billboard installation, the Advertiser agrees to pay City \$70,000 per new billboard face. The Advertiser shall pay the total amount due prior to the issuance of the building permit for the new billboard. The administrative staff time and expense related to the City's processing of the requested application is covered by processing fees paid by the applicant.

COORDINATION

This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT

A summary of proposed Ordinance No. 2041 was published to the Santa Clara Weekly on March 16, 2022, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov.

RECOMMENDATION

Waive Second Reading and Adopt Ordinance No. 2041 to Amend Section 18.80.210 of the Zoning Code to allow for increased sign height in conjunction with a Billboard Relocation Agreement.

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: City Manager's Office

ATTACHMENTS

1. Ordinance 2041 (Introduction)