



## Agenda Report

22-1542

Agenda Date: 1/10/2022

### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

Review and Recommend to the City Council to Approve Adoption of an IS/MND, a Billboard Relocation Agreement and Zoning Code Amendment to allow the installation of a new single-sided LED digital billboard at 630 Laurelwood Road

#### **PROJECT IN BRIEF**

Project: Review and Recommendation to the City Council to Approve Adoption of an IS/MND, a Billboard Relocation Agreement and Zoning Code Amendment to allow the installation of a new 672 square foot (14 feet by 48 feet) single-sided LED digital billboard at 630 Laurelwood Road, located adjacent to US Highway 101.

Applicant: Bryan Scott, Outfront Media

Property Owner: Public Storage

General Plan: Light Industrial

Zoning: Light Industrial (ML)

Site Area: 4.41 acres

Existing Site Conditions: The existing on-premise sign with two facings advertising the Public Storage business that currently operates on the project site would be removed from the project site.

#### **Surrounding Uses**

North: Industrial uses

East: Industrial & Commercial uses

South: US 101 Highway

West: Industrial uses

Issues: Consistency with the General Plan and Zoning Ordinance

Staff Recommendation: Recommend approval of a Billboard Relocation Agreement and adoption of an IS/MND and Zoning Code Amendment, subject to conditions of approval.

#### **BACKGROUND**

The applicant filed an application on August 2, 2020 to construct a new 672 square foot (14 feet by 48 feet) single-sided LED digital billboard at 630 Laurelwood Road (PLN2020-14594). The display on the billboard would be mounted on a 55 foot tall supporting column. The supporting column will also include a 96 square feet (8 feet by 12 feet) 'Public Storage' cabinet sign mounted at 35 feet.

A text amendment is 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. The property is zoned Light Industrial (ML) and would currently require a Use Permit to allow construction of a LED digital billboard without the proposed Zoning Text Amendment. The proposed billboard

would be 55 feet in height which would exceed the City's maximum height limit of 35 feet that is applied for all outdoor signs.

A Billboard Relocation Agreement is being drafted and will be reviewed by the City Council. In compliance with the Billboard Relocation Agreement, the project would remove one existing billboard facing within the City in addition to the three billboard facings previously removed ("banked") in connection with this project.

## **DISCUSSION**

The proposed project is to construct a new billboard that would be located within an existing paved area near the southern boundary of the property currently developed with storage buildings. The structure would be single-sided with a southeast facing LED display that would be visible to vehicles traveling northbound on US 101. The existing on-premise sign with two facings advertising the Public Storage business that currently operates on the project site would be removed from the project site. The column for the proposed billboard structure would incorporate similar on-premise signage advertising the Public Storage business, effectively replacing the existing on-premise signage.

The proposed LED digital billboard display would cycle through a rotation of static images, changing once every eight seconds, and would be used primarily for commercial advertisements. The sign would operate 24 hours per day, seven days per week. Other uses for the sign could include promoting community events, highlighting public awareness campaigns, and broadcasting emergency messages when necessary. The billboard would not show video or motion, nor would it emit noise or audio. The project does not propose to change the existing land use of the project property.

The City of Santa Clara has determined that billboards, by their very nature, wherever located and however constructed, constitute visual clutter and blight to the appearance of the City. It is the intent of the City to gradually reduce the overall number of billboards by limiting the number of billboards in Santa Clara and prohibiting the construction of new billboards (Santa Clara City Code, Chapter 18.80, Sign Regulations). Section 18.80.221 of the City Code stipulates that the City may enter into agreements to allow for the relocation of existing outdoor advertising displays. The Billboard Relocation Agreement for the proposed project requires, ultimately, the removal of four existing billboard facings in exchange for the installation of the proposed single-sided LED digital billboard at a new location within the City. The draft Billboard Relocation Agreement is attached to this report.

In order to remove three billboard faces prior to a site being ready for a new billboard, Outfront entered into a "banking agreement" with the City in 2017, with an initial three-year term, and which was later extended to December 31, 2021. At the December 7, 2021 City Council meeting, the Council authorized the City Manager to execute Amendment No. 2 to the Billboard Banking Agreement with Outfront Media, LLC to extend the termination date from December 31, 2021 to June 30, 2022. The second amendment to the Billboard Banking Agreement is attached to this report as a reference.

## **General Plan Conformance**

The project site has a General Plan designation of Light Industrial (ML). This classification is intended to accommodate a range of light industrial uses, including general service, warehousing, storage, distribution and manufacturing. It includes flexible space, such as buildings that allow combinations of

single and multiple users, warehouses, mini storage, wholesale, bulk retail, gas stations, data centers, indoor auto related uses and other uses that require large, warehouse style buildings.

While a General Plan conformance finding is not a requirement for approval, the following policies are presented for consideration as they relate to the project.

- 5.3.1-P24 Coordinate sign programs for commercial uses to promote continuity, improve streetscape design and reduce visual clutter.

### Zoning Conformance

The proposed LED digital billboard would be located on a site zoned ML - Light Industrial. The proposed billboard would be 55 feet in height which would exceed the City's maximum height limit of 35 feet for outdoor signs (Santa Clara City Code, Chapter 18.80.050). A text amendment is 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. The proposed draft Height Ordinance to amend Section 18.80.210 of the Zoning Code to increase the permissible height of digital billboards is attached to this report.

### ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was prepared for the project by the environmental consultant firm Denise Duffy & Associates in accordance with the California Environmental Quality Act (CEQA). The MND and Notice of Availability were posted on the City's website at [www.santaclaraca.gov/ceqa](http://www.santaclaraca.gov/ceqa) <<http://www.santaclaraca.gov/ceqa>> and circulated for 20-day review on December 16, 2021 and closed on January 5, 2022, in accordance with CEQA requirements. One comment letters was received from Valley Water on the MND, which raised minor issues. A response to the Valley Water comment letter will be prepared prior to the January 10 meeting.

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

There is no fiscal impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

### COORDINATION

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

### PUBLIC CONTACT

On December 23, 2021, a notice of public hearing on this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. At the time of this staff report, Planning staff has not received public comments in support or opposition to the proposed project.

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](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

That the Planning Commission take the following actions:

1. Adopt a resolution recommending Council adoption of the Initial Study (IS)/Mitigated Negative Declaration (MND) prepared for this project and the mitigation monitoring and reporting program (MMRP);
2. Recommend adoption of the Zoning Code Text Amendment to allow for increased sign height; and
3. Recommend approval of the Billboard Relocation Agreement.

Prepared by: Tiffany Vien, Associate Planner

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Assistant Director of Community Development

### **ATTACHMENTS**

1. Draft Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
2. Resolution to Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
3. Draft Relocation Agreement
4. Draft Ordinance Amending Zoning Code
5. Approved Amendment No.2 Billboard Banking Agreement
6. Conditions of Approval
7. Development Plans