

RESOLUTION NO. 2844-2019

**PLANNING COMMISSION, CITY OF SOUTH SAN FRANCISCO
STATE OF CALIFORNIA**

RESOLUTION RECOMMENDING APPROVAL OF A DEVELOPMENT AGREEMENT, RELOCATION AGREEMENT, AND SIGN PERMIT TO ALLOW FOR THE CONVERSION OF AN EXISTING 114 FOOT TALL, DOUBLE FACED, STATIC BILLBOARD TO A DOUBLE FACED, DIGITAL BILLBOARD ON PROPERTY LOCATED AT 150 AIRPORT, AND DETERMINING THAT THE 2015 IS/MND CONTINUES TO SERVE AS THE APPLICABLE ENVIRONMENTAL REVIEW DOCUMENT PURSUANT TO CEQA.

WHEREAS, Action Signs (“Applicant”) owns or has a legal equitable interest in a property located at 150 Airport Boulevard (“Property”); and,

WHEREAS, Applicant has submitted a development proposal to construct, operate and maintain an off-premise digital message center display (“Digital Billboard”) at the Property (“Project”); and,

WHEREAS, in order to construct and operate the Project, Applicant seeks approval of a Development Agreement, Relocation Agreement, and Sign Permit; and,

WHEREAS, approval of the Applicant’s proposal is considered a “project” for purposes of the California Environmental Quality Act, Pub. Resources Code § 21000, et seq. (“CEQA”); and,

WHEREAS, the City Council adopted an Initial Study / Mitigated Negative Declaration (“IS/MND”) on August 26, 2015 (State Clearinghouse number 2013062062) in accordance with the provision of CEQA and CEQA Guidelines, which analyzed the potential environmental impacts of billboards along the west side of U.S. Highway 101; and,

WHEREAS, on June 14, 2017, the City Council determined that the modifications to the sign height, increasing the height to a total of 114 feet above grade, were minor in nature, the approval of which would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the IS/MND adopted by the City Council, nor would it require additional environmental review; and,

WHEREAS, the modifications to the sign to convert from a static billboard to a digital billboard contemplated in the Project continues to be minor in nature, the approval of which would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the IS/MND adopted by the City Council, nor would it require additional environmental review; and,

WHEREAS, on August 1, 2019 the Planning Commission for the City of South San Francisco held a properly noticed public hearing, at which time interested parties had the opportunity to be heard, to review the Project, as well as supporting documents, prior to the Planning Commission

making its decision on the Project; and,

WHEREAS, the Planning Commission exercised its independent judgment and analysis, and considered all reports, recommendations and testimony before making a determination on the Project.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan and General Plan EIR; the South San Francisco Municipal Code; the Project applications; the Project Plans, as prepared by Thompson Engineering Services, dated September 17, 2018; the “Assessment of the 178-190 Airport Blvd Billboard Project Under the IS/MND for 101 Terminal Court Clear Channel Billboard Project and Related Zoning Amendment” Technical Memorandum, as prepared by Lamphier-Gregory dated June 1, 2017, including all appendices thereto; all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed August 1, 2019 meeting, and Planning Commission deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco hereby finds as follows:

A. General Findings

1. The foregoing recitals are true and correct.
2. The Exhibits attached to this Resolution, including the Conditions of Project Approval (Exhibit A), Project Plans (Exhibit B), the Development Agreement (Exhibit C) and the “Assessment of the 178-190 Airport Blvd Billboard Project Under the IS/MND for 101 Terminal Court Clear Channel Billboard Project and Related Zoning Amendment” Technical Memorandum (Exhibit D) are each incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Planning Manager.

B. Development Agreement

1. The Owner and City have negotiated a Development Agreement pursuant to Government Code section 65864 et seq. The Development Agreement, attached hereto as Exhibit C, sets forth the duration, property, project criteria, and other required information identified in Government Code section 65865.2. Based on the findings in support of the Project, the Planning Commission finds that the Development Agreement, vesting a project for a new digital billboard, is consistent with the objectives, policies, general land uses and programs specified in the South San Francisco General Plan and any applicable zoning regulations.
2. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for the land use district in which the real property is located. The subject site is suitable for the type and intensity of the land use being proposed. The General Plan specifically

contemplates the proposed type of project and the suitability of the site for development was analyzed thoroughly in the environmental document prepared for the Project.

3. The Development Agreement is in conformity with public convenience, general welfare and good land use practice in that the project will implement guidelines set forth in the General Plan, which encourage the City to consider opportunities for enhancement of financing tools in order to fund various economic development initiatives and to actively market South San Francisco.
4. The Development Agreement will not be detrimental to the health, safety and general welfare because the project will proceed in compliance with all of the policies and programs specified in the General Plan and in compliance with all applicable zoning, subdivision, and building regulations of the City of South San Francisco.
5. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values in that the project will be consistent with the General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that subject to the Conditions of Approval, attached as Exhibit A to this resolution, the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution, and recommends that the City Council adopt a resolution approving the Relocation Agreement and Sign Permit.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt an ordinance approving the Development Agreement between the City of South San Francisco and Action Signs, Inc. (attached as Exhibit C).

BE IT FURTHER RESOLVED that the approvals stated herein are conditioned upon the City Council's approval of the Development Agreement between the City of South San Francisco and Action Signs, Inc.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

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I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on the 1st day of August, 2019 by the following vote:

AYES: Vice-Chair Wong, Commissioner Faria, Commissioner Shihadeh, Commissioner Evans, Commissioner Tzang, Commissioner Bernardo

NOES:

ABSTENTIONS:

ABSENT: Chairperson Murphy,

Attest /s/Sailesh Mehra
Secretary to the Planning Commission