



Legislation Text

File #: 19-697, **Version:** 1

Resolution approving a 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, at the conclusion of which the Planning Commission recommended that the City Council find that the 2015 IS/MND is the appropriate environmental document and approve the Project; and,

WHEREAS, the City Council held a duly noticed public hearing on September 25, 2019 to consider the 2015

IS/MND, Development Agreement, Relocation Agreement and Sign Permit and take public testimony; and, WHEREAS, the City Council reviewed and carefully considered the information in the 2015 IS/MND and finds that the 2015 IS/MND is the appropriate environmental document; and,

WHEREAS, the City Council exercised its independent judgement 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; all site plans, and all reports, minutes, and public testimony submitted as part of the City Council’s duly noticed September 25, 2019 meeting, and City Council deliberations; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council 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 Relocation 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. Relocation Agreement

1. Approval and execution of the Relocation Agreement will accomplish the purposes of Chapter 20.360 better than the status quo of existing billboards that currently exist.
2. The Digital Billboard is located within a property located at 150 Airport Boulevard, which is within the Downtown Transit Core zoning district, which is a mixed-use district, and is immediately adjacent to U.S. Highway 101.
3. The Applicant and City have negotiated a Development Agreement to allow the installation of the Digital Billboard with two billboard faces at the Property, and the removal of the existing double-faced billboard at the Property.

4. Installation of the Digital Billboard will advance adopted policies contained in the General Plan, including maximizing the City's financing tools and actively marketing South San Francisco.
5. The Digital Billboard is operated in accordance with the operating standards set forth in Section 20.360.006(Q), because the project has been evaluated against, and found to be consistent with, each of the ten operating standards.

NOW, THEREFORE, BE IT FURTHER RESOLVED that subject to the Conditions of Approval, attached as Exhibit A to this resolution, the City Council of the City of South San Francisco hereby makes the findings contained in this Resolution, and approves the Relocation Agreement between the City of South San Francisco and Action Signs, Inc. attached hereto as Exhibit C, incorporated herein by reference.

BE IT FURTHER RESOLVED that the City Council further authorizes the City Manager to execute the Relocation Agreement on behalf of the City, in substantially the form attached as Exhibit C, and to make revisions to such Agreements, subject to the approval of the City Attorney, which do not materially or substantially increase the City's obligations thereunder.

BE IT FURTHER RESOLVED that the approvals stated herein are conditioned upon the City Council's approval and execution 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.