



Agenda Report

Fullerton City Council

MEETING DATE: JULY 6, 2021

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: ACTING CITY MANAGER, STEVE DANLEY

PREPARED BY: KELLEE FRITZAL, ACTING DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT
HEATHER ALLEN, PLANNING MANAGER
MARIBETH TINIO, SENIOR PLANNER

SUBJECT: CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT FOR A FREEWAY-ORIENTED ELECTRONIC BILLBOARD LOCATED AT 303 NORTH PLACENTIA AVENUE

SUMMARY

The Planning Commission recommended City Council approval of this project, including a Conditional Use Permit and Development Agreement for a freeway-oriented electronic billboard facing the 57 Freeway, located at 303 North Placentia Avenue.

RECOMMENDATION

1. Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR A FREEWAY-ORIENTED ELECTRONIC BILLBOARD ON PROPERTY ZONED G-C, GENERAL COMMERCIAL, LOCATED AT 303 NORTH PLACENTIA AVENUE

2. Introduce Ordinance No. XXXX for first reading by title only and waive further reading of the ordinance.

ORDINANCE NO. XXXX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT FOR A FREEWAY-ORIENTED ELECTRONIC BILLBOARD ON PROPERTY ZONED G-C, GENERAL COMMERCIAL, LOCATED AT 303 NORTH PLACENTIA AVENUE

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

FISCAL IMPACT

The applicant pays all City costs associated with the application review, processing, plan check, permitting and inspections. Additionally, the applicant has agreed to provide an annual public benefit fee of the greater of \$75,000 each calendar year or twelve percent of the gross receipts generated less agency commissions (DA Number 3.1, Annual Public Benefit Fee).

DISCUSSION

On August 18, 2020, City Council adopted Ordinance No. 3287 which allowed consideration of freeway-oriented electronic billboards along State Route 57 (SR-57) and State Route 91 (SR-91) freeways. This ordinance adopted definitions, review procedures, approval processes and applicable development standards. This is the first application received under this ordinance.

The firm General Outdoor Advertising has secured a lease with the property owner at 303 North Placentia Avenue for the development of a freeway-oriented electronic billboard within the parking lot of the subject site. The property is located directly east of SR-57 and south of Chapman Avenue. The proposed billboard will replace the location of an existing parking lot light standard. The project will not remove parking stalls.

The applicant has designed the billboard in both height and appearance compatible with the surrounding area and neighborhood context. The billboard will feature a modern design, with blue, white and orange accents and feature “City of Fullerton” at the top of the sign and display the City’s logo on the support structure (Attachment 4). The proposed display face will be 14 feet by 48 feet in size, double-faced in a V-shape configuration and visible from both north- and south-bound traffic along SR-57. The overall height of the proposed billboard is 66 feet, 6 inches. The overall size and height are consistent and similar in size to the existing billboards in the surrounding area at Cal State Fullerton and in the City of Placentia. The applicant has architecturally integrated all bracing, wires and other supporting elements and screened within the sign structure.

Pursuant to FMC Section 15.49, the City may permit freeway-oriented electronic billboards subject to the requirements contained in the FMC with the review and approval of a Conditional Use Permit and a Development Agreement. The attached Planning Commission Staff Report contains a detailed discussion and analysis of the request and Environmental Review (Attachment 1).

As required by FMC Section 15.149.120.C.2, the Development Agreement includes the following:

- The applicant has designed the billboard with height and appearance compatible with the surrounding area and neighborhood context. The billboard will feature a framed

modern design, with blue, white and orange accents, backlit City identity prominently featured at the top of the sign and the City's logo.

- The applicant has agreed to provide up to one eight-second Public Service Message per minute on the digital display on a continuous basis (DA Number 3.2, Other Public Benefit).
- The applicant will maintain the sign structures and repair and improve the sign in accordance with the standards of the outdoor-advertising industry and FMC Section 15.49.120.F.10. The applicant will remove any occurrences of graffiti on the sign structures within 48 hours of notification. "Implementation" (DA Number 5) within the Development Agreement provides additional standards.
- The applicant has agreed to provide area within the structure to provide conduit through the sign structure for any potential future CCTV capabilities, if needed, by Public Safety (DA Number 5.2).

Planning Commission

On May 26, 2021, the Planning Commission held a public hearing and unanimously recommended approval of the project. As part of the recommended approval, the Planning Commission added a condition of approval (Draft Resolution No. 2021-XX Condition 3) that requires the billboard operate under a valid and current development agreement at all times. If the initial development agreement has expired, and the parties have not entered into a new or extended development agreement, then the applicant shall operate consistent with the initial development agreement.

Attachments:

- Attachment 1 - May 26, 2021 - Planning Commission Staff Report
- Attachment 2 - Draft Planning Commission Minutes dated May 26, 2021
- Attachment 3 - Resolution No. 2021-XX – Conditional Use Permit
- Attachment 4 - Ordinance No. XXXX – Development Agreement
- Attachment 5 - Draft Development Agreement