

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

PRJ2020-00006– LRP-2020-0015

APPLICANT: GENERAL OUTDOOR DIMENSIONS
PROPERTY OWNER: 4 THE DOGS, LLC

RECITALS

WHEREAS, an application was filed for a Development Agreement for the property at 303 North Placentia Avenue, more specifically described as Orange County Assessor's Parcel No. 338-041-07; and

WHEREAS, the Development Agreement would provide the Project Applicant and the City of Fullerton certain assurances with respect to project approvals and obligations pursuant to California Government Code Sections 65864-65869.5 ("Development Agreement Statute") authorizing cities and counties to enter into development agreements with persons or entities having a legal or equitable interest in real property located within their jurisdiction to encourage investment in, and commitment to, comprehensive planning and public facilities financing, strengthen the public planning process and encourage private implementation of the general plan, provide certainty in the approval of projects to avoid waste of time and resources, and reduce the economic costs of development by providing the applicant with assurance that the development of the Project may proceed subject to the rules and regulations in effect at the time of Project approval; and

WHEREAS, the Planning Commission of the City of Fullerton, in compliance with the requirements of Fullerton Municipal Code (FMC) Chapter 15.76, has held a duly noticed public hearing on May 26, 2021 for Development Agreement PRJ2020 – LRP-2020-0015; and

WHEREAS, Government Code Section 65867 requires a Planning Commission recommendation to the City Council for a Development Agreement; and

WHEREAS, the Planning Commission held a public hearing and recommended approval to the City Council by adoption of Planning Commission Resolution No. PC-2021-16.

NOW, THEREFORE, the City Council of the City of Fullerton, ORDAINS as follows:

1. In all respects as set forth in the Recitals of the Resolution.
2. The City Council, pursuant to Government Section 65867.5(b) finds as follows:

Finding: A development agreement shall not be approved unless the legislative body finds that the provisions of the agreement are consistent with the general plan and any applicable specific plan.

Fact: The project supports the following Fullerton Plan policies and goals:

Policy 11.12: Public Private Partnerships – Supports projects that facilitate partnerships with property owners and developers to achieve revitalization results that contribute to clean, safe, and attractive neighborhood and districts.

Policy 2.3: Distinctive Landmarks – Supports project to preserve existing landmarks and encourage the creation of new landmarks that reinforce Fullerton’s identity and image.

Goal 9: Long-term fiscal strength and stability that has a foundation in local economic assets and adapts to dynamic market conditions.

Fact: The property is located in Fullerton Plan Focus Area J: Education which is envisioned as a dynamic neighborhood in which the colleges and universities form the hub. The proposed project has been designed to provide prominent City identity and color recognition of the surrounding university further complimenting the area and neighborhood context.

Fact: The proposed project includes a Development Agreement which provides for an annual monetary public benefit as a result of the installation and operation of the billboard.

Fact: The proposed project provides for the public benefit to promote City messages of community interest and information and public safety messages to further reach and promote to the larger community and proactively address public safety concerns.

3. In accordance with the California Environmental Quality Act (CEQA), the City of Fullerton, as the Lead Agency, has analyzed the project and has determined that the Project is exempt from the provisions of CEQA pursuant to Section 15303 New Construction and Conversion of Small Structures and Section 15332 In-fill Development Projects. Additionally, the project is not prohibited from using a Categorical Exemption under CEQA Guidelines Section 15300.2.

THEREFORE, the City Council does hereby APPROVE said Development Agreement subject to the following condition of approval:.

1. Approval of Development Agreement LRP-2020-0015 is contingent on the approval of Conditional Use Permit ZON-2020-0068 and shall be similarly denied.

ADOPTED BY THE FULLERTON CITY COUNCIL ON JULY 6, 2021.

Bruce Whitaker
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date

Attachment:

Attachment 1: Draft Development Agreement between City of Fullerton and General Outdoor Advertising