



City of Rialto

Legislation Details (With Text)

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Title: Request that the City Council Approve Resolution No. 7596 Approving the First Amendment to the Billboard Relocation Agreement between City of Rialto and Lamar Central Outdoor, LLC, to change the location of a previously approved billboard relocation from the southwest corner of Foothill Boulevard and Cactus Avenue to the southwest corner of the SR-210 Freeway and Ayala Drive.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Billboard Relocation Agreement (June 11, 2019).pdf, 2. Exhibit B - Draft First Amendment to the Billboard Relocation Agreement.pdf, 3. Exhibit C - Conceptual Illustrations.pdf, 4. Exhibit D - Resolution for Approval of the First Amendment to the Billboard Relocation Agreement

Date	Ver.	Action By	Action	Result
2/25/2020	1	City Council		

For City Council Meeting [February 25, 2020]

TO: Honorable Mayor and City Council

APPROVAL: Rod Foster, City Manager

FROM: Matt Schneider, Community Development Director

Request that the City Council Approve **Resolution No. 7596** Approving the First Amendment to the Billboard Relocation Agreement between City of Rialto and Lamar Central Outdoor, LLC, to change the location of a previously approved billboard relocation from the southwest corner of Foothill Boulevard and Cactus Avenue to the southwest corner of the SR-210 Freeway and Ayala Drive.

BACKGROUND:

On April 25, 2006, the Planning Commission approved Conditional Development Permit No. 538, a request by Lamar Advertising to remove an existing wooden billboard and replace it with a 45-foot digital billboard along the I-10 Freeway, just west of Riverside Avenue. Lamar also agreed to remove seven other antiquated billboards on City arterials, and that commitment provided the impetus to allow the upgrade to the existing freeway billboard. Lamar completed removal of seven billboards throughout the City as part of that action.

On August 29, 2018, the Economic Development Committee considered a proposal from Lamar Central Outdoor to install digital displays on City-owned sites, as consideration for the prior removal of seven billboards throughout the City and one additional billboard acquired by Lamar from General Outdoor. Lamar requested that the City enter into a Billboard Relocation Agreement and property leases for the various sites. The Economic Development Committee commented on the proposed locations, the aesthetic features, but otherwise recommended that the proposal move forward to the

City Council.

On February 12, 2019, the City Council approved a Billboard Relocation Agreement between the City of Rialto, San Bernardino County Transportation Authority, and Lamar Central Outdoor, LLC allowing the installation of a digital display billboard on City-owned land along the north side of the SR-210 Freeway approximately 1,600 feet west of Alder Avenue in exchange for removing two existing billboards from the I-10 freeway - (1) a previously removed billboard in Colton, and (2) an existing billboard approximately 0.2 miles west of Cedar Avenue within the City of Rialto's sphere of influence. Subsequently, on June 11, 2019, the City Council approved a second Billboard Relocation Agreement between the City of Rialto and Lamar Central Outdoor, LLC allowing the installation of three more digital display billboards on City-owned land in exchange for the prior removal of seven billboards as a part of Conditional Development Permit No. 538 and one existing billboard on Foothill Boulevard that Lamar acquired when it purchased General Outdoor Advertising (**Exhibit A**). The sites for the relocated billboards under both current Billboard Relocation Agreement are as follows:

1. North side of the SR-210 Freeway approximately 1,600 feet west of Alder Avenue - 7.2-acre City-owned parcel (APN: 1119-241-02).
2. North side of the SR-210 Freeway approximately 2,600 feet west of Alder Avenue - 7.2-acre City-owned parcel (APN: 1119-241-02).
3. East side of Riverside Avenue approximately 600 feet south of San Bernardino Avenue - 0.25-acre City-owned parcel (APN: 0132-102-13) immediately north of the Grace Vargas Senior Center.
4. Southwest corner of Foothill Boulevard and Cactus Avenue - 0.34-acre Rialto Housing Authority owned parcel (APN: 0128-081-47) immediately to the east of the Telacu Senior Citizen Housing Project.

ANALYSIS/DISCUSSION:

Lamar Central Outdoor, LLC proposes the first amendment (**Exhibit B**) to the second Billboard Relocation Agreement previously approved by the City Council on June 11, 2019 in order to change the location of the billboard previously planned for the southwest corner of Foothill Boulevard and Cactus Avenue to a new location at the southwest corner of the SR-210 Freeway and Ayala Drive interchange. Conceptual illustrations of the digital display at the new location are attached hereto as **Exhibit C**.

After further consideration, Lamar Central Outdoor, LLC believes that the newly proposed location will have greater visibility and will not be located adjacent to any existing or planned residential uses, and thus eliminate the potential for light pollution impacts that might otherwise have occurred at the previously proposed location, which is immediately adjacent to the existing Telacu senior apartment complex located at 773 W. Foothill Boulevard.

Economic Development Committee

On December 11, 2019, Lamar Central Outdoor, LLC presented the new location to the Economic Development Committee (EDC). The EDC concurred that the new location is less impactful and is otherwise a more desirable location. The EDC subsequently suggested that staff prepare an amendment to the current Billboard Relocation Agreement for the new sign.

GENERAL PLAN CONSISTENCY:

The project is consistent with the following goals and policies of the Economic Development Element of the Rialto General Plan:

Goal 3-1: Strengthen and diversify the economic base and employment opportunities, and maintain a positive business climate.

Policy 3-1.3: Support established businesses in the City, and work to retain the small, independent businesses while accommodating national/regional chain stores.

ENVIRONMENTAL IMPACT:

The City Council action to amend the Billboard Relocation Agreement is not a “Project” as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. Additionally, the installation of the billboard itself is exempt from the requirements of the CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures).

LEGAL REVIEW:

The City Attorney reviewed and supports this staff report and the first amendment to the Billboard Relocation Agreement.

FINANCIAL IMPACT:

Operating Budget Impact

Total revenue realized as a result of the relocation agreement is approximately \$130,000 per year. The City will record these revenues in Account No. 010-400-4255-7402.

Capital Improvement Budget Impact

This action will not affect the City’s capital improvement budget. Lamar Central Outdoor, LLC will bear all costs associated with the installation and operation of the billboard.

Licensing

Lamar currently has a business license with the City to operate public advertising structures and the additional income will likely increase its obligation for business license taxes.

RECOMMENDATION:

Request City Council and RHA to Conduct Public Hearing and City Council Adopt a Resolution (**Exhibit D**) approving the first amendment to the Billboard Relocation Agreement by and between the City of Rialto and Lamar Central Outdoor, LLC, that was previously approved on June 11, 2019, to change the location of the billboard previously planned for the southwest corner of Foothill Boulevard and Cactus Avenue to a new location at the southwest corner of the SR-210 Freeway and Ayala Drive interchange.