



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE:** December 17, 2015  
Project Description

**AGENDA ITEM# 5**  
Vicinity Map

**APN:** 0544-311-45  
**Applicant:** Luis Ramallo  
**Community:** Baker/1<sup>st</sup> Supervisorial District  
**Location:** 72302 Baker Boulevard  
**Project No:** P201500156  
**Staff:** Reuben J. Arceo  
**Applicant Rep:** Tom R. Steeno/Steeno Design Studio Inc.  
**Proposal:** Major Variance to allow a 57-foot on-site, freestanding pylon sign to exceed the maximum height of 25 feet, allow the sign's double-faced LED advertisement area to be 495 square feet, an increase of 295 square feet over the maximum allowed area of 200 square feet, and allow the sign to exceed the light trespass and glare standards.



11 Hearing Notices Sent On: December 4, 2015

Report Prepared By: Reuben J. Arceo

**SITE INFORMATION**

**Project Size:** 5.71 Acres

**Terrain:** Generally flat, with elevations ranging from 936 feet and 941 feet above mean sea level.

**Vegetation:** Disturbed, developed parcel with minimal installed landscaping.

**SURROUNDING LAND DESCRIPTION:**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Alien Jerky retail store; caretaker's residence	CH (Highway Commercial)
North	Storage Yard	CH
South	Vacant; Fast Food	CH
East	Gas Station, Retail Store	CH
West	Motel	CH

**AGENCY COMMENT**

City Sphere of Influence:	None	N/A
Water Service:	N/A	N/A
Sewer Service:	N/A Baker CSD	N/A

**STAFF RECOMMENDATION:** That the Planning Commission **ADOPT** the proposed Findings, and **APPROVE** the Major Variance subject to the recommended Conditions of Approval and **FILE** the Notice of Exemption.

In accordance with Section 85.01.030 of the Development Code, the action taken by the Planning Commission on the variance may not be appealed to the Board of Supervisors and becomes final on the 11<sup>th</sup> day after the Planning Commission hearing. The decision of the Planning Commission on the variance is the final and conclusive decision.

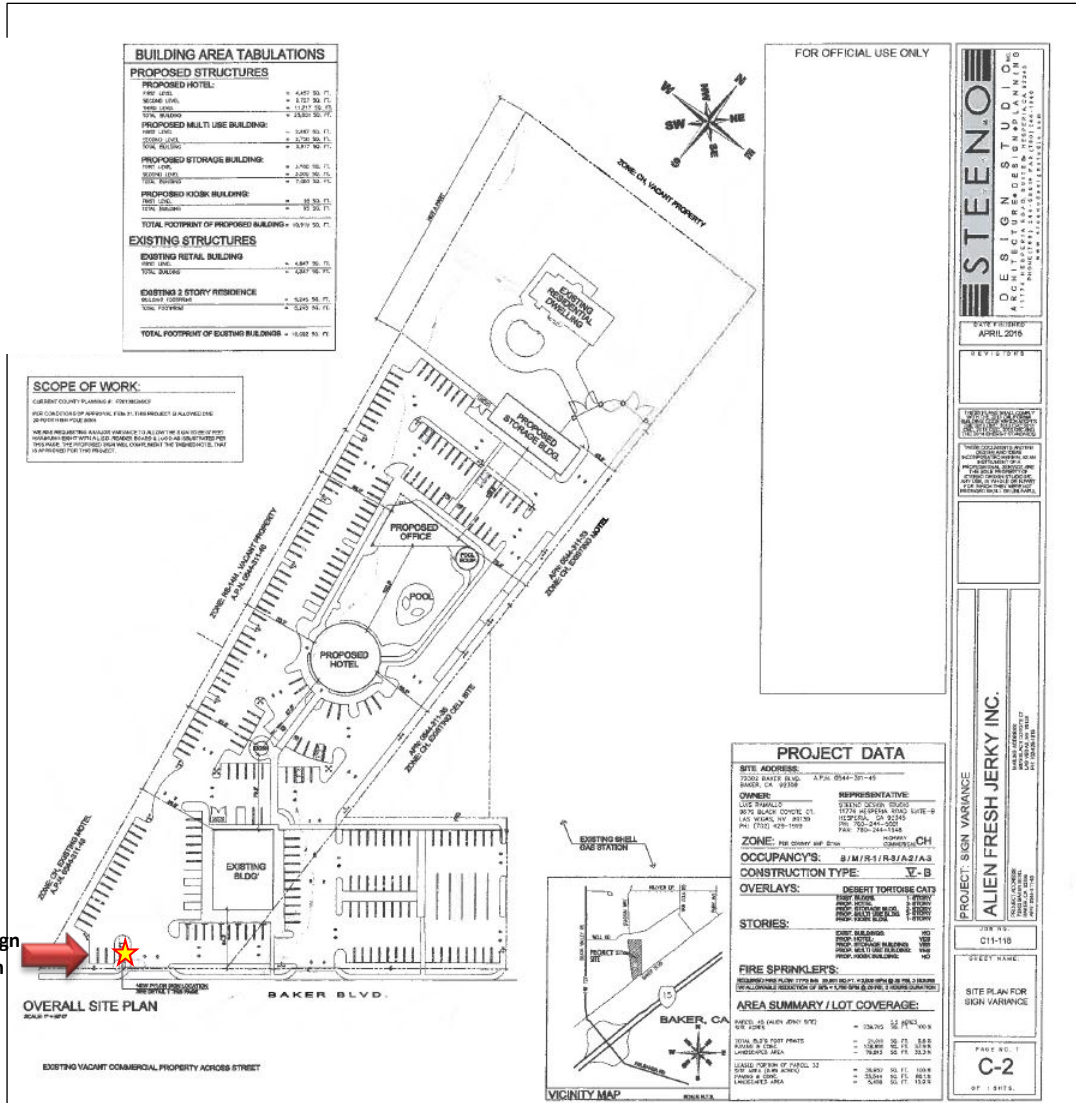
## VICINITY MAP Project Site



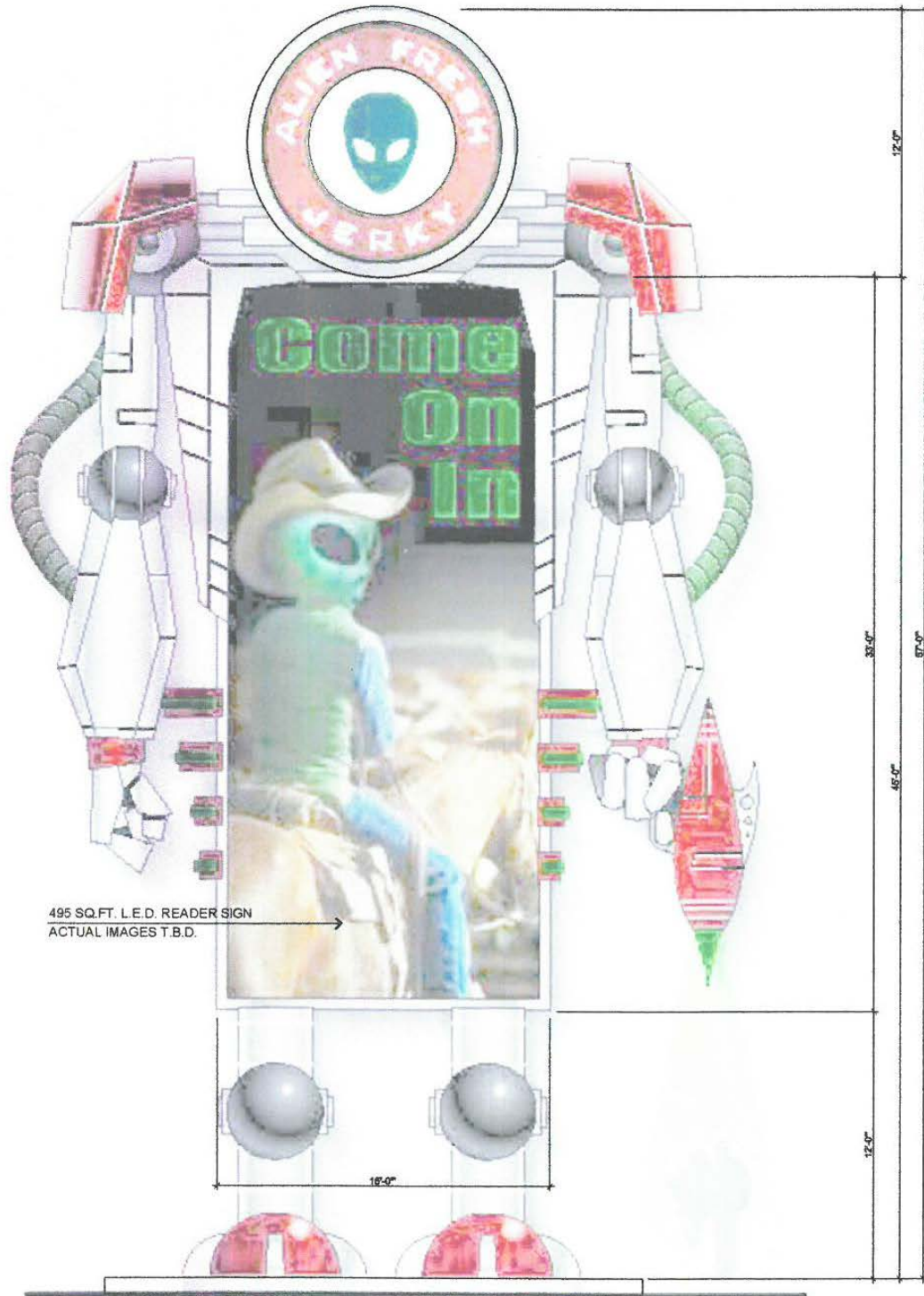
**OFFICIAL LAND USE DISTRICT MAP**  
**ZONING DESIGNATION**  
**Highway Commercial (CH)**



**FIGURE 1**  
**Site Plan**  
**Alien Pylon Sign**



**FIGURE 2  
Pylon Sign  
Elevation**



**POLE SIGN ELEVATION FOR "ALIEN HOTEL" DAY TIME VIEW**  
SCALE: 1/4" = 1'-0"

### FIGURE 3 Pylon Sign Photo Simulations

Alien Pylon Sign



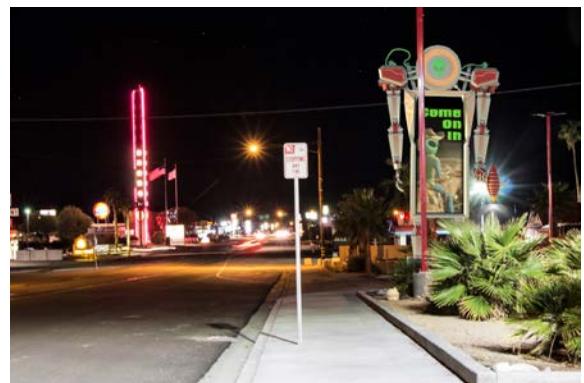
Street Perspective  
Southwest View



Street Perspective  
Northeast View



Pylon Sign  
(Night View with Thermometer)  
Southwest View



Pylon Sign  
Evening Perspective



← Pylon Sign

Height Perspective  
Northwest (Daytime) View



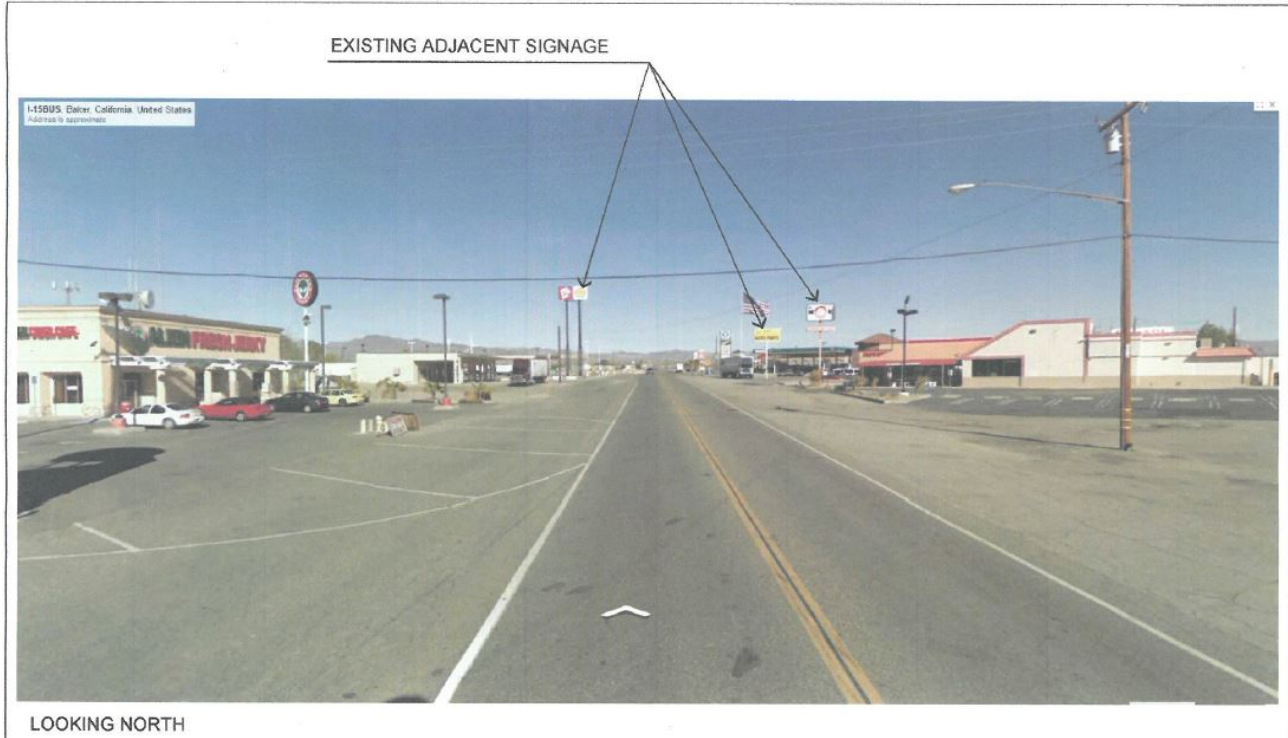
← Sign

Height Perspective  
Northwest (Evening) View



← Sign

**FIGURE 4**  
**Baker Boulevard**  
**Existing Street Signage**





**FIGURE 5**  
**Space Ship Hotel and Figure**



**Alien Elements**



**PROJECT DESCRIPTION AND BACKGROUND:**

Project: On March 25, 2014, the Board of Supervisors approved the General Plan Amendment and associated Conditional Use Permit (CUP) to establish the Alien Jerky hotel, restaurant, museum, gift shop, pool/spa and office building (collectively “Project”) in the community of Baker. To advertise the Alien Jerky business complex uses, the applicant is now proposing to construct a 57-foot high light-emitting diode (LED) pylon sign to advertise the “outer space” theme hotel and commercial venue. As shown on the site plan (Figure 1.), the proposed sign would replace the pylon sign approved by the Board of Supervisors on March 25, 2014.

Baker is located in the Mojave Desert at the junction of Interstate 15 and SR 127, at the southern end of the Death Valley geological depression. The community is frequently used as a rest stop by drivers travelling on Interstate 15 between Los Angeles and Las Vegas. Baker is approximately 90 miles southwest of Las Vegas and is the last community offering traveler services for motorists traveling on SR 127 north to Death Valley National Park or south to the Mojave National Preserve.

The proposed hotel/commercial venue consists of a 25,900 square foot 3-story hotel with restaurant, museum, gift shop and pool/spa, and 5,600 square foot 2-story office building as noted in Figure 1. The commercial venue’s primary attraction is the 3-story hotel which is designed and shaped as a spacecraft as shown in Figure 5. The applicant’s current Alien Jerky retail operation incorporates similar outer space themes as part of the store’s attraction and marketing appeal.

Given that the dimensions of the pylon sign exceed the Development Code (Code) sign standards for the CH zoning designation, the applicant is requesting a Major Variance to permit the sign. The variance provision within the Code provides a process to consider requests to modify certain standards of the Code when, because of special circumstances applicable to the property, including location, shape, size surroundings, topography or other physical features, strict application of the development standards would deny the owner privileges enjoyed by other property owners in the vicinity or in the same land use district.

Table 1 below compares the sign’s dimensions with the sign standards provided in the CH zone.

**Table 1: Sign Dimensions**

DISPLAYS	ZONING	MINIMUM LOT FRONTAGE	HEIGHT	WIDTH	SIGN AREA	ILLUMINATION	STREET SETBACK	SIGN SEPARATION
<b>County Sign Standards Section (Chap 83.13)</b>	Highway Commercial (CH)	150'	25' (Bottom Sign Edge is 12' in Height) <sup>6</sup>	N/A	200 sq.ft.	Glare from luminous sources shall not exceed one-half ½ foot candle.  At P/L	Leading edge or footing of a sign shall not be located closer than one foot from the ultimate ROW	Maximum of 1 Free Standing Sign (FS). Portion of new FS sign not closer than 10' to an existing sign.
<b>Proposed Pylon Sign Standards</b>	Highway Commercial (CH)	200'	57'	30' (includes all mechanical)	495 sq.ft. LED (per (perface) 608 sq.ft. (total sign area)	> 1.5 foot candle	Base legs 10' from property line Overhang 2' from property line	N/A
<b>Pylon Sign Standard Deviations</b>	No Zone Change	N/A	128%	N/A	204%	Variance Req'd.	N/A	N/A
<b>Baker Thermometer</b>	Highway Commercial	177'	134'	8'	1,072 sq.ft. (per face)	Unknown	50'	N/A

The Major Variance is to consider the relaxation of the code for the following sign elements:

- Height – Permit 57 foot high sign (128% exceedance).
- Sign Area – Permit 495 square foot LED reader board per face (204% exceedance).
- Illumination – Permit luminance to exceed 1.5 foot candle at the property line.

## **ANALYSIS: MAJOR VARIANCE**

**Location and Setting:** The Project site is located on the north side of Baker Boulevard on property zoned Highway Commercial (CH) in the commercial “downtown” of the unincorporated community of Baker. Table 1 notes the development standards for pylon signs in the CH zone. As shown in Figure 1, the sign’s location will be a prominent feature of the future venue and will provide marketing appeal. The sign is placed perpendicular to Baker Boulevard and I-15 to maximize the visibility of the sign’s double faced LED reader board. In conjunction with advertising the site, the reader board will display public announcements, community events, and local services.

**Aesthetics/Visual:** The County General Plan Open Space Element designates State Route 127 from Interstate 15 at Baker northwest to Inyo County as a “scenic route”. The General Plan defines scenic as a roadway that has scenic vistas and other scenic and aesthetic qualities that over time have been found to add beauty to the County. Features of scenic routes include:

- A roadway, vista point, or area that provides a vista of undisturbed natural areas.
- Include a unique or unusual feature that comprises an important or dominant portion of the viewshed.
- Offers a distant vista that provides relief from less attractive views of nearby features, such as views of mountain backdrops from urban areas.

The Code contains restrictions on development within 200 feet from a scenic route. Outside that corridor, potentially significant impacts on scenic views are evaluated on a case-by-case basis, considering the surroundings of the site and the significance of its location relative to scenic vistas. The proposed sign would be located on Baker Boulevard, approximately 1500 feet northeast of SR 127, in a built-up urban environment. As the photo in Figure 4 denotes, Baker Boulevard is a commercially developed corridor containing various pole and pylon signs that rise conspicuously in height. Of the many pole signs dotting the corridor, Baker’s primary attraction is the 134 foot high 3-sided thermometer, located at 72157 Baker Boulevard, which is deemed the “world’s largest thermometer”. Given the distance from SR 127 and since both sides of Baker Boulevard are commercially developed, view sheds along SR 127 or other unique vista points are not anticipated to be affected by the sign’s extended height and size. Similarly, the sign’s illumination is not anticipated to affect view sheds or vistas along SR 127 or from the I-15 Freeway. The legs of the sign as shown in Figure 1 are set back ten (10) feet from the property line. Elements of the sign, such as the arms, extend within two (2) feet of the property line.

Contextually, the sign’s unique design features and overall theme is consistent with the “outer space” theme of the proposed hotel and commercial venue and will function as an extension of the site’s marketing appeal. Part of the applicant’s current retail use, operating as “Alien Jerky,” employs alien figures and similar outer space figures as noted in Figure 5. The Applicant intends to expand this theme with the eventual construction of the spaceship hotel. The operation of the sign in conjunction with the site’s outer space theme will not be out of character with the use and consequently the sign’s height extension is not anticipated to impact the corridor visually.

**Illumination/Glare.** Pursuant to Section 83.07.040 Glare and Outdoor Lighting – Mountain and Desert Regions, LED lighting is exempt from the sign shielding requirements mandated for other lamp types its lighting is internally illuminated.

According to the photometric plan, the pylon sign’s illumination is not adjustable to maintain the 1.5 ft.-candle luminance at the property line, per the County standard. Consequently, luminance does trespass in varying degrees outside the property line. The sign’s light sources emanate from point structural elements and points that include:

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- Arms and legs
- The tip of the laser gun
- Head portion of the sign
- LED reader board

Light trespass is measured in two ways:

- 1) Luminance (glare) – quantifies surface brightness, or the amount of light an object gives off. Luminance is measured in nits<sup>2</sup>. (The nit is a unit of lighting intensity, equivalent to one candela per square meter, denoted as nits<sup>2</sup>).
- 2) Illuminance – quantifies that amount of light which falls onto an object.

To mitigate the effects of glare, the sign's LED is designed to diffract light in a linear direction. Various photo-simulations shown in Figure 3 display the proposed sign's illumination in both daylight and nighttime conditions. The LED light emitted as per the photometric plan is predominately contained on site and is fully manageable to minimize the effects of intensive brightness and glare. The LED system will not emit sounds and the frequency between LED messages will not be less than 5 seconds to minimize the effects of "flashing" which the County Sign Code prohibits, and which effect is further regulated by section 5405 of the 2014 Outdoor Advertising Act and Regulations. The top portion of the structure, as well as the arms, legs, and laser gun will be illuminated by a combination of border and fluorescent lighting, internally lit with florescent tubes behind a vinyl graphic shield. The tip of the "Laser Gun" will glow softly through a diffuser lens.

Pursuant to Section 21466.5 of the California Vehicle Code (Vehicle Code), a light source is considered vision impairing when its brilliance (glare) exceeds the following values:

- The brightness reading of an objectionable light source shall be measured with a ½ degree photoelectric brightness meter placed at the driver's point of view.
- The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

As a condition of approval, the Applicant is required to provide confirmation and evidence to the satisfaction of the Planning Division that the light emitted from the sign shall operate permanently in accordance with the Vehicle Code Standard, Section 21466.5 cited above. Although the sign's illumination will encroach beyond the property line, adherence to the Vehicle Code 21466.5 will keep the luminance at a safe level for driving conditions on Baker Boulevard. Another condition of approval will require the brightness of the sign to be adjusted throughout the day, to avoid glare in relation to ambient light and to reduce the effects of light pollution.

Environmental Review: On-premise signs are exempt from the California Environmental Quality Act (CEQA), pursuant to section 15311(a) of the State CEQA Guidelines. However, because the proposed sign exceeds standard height, area and lighting requirements, staff evaluated the proposal in light of the analysis in the Mitigated Negative Declaration (MND) which was prepared for the original Project approval of March 25, 2014. Considering the visual analysis prepared for the

sign proposal and the light and glare standard applied from the Vehicle Code, staff determined that none of the circumstances requiring subsequent environmental analysis, as set forth in Section 15162 of the State CEQA guidelines, exist relative to the proposed sign and variance request. These criteria are:

1. There are no substantial changes to the Project that would require major revisions of the MND due to new significant environmental effects;
2. Substantial changes have not occurred in the circumstances under which the Project is being undertaken that will require major revision to the adopted MND to disclose new significant environmental effects or that would result in a substantial increase in the severity of impacts identified in the MND; and
3. There is no new information of substantial importance which was not known at the time the MND was adopted.

This review was documented in the CUP file for the Project, and based on this determination, staff recommends filing a Notice of Exemption for the proposed on-premise sign.

**RECOMMENDATION:** The subject property is unique in its configuration and in the combination of traveler services proposed to be developed on the site. Staff recommends in the proposed findings for approval of the variance that these unique circumstances warrant exceptions to the standard requirements for commercial signage on the site. Therefore, staff recommends that the Planning Commission:

- A. **APPROVE** the Major Variance to establish a 57-foot, on-site pylon sign, in lieu of the allowed 25-foot pylon sign and to allow the sign's double-faced LED advertisement area to be 495 square feet, in lieu of the maximum allowed area of 200 square feet, and to allow the sign to exceed the light trespass and glare standards, subject to the Conditions of Approval.
- B. **ADOPT** the proposed Findings for Approval of the Variance, as contained in the staff report.
- C. **FILE** a Notice of Exemption

**ATTACHMENTS:**

- Exhibit A: Findings  
Exhibit B: Conditions of Approval

## **EXHIBIT A**

## **FINDINGS: MAJOR VARIANCE**

MAJOR VARIANCE to permit an increase in the pylon sign's height, advertisement area, and light trespass/glare in excess of the established standards of the Development Code

1. The granting of the Variance will not be materially detrimental to other properties or land uses in the area and will not substantially interfere with the present or future ability to use solar energy systems.

Substantiation: The pylon sign is a component of an approved hotel/commercial venue that consists of a 25,900 square foot 3-story hotel with restaurant, museum, gift shop and pool/spa, and 5,600 square foot 2-story office building (Project) approved by the Board of Supervisors on March 25, 2014. The Project's Mitigated Negative Declaration (MND) evaluated issues associated with the Project's aesthetics, noise, land use, biological resources, geology and soils, greenhouse gas emissions, traffic and hydrology and water. The MND incorporated mitigation to minimize impacts associated with traffic and other environmental elements. The Project's entitlement included provisions for a pylon sign that was part of the original Project's environmental analysis. The greater height, area and luminance of the sign proposed in conjunction with the Major Variance does not alter the conclusions of the environmental analysis of potential impacts of the approved Project. An addendum to the Project MND was prepared to document a determination that the sign, subject to the proposed conditions of approval, will not require subsequent environmental analysis. Therefore, granting of the Variance to permit the sign will not be materially detrimental to other properties or land uses in the area. The sign would occupy and cast shade on a very small area of the 5.71-acre site. Therefore it would not interfere with the future installation of a solar energy system.

2. There are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use that do not apply to other properties in the same vicinity and land use zoning district.

Substantiation: The subject property fronts Baker Boulevard and its current operating venue known as the "Alien Jerky" is a component of the future hotel and the site's commercial expansion. Given the unique angularity of the 5.71-acre parcel, the hotel and other elements of the venue will be recessed approximately 300 feet from Baker Boulevard and consequently will be inherently difficult to view from the right-of-way. The sign's design provides a marketing profile that is intended to advertise the venue from Baker Boulevard and Interstate 15. Baker is frequently used as a rest stop by drivers on Interstate 15 between Los Angeles and Las Vegas, as well as those traveling to or from Death Valley National Park and the Mojave National Preserve. The lodgings and services proposed at the site are unique on Baker Boulevard, and the requested Variance is critical to attracting travelers who otherwise might not notice or recognize the services available at the site.

3. The strict application of the land use zoning district deprives the subject property of privileges enjoyed by other properties in the vicinity or in the same land use zoning district.

Substantiation: An existing sign marquee known throughout the area as the “World’s Largest Thermometer” is 134 feet in height is the town’s primary and tourist structure. Both the Alien Sign and the thermometer are located in the Highway Commercial zone. Given the sign’s height and moniker, the structure is Baker’s primary tourist attraction and indirectly helps support businesses along the commercial corridor. While the alien sign proposal requires a Variance for exceeding sign standards, it would not be exceeding precedents set by other commercial signs that exist along the Baker Boulevard corridor, in the same land use zoning district.

4. The granting of the Variance is compatible with the maps, objectives, policies, programs and general land uses specified in the General Plan and any applicable specific plan

Substantiation: The General Plan through the variance process provides a means to consider requests to modify certain standards of the Development Code when, because of special circumstances applicable to the property (including location, shape, size surroundings, topography or other physical features), the direct application of the development standards would otherwise deny the owner privileges enjoyed by other property owners in the vicinity in the same land use district.

In considering each of the Project’s deviations from the Development Code sign standards, the Project was analyzed as to its compatibility with the existing approved site plan’s hotel/commercial venue and environmentally in accordance with the California Environmental Quality Act. Based on the analysis by staff, the Project, subject to the conditions of approval, is consistent with the goals, policies and objectives of the General Plan. Specifically, it is consistent with General Plan Policy ED1.2 in that: “The County recognizes the distinctions between the growth stages of the Valley, Mountain, and Desert Planning Regions in encouraging industrial, office, and professional and local serving employment”. To better serve the outlying desert communities and cities, the General Plan recognizes that a level of flexibility is necessary to avoid impeding growth in the Community of Baker, and that a “one-size-fits-all” approach may not be appropriate to various outlying communities such as Baker. These considerations have been a factor in analyzing the Project, and in preparation of these findings.



## **EXHIBIT B**

### **Conditions of Approval**

**The following Conditions of Approval are Proposed  
to be appended to the Conditions of Approval  
of the Alien Jerky Hotel and Commercial  
Development Project# P201200246**

**CONDITIONS OF APPROVAL**

**FOR SIGN REQUIRING A  
VARIANCE  
RELATED TO P201200246**

**GENERAL REQUIREMENTS**  
Conditions of Operation and Procedure

**LAND USE SERVICES DEPARTMENT – Current Planning Division (909) 387-8311**

1. Project Approval Description. These Conditions authorize construction of an on-premise pylon sign requiring a Variance to permit a 57-foot high freestanding pylon sign to exceed the maximum height of 25 feet, to allow the sign's double-faced LED advertisement area to be 495 square feet, an increase of 295 square feet over the maximum allowed area of 200 square feet, and to allow the sign to exceed the light trespass and glare standards on property located at 72302 Baker Boulevard, Baker CA, on 5.71 acres in the Highway Commercial (CH) Land Use District, as depicted in the staff report elevations and approved sign detail plan. Project Number P201500156/VAR; APN: 0544-311-45.
2. Concurrent Actions. The Major Variance is associated with Project No. P201200246, Use Permit Revision to add a 25,900 square foot 3-story hotel with restaurant, museum, gift shop and pool/spa, a 5,600 square foot 2-story office building with a pool bar, a 7,000 square foot 1-story storage building and a 100 square foot kiosk to the existing retail use on 5.5 acres, approved by the Board of Supervisors on March 2014 and accompanying Conditions of Approval.
3. Continuous Effect/Revocation. All conditions of approval related to the pylon sign shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approval of the pylon sign, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.

4. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its 'indemnitees' (herein collectively the County's elected officials, appointed officials—including Planning Commissioners, Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' 'passive' negligence but does not apply to the indemnitees' 'sole' or 'active' negligence or 'willful misconduct' within the meaning of Civil Code Section 2782.

5. Expiration. This Variance approval shall expire and become void if it is not "exercised" within three (3) years of the effective date of this approval, unless an Extension of Time is granted. The permit is deemed "exercised" when the applicant has commenced actual construction under a validly issued Building Permit. The sign permit remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
- Construction permits for all or part of the sign structure are not issued or the construction permits expire before the structure is completed and a final inspection is approved.
  - The sign is determined by the County to be abandoned.
  - The sign is determined to be not operating in compliance with these conditions of approval, the County Code (except as approved by the

variance), or other applicable laws, ordinances or regulations and the violation is not corrected and the sign permit is revoked.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The property owner is responsible for initiation of any extension request and the granting an extension is a discretionary action.

6. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
7. Revisions. Any proposed change to the approved Pylon Sign, including structural changes, relocation, design changes including lighting, or a proposed change in the conditions of approval shall require that a land use application (Revision to an Approved Action) be approved by the County. The developer shall prepare, submit with fees, and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
8. Revocation. All conditions of this approved project are ongoing conditions for the approved use and operation. Failure of the property owner and/or operator to comply with any condition at any time may result in the County pursuing an enforcement action that may include scheduling a hearing to revoke the land use permitted by this approval action.
9. Project Account. The Job Costing System (JCS) account number is P201500156. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection.
10. Additional Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in the adopted County Fee Ordinance.

11. Plans. Submit professionally prepared plans for approval and obtain permits prior to any construction.
12. Condition Compliance. In order to obtain construction permits for the approved Pylon Sign, the developer shall process a Condition Compliance Release Form (CCRF) for the Pylon Sign through County Planning in accordance with the directions stated in the Approval letter. County Planning shall release holds on each phase of development by providing to County Building and Safety the following:
  - Building Permits. - a copy of the signed CCRF for building permits and three stamped and signed copies of the final approved Pylon Sign plan.
13. Continuous Maintenance. The project property owner shall continually maintain the Pylon Sign so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the Pylon Sign are regularly inspected, maintained and that any defects are timely repaired. The elements to be maintained include but are not limited to:
  - Annual maintenance and repair. The developer shall conduct inspections for the Pylon Sign to assure proper structural, electrical, and mechanical safety.
  - Graffiti and debris. The developer shall remove graffiti and debris immediately through weekly maintenance.
  - Signage. The developer shall maintain the Pylon Sign and all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis.
  - Lighting. The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
  - Fire Lanes. The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
14. Performance Standards. The approved Pylon Sign shall operate in compliance with the general performance standards listed in SBCC Chapter 83.01, regarding electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, and vibration. In addition to these, none of the following shall be perceptible without instruments at any point outside the project boundaries at adjoining property lines:
  - Noise: The LED sign area and structures mechanical shall comply with the County Noise Ordinance requirements for the Highway Commercial zone.

- Illumination/Glare: No intense glare that is not effectively screened from view at any point outside the project boundary.
15. Sign Operation: The sign's illumination shall be adjustable and shall be programmed to minimize the effects of glare with different levels of ambient lighting. Protection of the night sky shall be ensured by this plan, especially in late night hours. The applicant shall provide a lighting program for review and consideration by the Planning Division to evaluate the applicant's sign illumination and glare reduction plan.
  16. Construction Hours. Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

**LAND USE SERVICES – Code Enforcement (909) 387-8311**

17. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the County will charge the property owner for such enforcement activities in accordance with the SBCC Schedule of Fees.

**COUNTY FIRE – Community Safety Division (760) 995-8190**

18. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

**PRIOR TO ISSUANCE OF BUILDING PERMITS  
The Following Shall Be Completed**

**LAND USE SERVICES – Building and Safety Division (909) 387-8311**

19. Construction Plans. Submit professionally prepared plans for approval and obtain permits prior to any construction.
20. Pylon Sign. Prior to the issuance of a building permit for the construction of the pylon sign, the applicant shall commence construction on a substantial portion of the commercial development approved under P201200246.

**PRIOR TO FINAL INSPECTION,  
The Following Shall Be Completed**

**LAND USE SERVICES – Planning Division (909) 387-8311**

21. Illumination. Sign illumination shall comply with California Vehicle Code Standard Section 21466.5. Confirmation of the sign's compliance with Section 21466.5 of the California Vehicle Code, verified by a qualified professional, shall be submitted to the Planning Division for review.
22. Fees Paid. Prior to final inspection by the Building and Safety Division and/or final CCRF sign-off by the Planning Division, all fees required under actual cost job number P201500156 shall be paid in full.

**END OF CONDITIONS**