



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE:** April 6, 2017

**AGENDA ITEM:** 3

Project Description:

Vicinity Map N↑

**APNs:** 0238-031-41  
**Applicant:** Tim Lynch  
**Community:** Kaiser Commerce Center Specific Plan (KC/SP) / Fontana  
**Location:** 13055 Valley Boulevard  
**Project No.:** P201600530  
**Staff:** Aron Liang, Planner  
**Rep.:** Tim Lynch  
**Proposal:** A) Specific Plan Amendment to modify the Kaiser Commerce Center Specific Plan, Section KC2.0115 (h) (2), Table 2.F: Sign Standards to allow an off-premise freeway sign; and B) Conditional Use Permit to convert and remodel an existing on-premise freeway sign to an off-premise freeway sign.



**5 Hearing Notices Sent On: March 23, 2016**

**Report Prepared By: Aron Liang**

**SITE INFORMATION:**

Parcel Size: 19.51 acres  
 Terrain: Flat  
 Vegetation: Landscaping Improvements

**SURROUNDING LAND DESCRIPTION:**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
SITE	Existing warehouse facility	Kaiser Commerce Center Specific Plan (KC/SP)
North	Existing warehouse facility	Kaiser Commerce Center Specific Plan (KC/SP)
South	Interstate Freeway 10	Caltrans
East	Existing warehouse facility	Kaiser Commerce Center Specific Plan (KC/SP)
West	Vacant land	Reginal Industrial (IR)

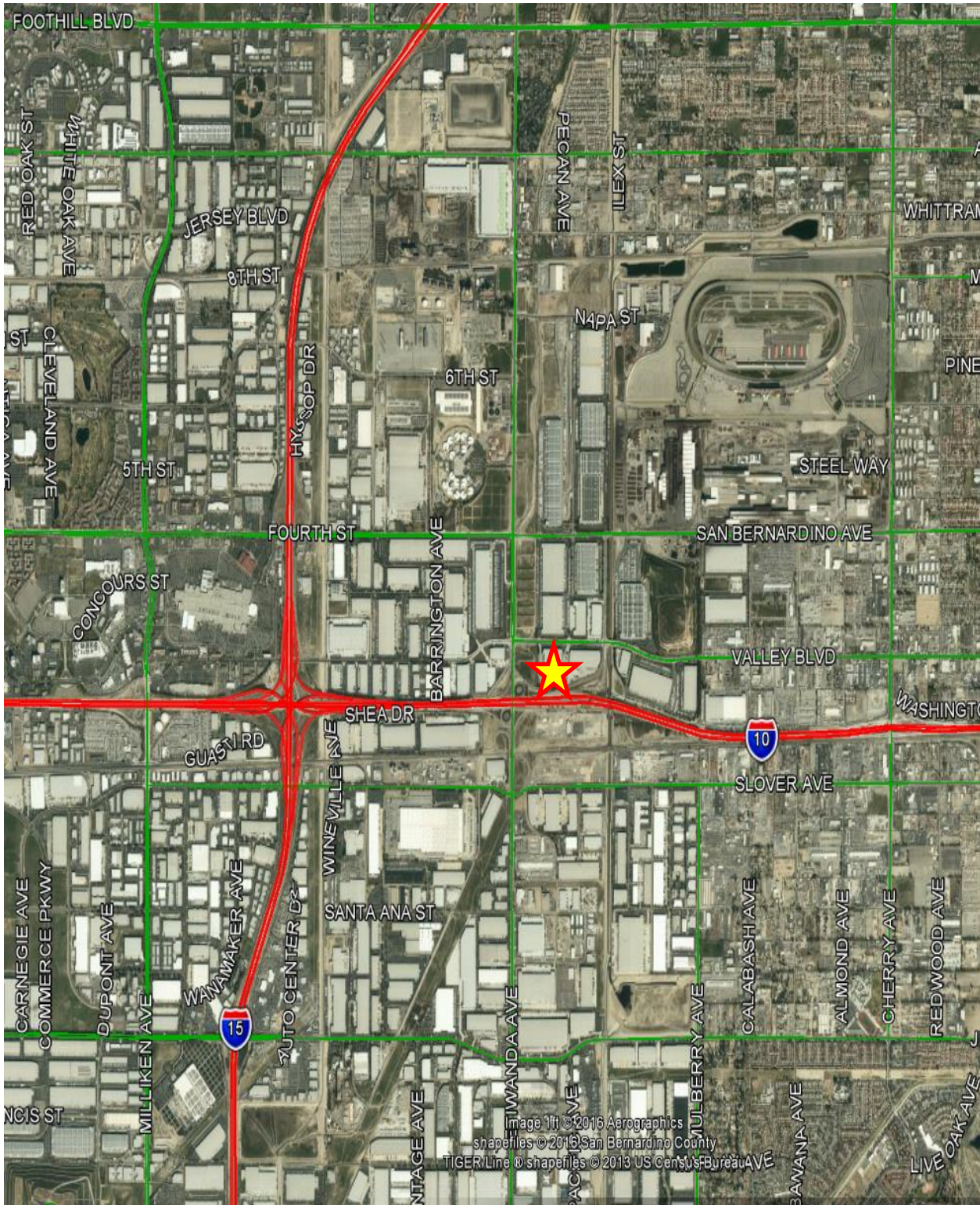
	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	City of Fontana	None
Water Service:	City of Fontana	N/A
Septic/Sewer Service:	City of Fontana	N/A

**STAFF RECOMMENDATION:** That the Planning Commission **RECOMMEND** that the Board of Supervisors **ADOPT** the proposed Findings, **APPROVE** the Specific Plan Amendment and the Conditional Use Permit, subject to the recommended Conditions of Approval.

Recommendations by the Planning Commission are not appealable.

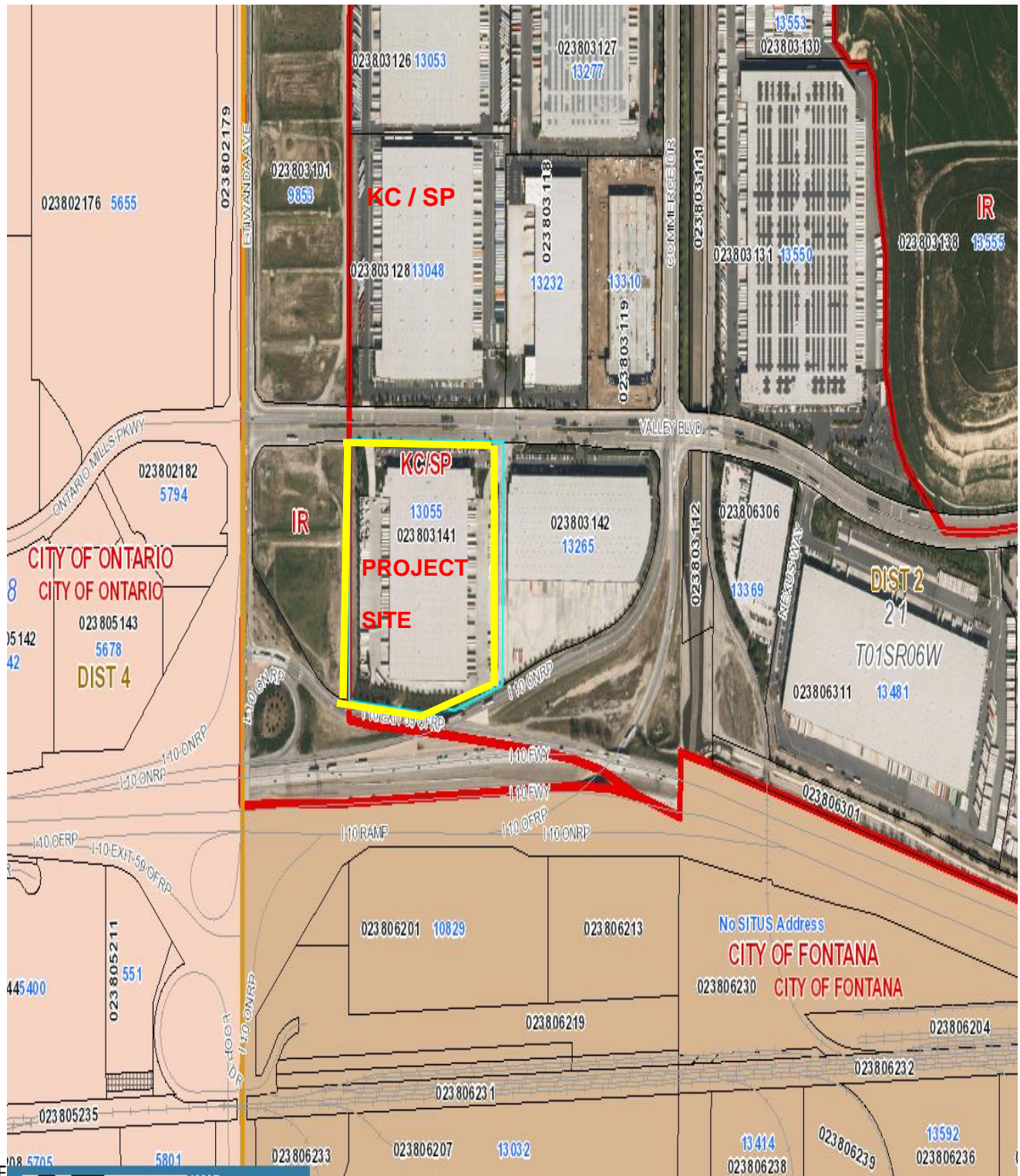


**VICINITY MAP- Figure 1**  
Aerial view of the Project Site





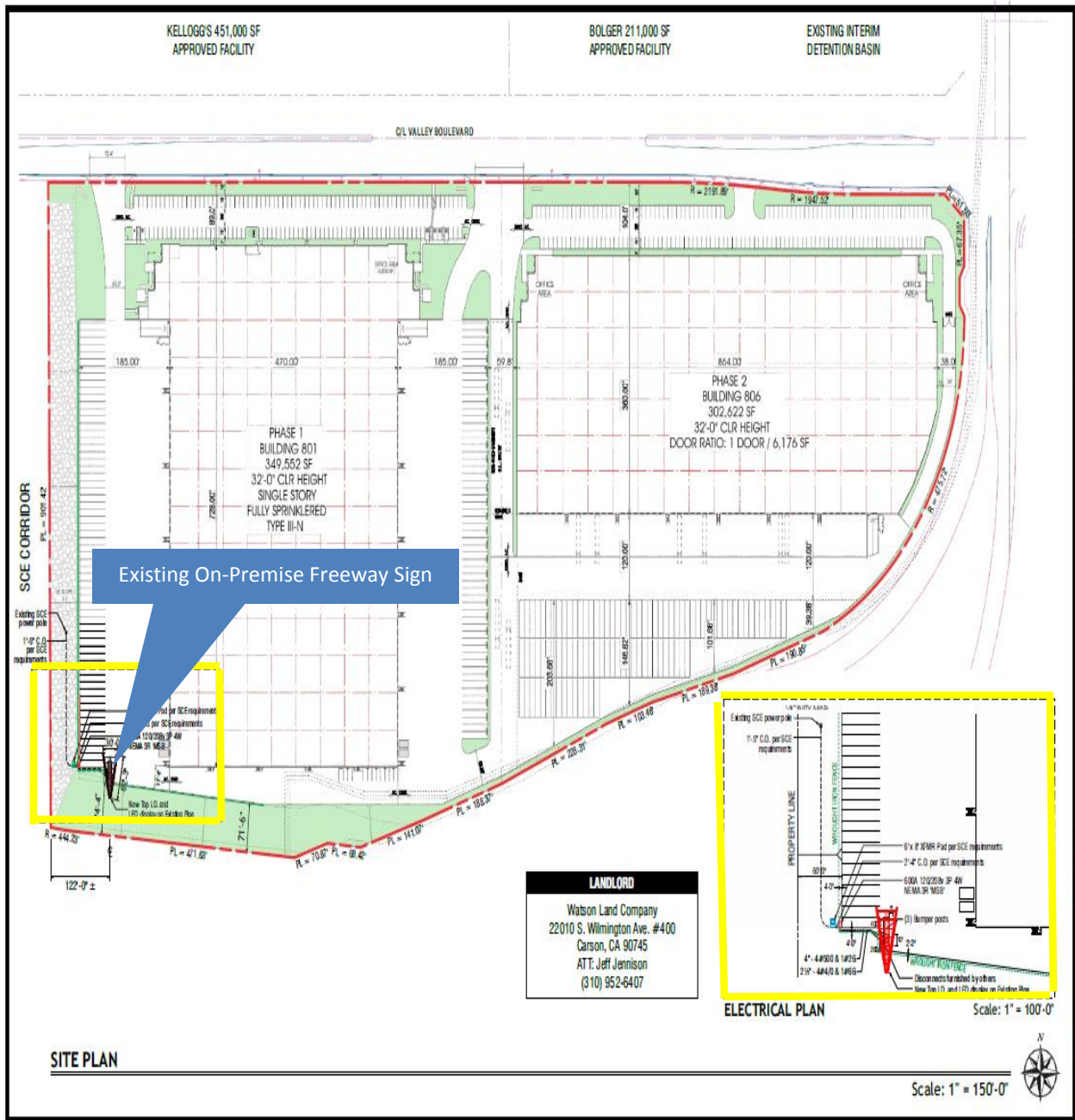
LAND USE ZONING DISTRICT MAP – Figure 2





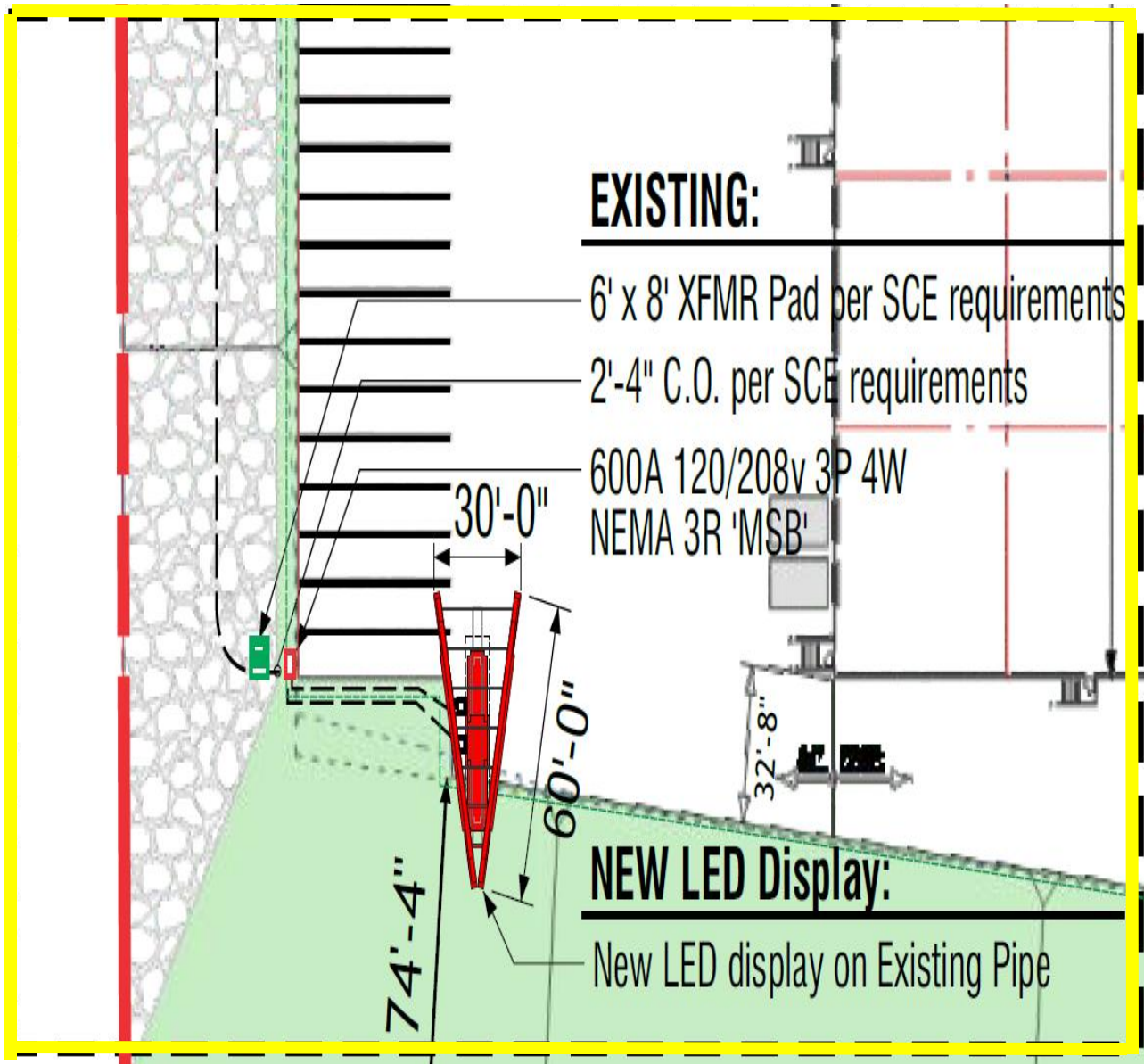


**SITE PLAN – Figures 4**

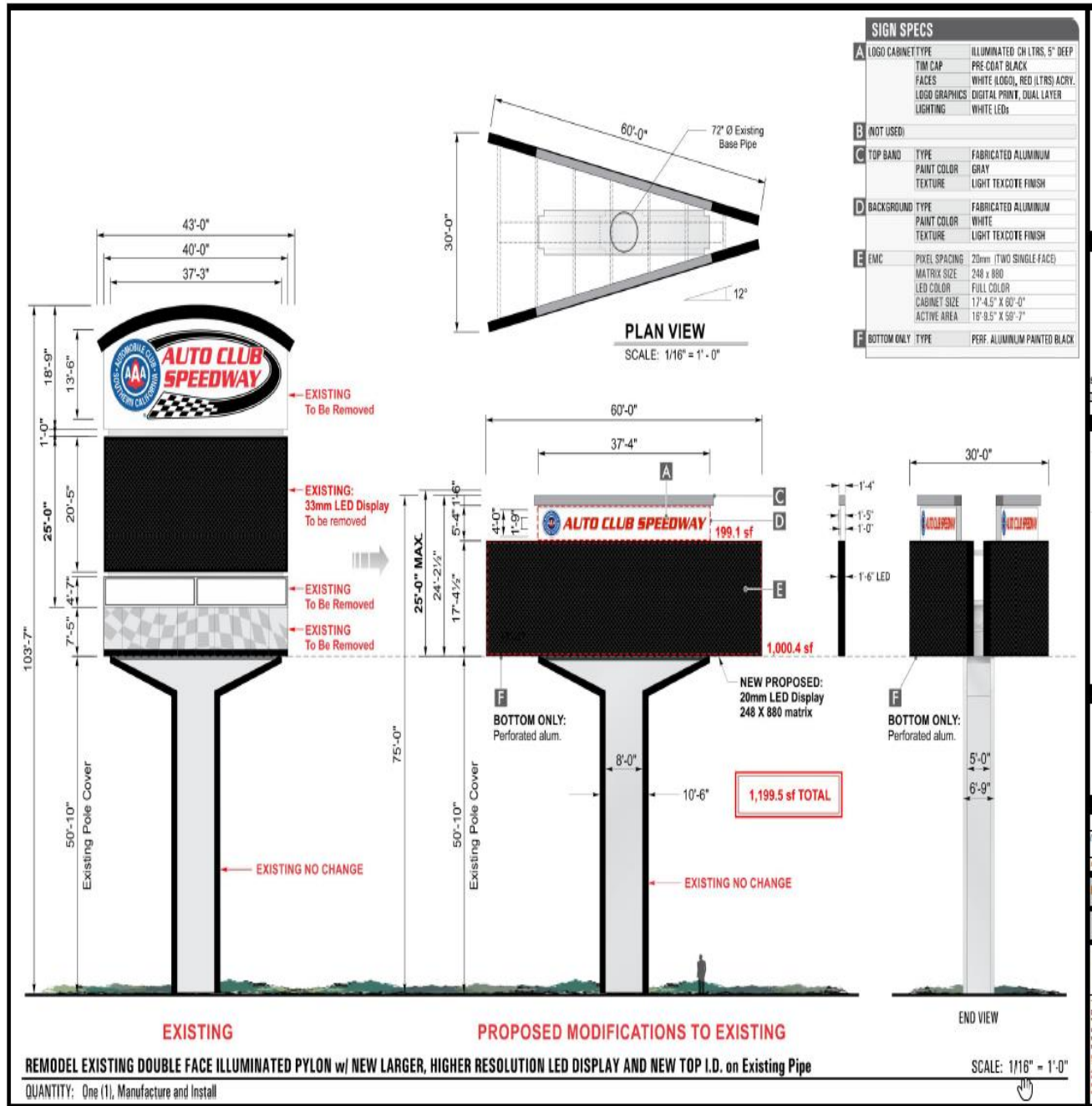




**ENLARGED SITE LOCATION ON-PREMISE/OFF-PREMISE FREEWAY SIGN – Figure 5**



**EXISTING ON-PREMISE AND PROPOSED OFF-PREMISE FREEWAY SIGNS – Figure 6**



**SITE PHOTOS – Figure 7**

**West View**



**North view**



**East View**





**BACKGROUND**

On April 13, 1999, the Board of Supervisors (Board) adopted the Kaiser Commercial Center Specific Plan (KC/SP). The KC/SP consists of approximately 468 acres, on a portion of the former Fontana Kaiser steel mill, adjacent to the interchange of Interstate 10 and Interstate 15. The project site is surrounded by industrial uses, and is within the sphere of influence of the City of Fontana.

On November 2, 2006, the Board amended the Kaiser Commerce Center Specific Plan to permit an on-premise freeway changeable message center display sign on the subject site. The purpose of the sign was to promote the California Speedway and its partners, and to assist the Redevelopment Agency (RDA) in promoting existing businesses in the area, as well as promoting the area for additional economic development. The Board also amended the County Development Code to permit electronic message center signs, and thus be consistent with state law, the Outdoor Advertising Act. When the existing sign was approved in 2006, the Outdoor Advertising Act allowed freeway-oriented electronic message center signs located in redevelopment areas to be permitted as on-premise signs, as long as the signs would only advertise businesses in the redevelopment area. In essence, the entire redevelopment area was considered a single site, so the sign would be considered an on-premise sign.

The Outdoor Advertising Act strictly limits off-premise advertising (signs that advertise businesses not located on the same site as the sign) oriented to freeways. Upon elimination of redevelopment agencies in late January 2012, the applicant began advertising businesses outside the former redevelopment area and obtained the required license from Caltrans to operate the sign as off-premise advertising. Presently, the existing sign is fully in compliance with the Outdoor Advertising Act, pursuant to its valid license shown in Exhibit E, which will expire on December 31, 2018. Amendment of the KC is required to recognize the new function of the existing sign as off-premise advertising, and to permit the form and dimensions proposed for the remodeling of the sign. The Conditional Use Permit (CUP) is required to permit the sign as a stand-alone land use, not linked to the parcel where it is located.

**PROJECT DESCRIPTION**

The proposed Specific Plan Amendment will modify Section KC2.0115 (h) (2), Table 2.F: Sign Standards to allow an off-premise freeway sign. Table 2.F specifies that one freeway-oriented electronic message center sign may be permitted in conjunction with the Redevelopment Agency, and it specifies a maximum 2,330 sq. ft. area and a maximum height of 105 feet. The proposed amendment would change this reference in Table 2.F to allow one freeway-oriented off-premise sign, and would modify the specifications to permit the demensions of the proposed remodel, which is a height of 75 ft. and double sign faces not exceeding 1,199 sq. ft. The CUP application presents the specifications for the remodeling the existing sign, which is 103 ft. in height, with a single double-face sign of 860 sq. ft. per side. The remodeled sign will reduce the height to 75 ft. and increase each sign face area to 1,020 sq. ft., as illustrated in the following comparison table:

Sign Components/Comparisons:

Existing Freeway On-Premise Sign

Proposed Freeway Off-Premise Sign

Pole Cover Height: 50 feet:	Pole Cover Height: 50 feet
Display area: 20' x 43' (32 mm LED Display)	Display area: 17' x 60' (20 mm LED Display)
Overall Sign Height: 103'	Overall Sign Height: 75'
Logo Cabinet: 18' x 40'	Logo Cabinet: 4' x 37'
Doubled-sided/back-to-back Panel View	V-shaped Panel View (auto dimming capability)
Advertise on-premise businesses	Advertise off-premise products and businesses
Caltrans not involved the control on-premise displays	Caltrans involved in the control off-premise displays

**ANALYSIS:**

**KC/SP Amendment:** The proposed amendment to the KC/SP and the proposed CUP are consistent with the purpose of the Kaiser Commerce Center Specific Plan. Because the existing sign will continue to operate as originally planned, the amendment to Section KC2.0115 (h) (2), Table 2.F: Sign Standards will be an update necessitated by the elimination of the RDA.

**Conditional Use Permit:** Pursuant to the County Development Code, Section 83.13.060 (b), a Freeway Off-site Sign requires approval of a Conditional Use Permit, and is also subject to the Outdoor Advertising act and Caltrans permit requirements if oriented to a state highway. The proposed remodeling of the existing sign will result in a lower-profile, state-of-the-art display. The proposed design will have the most energy-efficient LED display available, which will create sharper and clearer images for viewing. Additionally, the proposed sign will have an “auto dimming” capability, with over 1,000 levels of light output. The applicant would limit the light level to to 0.3 foot-candles above ambient light levels throughout the day and night. Research indicates that this level of luminance is a level that is unlikely to be objectionable to most persons. Although the sign faces will be larger in size, with a higher resolution (20mm LED Display, 248 x 880 matrix), the remodeled sign will use less power than the existing displays.

**Caltrans Permit:** In late January 2017, the applicant submitted off-premise freeway sign exhibits to the Department of Transportation (Caltrans) for its consideration, according to the design, brightness control, and height content requirements of the State. On February 16, 2017, Caltrans accepted the proposed electronic off-premise freeway sign, as shown in Figure 6, above. See Exhibit D for Caltrans’ comments. Based on the proposed redesign, a new outdoor advertising permit from Caltrans will be required.

**Airport Safety:** The site is located within the Airport Safety Overlay District 3 (AR3). The applicant may be required to grant an Avigation Easement to the Ontario International Airport. Since the proposed redesign will reduce the height of the sign and maintain the same brightness standard, no conflict with airport safety is anticipated.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15302 (Replacement or Reconstruction of Existing Structures). The existing sign will be reconstructed in the same location, resulting in a very similar structure.

**Public Comment:** None were received at the time this staff report was prepared.

**RECOMMENDATION:** That the Planning Commission **RECOMMEND** to the Board of Supervisors that the following actions be taken:

- 1) **ADOPT** the ordinance to amend the Kaiser Commerce Center Specific Plan to modify Section KC2.0115 (h) (2), Table 2.F – Sign Standards, to allow a freeway off-premise sign.
- 2) **ADOPT** the recommended findings.
- 3) **APPROVE** the Conditional Use Permit to convert and remodel an existing electronic freeway on-premise sign to an electronic freeway off-premise sign.
- 4) **FILE** the Notice of Exemption.

**ATTACHMENTS:**

- Exhibit A: Findings
- Exhibit B: Conditions of Approval
- Exhibit C: Amendment to the KC/SP Sign Criteria
- Exhibit D: Comments from Caltrans
- Exhibit E: Caltrans Outdoor Permit



# EXHIBIT A

## Findings

The proposed project (Project) is a Specific Plan Amendment to the Kaiser Commerce Center Specific Plan, Section KC2.0115 (h) (2), Table 2.F – Sign Standards to allow an off-premise freeway sign and a Condition Use Permit to convert and remodel an existing on-premise freeway sign to an off-premise sign, located at 13055 Valley Boulevard, in the Kaiser Commerce Specific Plan, the following findings are made:

**FINDINGS – KAISER COMMERCE CENTER SPECIFIC PLAN AMENDMENT**

[SBCC 86.12.060]

1. The Kaiser Commerce Center Specific Plan Amendment to modify Section KC2.0115 (h) (2), Table 2.F – Sign Standards to allow an off-premise freeway sign is internally consistent with all other provisions of the Kaiser Commerce Center Specific Plan and the County General Plan. The County General Plan allows the Kaiser Commerce Center Specific Plan to establish development standards and policies that are different than those specified in the countywide General Plan policies; the Kaiser Commerce Center Specific Plan is intended to supplement the provisions of the countywide regulations of the County Development Code. This is allowed pursuant to the California Government Code 65453 (a), “a specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.”, and to address the unique aspects of the Kaiser Commerce Center Specific Plan area in the revitalization of the site of the former steel mill, ensuring compatibility between existing and proposed land uses, customizing development regulations to address the unique needs of the Kaiser Commerce Center properties and the specialized land uses proposed for the site, by fostering greater economic development and design opportunities than could be achieved through the use of conventional zoning and development standards. The proposed amendment will assist in the implementation of the General Plan goals and policies, including

Goal ED 11: The County will revitalize targeted growth areas, and;

Policy ED 11.1: Support economic development opportunities in targeted growth areas that meet the County’s economic needs and ensure compatibility with the County’s long-range economic strategy.

2. The Kaiser Commerce Center Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, and welfare of the County. The proposed accessory structure will be fully in compliance with all Code requirements, and will also be in compliance with the State of California Outdoor Advertising Act to prevent any potential detrimental impact to the public interest, health, safety, convenience and welfare of the County. The proposed amendment will facilitate the freeway signage conversion from an on-premise freeway sign to an off-premise freeway sign that would showcase and promote more products and businesses for the County. The change to an off-site freeway sign would provide more effective advertising to assist in the implementation of County General Plan Policy LU 6.2 to expand opportunities for future employment centers in the unincorporated County, recruit industrial and commercial development to urban infill areas.



**CONDITIONAL USE PERMIT FINDINGS**

[SBCC 85.06.040]

3. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application. The proposed conversion of an on-premise freeway sign to an off-premise freeway sign would increase and improve the effectiveness of the existing freeway sign. Conversion of the freeway sign on same site and location will not alter the existing landscaping, loading areas, open spaces, parking areas, and setbacks and will be in accordance with the Kaiser Commerce Center Specific Plan.
4. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use. The Project site is located on Valley Boulevard, an existing major arterial roadway. The Project site is developed with an existing warehouse facility and has two adequate accesses on Valley Boulevard. All necessary infrastructure and public service are available and already serve the Project site.
5. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems. The proposed Project is self-contained, and will comply with all Caltrans' requirements, including the California Outdoor Advertising Act, in order to minimize potential impact on neighboring properties. The proposed Project will not interfere with the present or future ability to use solar energy systems.
6. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan. The proposed freeway sign conversion is consistent with the General Plan and the Kaiser Commerce Center Specific Plan within the Specific Plan area. Further, the proposed project is already located at an optimum location to display electronic message signs that will attract I-10 travelers to the surrounding area, consistent with General Plan Policy ED 22.2: Expand opportunities by encouraging an appropriate mix of revenue-generating land uses to maintain a competitive edge and a strong sales tax base.
7. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels. The project site contains an existing on-premise freeway sign that was constructed in 2007. No modification is proposed to the site and/or location of the proposed Project, and the proposed Project will comply with the County Development Code requirements as well as Caltrans' requirements; therefore, the site is physically suitable for the proposal to modify the existing on-premise freeway sign.

8. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare, because the conditions of approval include compliance with the California Outdoor Advertising Act, accordance to the design, and brightness control and height content requirements of the State.
9. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, through the orientation and design of the structure to take advantage of passive solar heating capabilities.
10. The proposed Conditional Use Permit for the Project will not have a significant adverse impact on the environment. Considering the Project scope and plans, the Project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Guidelines, Section 15302 (Replacement or Reconstruction). The Class 2 exemption applies to replacement or reconstruction of existing structures with no increase in size or intensity or other special circumstances that could create a significant adverse effect on the environment. Therefore, the proposed freeway sign conversion qualifies for the exemption per CEQA Section 15302/Class 2.



## **EXHIBIT B**

### Conditions of Approval

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## CONDITIONS OF APPROVAL

### GENERAL REQUIREMENTS

*[Ongoing and Operation Conditions]*

#### **LAND USE SERVICES DEPARTMENT – Planning Division (760) 995-8140/(909) 387-8311**

1. **Project Description.** This Conditional Use Permit approval is to permit the conversion of an existing 2,330 square feet sign face area on-premise freeway sign to a 1,199 square feet sign face area off-premise freeway sign. In accordance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the California Fire Code (CFC), the following Conditions of Approval, the approved site plan, and all other required approved reports and displays (e.g. elevations).

The developer shall provide a copy of the approved conditions of approval and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 0238-031-41, Project Number P 201600530.

2. **Project Location.** The project site is located at 13055 Valley Boulevard, in the Kaiser Commerce Specific Plan (KC/SP).
3. **Revisions.** Any proposed change to the approved use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval 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).
4. **Continuous Effect/Revocation.** All Conditions of Approval applied to this Project 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 approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
5. **Project Account.** The Job Costing System (JCS) account number is P201600530. This is an actual cost Project with a deposit account to which hourly charges is 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.
6. **Expiration.** This project permit 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 approved. The permit is deemed “exercised” when either:
  - a. The permittee has commenced actual construction or alteration under a validly issued building permit, or
  - b. The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060)
  - c. Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use 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 project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
    - The land use is determined by the County to be abandoned or non-conforming.
    - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

**PLEASE NOTE:** This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

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7. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Extension application, which must include 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).
  8. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
  9. 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 Administrators, 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 the 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's 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 indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code §2782.

10. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations, and any other requirements of Federal, State, County, and Local agencies as are applicable to the development and operation of the approved land use and Project site. These may include:
    - a) FEDERAL: N/A
    - b) STATE: Caltrans for Outdoor Advertising Permit
    - c) LOCAL: Land Use Services – Planning and Building and Safety
  11. Continuous Maintenance. The Project property owner shall continually maintain the property 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 development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained include but are not limited to:
    - a. Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to ensure proper structural, electrical, and mechanical safety.
    - b. Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
    - c. Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable.
    - d. Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
    - e. Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
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- f. External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
  - g. Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - h. Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - i. Signage: The developer shall maintain 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. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequent County-approved sign plan.
  - j. 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.
  - k. Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires review and approval by the Planning Division. The markings include parking spaces, disabled parking and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
  - l. 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.
12. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration and the disposal of liquid waste.
  13. AR3 Operational Requirements. The project site is within an Airport Safety Review Area Three (AR3) Overlay, therefore the following standards and criteria shall apply to all operations, structures, and land uses:
    - a) All structures and land uses shall be designed and operated so that they shall not reflect glare, emit electronic interference, produce smoke, or store or dispense hazardous materials in such a manner that would endanger aircraft operations or public safety in the event of an aircraft accident.
    - b) Vegetation shall be maintained not to exceed the height limitations established in Federal Aviation Regulations (FAR) Part 77, unless otherwise provided by Form 7460-1)
    - c) The "developer"/property owner shall include with all lease and rental agreements and separately to all renters, tenants, lessees or buyers; information that the site is subject to aircraft overflight from the appropriate airport, is subject to the potential noise problems associated with aircraft operations, and is subject to an Avigation and Noise Easement.
    - d) Proposed uses and structures shall be consistent with the Ontario International Airport Comprehensive Land Use Plan (ACLUP).

**PRIOR TO ISSUANCE OF BUILDING PERMITS**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division (760) 995-8140/(909) 387-8311**

14. Outdoor Advertising Act. The developer/operator shall comply with the Outdoor Advertising Act and Regulations and obtain an "off-premise" display permit from the California Department of Transportation (Caltrans).
  15. Valid State Permit. The operator/developer shall maintain a valid state permit for the off-premise freeway sign during the entire life of the sign.
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**LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387-8311**

16. Avigation Easement: An Avigation Easement shall be granted to the Ontario International Airport and recorded prior to the issuance of building permits for all construction in the AR overlay areas. Plans submitted in the AR overlays shall conform to the interior noise levels as per San Bernardino County standards.
17. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.

**PRIOR TO FINAL INSPECTION OR OCCUPANCY OF A STRUCTURE**

The Following Shall Be Completed

18. Condition Compliance Release Form Sign-off: Prior to occupancy all Department/Division requirements and sign-off's shall be completed.

**END OF CONDITIONS**

# EXHIBIT C

## Amendment to the KC/SP Sign Criteria





## **EXHIBIT D**

### Comments from Caltrans

**Liang, Aron**

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**From:** Anzo Jr, George@DOT <george.anzo@dot.ca.gov>  
**Sent:** Thursday, February 16, 2017 1:57 PM  
**To:** Liang, Aron  
**Subject:** RE: Permits for Outdoor Off-site Signs

Hello Aron,

The proposed configuration depicted in the attachment appears to be conforming to Business and Professions Code 5408(a)

If you have any further questions please feel free to give me a call.

Sincerely,

***George Anzo Jr - Southern Area Manager***

Office of Outdoor Advertising  
Division of Traffic Operations  
Department of Transportation  
100 South Main Street  
Los Angeles, CA 90012  
Office: (213) 897-4208  
Cell: (213) 435-1951  
Fax: (213) 897-0420  
E-mail: [george.anzo@dot.ca.gov](mailto:george.anzo@dot.ca.gov)  
Website: <http://www.dot.ca.gov/trafficops/oda/>

**From:** Liang, Aron [mailto:Aron.Liang@lus.sbcounty.gov]  
**Sent:** Thursday, February 16, 2017 9:37 AM  
**To:** Anzo Jr, George@DOT <george.anzo@dot.ca.gov>  
**Subject:** RE: Permits for Outdoor Off-site Signs

Hi George, attached, the applicant has provided revisions for your consideration. Please review and let me know. Thanks for your help.

**Aron Liang**  
Senior Planner  
**Land Use Services Department**  
Phone: 909-387-0235  
Fax: 909-387-3223  
385 N. Arrowhead Ave  
San Bernardino, CA, 92415-0187





# EXHIBIT E

## Caltrans Outdoor Permit

**EXHIBIT E – OUTDOOR ADVERTISING PERMIT**

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

**2014 - 2018 PERMIT YEARS**

**OUTDOOR ADVERTISING PERMIT**

ODA-0013(REV. 12/97)

**IMPORTANT INFORMATION -- PLEASE READ CAREFULLY**

Pursuant to the terms of Chapter 32, Status of 1939 and as amended, permission is granted to place and maintain an advertising display in its approved physical location as shown in the official records of the Department. Permit renewal is subject to the laws and implementing regulations of the California State Outdoor Advertising Act. This permit does not authorize placement or maintenance of a display prohibited by law or by an ordinance of any city, county or city and county. The permit owner is responsible for permit renewal on or before the expiration date. Immediately notify the Department to correct your mailing address, transfer ownership of this permit or cancel this permit. Include your permit number and mail notices to:

*Department of Transportation, Office of Outdoor Advertising, P.O. Box 942874, MS-36, Sacramento, CA 94274-0001*

District	County	Route	Post Mile or County Road	Property Owner
08	SBD	10	11.29 L	Watson Land LLC
Permit Owner Name			Date Granted	Owner Display #
California Speedway 9300 Cherry Avenue Fontana, CA 92335			03/12/2009	

<b>Permit</b>
OF08-0026

<b>Effective Date</b>
01/01/2014
<b>Expiration Date</b>
12/31/2018



**Notice** Failure to maintain a current permit may result in violation notice, penalty and removal of display at permittee's expense. The permit entitles the holder to place the permitted display for the term of this permit provided all fees or pro rata fees are timely received.