June 30, 2015

TO: COMMENTING AGENCIES

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT - COMMENTS AND RESPONSES
Electronic Message Center Sign at 10955 Ellis Avenue

To Whom It May Concern:

The City of Fountain Valley would like to thank you for your comments and involvement in the environmental process related to the Electronic Message Center Sign Project. Section 15088 of the *California Environmental Quality Act Guidelines* (CEQA) requires the Lead Agency to evaluate comments on environmental issues received from agencies and interested persons who reviewed the Draft Environmental Impact Report (EIR) and prepare a written response addressing each comment received. This document is provided as Section 2 of the Final Environmental Impact Report (EIR).

Attached to this letter are the comments your agency provided to the City in writing, in-person, or by mail, along with the City's written response to each comment. Copies of the Final EIR, including all comments received within the noticed comment period (October 23, 2014 to December 8, 2014), the corresponding written response, and Mitigation Monitoring Program can also be reviewed at the City of Fountain Valley Planning/Building Department, 10200 Slater Avenue, Fountain Valley, CA 92708 during regular business hours 8:00 a.m. – 5:00 p.m. Monday through Friday and at the City of Fountain Valley's web site at:

http://www.fountainvalley.org/425/Electronic-Message-Center-Sign

A public hearing has been scheduled with the City of Valley Planning Commission to consider the request on August 12, 2015 at 6:00 p.m. or soon thereafter, at the City Council Chambers, located at 10200 Slater Avenue in Fountain Valley.

Again, thank you for your participation in the environmental review process for the proposed Electronic Message Center Sign. **If you have any questions regarding this letter or the Comments and Responses, please contact Mr. Matt Mogensen, Interim Director Planning/Building Department at (714) 593-4425 or by email at** Matt.Mogensen@fountainvalley.org**.**

Very truly yours,
MATT MOGENSEN, INTERIM PLANNING DIRECTOR
City of Fountain Valley Planning/Building Department

Letter C – City of Costa Mesa

CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

November 13, 2014

RECEIVED

Mr. Bob Hall, City Manager
City of Fountain Valley
10200 Slater Avenue
Fountain Valley, CA 92708

Subject: Draft Environmental Impact Report (SCH No. 2014091024) – Electronic Message Center Sign

Dear Mr. Hall:

Thank you for the opportunity to provide comments on the Draft EIR prepared for the proposed Electronic Message Center (EMC) Sign at 10955 Ellis Avenue.

C-1 Given the proximity of Costa Mesa residents to the proposed location and the proposed height of the message board, we strongly request that the City considers an alternative location or design with minimal impacts to the adjacent residential communities. We also encourage the City of Fountain Valley to provide a public notice to the residents who may be impacted within the State Streets.

C-2 Installation of a LED message board within such close proximity to residential living, will significantly impact the quality of life for these residents and should be carefully considered. Even though, the V-formed sign may be slightly angled to focus on freeway traffic, the light, glare and aesthetics impacts of the superior alternative are significant and should be further studied.

With respect to the draft EIR, please consider the following comments:

C-3
- Lower Height Alternative – the DEIR refers to an existing sign with a height of 60 feet across the freeway. It is not clear why this alternative was not the superior alternative given that the aesthetics impacts will be significantly less than the 79-foot high alternative. This option could also provide for tree installation and other methods of screening not considered in the DEIR. In addition, it appears that the sign is intended for general commercial advertisement and not to direct the motorist to a certain location in close proximity to the sign, and therefore distance visibility is not as critical as noted in the DEIR.

C-4
- V Formation Alternative – Section 7.7 of the DEIR refers to the V formation alternative environmentally superior to proposed sign with regards to aesthetics. The DEIR only considers light and glare and does not consider the height and massing of the sign; the sign appears significantly larger because of the angled panels and the gap between the two signs.

C-5
- Goals and Objectives – Section 2.3 of the DEIR refers to four goals including a goal to minimize environmental impacts on natural resources. This goal should be extended to include minimizing impacts to adjacent residential communities.

C-6
- Page 4-5 - Compliance with the Zoning Code – the DEIR refers that the proposed sign is in compliance with the zoning code. However, the City's zoning code is very restrictive with respect to commercial advertisement on a public site. It appears, that this proposal would be subject to a Zoning Code amendment to allow the increase in height from 60 feet to 79 feet and to allow advertisement on public property. The sign Code 21.25.050 currently specifies the following signs as permitted signs on public property:

Building Division (714) 754-5273 • Code Enforcement (714) 754-5623 • Planning Division (714) 754-5245
FAX (714) 754-4856 • TDD (714) 754-5244 • www.costamesaca.gov

C-6 Cont'd

(a) Government Signs. Traffic control and traffic directional signs erected by the city or another governmental entity; official notices required or authorized by law; signs placed in furtherance of governmental functions; signs on which the city expresses its message(s) to the public.

(b) Legal Nonconforming Signs. Permanent signs which were erected in the past on public property in conformance with all then-applicable laws, rules and regulations may remain in that same location so long as they have not been and are not expanded or moved, and are properly repaired and maintained.

If the City Council is intending to approve the EMC sign, we strongly recommend that the following conditions of approval be imposed:

C-7 • Height - Lowering the sign to a maximum of 31 feet to the illuminated portion.

C-8 • Consider a constant measuring factor similar to a maximum illumination of 300 nits luminance during times of operation. The proposed 0.3 foot-candle above ambient light at 250 feet from the face of the sign is very subjective and hard to monitor over time after final installation of the sign.

C-9 • Hours of Operation - Restricting the hours of operation from 7:00 AM to 10:00 PM with a gradual dimming starting at 9:00 PM

C-10 • Display – No flashing or animated displays or images should be permitted on the LED sign.

C-11 • Provide a landscape screen consisting of trees to shield sensitive uses from views of the sign to the extent that is feasible and practical.

C-12 • Compliance with Caltrans Requirements – In compliance with Outdoor Advertising Act and Regulations 2014 Edition, the message center displays are required to not illuminate resulting in flashing, intermittent, or moving light or motion that changes in intensity or exposes its message for less than four seconds.

C-13 These conditions are consistent with the SOCO EMC sign on the north side of the 405 Freeway including the height limitations. The SOCO sign was approved with a maximum height of 31 feet from the adjacent grade with a LED panel of 15 feet in height, which is considerably lower than the proposed sign.

We would appreciate the opportunity to review the staff reports and response to comments on the Draft Environmental Impact Report (DIER). Please feel free to contact Minoo Ashabi at 714/754-5610 with any questions.

Sincerely,

Gary Armstrong

Gary Armstrong, AICP
Director of Economic & Development /
Deputy CEO

cc: City Council
CEO

Mr. Andrew Perea, Planning Director
City of Fountain Valley
10200 Slater Avenue
Fountain Valley, CA 92708

Response to Letter C – City of Costa Mesa

C-1 The City acknowledges and appreciates this comment. The Draft EIR evaluated an alternative location on the north side of the Interstate 405 Freeway from the proposed location. This location was determined not to be feasible due to the existing sanitary sewer lines (owned by the Orange County Sanitation District) along Euclid Street in this area. There are few opportunities for alternative locations due to the limited amount of City owned property adjacent to the Interstate 405 (I-405) freeway. One of the project objectives of the EMC sign is to be located along a major freeway segment for maximum exposure. Therefore, proximity to the freeway is critical in the site location criteria.

The City sent notices to all residents and businesses within 500 feet of the project site. The City's normal distribution of 500 feet exceeds the State requirement of 300 feet.

C-2 The City concurs that significant and unavoidable visual impacts would occur to the Mesa Verde residential area on the east side of the Santa Ana River and the Santa Ana River trail due to the visibility of the proposed sign. The City does not concur the proposed project or "V Formation" Alternative would result in significant light and glare impacts. Potential light and glare impacts were evaluated in Section 5 of the Draft EIR. The closest residences to the proposed sign (approximately 700 feet away) are shown to have 0.02 footcandle additional light from the proposed sign. This additional amount of light is equivalent to 2 percent of the light from a single wax candle. The Outdoor Advertising Association of America commissioned a technical study for the recommended limits of brightness of electronic signs[1]. A billboard luminance limit of 0.3 footcandle at 250 feet from the billboard is recommended for a 14 ft. x 48 ft. size sign. The photometric study shows prepared for the project shows that both the proposed project and the "V Formation" Alternative are below the 0.3 footcandle limit at 250 feet. Additionally, the project requires mitigation measures that require the applicant to demonstrate that lighting controls have been incorporated into the sign to limit the maximum lighting output (brightness) of the sign to 3 percent or less of the maximum daytime brightness beginning one hour before dusk and one hour after dawn. Mitigation measures also require the applicant to provide a third party test of the sign to confirm sign brightness does not exceed the 0.3 footcandle limit once the sign has been constructed and is in operation. Therefore, potential impacts from light and glare are considered significant.

C-3 The City does not concur with this comment. The Lower Height Alternative was not considered the superior alternative because it would limit the visibility of the sign to the motorists on the I -405 freeway, the main target audience of the sign. As noted in Section

[1] Lewin Ph.D., Ian, *Digital Billboard Recommendations and Comparisons to Conventional Billboards*, November 26, 2008. http://polcouncil.org/polc2/DigitalBillboardsIanLewin.pdf

7.6 of the Draft EIR, one of the key constraints of a sign at 60-feet is the existing trees would screen significant portions of the sign from motorists in the southbound lanes. Landscape screening for aesthetic purposes was considered on page 5-15 of the EIR. Some screening measures from within the City of Costa Mesa were considered such as landscaping in the park or on the levee, however, it is unlikely that vegetative screening would screen the views from all potential view points in the neighborhood. Further, any trees or bushes planted would take time to mature and the impact would remain in the interim. Any planting within the park would be within the jurisdiction of the City of Costa Mesa and any planting on the levee would be within the jurisdiction of the Orange County Flood Control District. As such, the implementation or maintenance of the any screening plants would be outside the jurisdiction or control of the City of Fountain Valley. For these reasons tree planting was not considered to be a feasible mitigation measure. These screening constraints would occur regardless of the sign height at 60 feet or at 79 feet. No other screening methods were identified in the preparation of the Draft EIR and the comment does not propose any other screening methods.

It should be noted that Caltrans has an approved project to develop a new Euclid Street southbound I-405 on-ramp from Ellis Avenue as part of the larger I-405 Improvement Project. The new on ramp would add a new bridge across the Santa Ana River just south of the existing I-405 Bridge, as well as a span over the entrance to the Orange County Sanitation District's wastewater treatment plant entrance. Between these two bridges, the ramp would be elevated by retaining walls. Final designs have not been approved at this time, but the addition of a new bridge and elevated on-ramp may provide additional screening of the proposed sign.

The City agrees that the proposed sign is for general commercial advertisement. The City does not concur that distance visibility is not as critical for the commercial billboards. The increased visibility of the sign makes it easier for drivers to see at a distance and results in less distraction for the driver in trying to read the advertisement. Additionally, the increased height minimizes the frequency the sign would be screened from drivers by other high-profile vehicles (semi-trucks, large sport utility vehicles, etc.) on the road. In addition the higher sign height reduces the amount of luminance (brightness) on the ground.

C-4 The City concurs that the "V Formation" Alternative is the Environmentally Superior Alternative. Section 7.7 of the Draft EIR states the visual impacts of the sign would remain significant and unavoidable similar to the proposed project, which is the same height and the same size as the "V Formation" Alternative. The analysis does note the light and glare impacts would be reduced because the sign would be oriented towards the I-405 freeway, and the sign would be directly facing a smaller portion of the Mesa Verde neighborhood. The City does not concur that the "V Formation" sign configuration would significantly

increase the massing of the sign. The visibility of the sign would vary depending on the angle and direction from which the sign is viewed. The orientation of the sign would make it more visible to motorists on the freeway. Residents of the Mesa Verde neighborhood in Costa Mesa and visitors to Moon Park would see portions of the backside of the panel facing southbound traffic. The "V Formation" sign panels would be separated by 15 to 20 feet at the south end of the of the panel sides. Depending on the angle from which the sign is viewed the visibility of the back side of the sign panels increased. Views looking north from the Santa Ana River Trail would see the more the panel backsides and less of the front side of the panels. Therefore, the angled sign panels do not increase the massing of the proposed sign such that the visual impact is significantly increased or decreased.

C-5 The proposed sign location is located approximately 700 feet from the nearest residence. There is no other City owned property along Interstate 405 (other than the site discussed in Section 7.5 of the Draft EIR, the "Alternative Location") where the sign could be located and still maintain up to 700 feet from the nearest residence. Please see Response C-2 with regard to minimized light and glare on the adjacent Mesa Verde neighborhood.

C-6 The City does not concur that the Fountain Valley Municipal Code would need to be amended. Sections 21.25.010 and 21.25.040 of the City's Municipal Code states that private signs can be installed on public property with authorization of the City Council. The City Council would enter into a development and relocation agreement with the project applicant to erect, maintain and operate commercial signage on City property. A code amendment is not required for height. The Municipal Code does not have height restrictions for EMC signs.

C-7 The City does not concur that 31 feet is a feasible maximum height restriction for the proposed sign. The proposed billboard is 14 feet in height. That would put the bottom of the sign 17 feet above the ground. The adjacent freeway is elevated as it crosses Euclid Street and the Santa Ana River. The northbound lanes approaching the sign are elevated approximately 15 feet above the ground near the sign. At a maximum height of 31 feet, the bottom of the sign would be approximately the same height as the cars on the freeway. A sign at this height would increase the brightness on the freeway because of the proximity of the lights to the freeway surface. A sign at a maximum height of 31 feet would reduce the visibility of the sign from longer distances and increase driver distraction because it would require drivers to be closer to the sign to read it. Additionally, the sign would be substantially screened from view of the southbound lanes by existing trees and the City's Reservoir No. 1 at this height. For these reasons a sign with a maximum height of 31 feet is not considered feasible in this location.

C-8 Mitigation Measure AES-1 requires the project applicant to demonstrate that the electronic billboards are equipped with self-regulating dimmers that will control the brightness of the sign not to exceed 3 percent of the maximum daytime brightness from 1 hour after dawn to 1 hour before dusk. The 0.3 footcandle limit at 250 is the recommended limit of Outdoor Advertising Association based on technical studies. It is also the metric recommended by Caltrans. The benefit of measuring the illuminance at 250 feet is that it takes into account the existing ambient light, can be measured at eye level, and can be measured with a footcandle meter. As such, the existing mitigation measures are considered adequate.

C-9 The City does not concur with comment. The project will be in compliance with City and Caltrans Outdoor Advertising Act regulations. Mitigation measures have been incorporated into the project to ensure that the project does not exceed the 0.3 footcandle limit at 250 feet. Therefore, no restricted hours of operation are required nor proposed.

C-10 The City concurs with this comment. The sign advertising content will be required to comply with Section 5404(d)(1) of the Outdoor Advertising Act which regulates the motion, flashing, and time required in between messages. Enforcement will be through the Outdoor Advertising Display Permit the applicant must obtain from the California Department of Transportation (Caltrans).

C-11 Please see Response C-3 above regarding the landscape screening.

C-12 The City concurs with this comment. Please see Response C-10 above.

C-13 The City does not concur that the conditions applied to the SOCO EMC sign are applicable to the proposed project. The SOCO sign is within a different jurisdiction with different development regulations. Further, the proposed project and SOCO sign serve different functions (the SOCO sign is located at a retail shopping center and the proposed project is a commercial advertising sign), and have different physical constraints with the surrounding environment (existing trees and an elevated freeway overpass at the proposed site). Please see Response C-7 above as to why the 31-foot maximum height is not feasible for this project.