

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA APPROVING A RELOCATION AGREEMENT WITH LAMAR CENTRAL OUTDOOR, LLC FOR TWO NEW OFF-PREMISES ADVERTISING BILLBOARDS WITH ELECTRONIC DISPLAYS LOCATED ON THE SOUTH SIDE OF THE 210 FREEWAY, WEST OF CAMPUS AVENUE EASTBOUND OFF-RAMP AND ON THE NORTH SIDE OF THE 210 FREEWAY, EAST OF CAMPUS AVENUE WESTBOUND OFF-RAMP IN THE COLONIES AT SAN ANTONIO SPECIFIC PLAN

WHEREAS, Lamar Central Outdoor, LLC (“Lamar”) and Colonies Crossroads, Inc. have negotiated leases for two sites within the Colonies at San Antonio Specific Plan (CASASP) which are either owned or under control of Colonies Crossroads, Inc. Site 1 proposed for a digital billboard is located on the south side of the 210 Freeway, west of the Campus Avenue Eastbound Off-Ramp in Planning Area 18 of the CASASP. The site is approximately 2,032 square feet in size and is atop the area supported by a large retaining wall that runs along the north side of the Colonies Crossroads commercial center. The proposed digital billboard will be sixty-five (65) feet in height above the elevation of the adjacent freeway roadway. The overall sign area of the digital billboard is 672 square feet. Site 2 is located on the north side of the 210 Freeway, east of the Campus Avenue Westbound Off-Ramp in Planning Area 21 of the CASASP. This site is approximately 2,220 square feet in size and located within a parking lot planter of a multiple-tenant commercial building. The sign area and dimensions will be the same as the digital billboard on Site 1; and

WHEREAS, Lamar owns and operates eight (8) legal non-conforming billboard advertising structures within the city limits of City (each a “Billboard” and collectively the “Billboards”); and

WHEREAS, Lamar had previously owned and operated a total of thirteen (13) legal non-conforming billboard (the “Original Billboards”), however as part of previous “good faith” negotiations, the Company voluntarily decided to not renew the leases of five (5) billboards and removed them and are seeking credit as part of this Agreement, pursuant to Section 7.7 (Sign Standards) of the Colonies at San Antonio Specific Plan, for the two (2) relocated billboards; and

WHEREAS, Upland Municipal Code, Section 17.15 (Signs), and the California Outdoor Advertising Act, Business and Professions Code, Section 5200, et. seq. (in particular Bus. & Prof. Code Section 5412), allow local entities and display owners to enter into relocation agreements which allow local entities to continue development in a planned manner without expenditure of public funds while allowing the continued maintenance of private investment and a medium of public communications; and

WHEREAS, the California Outdoor Advertising Act (in particular Bus. & Prof. Code Section 5412) specifically empowers, and encourages, local agencies to enter into relocation agreements on whatever terms are agreeable to the City and display owners and to adopt ordinances and resolutions providing for relocation of displays; and

WHEREAS, on September 22, 2025 and October 27, 2025, the City Council approved first and second reading of an ordinance accordingly to amend Section 7.7 (Sign Standards) of the Colonies at San Antonio Specific Plan to allow billboards as a permitted use subject to specific regulations and development standard; and

WHEREAS, Section 7.7 (Sign Standards) of the Colonies at San Antonio Specific Plan, permits a billboard company to remove a minimum of two (2) existing "static" billboards located anywhere within the City per each new high resolution digital billboard installed within the Colonies at San Antonio Specific Plan on private property, subject to approval of a Relocation Agreement approved by the City; and

WHEREAS, Lamar wishes to credit the previous removal of four (4) Billboards as identified in Exhibit "A" (Listed as Nos. 1 through 4) to this Agreement (the "Original Billboards") in exchange for the right to construct and erect two (2) new digital Billboards within the Colonies at San Antonio Specific Plan area in compliance with Section 7.7 (Sign Standards) of the Specific Plan; and

WHEREAS, Lamar proposes to provide an enhanced benefit to the City by replacing the outdated reader board sign located at City Hall with a larger, higher resolution digital display; and

WHEREAS, entering into the Agreements is legitimately related to a governmental interest, and will provide a public benefit including reducing potential sign area along the 210 Freeway Corridor by 413 square feet than what is approved for the Colonies Crossroads Center's Master Sign Program, and the two relocated off-premises advertising Billboards will be used by the City to place public service announcements and/or display messages and other matters of public interest on any of the Relocated Billboards on an "as available" basis; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves as follows:

Section 1. Incorporation of Recitals. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

Section 2. Findings. Based on the mandatory findings set forth in Section 17.15.090(H) for approval of relocation agreements, the following findings and justification are hereby made as follows:

1. The proposed agreement is consistent with the goals, objectives, purposes and provisions of the Upland General Plan and the Upland Municipal Code.

Fact. The Agreements are consistent with the goals, objectives, purposes and provisions of the Upland General Plan, and the Upland Municipal Code. The Colonies at San Antonio Specific Plan implements the Upland General Plan for this area. Goal

1.3.3.c. states: *To augment the City's economic base by providing a variety of sales tax generating uses which minimize the leakage of taxable sales from Upland and attract taxable purchases from regional marketplace*". The Agreement will result in the placement of two digital billboards along the 210 Freeway at the Colonies Crossroads commercial center. Major and minor tenants at the Colonies Crossroads Center will be able to advertise to the approximately 200,000 Freeway travelers through this area, as well as attract new major tenants. This will result in an increase in taxable purchases from a regional area, as well as attracting retailers that are not in this area and thereby addressing sales tax leakage from Upland. The Agreements also meet all requirements contained in Section 17.15.090 of the UMC regarding relocation agreements and is located in a zoning district that is allowed to contain relocated off-premises advertising Billboards.

2. The proposed relocation site is compatible with the uses and structures on the site and in the surrounding area.

Fact. The two sites are within a regional commercial center adjacent to the 210 Freeway and Campus Avenue Interchange. The digital billboards will be designed as a pylon sign and are double-faced, and contain a high-resolution LED illumination. The colors and design will be consistent with the four existing Colonies Crossroads Freeway Pylon signs. This site is completely surrounded by urban development along a freeway corridor and is a compatible and suitable location.

3. The proposed relocation agreement either: contributes to the reduction of visual clutter in the City by proposing a net decrease in existing off-premises advertising displays, resulting in a reduction in the advertising square footage within the City; promotes activities of City-wide benefit and interest or generates significant revenue for the City; or in the case of relocations to accommodate a public project, the agreement serves the public interest eliminating the need for public fund expenditure.

Fact. The Relocation Agreement will cause a net decrease in overall total sign area along the 210 Freeway by 413 square feet. The two double-faced digital billboards will contain a total sign area of 2,688 square feet, and replace two, double-faced pylon signs permitted by the CASASP which would be 3,101 square feet in total sign area. The Relocation Agreement requires Lamar to place public service announcements and/or other matters of public interest requested by the City on the relocated Billboards on an "as available" basis at no charge.

4. The proposed off-premises advertising display would not create a traffic or safety problem with regard to onsite access circulation or visibility.

Fact. Both sites are situated along the 210 Freeway at the Campus Avenue Interchange. The digital billboards will require a permit by Caltrans and will be designed to meet Caltrans' standards and will not pose a traffic nor safety problem to freeway travelers. In addition, the Relocation Agreement provides that the Relocated Billboards shall not create a traffic hazard by distracting drivers or any obstructing traffic visibility, and shall be screened, tinted, shielded or otherwise

modified, as necessary, to eliminate excessive glare, as deemed sufficient by the Development Services Director.

5. The proposed off-premises advertising display would not interfere with onsite parking or landscaping required by City ordinance or permit.

Fact. Both sites are located in landscaped areas on private property that is owned by the Colonies Crossroads, Inc., and will not replace on-site parking, public or private, required to be provided by the CASASP, nor reduce the amount of landscaping beyond the requirements of the UMC or the Colonies at San Antonio Specific Plan landscape requirements.

6. The proposed off-premises advertising display would not otherwise result in a threat to the general health, safety and welfare of City residents.

Fact. The two off-premises advertising Billboards are located a suitable locations along the 210 Freeway Corridor and situated well clear of any pedestrian or vehicle circulation areas.

Section 3. CEQA. On August 13, 2012, an Addendum to the Final EIR (FEIR) for the Colonies at San Antonio Specific Plan was approved for Amendment No. 7 (Ordinance 1866) which allowed LED message center displays as an alternative to standard "can" lighting on four faces of the approved "Primary" and "Secondary" freeway pylon signs located in Planning Area 18, 19, 20 and 21. Prior to rendering a decision on Amendment No. 7, a subsequent or supplemental EIR was not required as none of the conditions described in Section 15162 and Section 15163 of the CEQA Guidelines existed, and preparation of an Addendum to the FEIR meets the requirements of CEQA as follows:

- Major EIR revisions are not required: There is no evidence that major changes to the certified EIR are required. Comparison of the original Specific Plan SPR-7 to the Project indicates that there are no new significant or more severe environmental impacts, and that the approval of the Project would have the same or reduced impacts as those described in the certified EIR.

- No substantial change in circumstances requiring major EIR revisions due to the involvement of significant new or more severe impacts: There is no information in the record, or otherwise available, that indicates that there are substantial changes in circumstances that would require major changes to the certified EIR. In addition, there is no information in the record that shows there will be new significant effects or more severe impacts than previously identified, or any new information that suggests new mitigation measures or mitigation measures previously identified as infeasible are now, in fact, feasible.

- No new information showing effects of greater significance than identified in the EIR: There is no substantial new information that was not available at the time the EIR was certified, indicating there will be a new and significant impact requiring major revisions to the certified EIR.

- No new information showing ability to reduce significant effects identified in the EIR: There are no new significant impacts requiring identification of new or additional alternatives to the Project, or consideration of new or additional more significant effects identified in the EIR.

Amendment No. 8 to the CASASP approved in 2025 allows billboards as a permitted use and allows two digital billboards to be constructed in place of two secondary freeway pylon signs with LED electric message center displays. Amendment No. 8 was determined not to create a significant change and was consistent with the findings relative to Section 15162 and Section 15163 of the CEQA Guidelines.

The net difference in Amendment 8 than what was previously approved under Amendment No. 7 would result in the proposed two digital Billboards decreasing total sign area by 413 square feet, and an increase of 10 feet in height above the adjacent freeway roadway than the two secondary freeway pylon signs being replaced. Both digital billboards will be designed as a pylon sign, and the colors and design will be consistent with the four existing Primary Freeway Pylon signs.

In addition, the Relocation Agreement and the two digital billboards permitted would also be independently Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines (Class 3 New Construction or Conversion of Small Structures), in that the project involves the installation of two off-premises advertising billboards with electronic displays. None of the exceptions to the Class 3 exemption apply, as the project would not impact an environmental resource of hazardous or critical concern. There are no cumulative impacts, as the two billboards would replace two secondary freeway pylon signs which total sign area is more than the two digital billboards. There are no unusual circumstances surrounding the project sites and the project would not damage resources within a state scenic highway, is not located on a hazardous waste site, and would not impact the significance of a historical resource as the sites are currently within an urbanized commercial corridor along a major highway.

Section 4. Approve Relocation Agreement. The City Council hereby approves the Relocation Agreement in substantially final form as attached to this Resolution as Exhibit A. The City Council hereby authorizes the City Manager, with the concurrence of the City Attorney, to make any non-financially substantive changes determined to be appropriate and in the City's interest and execute said Agreement. City Manager is hereby authorized to take any additional steps necessary to facilitate the intent of this action.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 6. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this

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Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 7. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 23RD day of March, 2026.

Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 23rd day of March, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Keri Johnson, City Clerk

EXHIBIT A
RELOCATION AGREEMENT

[Attached behind this cover page]