

California Department of Transportation

DIVISION OF TRAFFIC OPERATIONS
P.O. BOX 942873, MS-36 | SACRAMENTO, CA 94273-0001
(916) 654-6473 | TTY 711
www.dot.ca.gov/programs/traffic-operations/oda



April 30, 2025

Chris McCarver
Branded Cities San Francisco LLC c/o Chris McCarver
2850 E. Camelback Rd Suite 110
Phoenix, AZ 85016

Re: Outdoor Advertising Preliminary Application Number P12-3540

Dear Chris McCarver:

Thank you for your outdoor advertising preliminary review application for an outdoor advertising display comprised of a 1/2 V-shaped display to be placed in the County of Orange, adjacent to State Route 405, at Post Mile marker 18.675R, and 260 feet north of Edwards Street. A true and correct copy of your application is attached hereto for your reference. Unfortunately, the display location does not conform to the requirements of the Outdoor Advertising Act codified at California Business and Professions Code section 5200 et seq.; therefore, the application cannot be approved for the following reason(s):

- Pursuant to Section 2422 of Title 4 of the California Code of Regulations, applications along a new alignment of interstate cannot be accepted until the project has been accepted. Your display location is currently within the San Diego Freeway (I-405) '12-0H100 405 WIDENING & ADDING AUXILARY LANES' project, number 1200000180.
- Outdoor Advertising Act section 5408 requires that new displays be placed within 660 feet of the edge of the right of way of interstate or primary highways be placed within a business area. A "business area" means an area within 1,000 feet, measured in each direction, from the nearest edge of a commercial or industrial building or activity and which is zoned under authority of state law primarily to permit industrial or commercial activities. The proposed display location was recently changed from right-of-way to Light Industrial (M1) zoning. The zoning change was primarily established to allow the placement of revenue generating outdoor advertising displays. Pursuant to Title 23, Code of the Federal Regulations section 750.708(b), State and local zoning actions must be taken pursuant to the State's zoning enabling statute or constitutional authority and in accordance therewith. Action which is not a part of comprehensive zoning and is created primarily to permit outdoor advertising structures, is not recognized as zoning for outdoor advertising control purposes.

Therefore, your preliminary review application is denied. The preliminary determination application process is designed to provide applicants with the Department's preliminary determination as to whether a particular site would qualify for a permit if a

permit application were submitted; it is not intended to substitute for the permit application process, which provides an actual decision on an actual outdoor advertising permit application. A preliminary determination is non-binding-it neither compels nor denies any further action- and thus, it does not qualify for any legal remedy such as an appeal process.

If you have any questions, please contact our office at (916) 654-6473.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Anzo', with a stylized flourish at the end.

GEORGE ANZO
Area Manager

Enc.:

Outdoor Advertising Permit Applications and:

- Zoning Documents
- Project Documents