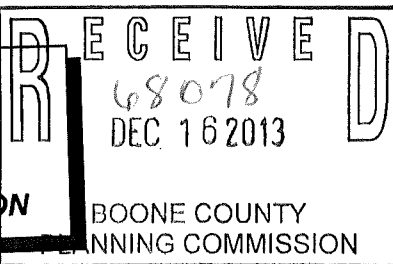


APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED
See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

1. (Check One)
 Boone _____ Florence _____ Walton _____ Union _____
2. (Check One)
_____ Conditional Use Permit (Signage) _____ Variance _____ Appeal _____
_____ Change in Non-Conforming Use _____
3. Applicant's Name Clean Energy (ATTN: Monica Ultreras) *ATTN: BILL LOTZ*
Applicant's Address 4675 MacArthur Court, Suite 800 *SEE ATTACHED BUSINESS CARD*
Newport Beach CA 92660
City State Zip
4. Phone Number (949) 437-9022 Fax No. (949) 724-1343 E-Mail multreras@cleanenergyfuels.com
Description of Request: Clean Energy is requesting the installation of additional signage for a Liquefied Natural Gas (LNG) fueling facility.
5. Name of Development Clean Energy LNG Fueling Facility
6. Location of Development _____
245 & 249 Shoreland Drive, Walton, KY 41094 (Parcel 075.00-13-018.00 and 075.00-13-019.00)
7. Acreage Under Review 2.01 acres (87,345 SF)
8. Lot Number and Name of Subdivision (if part of a subdivision)
Lot 18 and Lot 19 of Richwood Industrial Park Subdivision
9. Owner of Property SRM Investments, LLC
Address of Property Owner PO Box 18670
10. Erlanger KY 41018
City State Zip
Phone Number 859-331-6226 Fax No. 859-331-9416 E-Mail _____
11. Proposed Use(s) on Site Clean Energy Liquefied Natural Gas (LNG) Fueling Facility
12. Total Square Footage of Existing and/or Proposed Buildings 900 SF (area of proposed canopy)
13. Current Zoning on Property I-1 (Industrial)
14. Deed Book 871 Page No. 820 Group No. 2065
15. Is the site subject to a zone change? No
If yes, give date of approval _____
N/A
16. Have you submitted a Site Plan with this request? Yes
17. Have you submitted a list of adjoining property owners with this request? Yes
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: Michael O'Neary - Member-SRM

ORIGINAL Applicant's Signature: Monica Ultreras

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over)

Bill Lotz

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 12/16/13 Fee Received 932.⁰⁰ Receipt # 68078
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:

1/8/14 **Approved**
Approved with Conditions (See #6)
Denial (See #7)

6. Conditions of Approval: SEE 1/8/14 Meeting Minutes
AND CLR

7. Reasons for Denial: _____

14-BCBOA-002-A

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

STAFF REPORT

APPLICANT: Bill Lotz for Clean Energy

LOCATION: Lots 18 and 19 Richwood Industrial Park, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: January 8, 2014

PROPOSAL

The applicant has submitted a Variance request to increase the permitted signage on three faces (south, east, and west) of a liquified natural gas (LNG) fuel canopy. The request is to increase the permitted signage from 25% of the fascia area to 100% of the fascia area on all three canopy faces.

APPLICABLE REGULATIONS

Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the requests as they relate to the Variance criteria as listed in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
 - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

Section 3413 (2) of the Boone County Zoning Regulations states that canopy (on gasoline and other completely detached canopies) mounted signage is permitted on no more than three (3) elevations of the canopy. The square footage allowed for canopy signs may not exceed 25% of the area of the fascia on which they are mounted. The signs may not extend above or below the fascia of the canopy.

Section 4000 of the Boone County Zoning Regulations defines a sign as a device designed to promote and identify an establishment or activity by any means including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

SITE CHARACTERISTICS

The 2.01 acre site is located on the southwest corner of Richwood Road, Paper Boulevard, Shorland Drive intersection and is located in Richwood Industrial Park. The property has approximately 284 feet of frontage on Shorland Drive and approximately 250 feet of frontage on Richwood Road. The property is currently undeveloped and is currently comprised of overgrown grass. Boone County GIS shows that the topography of the site falls 912 feet above sea level at the northwest property line to 896 feet above sea level at the southeast property line. Fifteen foot overhead utility easements exist along both road frontages and a 20 foot storm drainage easement runs through the back of the site.

SURROUNDING LAND USES AND ZONING

North: Shorland Drive, Paper Blvd., Roosevelt Paper, and Verst Group Logistics (I-1)

South: Peach State Roofing, Winnelson Plumbing Supply (I-1)

East: Richwood Road and Walton Fire District (I-1)

West: Undeveloped Lot 17 in Richwood Industrial Park (I-1)

STAFF COMMENTS

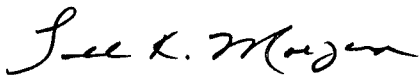
1. The applicant informed Staff that the facility will initially be constructed to fuel tractor trailers that run on liquified natural gas (LNG). The facility may also fuel fleet vehicles in the future that run on compressed natural gas (CNG). The applicant has provided some a general information brochure.
2. Staff has the following questions for the applicant:
 - A. The Site Plan shows the fuel canopy could be extended in the future. What are the approximate dimensions? Would the canopy addition contain more signage?
 - B. The elevation drawings show the north face of the fuel canopy will be green. Is this entire face one color? Is there any text, graphics, or illumination?

3. On December 16, 2013, the applicant submitted a Special Sign District application to Boone County Planning Commission to allow the signage that is shown on the fuel tanks. The Board of Adjustment cannot act on the request because fuel tank signage is not permitted under the Boone County Zoning Regulations. Boone County Planning Commission will be holding a public hearing on the Special Sign District Request on February 5, 2013 and will eventually send a recommendation to Boone County Fiscal Court. Boone County Fiscal Court will take final action on the Special Sign District request.
4. On December 16, 2013, the applicant submitted a Major Site Plan application to Boone County Planning Commission for the LNG fueling station. This plan is still under review.
5. Staff took some pictures of the Pilot and Travel Centers of America fuel canopies located on the west side of the Dixie Highway/Richwood Road intersection for comparison purposes.
6. The Planning Commission has proposed some changes to the gas canopy sign regulations as part of the Zoning Update. The newly proposed language states "the square footage allowed for canopy signs may not exceed 25% of the area of the fascia on which they are mounted and are figured within one rectangular sign area. The signs may not extend above or below the fascia of the canopy. A non-illuminated, two-dimensional horizontal stripe (paint, decal, etc.) consisting of a maximum of two (2) colors, including the background color, will be permitted on no more than three (3) elevations of the canopy and will not be counted as sign area." Boone County Fiscal will be taking action on the Zoning Update later this year.
7. The Board needs to analyze the Variance criteria before acting on the requests.

CONCLUSION

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Boone County of Adjustment and Zoning Appeals the authority to act on the requests.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

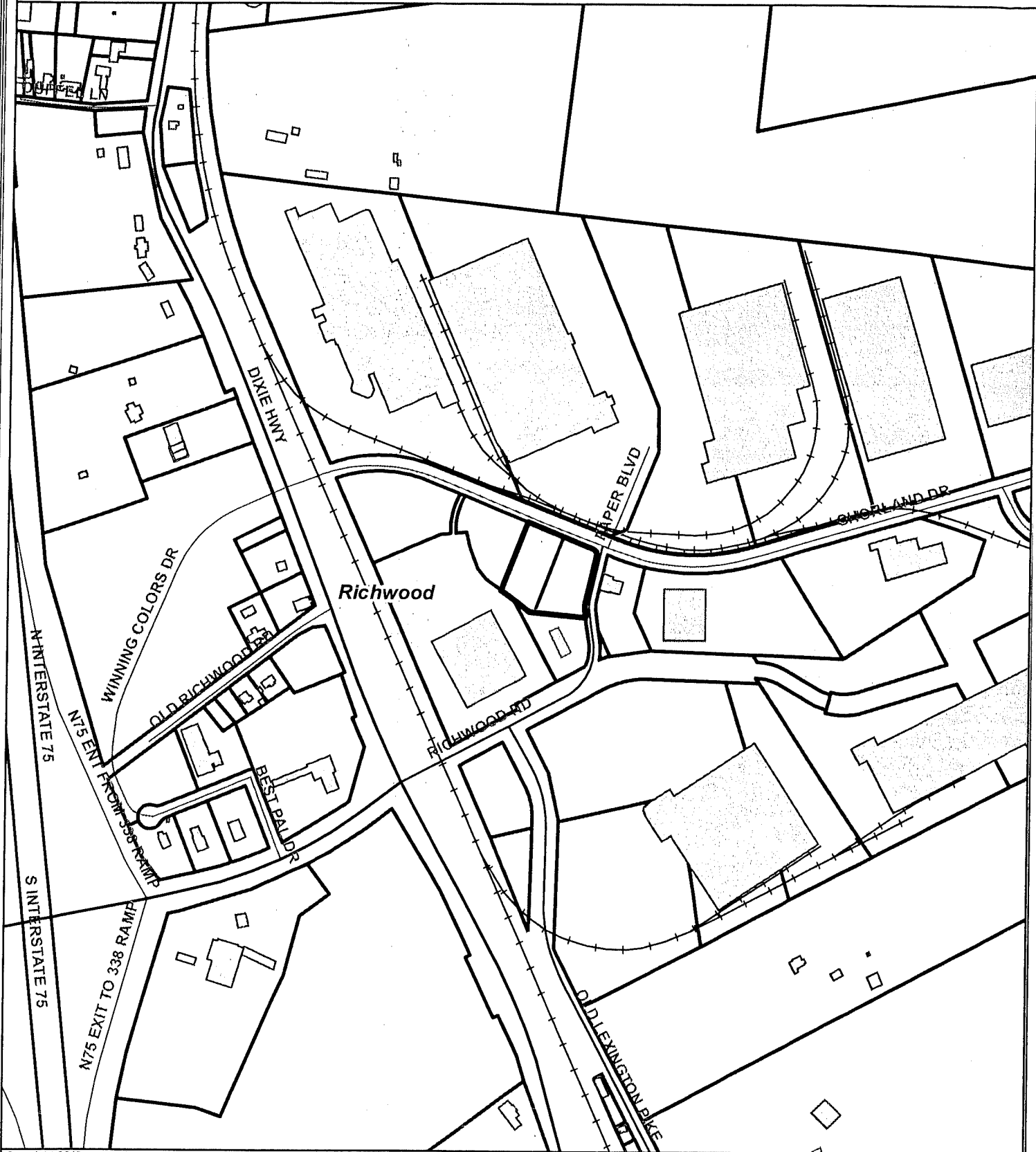
TKM/vlm

Attachments

- *Site Vicinity Map
- *Letter From Applicant
- *General Information Brochure
- *Site Plan
- *Elevation Drawings
- *Sign Specifications
- *Zoning Map
- *Topographical Map
- *2012 Aerial Map
- *Application

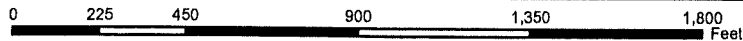
SITE VICINITY MAP

www.boonecountygis.com



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Data used to create the map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 500 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Boone County GIS 2012



November 26, 2013

Mr. Kevin A. Wall
Planning Director / Zoning Administrator
Boone County Planning Commission
2950 Washington Street, Burlington, KY 41005

**RE: 245 & 249 Shorland Drive, Walton, KY 41094
Request for Approval of Major Site Plan Review, Three (3) Sign Variances, and Special
Sign District**

Dear Mr. Wall:

Please be advised that Clean Energy is requesting approval for a Major Site Plan Review, three (3) Sign Variances and a Special Sign District at the above-referenced property. Clean Energy is the leading provider of natural gas fuel for transportation in North America and a global leader in the expansion and introduction of natural gas vehicles. As a result Clean Energy designs, builds, operates, and maintains natural gas fueling stations offering the latest in convenience, technology, and safety. Compared to diesel and gasoline, natural gas fuel is cheaper, cleaner, and greener. It is sourced domestically with supplies projected to last over 120 years. Clean Energy is committed to delivering the benefits of natural gas fuel to fleet operators across America, at the same time Clean Energy is dedicated to protecting the environment by promoting sustainable clean-fuel transportation solutions.

Additionally, Clean Energy envisions a fueling network that enables trucks to operate on natural gas in all key markets across the Country. To make this goal a reality, Clean Energy is actively developing America's Natural Gas Highway, with LNG and CNG fueling stations at strategic locations along major interstate trucking corridors. Many stations will be located at Pilot-Flying J travel centers and other major service station area that already serve truckers across the Country. Clean Energy respectfully requests the assistance of the Boone County Planning Commission to promote the benefits of natural gas by means of approving our Major Site Plan Review, Sign Variances and Special Sign District.

Pursuant to Section 11102 of the 2006-2008 Boone County Zoning Regulations Article 30, a Site Plan Review is required for all permitted uses in the Industrial One (I-1) Zone. Due to the scope of the proposed development, Clean Energy is required to follow the procedures for a Major Site Plan Review pursuant to Section 3002. Furthermore, a Variance is required to deviate from the maximum allowable signage allotment on each fascia of the canopy structure as prescribed in Article 34 (Signs). This results in the need for three (3) Sign Variances as there are signage proposed on three (3) sides of the canopy, all of which exceeds the maximum sign area allowed per fascia. Additionally, during review of Clean Energy's prototypical signage plans with City staff, Mr. Mitchell Light indicated a Special Sign District will be required for the proposed signage on the two (2) above ground storage tanks as they are not referenced in the Boone County Zoning Regulations. Below is a project background and details associated with our request.

Major Site Plan Review

Clean Energy is seeking approval of their Major Site Plan Review for a proposed LNG fueling facility at 245 and 249 Shorland Drive. Pursuant to the 2006-2008 Boone County Zoning Regulations Article 30 (Site Plan Review) Section 3002 (Procedure), a Major Site Plan Review is required for development that involves "exterior utility construction (storm water, water, sanitary sewer, etc.), grading work, more than 12 parking spaces, more than a 15% increase in the existing building square footage, access points or curb cuts, a loading area in excess of 10,000 square feet, or construction of a new building regardless of size upon demolition of an existing building". Since the subject property is currently a vacant lot, the proposed development and associated site improvements will trigger the need for approval of a Major Site Plan Review.

Approval of Clean Energy's Major Site Plan Review will be in harmony with the purpose and intent of the 2006-2008 Boone County Zoning Regulations Article 30 Section 3001 (Authority) to protect the public health, safety, and general welfare of Boone County. The granting of this Major Site Plan Review application will actually result in improvement to the public health, safety and welfare of the Boone County community because LNG vehicles emit up to 30% less greenhouse gas emissions than gasoline or diesel vehicles, thereby improving local air quality. Furthermore, Clean Energy's proposal will provide for adequate onsite and offsite traffic circulation and will not create unnecessary congestion. The proposed ingress and egress are located off public roads that are developed and serve as primary and/or secondary streets connecting to Dixie Highway 25 (U.S. 25). The placement of the ingress and egress access for the proposed development will result in traffic patterns that are consistent with existing conditions in the area and will enhance the community by adding a publically beneficial use to an otherwise vacant piece of land. Furthermore, the development is located on a street that serves local industrial, warehousing and manufacturing businesses who may directly benefit from the availability of the American alternative fuel that will be provided at this property.

The station will be located at 245 and 249 Shorland Drive, on the southwest corner on Shorland Drive and Paper Boulevard/Richwood Road. The proposed fueling facility would serve as a new use that is complementary to existing uses in the area which are industrial in nature and transit oriented. Clean Energy's application would be to develop a vacant property to include a 900 square-foot canopy with signage, fueling dispensers, card readers, two 42.7' tall above ground storage tanks, associated controls, equipment pads, interconnecting piping, site light standards and safety systems. Approval of the Major Site Plan Review is consistent with the zoning regulations (provided our requested Sign Variances are approved and Special Sign District established) and is necessary to the installation of an LNG fueling facility at the subject location.

Sign Variance Requests

During initial research, Clean Energy found that its prototypical sign package will exceed the allowable signage allotment per canopy fascia for the property pursuant to Sign regulations in Article 34 the 2006-2008 Boone County Planning Commission Zoning Regulations and will require a separate Variance for each of the three (3) sides of the canopy fascia. This information was further confirmed by Boone County staff at the Pre-Application Meeting regarding this project on September 29, 2013. Clean Energy is proposing to construct and install its standard vertical tanks, canopy over the fueling area and incorporate its company name, logo and informational/directional verbiage on the canopy and tanks to aid in identifying the LNG product/facility. However, the prototypical package exceeds the allowable signage area and will result in the need to obtain approval of the three (3) variances requested.

It is Clean Energy's understanding per the 2006-2008 Boone County Planning Commission Zoning Regulations Article 34 (Signs) Section 3413(2) (Free-Standing Canopy Signs), that Clean Energy is allowed canopy signs on no more than three (3) elevations on the canopy not to exceed 25 percent of the area of the fascia on which they are mounted.

The total Clean Energy signage proposed is 325.2 square feet which includes 72.75 square feet of permitted canopy signage, 10.85 square feet of additional canopy signage, and 241.6 square feet of tank signage (inclusive of Clean Energy's green band). The tank signage is currently not addressed in the Zoning Regulations, however, staff indicated that it can be permitted with the establishment and approval of a Special Sign District. Therefore, Clean Energy is only requesting Variances for 10.85 square feet of additional signage on three (3) canopy sides as the tank signage will not be included in the sign variance requests and will be addressed with a Special Sign District application, as directed by staff. Although Clean Energy intends to submit a sign application for the signs that are permitted per the Boone County's Zoning Regulations, Clean Energy is seeking a variance for the additional sign area on three (3) sides the canopy structure to assure fuel type identification to both consumers and emergency responders.

Please note that Clean Energy is not requesting approval of any prohibited signs as described in Zoning Regulation Article 34 Section 3408 (Signs Prohibited in All Districts), nor is Clean Energy requesting for signage associated with fuel price advertisement. The request is solely associated with fuel type identification and availability.

Furthermore, Clean Energy is requesting approval to install vinyl applique signs on its canopy at the locations as indicated, with two illuminated signs mounted to the face of the canopy where noted. As per the attached Signage plan, please note the precise locations as referenced below:

Proposed Signage on Canopy:

On the CNG Equipment Side Elevation of the Canopy:

- Vinyl Logo & "Clean Energy" Vinyl Letter Set 18.8 Square Feet Advertising and "Natural Gas For Vehicles" 12.6 Square Feet Directional Vinyl Letter Set
(Total of 31.4 Square Feet proposed)
 - 27 Square Feet is allowed per 2006-2008 Boone County Planning Commission Zoning Regulation Article 34 Section 3413(2)
 - 4.4 Square Feet of additional canopy signage is requested

On the Electrical Equipment Side Elevation of the Canopy:

- Illuminated Logo & "Clean Energy" Vinyl Letter Set 19.8 Square Feet Advertising and "Natural Gas For Vehicles" 12.6 Square Feet Directional Vinyl Letter Set
(Total of 32.4 Square Feet)
 - 27 Square Feet is allowed per 2006-2008 Boone County Planning Commission Zoning Regulation Article 34 Section 3413(2)
 - 5.4 Square Feet of additional canopy signage is requested

On the Fueling Side Elevation of the Canopy:

- Illuminated Logo & "Clean Energy" Vinyl Letter Set
(Total of 19.8 Square Feet)
 - 18.75 Square Feet is allowed per 2006-2008 Boone County Planning Commission Zoning Regulation Article 34 Section 3413(2)
 - 1.05 Square Feet of additional canopy signage is requested

Pursuant to Article 2 (Administration) Section 251 (Application and Standards for Variances) of the 2006-2008 Boone County Planning Commission Zoning Regulations, dimensional variances may be approved by the Board of Adjustment and Zoning Appeals when they find that the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In this particular case, Clean Energy believes these criteria have been met by the proposed signage package as it relates to the site and the use to be established on said site.

Variance Criteria A – The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.

The requested sign variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone. The granting of the three (3) variances to allow Clean Energy's deviation from the allowable sign area on the proposed canopy fascia in the Industrial One (I-1) Zone per the 2006-2008 Boone County Planning Commission Zoning Regulation Article 34 Section 3413(1) and Section 3413 (2) is due to special circumstances detailed below and do not apply to land in the general vicinity, or in the same zone. A literal interpretation of said provisions would deprive Clean Energy of rights commonly enjoyed by other properties of the same zoning district in which the property is located.

The distinctive design of the Clean Energy LNG fueling facilities creates a particularly unique site condition in that there is no building on which to locate signage as would be typical, thus creating an unparalleled hardship limiting this facility to minimal signage allowance on the canopy locations and two above ground storage tanks for our use. Several other properties within the same zoning district are developed with storefront businesses that are afforded substantially more identification due to the presence of full building walls and/or freestanding signage. Given the unique design of Clean Energy's LNG fueling facility, strict application of the zoning code precludes adequate visibility, identification, and communication – all of which are enjoyed by other properties within the same zoning district. It is for these unique hardships that Clean Energy seeks three (3) variances to utilize greater than the allowable space on the canopy for the proposed signage as has been indicated on the signage plan.

Variance Criteria B – The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

Strict application of the provisions of 2006-2008 Boone County Planning Commission Zoning Regulation Article 34 Section 3413(1) and Section 3413(2) would deprive Clean Energy of any reasonable use of this land as an LNG fueling station and would create an unnecessary hardship on Clean Energy as it would preclude adequate visibility, identification, and communication. The distinctive design of the Clean Energy fueling facilities creates a particularly unique site condition in that there is no building on which to locate signage as would be typical, thus creating an unparalleled hardship limiting this facility to a minimal signage allowance on the canopy and two above ground storage tanks.

Clean Energy's proposed signage on the canopy and two tanks are primarily for effective identification and communication of the site to potential patrons and emergency responders. The area is characterized by larger properties which front the well-traveled roadway and nearby highway. Several other properties within the same zoning district are developed with storefront businesses that are afforded more identification due to the presence of monument, freestanding, and building wall signage. It should be

noted the increased area not only provides better identification, but accommodates the informational statement "Natural Gas For Vehicles" which is approximately twelve square feet. This statement enhances communication and allows potential patrons to quickly identify the site as an alternative fueling facility. Given the unique design of the fueling facility, strict application of the Zoning and Development Code precludes adequate visibility, identification, and communication – all of which are enjoyed by other properties within the same zoning district. We are simply requesting to be allowed total signage area that is essentially equivalent to that of a typical use within the same zone.

Clean Energy is not proposing off-site or freestanding signage, therefore, the proposed signage on the canopy and tanks are the only signage that would provide any sort of identification for the facility. If Clean Energy complies with the prescribed signage regulations, Clean Energy will be deprived of beneficial use of the land and will make no reasonable use of this property as an LNG fueling facility, therefore, the subject property will be eliminated as a viable candidate for this project.

Variance Criteria C – The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.

The circumstances are not the result of actions of Clean Energy subsequent to the adoption of the zoning regulations from which relief is sought. The characteristics of the subject site and proposed use of LNG fueling are both unique and cannot be practically corrected. Due to the lot configurations and surrounding conditions of the property, no reasonable improvements or alterations to the existing site will accommodate the installation of the LNG facility without exceeding the maximum sign area for the canopy and tanks. The parcel not only fronts two streets (Shorland Drive, Paper Boulevard/Richwood Road), but is oddly shaped, consists of multiple small lots, and due to setback regulations, in addition to onsite traffic circulation patterns necessary for adequate vehicular maneuvering, the facility design and layout on the property itself may minimize visibility from the public right-of-way. The proposed sign variance is required to allow for the use of an alternative fuel with adequate signage for identification, and not for fuel price advertisement purposes. The LNG fueling station and tanks are designed to best fit within the property boundaries and with a minimum impact to the site. Thus, allowing the additional sign area is the minimum relief necessary to allow for an LNG fueling station. This is in no means the result of general circumstances within the zone or caused by an action of the applicant, it is rather the result of new technology related to an alternative (American) fuel.

Furthermore, the variance will actually result in substantial justice and improvement to the public safety and welfare because LNG vehicles emit up to 30% less greenhouse gas emissions than gasoline or diesel vehicles, thereby improving local air quality. In addition, LNG engines can reduce noise by as much as 50% compared to diesel engines. The surrounding area is zoned for industrial and general business uses which are typical at exits off of the highway and national interstate system. Proposed lighting fixtures will have a downcast design and will be adjusted to minimize impact of light on adjacent properties. Truck traffic and transportation of goods is common along this corridor and adjoining streets. Therefore, the proposed LNG fueling station would be compatible with the area and not alter the essential character of the neighborhood.

Special Sign District

During review of Clean Energy's prototypical signage plans with City staff, Mr. Mitchell Light indicated establishment of a Special Sign District will be required to allow signage on the two (2) above ground storage tanks as they are not referenced in the Boone County Zoning Regulations.

Clean Energy's request for establishment of a special sign district is intended to help better identify a use that is in conformance with the 2010 Boone County Comprehensive Plan. The goal of the Economy Element found in the 2010 Comprehensive Plan states that "Boone County shall promote a vibrant and sustainable economy that encourages innovation and prosperity with meaningful employment opportunities for all its citizens and respects the physical environment". Clean Energy continues to be an innovative leader in the natural gas industry in North America and encourages environmental awareness by promoting the use of an alternative (American) fuel. The LNG fuel that Clean Energy provides is locally sourced and supports the local economy in a multifaceted fashion.

According to the Business Activity Element of the Comprehensive Plan, one of the base industries within Boone County is transportation, defined as the "movement of people and merchandise from one place to another". Clean Energy's goal of building America's Natural Gas Highway is to provide natural gas fueling infrastructure that will serve long-haul trucks traveling across the USA as well as regional trucks working within local areas, such as Boone County. Furthermore, the subject site is located within a recommended area of commercial and industrial activities due to its proximity to the U.S. 25 and Richwood interchange and will have the potential to service local industrial businesses, such as those located within the Northern Kentucky Industrial Park, as well as regional industrial and commercial businesses.

The Business Activity Element also states that the Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors" and recommends that "most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads". The Business Activity Element also recommends that commercial and industrial business be located in the area between U.S. 25 and the Boone/Kenton County line as it contains industrial potential due to interstate and rail access. Due to the anticipated industrial traffic in this area of Boone County, it is increasingly important for Clean Energy to provide adequate and easily identifiable signage on site to reduce confusion and mitigate distractions for motorists.

Additionally, pursuant to the Transportation Element of the Comprehensive Plan, the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) updated the Regional Transportation Plan in 2008 to include Clean Air Act Amendments (CAAA) and the Transportation Efficiency Act (TEA-21) that defines context and direction for the plan and results in some actions and efforts that include the use of alternative fuels. The Boone County industrial and commercial industries in the subject area can directly benefit from the availability of natural gas fuel while the overall community can benefit from the environmental values that will result from the proposed development.

The proposed special sign district is intended to create a sign package for the proposed Clean Energy LNG fueling facility located at 245 and 249 Shorland Drive that is harmonious with the adjacent uses and development while providing proper identification for the Clean Energy facility. The proposed development is located on a 2.01 acre site bounded by Shorland Drive on the north, Richwood Road on the east and south, and Winteriors hardware store on the west.

For the purpose of this special sign district, only signage on the two (2) above ground storage tanks will be addressed. The two tanks are 42.7 feet tall and the height of all proposed signage will not exceed the height of the tanks. The Clean Energy logo, letter set, and green band proposed on each elevation of the tanks are vinyl appliques. The total sign area per elevation for each tank is 60.4 square feet. The total and breakdown of the sign area for each tank is provided below.

Proposed Signage on Tanks:

On the Offloading Elevation of **Tank 1:**

- Vinyl Logo and “Clean Energy” Vinyl Letter Set and Vinyl Green Band
(Total of 60.4 Square Feet)
 - 27.4 Square Feet Vinyl Logo and “Clean Energy” Vinyl Letter Set
 - 33 Square Feet Vinyl Green Band

On the Offloading Elevation of **Tank 2** (to be installed in 2-3 years when demand increases):

- Vinyl Logo and “Clean Energy” Vinyl Letter Set and Vinyl Green Band
(Total of 60.4 Square Feet)
 - 27.4 Square Feet Vinyl Logo and “Clean Energy” Vinyl Letter Set
 - 33 Square Feet Vinyl Green Band

On the Fueling Side Elevation of **Tank 1:**

- Vinyl Logo and “Clean Energy” Vinyl Letter Set and Vinyl Green Band
(Total of 60.4 Square Feet)
 - 27.4 Square Feet Vinyl Logo and “Clean Energy” Vinyl Letter Set
 - 33 Square Feet Vinyl Green Band

On the Fueling Side Elevation of **Tank 2** (to be installed in 2-3 years when demand increases):

- Vinyl Logo and “Clean Energy” Vinyl Letter Set and Vinyl Green Band
(Total of 60.4 Square Feet)
 - 27.4 Square Feet Vinyl Logo and “Clean Energy” Vinyl Letter Set
 - 33 Square Feet Vinyl Green Band

Establishment of the proposed special sign district is specific to the subject site and Clean Energy’s signage on the above ground storage tanks only. Tank mounted signs located on the subject property shall conform to the requirements in Article 34 of the 2006-2008 Boone County Zoning Regulations that are not replaced by sections below.

For the purpose of this special sign district, the following standards shall apply:

1. Tank mounted signs shall not exceed 58 square feet in area per frontage.
2. A maximum density of three (3) signs per tank frontage will be permitted.
3. A maximum of two (2) frontages shall be allowed per tank.
4. Tank mounted signs shall remain within private property and shall not project into the public right-of-way.
5. No signs shall be permitted to be located above the top of the tank or exceed 42.7 feet in height.
6. No freestanding signs shall be permitted on site.
7. Tank mounted signs shall not be illuminated, cause glare or distract motorists.
8. The materials, colors, and design details of the signs shall match or correlate to one of the principal buildings and/or structures on site.

4675 MacArthur Court, Suite 300
Newport Beach, CA 92660 USA
562.493.2804 fax 562-493-4532

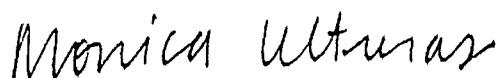
www.cleanenergyfuels.com

Clean Energy respectfully requests the assistance of the Boone County Planning Commission to promote the benefits of natural gas as an alternative fuel by means of approving our Major Site Plan Review, pursuant to Article 30 Section 3003, in conjunction with our three (3) Variance requests to allow for additional sign area on the canopy, pursuant to Article 2 Section 251, and Special Sign District, pursuant to Section 3440.

Should you have any questions in regard to the approval requests or Clean Energy's overall business objective, please contact me directly at (213) 381-3243. In advance, thank you for your time and approval consideration.

Sincerely,

CLEAN ENERGY

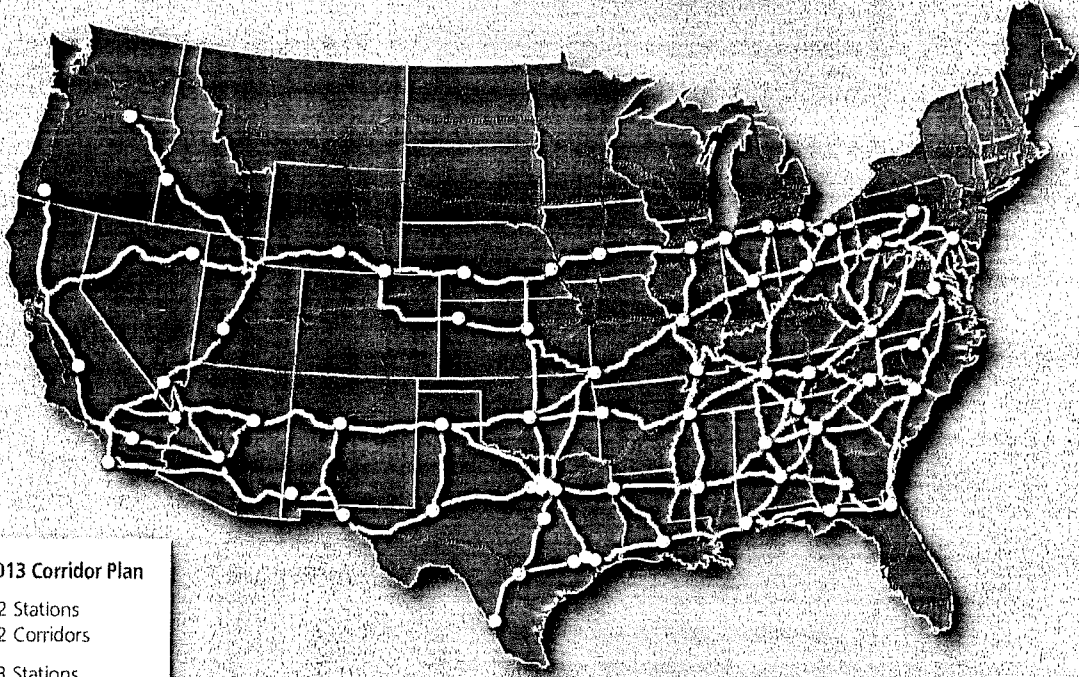


Monica Ultreras
National Planning Manager

/mu

Attachments

America's Natural Gas Highway® The Clean Energy Solution



2012/2013 Corridor Plan
— 2012 Stations
— 2012 Corridors
● 2013 Stations



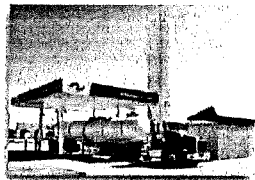
Long Beach, CA



Las Vegas, NV



Dallas, TX



Baytown, TX



Seville, OH

Trucks powered by cleaner, cheaper and All-American natural gas will travel the country on **America's Natural Gas Highway**. We are building a network of LNG truck fueling stations on the Interstate Highway System and in major metropolitan areas. Natural gas fueling infrastructure will be available to serve long-haul trucks traveling across the USA as well as regional trucks working within local areas.



America's Natural Gas Highway® The Clean Energy Solution

**Natural gas.
It's cheaper, cleaner,
greener, domestic,
abundant, and
here today.**

Clean Energy is America's largest provider of natural gas fuel for transportation — your connection to natural gas fueling. Trucks powered by cleaner, cheaper, domestic natural gas will travel the country on **America's Natural Gas Highway**, our network of LNG truck fueling stations on Interstate Highways connecting major metropolitan areas coast-to-coast and border-to-border.

The first phase includes 150 LNG fueling stations with 70 anticipated to be open in 33 states by the end of 2012 and the balance in 2013.

Many will be co-located at Pilot-Flying J Travel Centers already serving goods movement trucking.

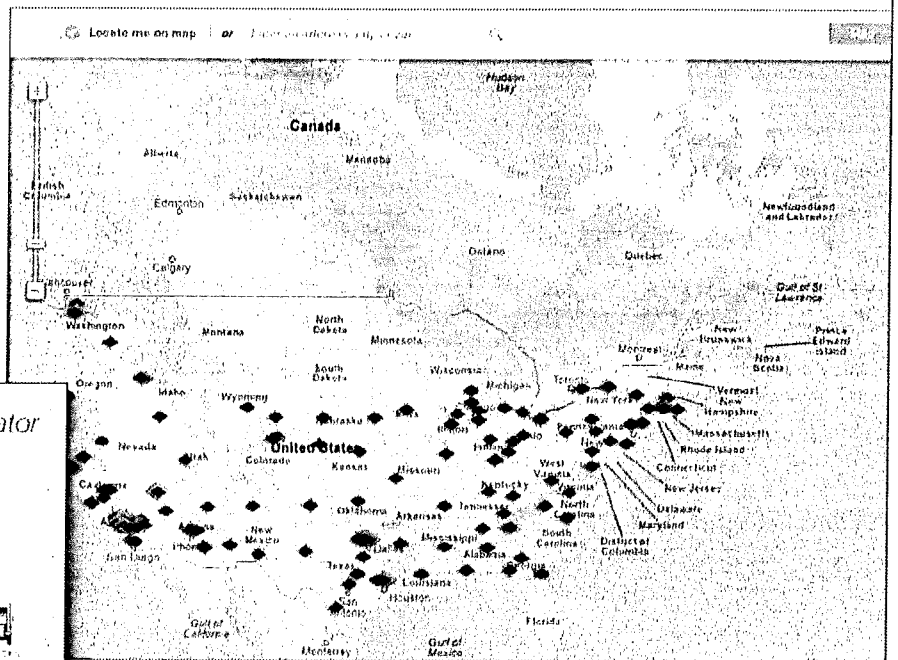
We want to hear from truck fleets and shippers about your needs for LNG fueling stations. Let us know where we can expand the highway network to support your deployment of LNG trucks.

We look forward to serving you on **America's Natural Gas Highway**.

To discuss your fueling needs, contact Jim Harger at 562.546.0306.

Visit our Station Locator to find natural gas fueling station sites and information.
Go to www.cnglngstations.com. We look forward to serving you on America's Natural Gas Highway.

By adjusting the toolbar at left of the map you can specify LNG or CNG fueling or both. You can specify what type of vehicle is suited to individual stations. And you can define status as to whether the station is open and operating or coming soon.



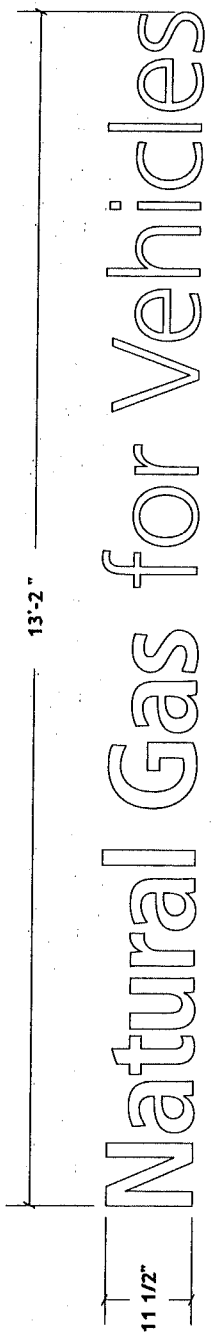
Clean Energy
North America's leader in clean transportation

SIGN #1 CLEN-V1-00032
 UNKNOWN

OLD DESIGNATION
CEV0002



**LOREN ELECTRIC
 SIGN CORPORATION**
 12226 Coast Drive
 Whittier, CA 90601
 Tel: (562) 946-7345
 Fax: (562) 949-3707
 St. Lic.: 483413
 LOS ANGELES, CA - DALLAS, TX



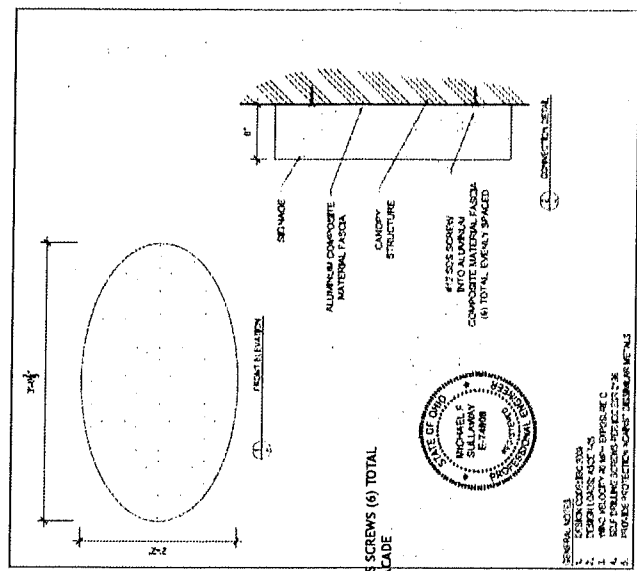
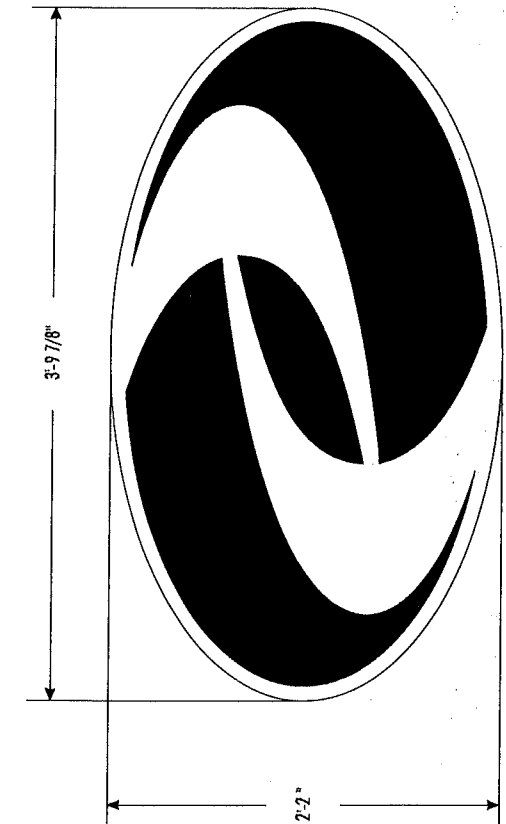
| | |
|----------------------|--------------|
| DRAWING/REVISED NO.: | 08-08-0059 |
| BASE NO.: | 7 |
| CLIENT: | Clean Energy |
| ADDRESS/STREET NO.: | N/A |
| CONTACT: | N/A |
| DATE: | 08/08/2008 |
| SALES PERL: | DAN LORENZON |
| DESIGNER: | NICK MORA |
| REVISIONS: | ***** |
| REVISIONS: | ***** |

VINYL COLOR:
 ○ WHITE 7725-10 VINYL

○ **READY TO APPLY VINYL, PRE-SPACED ON APPLICATION TAPE, FOR FIRST SURFACE APPLICATION.**

Created with
PDF Professional
 3/4-18
ALL REAL, PLANS, AND ELECTRICAL APPLICATIONS IN THIS DRAWING ARE THE PROPERTY OF LOREN ELECTRIC. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF LOREN ELECTRIC.

SIGN #2 CLEN-CL-00003



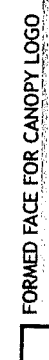
SIGN DRAWS 1 AMP AT 120 VOLTS FASTNER SIZE AND TYPE - #12 SDS SCREWS (6) TOTAL ATTACHED TO AN ACM CANOPY FACADE



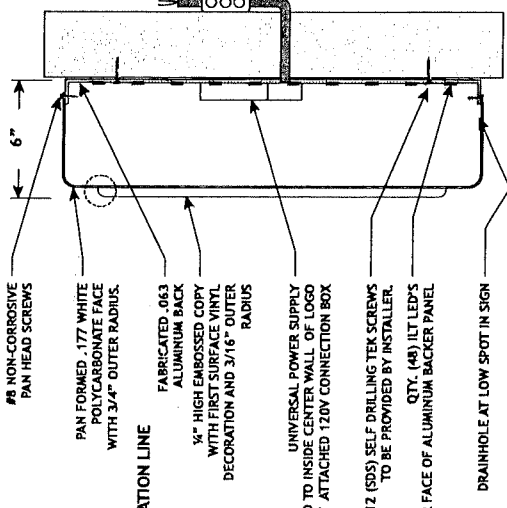
- DIGITAL PRINT COLORS:**
- PMS GREEN - 361C
 - PMS BLUE - 288C
 - PMS GREY - 418C

- VINYL COLORS:**
- VT-3263 GREEN VINYL
 - 3630-157 BLUE VINYL
 - 3635-91 SMOKE GREY VINYL

-COATED SOLID ON
○ WHITE 7725-10 VINYL



FORMED FACE FOR CANOPY LOGO



Not to Scale
TYPICAL SECTION VIEW
Cloud Style Wall Letters

- GENERAL NOTES:**
1. CHECK CONNECTIONS
 2. VERIFY LOADS AND VIBRATIONS
 3. VERIFY FASTENER TYPE AND SIZE
 4. VERIFY FASTENER SPACING PER SECTION 5.07
 5. VERIFY PROTECTION AGAINST MECHANICAL DAMAGE

PRIMARY ELECTRICAL
DISCONNECT SWITCH

ILLUMINATED FORMED CHANNEL LOGO
 • .118" WHITE POLYCARBONATE FACE WITH EMBOSSED LOGO.
 • .063 ALUMINUM BACK
 • BACKING TO BE WHITE

UL LISTED
ELECTRIC SIGN SECTION

NOTES:

ELECTRICAL COMPONENTS TO BE UL LISTED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRIC CODE (NEC)

ALL WIRING SHALL BE 12 GA
 (1) 20 AMP-120V CIRCUIT TO BE BROUGHT TO JOB SITE BY LICENSED ELECTRICIAN.

ALL SIGNAGE WILL BE UL2161 COMPLIANT AND CARRY UL LABELS.

NOT TO SCALE

LOREN
LOREN ELECTRIC SIGN CORPORATION
 13228 Coast Drive
 Whittier, CA 90601
 Tel: (562) 946-7345
 Fax: (562) 949-3707
 St. Lic.: 433415
 Los Angeles, CA - Bufile, TX



| | |
|-----------------------|------------------|
| DRAWING REVISION NO.: | 08-09-0114R1 |
| DESIGNER: | DF |
| CUSTOMER: | Clean Energy |
| ADDRESS: | 6025252525252525 |
| STATUS: | N/A |
| DATE: | 08/08/2008 |
| DESIGNER: | DAN LORENZON |
| PROJECT: | NICK MORA |
| REVISIONS: | ***** |
| REVISION BY: | ***** |

ALL TRADE, PLUMB, AND ELECTRICAL WORK SHOWN ON THIS DRAWING ARE TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRIC CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA 72). THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

SIGN #2A CLEN-V1-00010
UNKNOWN

OLD DESIGNATION
CEV0000



VINYL COLORS:

- VT-3263 GREEN VINYL
- 3630-157 BLUE VINYL

READY TO APPLY VINYL, PRE-SPACED ON APPLICATION TAPE, FOR FIRST SURFACE APPLICATION.



**LOREN ELECTRIC
SIGN CORPORATION**
12226 Coast Drive
Whittier, CA 90601
Tel: (562) 946-7245
Fax: (562) 949-5707
St. Lic.: 455415
Los Angeles, CA - Dallas, TX



Clean Energy

DATE ORDERED:
08-08-0059

DATE MFG:
1 19

CUSTOMER:
Clean Energy
ADDRESS: 2025-521
N/A

QUANTITY:
N/A

DATE:
08/08/2008

SUBJECT:
DAN LORENZON

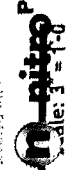
DESIGNER:
NICK MORA

REVISIONS:

REVISIONS:

ALL WIRING AND ELECTRICAL
WORK MUST BE DONE BY A
LICENSED ELECTRICIAN. THE
INSTALLER SHALL BE RESPONSIBLE
FOR OBTAINING ALL NECESSARY
PERMITS AND APPROVALS FROM
THE LOCAL AUTHORITIES.
THE CONTRACTOR SHALL BE
RESPONSIBLE FOR OBTAINING
ALL NECESSARY PERMITS AND
APPROVALS FROM THE LOCAL
AUTHORITIES.

Created with



Scale: 3 = 1-0

OLD DESIGNATION
CEV0001

SIGN #3 CLEN-V1-00031
UNKNOWN



**LOREN ELECTRIC
SIGN CORPORATION**

12226 Coast Drive
Whittier, CA 90601

Tel: (562) 946-7545

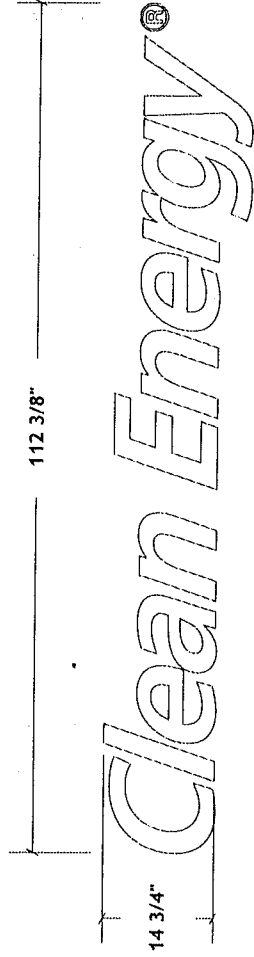
Fax: (562) 949-5707

St. Lic.: 433413

Los Angeles, CA - Dallas, TX



Clean Energy



DESIGN/CREATION NO.:
08-08-0059

PAGE NO.:
6 of 46

SUBS:
Clean Energy

ADDRESS/STATE NO.:
N/A

CONTACT:
N/A

DATE:
08/08/2008

SALES REP:
DAN LORENZON

DESIGNER:
NICK MORA

REPRO/DRAW:

REVISION NO.:

ALL IDEAS, PLANS, AND ELECTRONIC
COMMUNICATIONS ARE THE PROPERTY OF
LOREN ELECTRIC CORPORATION AND
WILL BE CONSIDERED TO HAVE BEEN
ASSIGNED TO LOREN ELECTRIC CORPORATION
BY THE SIGNING OF THIS ORDER.
NO PART OF THIS DOCUMENT IS TO BE
REPRODUCED OR TRANSMITTED IN ANY
FORM OR BY ANY MEANS, ELECTRONIC,
MECHANICAL, OR BY ANY INFORMATION
SYSTEM, WITHOUT THE EXPRESS WRITTEN
PERMISSION OF LOREN ELECTRIC
CORPORATION.

VINYL COLOR:
○ WHITE 7725-10 VINYL

□ READY TO APPLY VINYL, PRE-SPACED ON APPLICATION TAPE, FOR FIRST SURFACE APPLICATION.

Scale: 3/4" = 1'-0"

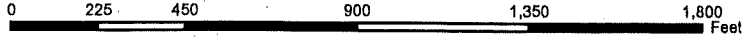
ZONING MAP

www.boonecountygis.com



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Date used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 500 feet

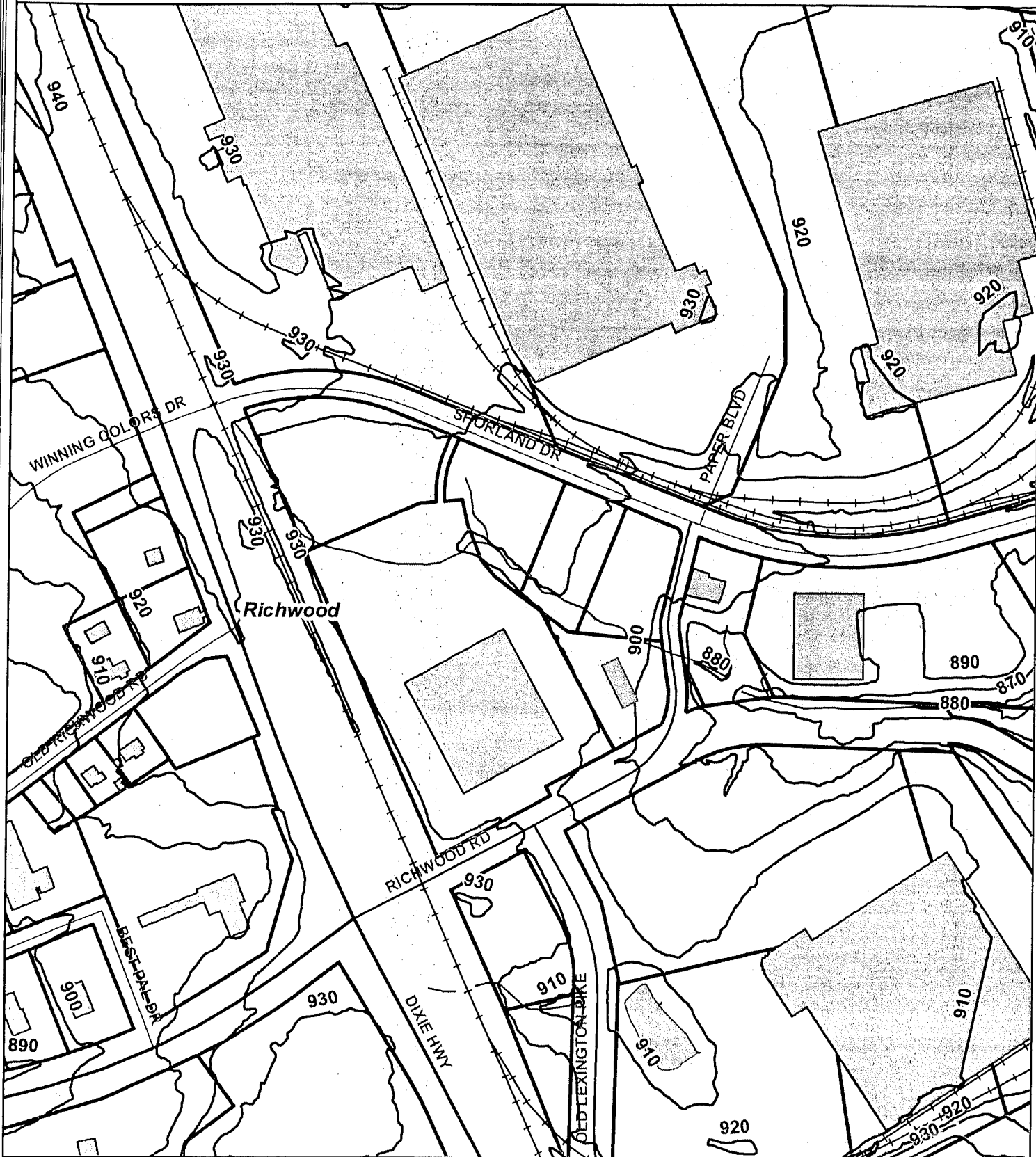
Boone County GIS
"Putting Northern Kentucky on the Map"



Map by Boone County GIS, 2012

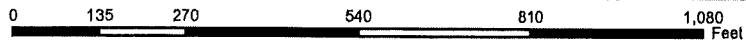
TOPOGRAPHICAL MAP

www.boonecountygis.com



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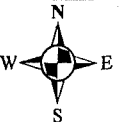
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 300 feet

Boone County GIS

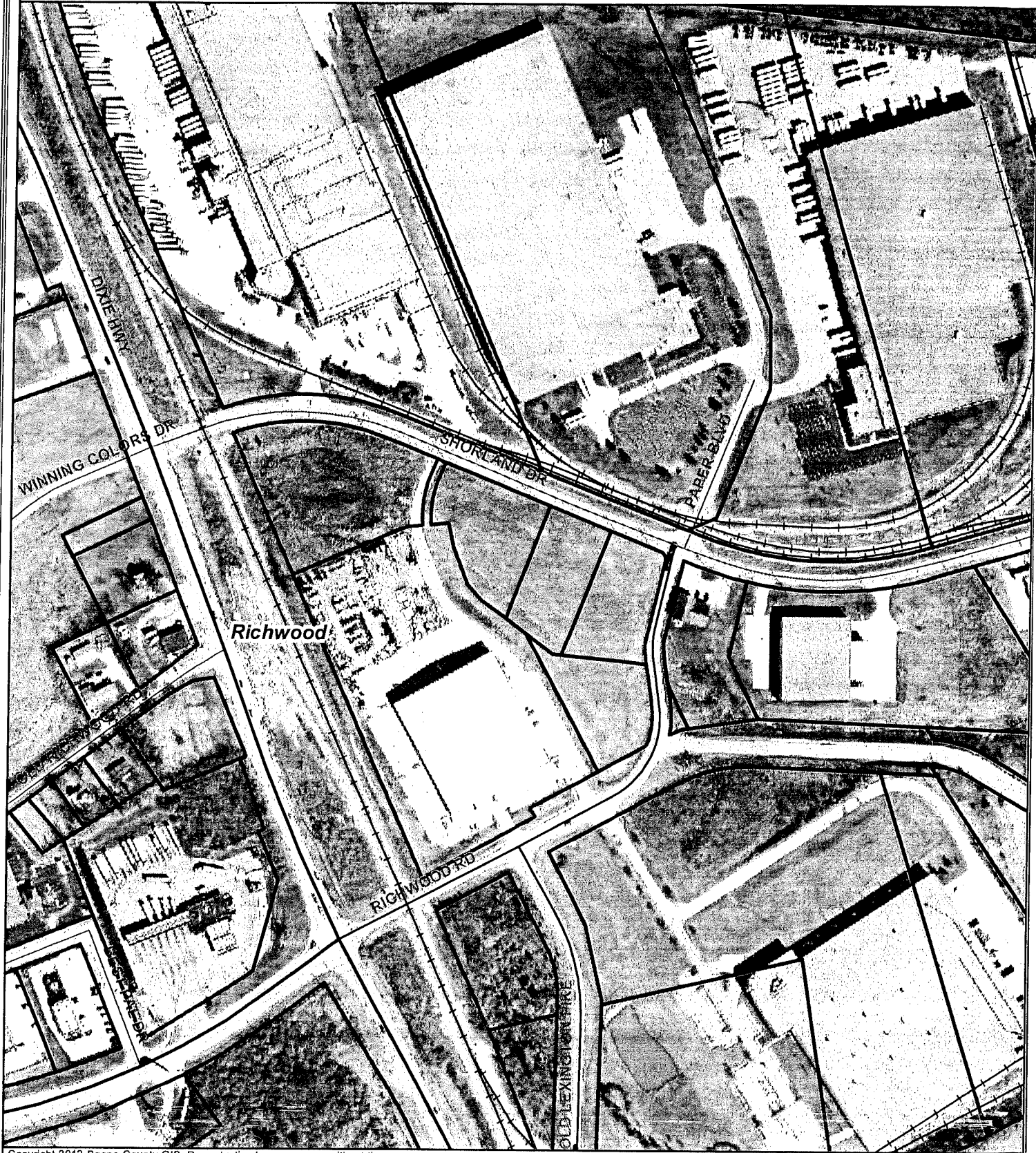
"Putting Northern Kentucky on the Map"



Map by Tomlinson-Hornby & Associates, Inc. © 2012

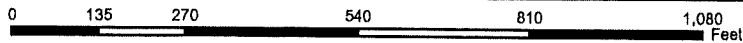
2012 AERIAL MAP

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



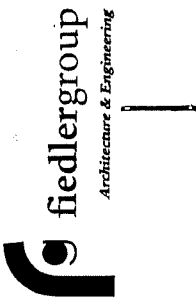
1 inch = 300 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Map Photo Courtesy: Google Earth 2012



3450 Acworth Due West Rd.
Building 100, Suite 120
Kennesaw, GA 30144

Bill Lotz
Project Manager

C (770) 881-1384
P (213) 201-2526
E bill.lotz@fiedlergroup.com

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION

RECEIVED
68078
DEC 16 2013
BOONE COUNTY
PLANNING COMMISSION

COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED
ARE REQUIRED

County Zoning Regulations

(To be completed by applicant)

- 1. Boone _____ Florence _____ Walton _____ Union _____
(Check One)
- 2. _____ Conditional Use Permit (Signage) Variance _____ Appeal _____
Change in Non-Conforming Use
- 3. Applicant's Name Clean Energy (ATTN: Monica Ultreras) **ATTN: BILL LOTZ**
Applicant's Address 4675 MacArthur Court, Suite 800 **SEE ATTACHED BUSINESS CARD**
Newport Beach CA 92660
City State Zip
- 4. Phone Number (949) 437-9822 Fax No. (949) 724-1343 E-Mail mutreras@cleanenergyfuels.com
- 5. Description of Request: Clean Energy is requesting the installation of additional signage for a
Liquefied Natural Gas (LNG) fueling facility.
- 6. Name of Development Clean Energy LNG Fueling Facility
- 7. Location of Development 245 & 249 Shoreland Drive, Walton, KY 41094 (Parcel 075.00-13-018.00 and 075.00-13-019.00)
- 8. Acreage Under Review 2.01 acres (87,345 SF)
- 9. Lot Number and Name of Subdivision (if part of a subdivision)
Lot 18 and Lot 19 of Richwood Industrial Park Subdivision
- 10. Owner of Property SRM Investments, LLC
Address of Property Owner PO Box 18670
Erlanger KY 41018
City State Zip
- 11. Phone Number 859-331-6626 Fax No. 859-331-9416 E-Mail _____
Proposed Use(s) on Site Clean Energy Liquefied Natural Gas (LNG) Fueling Facility
- 12. Total Square Footage of Existing and/or Proposed Buildings 900 SF (area of proposed canopy)
- 13. Current Zoning on Property I-1 (Industrial)
- 14. Deed Book 871 Page No. 820 Group No. 2065
- 15. Is the site subject to a zone change? No
If yes, give date of approval N/A
- 16. Have you submitted a Site Plan with this request? Yes
- 17. Have you submitted a list of adjoining property owners with this request? Yes
- 18. I, or we, understand and agree that this application and drawing(s) are being filed in
accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: Michael O'Neen - Member-SRM
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Monica Ultreras
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

(over) BILL LOTZ

COPY

CLUR #14-BCBOA-002-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

SRM Investments, LLC
P.O. Box 1867
Erlanger, KY 41018

2. ADDRESS OF PROPERTY

Shorland Drive
Walton, KY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

Clean Energy

4. DEED BOOK 871

PAGE NO. 820

GROUP NO. 2065

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

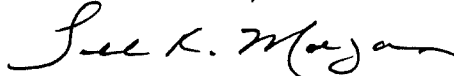
Subdivision Plat
(Not Recorded)

Other:

Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

on behalf of the Boone County Planning Commission this 14 day of January, 2014.



Vicki L. Myers

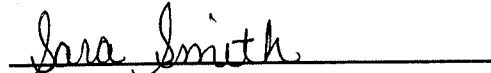
Notary ID 438411

NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 2015

This instrument was prepared for recording purposes only by:



Sara Smith

Boone County Planning Commission

2950 Washington Street, Room 317

P.O. Box 958

Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of January 8, 2014 Certificate of Land Use Restriction (#14-BCBOA-002-A), for SMR Investments, LLC, Property Owner(s).

The following conditions will apply:

1. Additional signage shall not be added to the canopy in the event that it is lengthened from 36 feet to 72 feet in the future. The same size logos and text shall remain on the ends of the canopy and the middle areas shall be solid non-illuminated stripes.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 871

PAGE NO. 820

GROUP NO. 2065