



CITY OF MONTCLAIR
PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS
5111 Benito Street, Montclair, California 91763

REGULAR ADJOURNED MEETING
Monday, February 25, 2019
7:00 p.m.

It is respectfully requested that you please silence your cell phones and other electronic devices while the meeting is in session. Thank you.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Vice Chair Luis Flores, Commissioner Manny Martinez, Commissioner Barry Rowley and Commissioner Sergio Sahagun

4. APPROVAL OF MINUTES

The minutes of the February 11, 2019 Planning Commission meeting are presented for consideration.

5. ORAL AND WRITTEN COMMUNICATIONS ON NON-AGENDA ITEMS

The public is invited to address the Planning Commission regarding any items that are not on the agenda. Comments should be limited to matters under the jurisdiction of the Planning Commission. It is respectfully requested that speakers limit their comments to no more than three minutes in length.

Any person wishing to address the Planning Commission on an agenda or non-agenda item should complete a speaker's card and submit it to the City Planner. Speaker's cards are available at the entrance to the Council Chambers.

6. AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2018-28
Project Address: 5566 Arrow Highway
Project Applicant: 5556 Arrow Highway LLC
Project Planner: Yvonne Nemeth, Associate Planner
Request: Precise Plan of Design for a proposed industrial/warehouse and associated site improvements

- b. Bi-annual Planning Commission reorganization

7. INFORMATION ITEMS

Although the Planning Commission is prohibited from taking action on or discussing items not on the posted agenda, a member of the Planning Commission may ask for information, request a report back or to place a matter of business on the agenda for a subsequent meeting, ask a question for clarification, make a brief announcement, or briefly report on his or her own activities, provided the foregoing are related to, or within the jurisdiction of, the Planning Commission.

8. PUBLIC INSPECTION OF MATERIALS

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at the Planning Division counter during normal business hours.

9. ADJOURNMENT

The City of Montclair Planning Commission meeting is adjourned to the regularly scheduled meeting of February 25, 2019 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

CERTIFICATION OF AGENDA POSTING

I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda has been posted on the bulletin board adjacent to the south door of Montclair City Hall on February 21, 2019.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 02/25/19

AGENDA ITEM 6.a

Case No. 2018-28

Application: A Precise Plan of Design (PPD) for a proposed 95,429 square-foot industrial/warehouse building and associated site improvements on a vacant, 195,153 square-foot (4.48 acres) site

Current Address: 5566 Arrow Highway

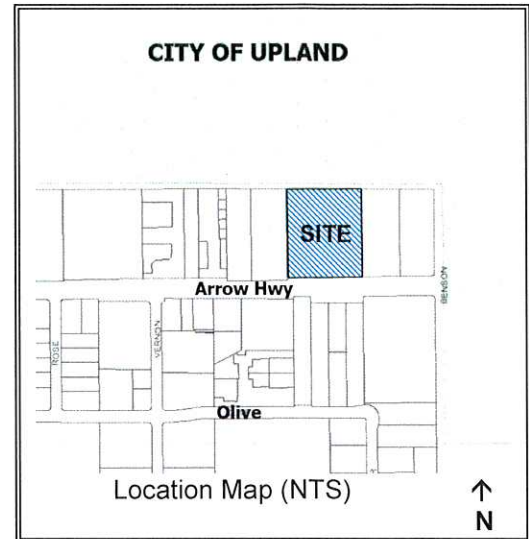
Property Owner: 5566 Arrow Highway, LLC

General Plan: Business Park

Zoning: MIP "Industrial Park Manufacturing" (North Montclair Specific Plan)

Assessor Parcel Nos.: 1007-631-02-0000

City/Public Utility Easements: None



Adjacent Land Use Designations and Existing Uses			
	<i>General Plan</i>	<i>Zoning</i>	<i>Existing Use of Property</i>
Site	Business Park	"Industrial Park Manufacturing" per North Montclair Specific Plan	Vacant
North	BNSF Metrolink Railway	BNSF Metrolink Railway	Railway & Metrolink
East	Business Park	"Industrial Park Manufacturing" per North Montclair Specific Plan	Vertex Electrical Wholesales, Inc.
South	Limited Industrial	"Industrial Park Manufacturing" per North Montclair Specific Plan	Slater Waterproofing Scooter's Auto Service Tessier Cabinet Company
West	Business Park	"Industrial Park Manufacturing" per North Montclair Specific Plan	Public Storage

Report on Item Number 6.a

PUBLIC HEARING - CASE NUMBER 2018-28

APPLICATION TYPE(S)	Precise Plan of Design
NAME OF APPLICANT	5566 Arrow Highway, LLC
LOCATION OF PROPERTY	5566 Arrow Highway
GENERAL PLAN DESIGNATION	Business Park
ZONING DESIGNATION	"Industrial Park Manufacturing" per North Montclair Specific Plan
EXISTING LAND USE	Vacant/developed
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15332)
PROJECT PLANNER	Yvonne Nemeth

Project Proposal

The proposed project involves the development of a 95,429 square-foot industrial/warehouse building on a 4.48-acre site. The site is located in the MIP "Industrial Park Manufacturing" land use district of the North Montclair Specific Plan and is currently comprised of two vacant buildings that would be demolished.

The proposed single-story building is mainly rectangular in shape and would range between 40-50 feet in height. The interior of the building would be divided as follows:

Proposed Warehouse Building – 5566 Arrow Highway	
<i>Use</i>	<i>Square Footage</i>
Office Space (1 st floor and Mezzanine Area)	10,000 SF (5,000-SF 1 st Floor + 5,000-SF Mezzanine)
Warehouse Area	85,429 SF
<i>Total</i>	<i>95,429 square feet</i>

The proposed project is designed as a speculative building with no tenant currently in mind. However, it is anticipated that the site would accommodate light industrial users as intended for the zone. Staff anticipates that the area designated for office space would have the typical amenities required for administrative purposes such as a reception area, office cubicles, restrooms, a copier/storage room, and breakroom. The remaining would be used for warehouse activities.

Access to the site would be from two (27-foot and 40-foot wide) driveways along the south side of the property leading to 126 on-site parking spaces (including five disabled-accessible spaces, 10 clean air/vanpool vehicles and 111 standard parking stalls), bike racks and 15 truck loading spaces. A trash enclosure is proposed along the northeast corner of the site. A combination retaining block wall and shepherd's hook

metal fence (totaling 8-feet high) are proposed for the north boundary. An 8-foot high metal fence is proposed along the east and west boundaries of the project site.

Building Design

The building would be constructed of concrete masonry tilt-up panels. Required fire exit doors/stairs are also shown as part of the overall building design. Windows are evenly distributed along all elevations except the east side where windows are concentrated near the main offices. The proposed overall height of the building is below 50 feet as measured from the tallest wall planes of the structure.

Proposed colors for the new building are white with contrasting cool/neutral gray colors with anodized aluminum storefront windows, mullions, and doors. The building elevations incorporate offsets with varied heights, and horizontal reveals. To add more visual interest, form liners are used to add dimension and coordinate with the proposed Accoya wood accent trim. Accoya is modified timber that is rot resistant, sustainable, non-toxic, and ideal for extreme temperatures. In addition, the strategic placement of horizontal metal canopies are used to break up the length of walls and add architectural interest.

Landscape Plan

A landscape and irrigation plan for the site is included. The bulk of landscaping is provided in a 35-foot front yard setback that includes a 10-foot wide exterior landing for fire/emergency access ways. The landscape plan is designed to comply with the City's Water Efficient and Landscape Conservation ordinance and to accommodate the requirements of a Water Quality Management Plan (WQMP).

Along the property's frontage, there are two proposed 24" box-sized African Fern Pines and two proposed 48" box-sized California Pepper trees. There are also 15 existing mature 12" to 30" box-sized trees (Holly Oaks, Arizona Ash, and Canary Pine) to remain protected onsite. In addition, complementary accent plants such as Blue Flax Lily, Dwarf Bottlebrush, Coffee Berry, Red Bird of Paradise, Yeddo Hawthorne, Artichoke Agaves, and Small Cape Rush are proposed with Prostrate Rosemary, Purple Trailing Lantanas, and Blue Chalksticks for ground cover for the remainder of the site.

Plans for the proposed project are included in the Commission's packets for reference.

Background

- The subject site is rectangular in shape with direct access to Arrow Highway (south side) and backs up against the Burlington Northern Santa Fe (BNSF) and the Metrolink Railway.

- The existing development on the project site was approved by the Planning Commission in May of 1976 with a 7,506 square foot office/warehouse building and a 1,944 square foot vehicle repair shop.
- On August 13, 1984, a Precise Plan of Design (PPD) Case No. 84-34 was approved for a 247-square foot conference room addition.
- According to Business License records, previous occupants of the site were the Southern California Gas Company, WDC Exploration and Wells, National EWP, Inc., Cascade Drilling LP and now is currently vacant.
- The present owner, 5566 Arrow Highway, LLC acquired the subject site in November 2010.

Planning Division Comments

Overall, staff finds the proposed project to be well designed and the building to be appropriately situated on the subject site. The 4.48-acre site has sufficient size and shape to accommodate the proposed project and is situated so as to allow direct and convenient access to a fully developed major arterial: Arrow Highway. Other site improvements such as parking, trash enclosure, exterior lighting, landscaping and required elements of the approved Water Quality Management Plan (WQMP) have been accommodated in the proposed site plan.

The project is in compliance with applicable development standards of the "Manufacturing Industrial" land use district of the North Montclair Specific Plan, including setbacks, building height, and parking as generally described above. With regard to setbacks, the front of the building would be 35 feet back from the front (south) property line. Moreover, the proposed 40-50 foot building height variation for the project is less than the maximum 50-foot height limit. The project also provides 126 on-site parking spaces which is properly distributed throughout the site and easily accessible.

Despite the proposed building being speculative, staff was initially concerned with the increased traffic flow along Arrow Highway for a potential industrial/warehouse tenant. To substantiate with technical evidence, the applicant provided a Trip Generation Evaluation Letter dated September 24, 2018, prepared by a traffic consultant. The estimated trip generation for the entire project resulted in less than 45-peak hour trips, which is overall less than the 50-peak hour trips (morning and evening) threshold. If the overall peak trips exceed 50, further analysis is required. The analysis was based on the *ITE Trip Generation Manual (3rd Edition, 2017)* which is a nationally recognized source for estimating site-specific trip generation, published by the Institute of Transportation Engineers (ITE) and the County of San Bernardino traffic analysis requirements. The Public Works Director/City Engineer has reviewed and approved the traffic analysis provided by the traffic consultant.

The letter is included in the Commission's packets for review.

Finally, all future business(es) and use(s) within the building would be subject to the land use provisions contained in the Montclair Municipal Code, including the requirement to obtain and maintain a valid business license. As part of the routine review process for any new business application, the property would be inspected to ensure compliance with all applicable codes, including property maintenance and the provision of adequate on-site parking.

Building Design and Landscaping

Staff worked extensively with the architect on the design of the building and is generally pleased with its overall design. The use of tilt-up panels is common for constructing a building of this type and size and the level of detail elements incorporated into the panel design appears to be appropriate. The use of reveals (horizontal and vertical) and wall offsets works well on all sides of the building and provides visual interest. The proposed color palette of cool and neutral grays are appropriate. When completed, the new industrial/warehouse building will contribute to the steady visual and physical improvement of Arrow Highway and the surrounding area. The height of the tilt-up wall panels (and corresponding parapet) is tall enough to provide appropriate screening of all rooftop equipment from street level.

In regard to landscaping, staff has added a condition of approval to require an onsite licensed arborist to supervise construction activities when digging around existing trees remaining as part of the project (e.g., install landscaping, irrigation pipes, electrical wiring, or for any other reason) as designated on Sheet L2 Landscaping Plan. The combination of proposed and existing 15 trees and other plant materials will enhance the property and visually reduce the height of the building. The proposed irrigation system is also designed to be water efficient.

Public Notice

None required for a Precise Plan and Design (PPD) application, where no specific entitlements (e.g., variance, or CUP) beyond design review is required.

Environmental Assessment

The Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potential significant impact to the environment.

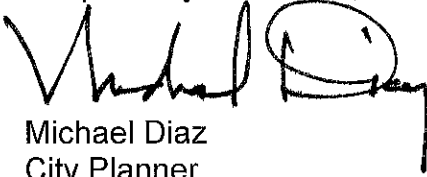
Planning Division Recommendation

Staff recommends the Planning Commission find the proposal to construct a new, 95,429 square-foot industrial/warehouse building and associated site improvements on the 4.48-acre site at the north side of Arrow Highway to be well designed and compatible with surrounding land uses. Staff further recommends that the Planning Commission approve the proposed project by taking the following actions:

- A. Move that, based upon evidence submitted, the Planning Commission finds the current application for the proposed industrial/warehouse building and related site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing and newer industrial developments and uses in the vicinity.

- B. Approve the Precise Plan of Design request for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 95,429 square-foot industrial/warehouse building and associated site development improvements on the 4.48-acre site on the north side of Arrow Highway, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 19-1925.

Respectfully Submitted,



Michael Diaz
City Planner

Attachment: Draft Resolution No. 19-1925

c: Michael J Adams, Marcus Adams Properties, LLC, 915 Wilshire Blvd, Ste. 1750, Los Angeles, CA 90017
Steve Hong, HPD Inc., 18831 Bardeen Avenue, Ste. 100, Irvine, CA 92612
Charles Seamons, Emerald Design, 305 N. Harbor Blvd, Ste. 222, Fullerton, CA 92832

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RESOLUTION NO. 19-1925

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN UNDER CASE NO. 2018-28 FOR THE SITE PLAN, FLOOR PLAN, ELEVATIONS, COLORS, MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR A 95,429 SQUARE-FOOT INDUSTRIAL WAREHOUSE BUILDING AT 5566 ARROW HIGHWAY (APN 1007-631-02-0000)

WHEREAS, On December 3, 2018, an application for a Precise Plan of Design (PPD) was filed under Case No. 2018-28, to allow the development of a single-story, 95,429 square-foot industrial/warehouse building and surface parking at 5566 Arrow Highway; and

WHEREAS, the subject property is approximately 4.48-acre in size and developed with two vacant buildings that will be demolished; and

WHEREAS, the project site is located within the MIP - Manufacturing Industrial Park zone within the North Montclair Specific Plan (NMSP); and

WHEREAS, the property in question has direct access to Arrow Highway which is a fully developed arterial; and

WHEREAS, the Precise Plan of Design pertains to the site plan, floor plan, elevations, colors, materials, and conceptual landscape plan associated with the proposed development of the site with an industrial/warehouse building; and

WHEREAS, the new industrial/warehouse building is appropriately situated on the site with on-site parking for 126 vehicles; and

WHEREAS, staff has determined that the proposal meets the intent and applicable development standards of the MIP (Manufacturing Industrial) zoning district of the North Montclair Specific Plan; and

WHEREAS, the Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed area; and

WHEREAS, the Planning Commission has reviewed the Planning Division's determination that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 of the State CEQA Guidelines, and based on its own independent judgment, concurs with staff's

determination of said exemption and finding of no significant effect on the environment; and

WHEREAS, no public notice for a Precise Plan of Design (PPD) is required; and

WHEREAS, on February 25, 2019, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said application were heard, and said application was fully studied.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Montclair as follows:

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.
2. Based upon substantial evidence presented to this Commission during the above-referenced hearing on February 25, 2019, including written and oral staff reports together with public testimony, this Commission hereby finds the proposal to be consistent with the overall objectives of the City of Montclair General Plan, Montclair Municipal Code, and good planning principles, and approves the application subject to each and every condition set forth below.

Planning

1. This approval shall be for a Precise Plan of Design for the site plan, elevations, conceptual landscape plan, colors and materials associated with the proposed 95,429 square-foot industrial/warehouse building and associated site development improvements on the 4.48-acres site at 5566 Arrow Highway, per the submitted plans and as described in the staff report.
2. PPD approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan checks and building permits to allow eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval. Any modifications, intensification, or expansion of the use and design found by the City Planner to be significantly different from the

approved plan shall be referred to the Planning Commission for review and approval.

4. Approval of this PPD shall not waive compliance with any applicable regulations as set forth by the California Building Code and/or City Ordinances, the San Bernardino County Health Department, or the State of California.
5. Within five (5) days of approval by the Planning Commission, the applicant shall submit to the Planning Division a check in the amount of **\$50.00**, payable to "Clerk of the Board of Supervisors," to cover the filing fee for the Notice of Exemption (NOE) as required by the California Environmental Quality Act (CEQA).
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 15 days of receipt of the Planning Commission Resolution. No building permits shall be issued without a signed Affidavit of Acceptance.
7. The applicant and subsequent property owners and users shall continually comply with the following operational standards:
 - a. Outdoor storage of personal or other items (including motor vehicles) not directly related to the primary use of the property shall be prohibited anywhere on the exterior of the site.
 - b. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
 - c. No temporary or permanent residential living quarters shall be established on the premises. Indications that a property is being used as temporary or permanent residential living quarters include actions such as spending significant time at the location on more than one day, sleeping at the location, and performing other life activities at the location repeatedly.
8. The applicant and/or property owner shall ensure that a copy of the Planning Commission Resolution, including all conditions of approval, be reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the project.
9. Each and every future business(es) occupying the completed building shall be required to obtain and maintain valid business licenses and comply with all applicable City regulations at all times. As part of the routine review process for each new business, the property and subject

lease space will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.

10. The applicant shall be responsible for coordinating and obtaining all necessary permit approvals and/or established agreements for any construction within or near the Burlington Northern Santa Fe (BNSF) Metrolink Rail easement/right-of-way.
11. Prior to issuance of building permits, the applicant shall provide the following to the Planning Division to be submitted for review:
 - a. Submit an arborist report prepared by a certified arborist. The applicant may provide an arborist report or, alternatively, provide a deposit to the City Planner or his designee, based on a reasonable estimate of the consultant's/arborist's costs to be incurred to conduct the review. A certified arborist offers guidance and direction on tree preservation and tree root protection before, during and after construction to ensure the fifteen trees survive as displayed on Landscape Planting, Sheet L2 dated August 14, 2018 filed with the City.
 - b. The design of the rail, wall and/or metal fence and gates shall be complementary to overall appearance and colors of the new building and constructed of durable and easily maintained materials as follows:
 - i. Fencing shall have a durable finish (e.g., powder coat) in a color that complements the building.
 - ii. The maximum height of the fence shall not exceed eight feet (8'-0") in height along any interior side and rear property line as adjusted for existing grade conditions and subject to the satisfaction of the City Planner. The use of chain-link fencing and security deterrents such as barbed or concertina wire are expressly prohibited.
 - iii. Block wall shall incorporate a finish cap piece.
 - iv. Unfinished gray colored masonry block is prohibited. However, gray colored split face block is acceptable.
 - v. Gates shall be made accessible to emergency personnel (Police and Fire) during times when they are closed. Contact the Montclair Fire Department for further information and requirements.

12. All exterior lighting shall comply with the submitted photometric plan for the entire site.
 - a. Provide a minimum maintained illumination level of one (1) foot-candle across the site.
 - b. All lighting fixtures shall be vandal-resistant and of a design that complements the architecture of the building.
 - c. All parking lot and other freestanding light fixtures shall incorporate 90-degree cut-off style luminaires and flat lenses so as to direct illumination downward to the surface to be illuminated away from public rights-of-way and properties adjacent to the subject site. Cut-off shields may be required to ensure illumination does not adversely impact adjacent properties to the greatest extent possible.
 - d. Freestanding light fixtures and poles shall not exceed a maximum height of 20'-0" as measured from adjacent grade to top of luminaires. Details must be shown on plans.
 - e. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be clad in a color coordinated stucco finish to complement the main building. Details must be shown on plans.
 - f. Wall-mounted fixtures shall be shielded. The use of unshielded wall packs, barn lighters, other similar unshielded luminaires, and/or decorative lighting installed solely for the purpose of illuminating the roof shall not be permitted.
 - g. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.

13. Prior to issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the property, subject to the satisfaction of the City Planner. Except as otherwise specified on the approved landscape plan, the following standards shall apply:
 - a. All shrubs shall be minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs on slopes).
 - b. All trees (except required street trees) shall be minimum 24-inch box size and double-staked.

- c. All trees within the public right-of-way parameters shall be 24-inch box size Coast Live Oak and double-staked. See specifications listed in the North Montclair Specific Plan, Page. V-18.
 - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
14. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency.
 15. Any plant material that does not survive or is removed or destroyed shall be replaced upon its demise or removal with plant material of a like type and size as that originally approved and installed.
 16. Plant material shall not be severely pruned such that it stunts or deforms its natural growth pattern or characteristic feature(s). Trees shall be pruned to ISA (International Society of Arboriculture) standards and only as necessary to promote healthy growth and for aesthetic purposes (i.e., to enhance the natural form of the tree). Improperly or severely pruned trees, including topping as defined by the Water Conservation Ordinance, that results in the removal of the normal canopy and/or disfigurement of the tree shall be replaced with a tree of similar size and maturity as that which was removed or, as required by the Community Development Director.
 17. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
 18. Future signage on the building shall be limited to the name of the business only and numerical address. A monument sign may be installed subject to City review and approval. A separate Sign Permit Application shall be submitted by the property owner (or licensed sign contractor) for the abovementioned sign(s) to the Planning and Building Divisions for review, approval, and issuance of all necessary permits prior to installation of any sign(s).
 19. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code. Temporary banners for the purpose of announcing a grand opening or promotional event shall require a banner permit from the Planning Division prior to installation.
 20. No portable flags, pennants, spinners, painted-on signs, off-premise signs, trailer-mounted electronic sign/message boards or other similar types of portable signs shall be allowed.

21. No exterior surface-mounted exposed ducts, conduit or electrical lines shall be allowed on walls, awnings, or other exterior faces of the building. In addition, all electrical switchgear, meters, etc., shall be screened or housed in an enclosure to the extent allowed by the utilities.
22. Roof-mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts and exhaust vents, meters, pumps and filters, transformers and generators, conduit, satellite dishes and similar equipment, but excluding solar collectors shall be screened from direct view from adjacent public right(s)-of-way in any direction (360 degrees) and adjacent residential properties, subject to the approval of the Director of Community Development. In addition, screening of the top of roof-mounted mechanical equipment may be required by the Director of Community Development, if necessary, to protect views from a higher elevation. Screening of roof-mounted equipment shall be accomplished by means of one or both of the following methods:
 - a. Raised parapet(s) or solid screen walls of sufficient height to completely block visibility of equipment as installed. Such screens shall be designed to be compatible with the architectural design of the building. Wooden lattice, painted metal panels, or fence-like screens/covers, or similar are not appropriate screening materials and shall not be allowed.
 - b. Equipment wells integrated into the design of roof of the building.
23. All on-site ground-mounted mechanical equipment, including, but not limited to, utility meters, air conditioners, condenser units, and repair equipment shall be located within the building or on the exterior of the building only when necessary and screened in a manner that is compatible with the architectural design of the building subject to the satisfaction of the City Planner.
24. Freestanding electrical transformers and double check detector assembly (DCDA) fire equipment shall be screened in a manner which is compatible with the building architecture and/or landscaping to the satisfaction of the Director of Community Development and Building Official. Efforts shall be made to place these elements in locations that are the least visually unobtrusive as possible.
25. Exposed gutters shall be prohibited for use with flat roof building designs. Exposed downspouts shall not be allowed on any side of the building when directly visible to the public right of way and/or interrupts any architectural design features. The applicant shall be responsible for noting on plans submitted for plan check where exposed downspouts are proposed for City review. Any exposed downspouts allowed shall be

constructed of high-quality, commercial grade metal in a durable, color coordinated, finish, as approved by the City Planner.

26. The property owner/applicant shall ensure that all building exteriors, site fences and walls, exterior lighting, trash enclosures, drainage facilities, driveways and parking areas are maintained in good condition/repair and reasonably free of:
 - a. Litter and debris;
 - b. Chipped, faded, peeling, and cracked paint;
 - c. Rust and corrosion;
 - d. Cracks, dents, and discoloration;
 - e. Broken and misshapen structural parts;
 - f. Graffiti, bills, stickers, advertisements;
 - g. Damaged or inoperable structures or mechanisms.
27. Any graffiti shall be removed within 24 hours of discovery or notification by the City. The paint utilized to cover the graffiti shall match the affected structure. In the event that the paint finish of the abated area is noticeably distinguishable from the balance of the surface area of the building side just abated for graffiti, or noticeably distinguishable from the rest of the structure, the entire surface area of either the abated side or of the structure shall be painted to minimize the disparity, subject to City Planner approval.
28. The applicant/property owner shall upon notification by the City restore and/or replace any glazing, architectural metal panels, or other exterior design feature/ material that have been permanently damaged by graffiti, etching, or by other means.
29. To ensure compliance with the provisions of this Planning Commission approval, a final inspection is required from the Planning Division when work has been completed. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
30. In establishing and conducting the subject use, the applicant shall at all times comply with any and all laws, ordinances, and regulations of the City of Montclair, the County of San Bernardino and the State of California. Approval of this CUP shall not waive compliance with such requirements.

31. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative, or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void or annul, the any action of, or permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities, thereof (including actions approved by the voters of City), for or concerning the project, whether such Actions, are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any action brought and City shall cooperate with the applicant in the defense of the Action.

Building

32. Submit four (4) complete sets of plans including the following:
- a. Site/Plot Plan;
 - b. Floor Plan;
 - c. Reflected Ceiling Plan;
 - d. Electrical Plans including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams;
 - e. Plumbing plans, (including isometrics, underground diagrams, water and waste diagram, fixture units, gas piping, and heating and air conditioning);
 - f. Provide an existing plan of the building including all walls to be demolished; and
 - g. Waste recycling plan, recycling 65% of all construction debris.

33. Submit two sets of structural calculations, if required and two sets energy conservation calculations.
34. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
35. The applicant shall comply with the latest adopted California Building Code, and other applicable codes, ordinances and regulations in effect at the time of permit application. These applicable codes shall be indicated on the first page of submitted plans.
36. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
37. Separate permits are required for fencing and/or walls. Submit details of construction on the plans. Double wall conditions which have been created by an adjacent property line wall shall not be allowed.
38. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number.
39. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
40. Prior to issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Such fees may include but are not limited to: Transportation Development Fee, Permit and Plan Check Fees, School Fees. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District. Applicant shall provide a copy of the school fees receipt to the Building and Safety Division prior to permits issuance.
41. Construct trash enclosure(s) per City Standard (available at the Building Division's public counter). All trash enclosures shall be constructed of a material consistent with the primary type and color of that used on the building. The construction of such trash enclosure(s) shall conform to City standards and shall have a solid roof complementary to the main building. Black-colored concrete shall be used for the trash enclosure floor and its apron.
42. All utility services to the project shall be installed underground.
43. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.

44. All construction work carried out under the review of the Building Division shall be of good quality. The Building Official shall have the authority to enforce the installation of work that is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint and stucco in all cases shall not be below standard for the use applied.
45. Provide and clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs. Sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).
46. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
 - a. The numerical address of the building shall be displayed in a maximum of two locations on the South facing elevation as follows:
 - b. Numerals shall be in a font acceptable to the Planning Division, minimum 10 inches in height, minimum 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.
 - c. The facility shall be provided with a minimum maintained illumination level of one (1) foot-candle from dusk until termination of business every business day. During all other hours of darkness, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.
47. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. An architectural sign backing/raceway may be allowed on the commercial building subject to review and approval by the City Planner.
48. Security gates to the rear of the building shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
49. All mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or on the roof of the structure, shall be concealed on all sides from public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.

50. All roof-mounted equipment, satellite dish antennas, and other similar apparatus shall be screened from public view in a manner incorporated into the architectural design of the building to the satisfaction of the Planning Division.
51. No soil shall be imported or exported to or from the project site from an adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan satisfactory to the City Engineer shall be prepared showing the proposed haul route within the City. Subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.
52. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
53. All off-site and on-site trenching and excavation shall conform to CAL-OSHA standards. Excavations that exceed five feet in depth require a CAL-OSHA permit.
54. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
55. Prior to the issuance of the Certificate of Occupancy a Final Grade Certificate shall be provided to the Building Official issued from the Registered Civil Engineer of Record that all on-site improvements have been constructed in accordance with all City Standards, Specifications, Conditions of Approval and approved plans.
56. A certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from all other departments and/or agencies.
57. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Complete all on- and off-site improvements.
 - b. Install all disabled parking stalls and parking lot signage.
58. The finish quality of exterior design elements including, but not limited to, building façade and landscaping shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy

59. Temporary construction and storage trailers placed on the property shall first obtain approval from the Planning and Building Divisions. If any trailers will include uses for public access, handicap accessibility requirements shall apply. Before any trailer is set in its location, obtain all permits from the building division. Plans and structural calculations will be required for the tie-down devices. Trailers used for public use (and not used for construction only) are required to be handicapped accessible. The trailer will requires access to the facility by way of ramps which comply with the California Building Code (CBC) 2016 edition, Chapter 11B, in addition to access to each feature of the trailer.
60. All proposed office areas shall have accessible entrances and parking located in the closest area into the entrances. An accessible path of travel shall continue from the street to the accessible entrance.
61. If proposed offices are constructed behind the access gate, an accessible man-gate is required for the accessible path of travel to public transportation.
62. A new address for the building will be assigned when building permits are issued.

Water Quality Management Plan

63. The WQMP must have final approval from the Engineering Division prior to obtaining grading/building permit(s). Contact Joe Rosales, NPDES Coordinator, at (909) 625-9470.
64. The property owner shall be responsible to inspect and maintain all stormwater treatment devices specified by the approved WQMP, following all maintenance recommendations. It shall also be the responsibility of the property owner to maintain inspection reports and have them readily available for review by City staff upon request. In the event that any stormwater treatment device fails due to lack of, or insufficient maintenance and/or inspection, or some other unforeseen circumstance, it shall be the responsibility of the property owner to correct the deficiency and restore the stormwater treatment device(s) to its original working condition.
65. Prepare and submit plans for erosion and sediment control. Plans shall include all phases of the construction project, including rough grading, utility and road installation and vertical construction included in the grading plans to the satisfaction of the City Engineer. Contact Joe Rosales, NPDES Coordinator, at (909)625-9470.
66. Prior to issuance of a Certificate of Occupancy, the applicant shall:

- a. Submit to the Engineering Division an electronic copy of the approved WQMP in PDF format.
 - b. Submit to the Engineering Division as built drawings as it relates to the WQMP.
 - c. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the City Engineer/NPDES Coordinator.
 - d. Demonstrate that all structural stormwater devices described in the project's WQMP have been constructed and installed in conformance with approved plans and specifications.
 - e. Demonstrate that the applicant is prepared to implement all non-structural stormwater treatment devices in the projects WQMP.
 - f. Demonstrate that the property owner has a copy of the City approved WQMP.
67. Prior to release of the certificate of occupancy for the building, the person or corporation responsible for the preparation of the WQMP shall certify in writing to the City Engineer/NPDES Coordinator that all conditions and requirements of the WQMP have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the City Engineer/NPDES Coordinator that lessee or purchaser has been advised in writing of lessee's or purchaser's on-going maintenance responsibilities with respect to the requirements of the WQMP.
68. The applicant shall ensure that all requirements of the approved WQMP for the project are incorporated and consistent with the approved landscape and irrigation plans for the project. All required stormwater treatment devices shall be duly noted and shown on the landscape plans per the approved WQMP.
69. Applicant is responsible to ensure the WQMP Maintenance Agreement is completed between the City and property owner, and ensure it is recorded at the County of San Bernardino with the sale of the parcel.

Engineering

70. The property owner shall be responsible to contract with a qualified firm to inspect and maintain any stormwater treatment devices specified by the

approved WQMP, following all WQMP recommendations. It shall also be the responsibility of the property owner to maintain inspection reports and have them readily available for review by City staff upon request. In the event that any stormwater treatment device fails due to lack of, or insufficient maintenance and/or inspection, or some other unforeseen circumstance, it shall be the responsibility of the property owner to correct the deficiency and restore the stormwater treatment device(s) to its original working condition.

71. Prepare and submit plans for erosion and sediment control. Plans shall include all phases of the construction project, including rough grading, utility and road installation, and vertical construction to the satisfaction of the City Engineer. Contact Joe Rosales, NPDES Coordinator, at (909) 625-9470.
72. Prior to receiving a City Grading permit a State Construction General permit must be obtained and proof must be shown (WDID number) to the Building Division.
73. At the time of Grading permit issuance; Post-Construction BMP inspection permit fees associated with the approved WQMP shall be paid. Contact Joe Rosales, NPDES Coordinator, at (909) 625-9470 for further information regarding permit and fees.

Environmental

74. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Code.
75. Regional Sewerage Supplemental Capital Outlay fees are required in accordance with Section 9.20.440 of the Montclair Municipal Code and the Inland Empire Utilities Agency (IEUA). For more information contact Nicole deMoet, Environmental Manager, at (909) 625-9446.
76. All trash enclosures must be designed in accordance with the provisions of AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling (MORe) as established by California Department of Resources Recycling and Recovery (CalRecycle). Sufficient facilities must be provided and all required services set up with the City's Franchise Waste Hauler, Burrtec Waste Industries, Inc. and maintained for the mandatory recycling of all recyclable materials and organics/landscaping wastes. For additional information, contact Environmental Manager, Nicole deMoet at (909) 625-9446.

Fire

77. General plan review. This is a general plan review only and is to determine if this project should be allowed to move forward to the City Development Review and/or the Fire Department plan check phase. Additional requirements may be necessary to comply with all applicable codes and will be determined during the Fire Department plan check process. The Fire Department requires two sets of plans be submitted with an application and all fees pre-paid.
78. Permits required. Permits are required for the plan review and inspection of fire detection, fire sprinkler, hood and duct, and occupancy plan reviews. Fees shall be collected by the fire department at the time an application for permit is filed (CFC 2016 105.3.8).
79. Plan submittal. Provide three complete architectural, structural, Fire Alarm and Fire Sprinkler plans, including all specifications, shall be submitted to the fire department for review prior to the issuance of any building permits. These plans and specifications shall include, but are not limited to, construction type, exits, fire protection equipment, building protection, and interior finish. The developer is responsible for, and shall apply for and receive, all fire department permits, paying all necessary fees prior to beginning construction. (CFC 2016 105.4.1)
80. Construction documents for fire protection systems. Construction documents and calculations for all fire protection systems and permits are required for the installation, rehabilitation or modification of any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation.(2016 CFC 105.4.2.1 and Chapter 9)
81. Plan Stamp. Contractor's license number, including expiration date, wet stamp and signature of the contractor licensee on each plan (California Business & Professions Code Sec. 7031.5).
82. Provide an accurate description of the scope of work for the project on the Title Page.
83. Show all exterior and interior building dimensions on the plans.
84. The plan check application can be found on the City of Montclair website: <http://www.cityofmontclair.org> and click on the following Departments: Fire, Fire Prevention, Plan check and permit process.

85. Development standards. This project is required to comply with the 2016 California Fire Code as amended in the Montclair Municipal Code, and Montclair Fire Department development standards.
86. Fire Department Fees. All fees are required to be paid in full prior to any permit issuance.
87. Fire apparatus access roads to buildings. Fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility (2016 CFC 503.1.1). Exception: Dimension may be increased if the building is equipped throughout with an approved automatic sprinkler system installed in accordance with 2016 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
88. Fire apparatus road dimensions. Fire apparatus roads shall have an unobstructed width of not less than 20 feet. (D103.6.1) and Vertical clearance of not less than 13 feet 6 inches. Show all dimensions on the plans. (2016 CFC 503.2.1)
89. Site plan shall be drawn to a 20, 30 or 40 engineering scale and show the turn radii for all corners, using a minimum 32 feet inside & 45 feet outside radii dimension. (CFC 2016 503.2.4)
90. A fire apparatus turn-around dimensions (hammerhead, boot, or cul-de-sac) where fire apparatus access roads and driveways shall exceed 150 feet (2016 CFC 503.2.5)
91. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. (2016 CFC 503.2.3).
92. Traffic calming devices shall be prohibited unless approved by the fire code official (2016 CFC 503.4.1)
93. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: Grades steeper than 10 percent with mitigating protection measures as approved by the fire code official. (CFC 2016 503.2.7)
94. The angles of approach and departure for any means of access shall not exceed the design limitations of the fire apparatus of the fire department, subject to the approval of the Fire Code Official. (CFC 2016 503.2.8)
95. Fire apparatus access road gates shall have a minimum gate width of 20 feet, and must comply with other requirements of the 2016 CFC 503.6.

96. Security gates are required to be setback 45 feet from the public roadway curb line.
97. Exterior doors and openings shall be maintained readily accessible for emergency access by firefighters. An approved ramped access walkway leading from the fire apparatus road to exterior openings is required (2016 CFC 504.1).
98. Install parapet ladders and emblems. Locations to be determined by the Fire Prevention Bureau during plan check.
99. Commercial Address numbers must be 8-10" tall and automatically illuminated and facing the street. Contact Planning for further information. (CFC 2016 505.1)
100. Exact number, location, and type of fire extinguishers shall be determined by Fire Prevention Bureau.
101. Public Water Systems must meet all Monte Vista Water District standards. Contact the Monte Vista Water District at 909-624-0035
102. Exact number, location, and design of fire hydrants shall be determined by Fire Department and the Monte Vista Water District.
103. Private Water Systems must comply with the NFPA 24 standard and the 2016 California Fire Code. Must install a Fire Department Connection (FDC) located at the Double Detector Check Assembly (DCDA) / Outside Screw and Yoke valve (OS&Y) to act as a Fire Department Boost. The combination FDC shall be equipped with two 2 ½ -inch NST female swivel inlets and one 7-inch NST female swivel and the riser to this FDC must be at least 6 inches in diameter.
104. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2016 CFC 508.1).
105. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in 2016 CFC Appendix B, Table B105.1. Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an automatic sprinkler system installed in accordance with 2013 CFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1

106. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24 (508.2.1). Submit plans to the fire department showing the fire water system detail.
107. Fire Department Connections (FDC) and Post Indicator Valves (PIV) locations to be determined by the fire department during plan check. Every sprinkler system shall have at least (1) fire department connection located within 50 feet of a fire hydrant. (MMC 10.28.060K(1).
108. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
109. Show pipe size of the fire water system on the plans.
110. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.
111. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5)
112. Double Check Detector Assembly shall be painted Rustoleum Hunt Club Green, satin acrylic finish stock #7944502.
113. An approved automatic fire sprinkler system shall be provided throughout, as defined by the most current edition of NFPA 13, in all newly constructed buildings of any occupancy group. (CFC 2016 903.2). Three (3) sets of plans shall be submitted to the Montclair Fire Prevention Bureau for review and approval prior to starting work.
114. Trash enclosures shall be fully enclosed per Planning Division's requirements, and shall have fire sprinklers installed should any one of the following conditions exist; the trash enclosure has a combustible roof covering, the trash enclosure contains two or more individual trash containers, or the trash enclosure is under or within 5 feet of combustible construction. (MMC 10.28.060) Three (3) sets of plans shall be submitted to the Montclair Fire Prevention Bureau for review and approval prior to starting work.
115. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3)
116. The application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures shall be in compliance with 2016 CFC Chapter 9 (2016 CFC 907.1). Fire alarm and detections system plans are required to be a

separate plan submittal with a completed application and all fees pre-paid.

117. 2016 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2016 CFC 3301.1).
118. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2016 CFC 3308.2).
119. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to combustible materials arriving on-site. The water supply, including mains and hydrants, shall be acceptably tested, painted, and approved by the Monte Vista Water District and Fire Prevention Bureau prior to the issuance of permits (2016 CFC 3312.1).
120. Fire Apparatus access road and water supply must be inspected and approved by the Montclair Fire Department prior to lumber being dropped at the project site. The Fire Apparatus access road shall be 2" thick, 20' wide (minimum) paved asphalt road throughout the project. (CFC 2016 503.2.3)
121. Approved vehicle access fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by temporary or permanent roads, capable of supporting imposed loads of fire apparatus under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available (2016 CFC 3310.1).
122. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2016 503.4).
123. Buildings and structures under construction shall post temporary 8-10" inch address signs meeting fire department standards and at locations determined by the Fire Code Official (CFC 2016 505.1.2).
124. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2016 CFC Section 2601.1.
125. Provide a readily accessible telephone on-site for emergency use. The street address of the construction site. The emergency telephone number of the fire department dispatch center at 911 for emergencies and (909) 884-7248 for non-emergencies, shall be posted adjacent to the telephone (2016 CFC 3309.1).

126. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2016 CFC 3315.1).
127. KNOX boxes are required and shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official (2016 CFC 1410.2 & 506).

Police

128. In conjunction with the ongoing operation of the business, the premises shall comply with all applicable local, State, and Federal requirements placed upon them by any regulatory or governing entity.
129. The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
130. There shall be no special promotional events held on the property, unless a written request for such is received and approved by the Community Development Director and the Police Chief or their designee.
131. If applicable, the parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
132. The premises shall install and maintain a closed circuit video surveillance (CCVS) system. The system shall at minimum be capable of monitoring all entrances/exits to the premises and be positioned as to allow for identification of patron facial features and physical characteristics. A minimum of one camera shall be placed in a position to monitor the parking lot of the premises, positioned in a manner which allows for the widest view from the entrance, without significant lens distortion, and one camera per entrance/exit door. Typical acceptable camera angles range from 50-130 degrees. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. Cameras shall be capable of no less a resolution than 1920×1080 pixels, otherwise known as 1080p. All cameras shall have IR or low light capability.
133. Audio recording is desirable, but not a requirement. Camera footage shall be retained for a period no less than 90 days. To conserve storage space, cameras may reduce frame-rate when no motion is detected, however must record at no less than 30 frames per second when motion

is detected. Motion sensors shall be configured to activate properly in all areas covered including the parking area, if applicable. Motion sensors may be configured to prevent incidental activation from hanging or moving displays. Depending on the nature of the premises, additional cameras may be required.

134. Alarm systems are encouraged to compliment the CCVS system. Current responsible party information shall be on file with the Police Department for appropriate response and notifications.

The Secretary to this Commission shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED THIS 25TH DAY OF FEBRUARY, 2019.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Luis Flores, Vice Chair

ATTEST: _____
Michael Diaz, Secretary

I, Michael Diaz, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 25th day of February 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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