



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

REGULAR ADJOURNED MEETING
Monday, June 24, 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

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

4. APPROVAL OF MINUTES

The minutes of the April 22, 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 2019-03
Project Address: 9399 Autoplex Drive
Project Applicant: Montclair Dealership Group Partners, LLC
Project Planner: Michael Diaz, City Planner/Planning Manager
Request: Conditional Use Permit, Variance, and Precise Plan of Design to allow a new freeway-oriented identification sign and electronic message board (EMC)
- b. PUBLIC HEARING - CASE NUMBER 2019-08
Project Address: 10575 Central Avenue
Project Applicant: Monte Vista Water District
Project Planner: Michael Diaz, City Planner/Planning Manager
Request: A Resolution of the Planning Commission of the City of Montclair making responsible agency findings pursuant to California Environmental Quality Act; and approving a Conditional Use Permit, Variance, and Precise Plan of Design under Case Number 2019-08 for the proposed use and the site plan, floor plans, elevations, conceptual colors and materials, and conceptual landscape plan for the renovation of the Monte Vista Water District's (MVWD) existing facility, including the construction a new administrative building and corporate yard facilities

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 July 8, 2019 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

CERTIFICATION OF AGENDA POSTING

I, Michael Diaz, City Planner/Planning Manager 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 June 20, 2019.



CITY OF MONTCLAIR PLANNING COMMISSION

MEETING DATE: 06/24/19

AGENDA ITEM 6.a

Case No. 2019-3

Project Request: A request for a Conditional Use Permit (CUP), Variance, and Precise Plan of Design to allow the construction of a new 68' high by 32' wide freeway-oriented identification sign and electronic message center (EMC) to replace an existing sign. The variance is proposed to increase the LED screen from 260 square feet to 609 square feet in size.

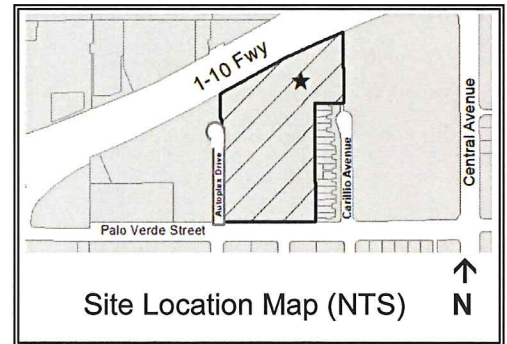
Project Address: 9399 Autoplex Street

Property Owner: Montclair Dealership Group Properties, LLC

General Plan: Regional Commercial

Zoning: "C-3" (General Commercial) per North Montclair Specific Plan (NMSP)

Assessor Parcel No.: 1008-352-34



ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	General Commercial	C-3 (General Commercial) per North Montclair Specific Plan	Metro Autoplex (Honda, Acura, Nissan)
North	Specific Plan	C-3 (General Commercial) per North Montclair Specific Plan	Montclair Place (Across I-10 Freeway)
South	Residential - Low Residential - Medium	R1 Single Family and R3 Multiple Family	Single Family Residences and Apartment Complex
East	General Commercial	R3 Multiple Family and C-3 (General Commercial) per North Montclair Specific Plan	Multiple Family Residences and Costco
West	General Commercial	C-3 (General Commercial) per North Montclair Specific Plan	Office Building and Auto Storage

Report on Item Number 6.a

CASE NUMBER 2019-3

APPLICATION TYPE(S)	Conditional Use Permit, Variance, and Precise Plan of Design
NAME OF APPLICANT	Montclair Dealership Group Properties, LLC
LOCATION OF PROPERTY	9399 Autoplex Drive
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	"C-3" (General Commercial) per North Montclair Specific Plan (NMSP)
EXISTING LAND USE	Auto Center
ENVIRONMENTAL DETERMINATION	Categorically Exempt - Sections 15302(b) and 15303(e)
PROJECT PLANNER	Michael Diaz City Planner/Planning Manager

Project Proposal

The Montclair Dealership Group Properties, LLC (hereafter "Owner") is proposing to replace the existing freestanding freeway identification sign and electronic message center (EMC) at the northerly terminus of Autoplex Drive, adjacent to Interstate 10. The new freestanding freeway-oriented identification sign and EMC will continue to serve the existing auto center where the Acura, Honda, and Nissan auto dealerships are located. The proposed sign requires the following approvals:

1. A Conditional Use Permit (CUP) to allow the for the installation of a new freestanding freeway-oriented identification sign and EMC to replace the existing EMC sign; and
2. A Variance to allow for an increased screen size of the EMC digital screen; and
3. A Precise Plan of Design (PPD) for the freestanding freeway-oriented identification sign and EMC.

The overall dimensions of the new freestanding freeway oriented-identification sign and EMC are 68' high by 37'-8" at its widest point. The new EMC digital sign is "flag shaped" in form and would be installed at the same location of the current sign, but will be seven (7) feet lower in height. The new freestanding freeway-oriented identification sign and EMC will be supported by two poles on which "panel" design elements are attached and identify the City (as required) and the three auto dealerships (Acura, Honda, and Nissan) located at the auto center. An additional panel is proposed to allow for a digital clock, which could be replaced to identify a fourth dealership, if needed. The panel signs will be internally illuminated with copy consisting of routed letters

backed in white Lexan. The lowest “panel” would be approximately 14-feet above the ground.

The top portion of the sign includes the name of the auto center - “**Metro Motorplex**”- comprised of individual channel letters. Colors and materials will be similar to those used on the existing sign. Except for the steel supports, the sign is constructed of aluminum, painted in two shades of blue with black and white accents, and metallic silver and gray.

The EMC portion of the sign consists of a two-sided digital LED (Light Emitting Diode) screen with a 9x16 aspect ratio. The size of the screen is 18’-9” tall by 32’-6” wide (609 square feet). The conditional use permit request is for the installation and use of the EMC sign and the variance request associated with this sign is for the increase in the overall screen display area. The current EMC Ordinance limits the size of the electronic screen display to 260 square feet in area.

Plans for the proposed new EMC sign are included in the Commission packets for reference.

Background

- In 2002, the Planning Commission approved the existing freeway identification and digital sign under Case No. 2002-13. The 2002 approval allowed for the construction of the current sign which replaced a previously approved 55-foot high pylon sign.
- In 2016, the City adopted Ordinance No. 16-957, amending the Municipal Code addressing EMCs within the City. New requirements of the ordinance included the need for a conditional use permit (CUP) and placed a limit on the size of the digital screen.
- In 2016 and 2018, the Honda and Acura dealerships respectively completed remodels of their facilities. Nissan anticipates new exterior improvements in the near future.
- EMC screens are comprised of pixels, or points of light, that make up a display. These pixels light up in different combinations, forming text, images and video clips on the display. Generally, the more pixels there are the more detail is possible.

Planning Division Comments

The use of a freestanding EMC and identification sign is characteristic of all new and/or freeway-oriented auto center developments and consistent with other auto center uses along the freeway corridors, including auto centers in Claremont and Ontario. The use of an EMC sign at the auto center has been on-going since 2002, and as such, is essential to the success of the auto center and parity with other auto centers.

The existing EMC sign has been operating at the subject site for nearly 17 years, is technologically outdated, and has reached the end of its effective life span. The existing sign is relatively small and the messages/images on the existing EMC screen are not crisp and no longer vibrant (especially during daylight hours). The new larger EMC screen will allow clear and easy-to-read content (images and sign copy) ensuring better visibility to motorists traveling in each direction on the freeway. Moreover, the new EMC will be more energy efficient to operate, and will be easier to maintain in proper working order. Staff is unaware of any problems caused by the existing sign (other than reduced clarity) and does not expect any new issues to arise with the new sign.

The proposed location, height (lower), screen size (increased), and overall design of the proposed sign is appropriate for the scale and site characteristics of the existing auto center. The auto center has approximately 1,700 lineal feet of freeway frontage and encompasses approximately 15 acres of which meets minimum site area (seven acres) and lot width requirement (700 feet) to be considered a location for an EMC sign. Line of sight distances for the EMC sign are not expected to change significantly from what the existing sign provides, except the new sign at 68' in height will be lower by seven feet in overall height than the current sign (75').

When the existing freestanding EMC and identification sign was first considered, there was a debate about the visibility of the sign due to significant curve and relative grades of the freeway as it approaches the location of the auto center. In response to this concern, the existing sign was approved at 75' to elevate the EMC screen to a point where there was ample time and opportunity to view it. The current proposal would actually lower the overall height of the sign by seven feet, but increase the size of the screen to take advantage of improved technology that allows for the display of more natural images with vastly improved clarity.

Staff finds the proposed increase in the screen size over the limits of the Ordinance to be warranted by the unique characteristics of the auto center. Signs on EMCs facing the freeway need to be of an appropriate size and orientation to be easy to view and read with little to no distortion. While the location and height of the proposed signs is appropriate, the current shape of the screen (i.e., short and wide) and overall size is not suitable to meet modern HD display image formats utilized with modern EMC screens. Without a proper aspect ratio (i.e., height and width of the screen), the risk of image distortion such as stretching or improper cropping is greatly increased. The least desirable way to put an image or video on an EMC display is to simply resize it and hope for the best presentation. Thus, the proposed increase in the size of the screen is warranted in that it will provide a proper screen ratio to achieve natural looking images as part of an appropriately designed and scaled EMC screen and structure, than the current code limitation would allow without the requested variance. Maintaining the same size and shape of the existing EMC sign could not achieve the objectives for displaying natural looking images and improved readability.

In regard to the proposed design of the EMC and identification sign, staff finds it to be well done and consistent with previous approvals and design practices. The new EMC and identification sign is attractive and modern in appearance which will complement the recently completed building renovations at the auto center. Even with the proposed increase in screen size for the EMC, the proportions of the elements comprising the

new EMC and identification sign will be more visually balanced and attractive than the top heavy look of the current EMC sign.

Other than the larger screen, and already established height, the proposed sign is consistent with the provisions of Chapter 11.72.370 of the Montclair Municipal Code. Moreover, the operational characteristics of the EMC will be subject to the applicable approvals of the Ordinance, including limits on brightness, frequency of image changes, and maintenance.

Finally, the existing landscape planter beneath the sign will be repaired and restored upon the completion of the project. A condition of approval requiring the restoration of landscaping in the landscape planter below the sign will be added.

Conditional Use Permit Findings for Electronic Message Center

The necessary findings for granting a CUP for installation of a new digital monument sign at Montclair Place can be made, as follows:

- A. The proposed freestanding freeway-oriented sign and EMC is desirable and necessary for the public convenience and public welfare, in that the sign is an attractive state-of-the-art digital sign that will continue to provide necessary identification for the existing auto center and in providing needed and relevant information about the center and community events.
- B. The granting of the CUP for the freestanding EMC and identification sign will not be materially detrimental to the public welfare and to other property in the vicinity in that the proposed freeway-oriented identification sign and EMC replaces an existing EMC sign in the same location where the existing pylon sign has been operating for 17 years without negative impacts. Moreover, the freeway-oriented identification sign and EMC sign is compatible with commercial uses surrounding its location, and are common features at nearly all auto centers located on freeways or State highways. Lastly, the operation of the proposed freeway-oriented identification sign and EMC conforms to the requirements of the Electronic Message Center (EMC) Displays Ordinance (Chapter 11.72.370 of the Montclair Municipal Code).
- C. The proposed digital monument sign conforms to good zoning practice and development standards. At approximately 15 acres in size, and three fully operating auto dealerships (and possibility of a fourth dealership), the auto center represents one of the largest and vital land uses in the City that warrants the continued use of a freestanding EMC and identification sign, that is not typical of other uses. The location, height, and size/scale, of the new freestanding EMC sign overall is consistent with the characteristics of the existing sign and essential to the ongoing success of the auto center.
- D. The proposed digital monument sign in the proposed location is not contrary to the objectives of any part of the adopted General Plan, in that, the General Plan promotes the development of, and improvements to, commercial properties as

means to provide benefits for the residents of the community. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.

Variance Findings for Increased Screen Size of Electronic Message Center

The necessary findings for granting a Variance for the increased screen size for the new freestanding EMC and identification sign can be made, as follows:

- A. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the EMC screen size limitation as provided in Chapter 11.72.370 of the Montclair Municipal Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. The Metro Autoplex center is approximately 15 acres in size and located adjacent to the I-10 Freeway corridor at a point where the freeway right-of-way curves and rises in such a way that limits the clear line of sight and visibility of the current EMC screen in manner that is unlike other freeway-oriented EMC signs that are located where the freeway does not curve.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications. The auto center already has a freestanding freeway-oriented identification sign and EMC that has served the site for 17 years. The proposed increase in the size of the EMC screen is intended to improve visibility of the sign in response to the location of the auto center at a location where the grades and curve of the freeway affects the visibility of the subject sign in a manner that does not impact other existing freeway EMC screens in the City. The lower height of the sign and increase in the size of the EMC screen take advantage of improved technology that allows for the display of more natural images with vastly improved clarity.
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the new freestanding freeway-oriented identification sign and EMC will be seven feet shorter than the existing sign, will be located in the same location as the current sign, and does not negatively impact surrounding properties by blocking views of other signs or buildings. The new freestanding freeway-oriented identification sign and EMC will continue to appropriately identify and advertise the auto center as a regional destination in Montclair.
- D. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of commercial centers in the City. Effective signs coupled with other site improvements are key elements of that effort.

Environmental Assessment

The project is deemed to be exempt from the California Environmental Quality Act, pursuant to Sections 15302(b) and 15303(e) of State CEQA Guidelines, in that Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity; and, accessory (appurtenant) structures. Further, the project does not result in the physical expansion of any existing building and the project site is in an area where all public services and facilities (including ample supply of off-street parking) are available to allow for maximum development allowed as allowed by the underlying commercial zoning and the regional commercial land use designation assigned by the Montclair General Plan. Finally, the area in which the project is located is not environmentally sensitive. Therefore, no further environmental review is required.

Public Notice

This item was advertised as a public hearing in the *Inland Valley Daily Bulletin* on June 14, 2019. Public hearing notices were mailed to all property owners within 300 feet of the boundaries of the subject property. At the time of preparation of this report, staff had not received any comments or correspondence from the public regarding the application.

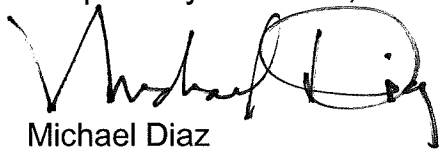
Planning Division Recommendation

Staff finds the new freestanding freeway-oriented identification sign and EMC to be consistent with the Montclair Municipal Code and the adopted General Plan, and recommends the Planning Commission approve Case No. 2019-03 taking the following actions:

- A. Move that, based on the evidence submitted, a finding is made that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 153302(b) and 15303(e) Class 2, in that the new freestanding freeway-oriented identification sign and EMC will be located on the same site as the existing sign replaced, and adjoining landscape area, and will have substantially the same purpose and capacity as the structure replaced, including but not limited to the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity; and, accessory (appurtenant) structures. Further, the project does not result in the physical expansion of any existing building and the project site is in an area where all public services and facilities (including ample supply of off-street parking) are available to allow for maximum development allowed as allowed by the underlying commercial zoning and the regional commercial land use designation assigned by the Montclair General Plan.

- B. Move to approve a Conditional Use Permit to allow for the installation of a new 68' high (reduced from 75') by 32' wide freestanding freeway-oriented identification sign and EMC thereby replacing the existing auto center EMC and identification sign.
- C. Move to approve a Variance to allow an EMC screen size of 607 square feet.
- D. Move to approve a Precise Plan of Design request under Case No. 2019-3, for the new freestanding freeway-oriented identification sign and EMC, subject to the conditions of approval contained in Resolution No. 19-1930.

Respectfully submitted,



Michael Diaz
City Planner/Planning Manager

MD/cc

Attachments: Draft Resolution No. 19-1930

c: John Hawkins, Montclair Dealership Group Properties, LLC, 9399 Autoplex St., Montclair, CA 91763
Scott Hampton, YESCO, 10235 Bellegrove Avenue, Jurupa Valley, CA 91752
Rod Wilson, EMI Signs, 4737 W. 156th Street, Lawndale, CA 90260

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RESOLUTION NO. 19-1930

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING CASE NO. 2019-03, A CONDITIONAL USE PERMIT FOR INSTALLATION OF A FREEWAY-ORIENTED IDENTIFICATION SIGN AND ELECTRONIC MESSAGE CENTER (EMC), A VARIANCE FOR AN INCREASED DIGITAL SCREEN SIZE FOR THE EMC, AND A PRECISE PLAN OF DESIGN, AT 9399 AUTOPLEX STREET, IN THE "C-3 GENERAL COMMERCIAL" LAND USE DISTRICT OF THE NORTH MONTCLAIR SPECIFIC PLAN (NMSP) (APN 1008-352-34)

A. Recitals

WHEREAS, on March 28, 2019, Montclair Dealership Group Properties, LLC, filed an application for a Conditional Use Permit (CUP), Variance, and Precise Plan of Design (PPD) to allow the installation of a new 68' high freeway oriented electronic message center (EMC) and identification sign to replace the existing pylon sign at 9399 Autoplex Street; and

WHEREAS, the location of the existing and the new EMC and identification sign is at the northerly terminus of Autoplex Drive, adjacent to Interstate 10; and

WHEREAS, the EMC and identification sign is an element of the 15-acre auto center complex generally located between Palo Verde Street on the south and the I-10 Freeway corridor on the north; and

WHEREAS, the auto center property has approximately 1,500 lineal feet of I-10 Freeway frontage; and

WHEREAS, Chapter 11.72.370 of the Montclair Municipal Code, contains a maximum EMC screen size of 260 square feet, and

WHEREAS, the application includes a request for a Variance to allow an increase in the size of the EMC screen from 260 square feet to 609 square feet; and

WHEREAS, the subject property is located in the "C-3 General Commercial" zoning district of the North Montclair Specific Plan (NMSP); and

WHEREAS, in 2002, the Planning Commission approved the existing freeway identification and digital sign under Case No. 2002-13. The 2002 approval allowed the current sign which replaced a previously approved 55-foot high pylon sign; and

WHEREAS, in 2016, the City adopted Ordinance No. 16-957, amending the Municipal Code to add Chapter 11.72.370 addressing electronic message centers (EMCs) and their operations. The Ordinance requires the approval of a CUP; 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 15302(b) and 15303(e) of 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, on June 24, 2019, commencing at 7:00 p.m. in the Council Chambers at Montclair City Hall, the Planning Commission conducted a meeting at which time all persons wishing to testify in connection with said project were heard and said proposal 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 public hearing on June 24, 2019, including written and oral staff reports, together with public testimony, this Commission hereby makes the following findings to approve the Conditional Use Permit for the proposed freestanding freeway oriented identification sign and electronic message center (EMC) at the Montclair Motorplex (auto center):
 - A. The proposed freestanding freeway-oriented identification sign and EMC is desirable to the public convenience and public welfare, in that the sign is an attractive state-of-the-art digital sign that will continue to provide necessary identification for the existing auto center and in providing needed and relevant information about the center and community events.
 - B. The granting of the CUP for the freestanding freeway-oriented identification sign and EMC will not be materially detrimental to the public welfare and to other property in the vicinity in that the proposed freestanding freeway-oriented identification sign and EMC replaces an existing EMC sign in the same location where the existing sign has been operating for 17 years without negative impacts. Moreover, the freestanding freeway-oriented identification sign and EMC is compatible with commercial uses surrounding its location, and are common features at nearly all auto centers located on freeways or State highways. Lastly,

the operation of the proposed freestanding freeway-oriented identification sign and EMC conforms to the requirements of the EMC Displays Ordinance (Chapter 11.72.370 of the Montclair Municipal Code).

- C. The proposed digital monument sign conforms to good zoning practice and development standards. At approximately 15 acres in size, and three fully operating auto dealerships (and possibility of a fourth dealership), the auto center represents one of the largest and vital land uses in the City that warrants the continued use of a freestanding freeway oriented identification sign and electronic message center (EMC), that is not typical of other uses. The location, height, and size/scale, of the new freestanding EMC sign overall is consistent with the characteristics of the existing sign and essential to the ongoing success of the auto center.
 - D. The proposed digital monument sign in the proposed location is not contrary to the objectives of any part of the adopted General Plan, in that, the General Plan promotes the development of and improvements to commercial properties as means to provide benefits for the residents of the community. Effective and distinct sign types and their implementation coupled with improved landscaping, as proposed in this application, are key elements of that effort.
3. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on June 24, 2019, including written and oral staff reports, together with public testimony, this Commission hereby makes the following necessary findings to approve the Variance for the screen size of the freestanding freeway oriented identification sign and electronic message center (EMC) for the Montclair Motorplex (auto center), as follows:
- A. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the EMC screen size limitation as provided in Chapter 11.72.370 of the Montclair Municipal Code is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. The Metro Autoplex center is approximately 15 acres in size and located adjacent to I-10 Freeway corridor at a point where the freeway right of way curves and rises in such a way that limits the line of sight and visibility of the current EMC screen in manner that is unlike other freeway-oriented EMC signs that are located where the freeway does not curve.
 - B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications. The auto center already has a freestanding freeway-oriented identification sign and EMC that has served the site 17 for years.

The proposed increase in the size of the EMC screen is intended to improve visibility of the sign in response to the location of the auto center at a location where the grades and curve of the freeway affects the visibility of the subject sign in a manner that does not impact other existing freeway-oriented EMC screens in the City. The lower height of the sign and increase in the size of the EMC screen take advantage of improved technology that allows for the display of more natural images with vastly improved clarity.

- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the new freestanding freeway-oriented identification sign and EMC will be seven feet shorter than the existing sign, will be located in the same location as the current sign, and does not negatively impact surrounding properties by blocking views of other signs or buildings. The new freestanding freeway-oriented identification sign EMC will continue to appropriately identify and advertise the auto center as a regional destination in Montclair.
 - D. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of retaining the economic viability of commercial centers in the City. Effective signs coupled with other site improvements are key elements of that effort.
4. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on June 24, 2019, including written and oral staff reports together with public testimony, this Commission hereby finds the proposal to install a new freestanding freeway-oriented identification sign and EMC at the Montclair Motorplex (auto center) to be consistent with the overall objectives of the City of Montclair General Plan, the North Montclair Specific Plan, the Montclair Municipal Code, and good planning principles, and approves the application subject to each and every condition set forth below.

Planning

- 1. This Conditional Use Permit, Variance, and Precise Plan of Design approval is for a two-sided freestanding freeway-oriented identification sign and EMC as depicted on approved plans dated March 7, 2019 and as described in the staff report. The approved sign shall comply with the following requirements:
 - a. The new freestanding freeway-oriented identification sign and EMC shall be located in the landscape planter where the existing pylon sign currently exists and where depicted on the approved site plan and accompanying plans; and

- b. The overall height of the freestanding freeway-oriented identification and EMC sign shall not exceed 68 feet as measured from grade immediately adjacent to the base of the sign pylon to the top of the sign.
 - c. The viewing area of each face of the two-sided EMC screen shall not exceed 609 square feet in area with a 9x16 aspect ratio;
 - d. Sign copy for each panel shall be a routed-out design with either push thru letter or backed with white Lexan. Sign face backgrounds shall be painted Dark Blue color PMS 282 C.
 - e. Support poles shall be painted Light Gray color PMS 428 C.
 - f. The channel letters with the copy "Metro Motorplex" shall not exceed 2'-6" in height. Acrylic letter faces shall be #7328 White with blue trim caps and returns.
 - g. Programming and operation of the EMC shall be in full compliance with the standards specified in Chapter 11.72.370 of the Montclair Municipal Code, and any applicable rules set by the State Department of Transportation (Caltrans) for the siting of such changeable message signs located adjacent to freeways.
2. The approved freestanding freeway-oriented identification and EMC sign and all its constituent parts and materials shall be maintained in good and sound condition at all times, including the appearance and color fastness of all sign faces and copy. Changes to sign faces shall be approved by the City to ensure a consistent color and prevent the obvious and undesirable mismatch of colors between existing and new sign panels and/or copy.
 3. CUP and Variance approvals shall be valid for six (6) months and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check toward obtaining building permits and completing the approved 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 CUP and Variance expiration date.
 4. This 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 check 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.

5. No changes to the provisions of the approved EMC and identification sign shall be permitted without prior City review and approval. Any modification (including colors and/or materials), intensification, or expansion of the use and design plan beyond that which is specifically approved, with this CUP, Variance, and PPD, shall require further review and approval by the Planning Commission.
6. Within five (5) days of approval by the Planning Commission, the applicant shall submit the following payments to the Planning Division:
 - a. A check in the amount of **\$50.00**, payable to "Clerk of the Board of Supervisors," to cover the County administrative fee for filing a Notice of Exemption as required by the California Environmental Quality Act (CEQA).
 - b. A check in the amount of **\$488.66**, payable to the "City of Montclair," to cover the actual cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
7. 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, including but not limited to Chapter 11.72.370 of the Montclair Municipal Code. Approval of this CUP and Variances shall not waive compliance with any such requirements.
8. The use of trailer-mounted electronic signs/message boards or other types of prohibited signs identified in Chapter 11.72 of the Montclair Municipal Code shall be permitted on the properties comprising the auto center complex at any time.
9. Landscaping shall be provided for the planter in which the new EMC and identification sign is located. The applicant shall submit a detailed landscape plan for the planter area for City Planner review and approval. Installation of the approved landscaping shall be completed at the time a final inspection of the sign is requested.
10. An approved sign permit and issuance of a building permit(s) shall be required prior to the installation of each new sign authorized by this sign program.
11. No exposed raceways or electrical conduit/wire shall be allowed on the exterior visible face of any building for any building-mounted sign.
12. The freestanding freeway-oriented identification EMC sign shall be maintained in good and/or working condition at all times, including regular cleaning. All damage and/or defective parts shall be immediately repaired or replaced as necessary. Any graffiti, etching, discoloration, etc., shall be removed and surfaces refinished as necessary to restore original or like new appearance.

13. No banners or other promotional signs shall be applied to or hung upon the EMC and identification sign at any time.
14. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
15. 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 on any sign. The applicant shall inform the Planning Division and schedule an appointment for such an inspection.
16. 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 Division

17. Submit four complete sets of plans including the following:
 - a. Site/Plot Plan;
 - b. Construction drawings;
 - c. Electrical Plans including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams;
18. Submit two sets of structural calculations, if required and two sets of energy conservation calculations.

19. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
20. 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.
21. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
22. All utility services to the project shall be installed underground.
23. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number. The applicant shall comply with the latest adopted California Codes, and all other applicable codes, ordinances, and regulations in effect at the time of permit application.
24. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
25. 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.
26. Prior approval of the Building Official will be required if the base foundation of the existing sign is intended to be reused for the base of the new sign. Structural calculations shall be provided to ensure the added wind load for the larger sign will be adequate to withstand the additional forces.

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

APPROVED AND ADOPTED THIS 24TH DAY OF JUNE, 2019.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Barry Rowley, Chair

ATTEST: _____
Michael Diaz, Secretary

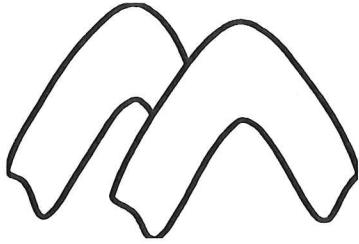
I, Michael Diaz, Secretary of the Planning Commission of the City of Montclair, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the Planning Commission of the City of Montclair, at a regular meeting of the Planning Commission conducted on the 24th day of June, 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\MDIAZ\CASES\2019-03\2019-3 PC RESOLUTION



CITY OF MONTCLAIR PLANNING COMMISSION

MEETING DATE: 06/24/19

AGENDA ITEM 6.b

Case No. 2019-8

Project Request: A request for approval of a Conditional Use Permit, Precise Plan of Design, and setback Variance for the renovation of the Monte Vista Water District's (MVWD) existing facility, including the construction a new administrative building and corporate yard facilities.

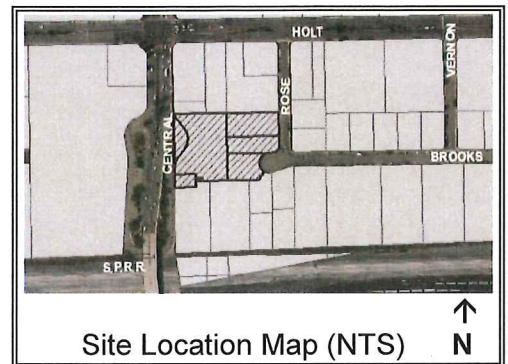
Project Address: 10575 Central Avenue

Property Owner: Monte Vista Water District

General Plan: "Public/Quasi Public and Industrial

Zoning: "Commercial" - Holt Boulevard Specific Plan (HBSP)

Assessor Parcel No.: Assessor's Parcel Numbers 1011-052-11, 12, 19, 20, and 21



ADJACENT LAND USE DESIGNATIONS AND USES

	<i>General Plan</i>	<i>Zoning</i>	<i>Use of Property</i>
Site	Public/Quasi Public and Industrial	Commercial (HBSP)	Monte Vista Water District Main Office and Corporate Yard
North	General Commercial	Commercial (HBSP)	Multi-tenant Commercial
South	Industrial Park	M1 Limited Manufacturing	Self Storage
East	General Commercial	Business Park (HBSP)	Auto Sales
West	General Commercial	Commercial" (HBSP)	Commercial Center (under construction)

Report on Item Number 6.b

PUBLIC HEARING - CASE NUMBER 2019-8

APPLICATION TYPE(S)	Conditional Use Permit Variance - Setbacks Precise Plan of Design
NAME OF APPLICANT	Monte Vista Water District
LOCATION OF PROPERTY	10575 Central Avenue Assessor Parcel Nos: 1011-052-11, 12, 19, 20, and 21
GENERAL PLAN DESIGNATION	Public/Quasi Public and Industrial Park
ZONING DESIGNATION	"Commercial" - <u>Holt Boulevard Specific Plan</u>
EXISTING LAND USE	Monte Vista Water District Offices and Corporate Yard
ENVIRONMENTAL DETERMINATION	Mitigated Negative Declaration (adopted by Monte Vista Water District)
PROJECT COORDINATOR	Michael Diaz City Planner/Planning Manager

PROJECT DESCRIPTION

Monte Vista Water District (MVWD) is requesting approval of certain applications for its Main Office Site Restoration Project (proposed Project), which entails the renovation of its current campus – main office and corporate yard - located on a 2.84-acre parcel at 10575 Central Avenue. In particular, MVWD seeks the City of Montclair's approval of the following applications for the proposed Project:

1. A Conditional Use Permit (CUP) to allow for a Civic Administration and Utility Facility per the Holt Boulevard Specific Plan (HBSP); and
2. A Variance to allow for screen and security fences and/or walls to be placed within the required street frontage setback areas; and
3. A Precise Plan of Design (PPD) for the site plan, floor plans, elevations, colors, materials and conceptual landscape plan associated with the development of the entire site (collectively, Entitlements).

Conditional Use Permit

While MVWD has been located at the subject site for decades, the original campus has gradually increased in size over the years. The Holt Boulevard Specific Plan (HBSP), adopted in 1981, designated the site as "Commercial" land use district. The HBSP requires a CUP for Civic Administration, Utility Facility, or Administrative/Professional Office uses all of which apply to the use of the site by MVWD. Since the proposed Project involves a total redevelopment of the site, the CUP requirement would apply to be consistent with the HBSP.

Variance - Setback for Fences

MVWD is requesting a variance to maintain the location of fences and/or walls on the Central Avenue side of the property in order to continue maximizing the use of the property. The variance would allow MVWD to replace an existing wall or fence within the 20-foot landscape setback area with a new decorative fence allowing visibility to the front of the new Administrative Building and visitor parking area.

Precise Plan of Design

The project site is currently fully developed with existing buildings and uses which will be removed from the site in phases to make way for the new campus, except for the former fire house which contains a tower with a wireless telecommunications antenna. The total square footage of buildings/structures removed from the site is approximately 20,943 square feet in area. The square footage of new buildings on the property will be approximately 27,139 square feet, an increase of approximately 6,196 square feet (30 percent increase). Construction of the proposed Project is anticipated to take 30 months or 2.5 years to complete.

The new MVWD campus will consist of two buildings dedicated to the administrative/civic activities (Administrative Building) and to the operations/maintenance functions (Shop Building) of the District. The west side of the Administrative Building is setback 47-feet from the Central Avenue property line and the east end of the Shop Building is setback 35 feet from the east property line. Finally, the north wall of the proposed buildings will be setback approximately 12-feet from the north property line. The respective sizes of these buildings are summarized in the following table:

<u>Proposed Buildings¹</u>	
<i>Building</i>	<i>Building Size (GFA)</i>
New Admin Building – 2 stories <ul style="list-style-type: none">• Level 1 - 13,699 SF• Level 2 - 4,588 SF	18,278 SF
New Shop Building	8,852 SF
<i>Total</i>	27,139 SF
¹ The existing 3,240 SF firehouse building will be retained and used as supplemental space for use from time to time.	

The new Administration Building will be located on the northwestern corner of the project site, and is designed to house MVWD employees, executive management, and boardroom for public meetings. Public access to the site during hours of operation will be provided off of Central Avenue where the current visitor entrance is located; the entrance will include a new rolling security gate that will prevent unauthorized access to the site outside of visiting hours.

The new Shop Building will be located at the northeastern corner of the site, and will contain the maintenance and repair shop for MVWD's fleet and equipment. The Shop Building will include roll-up doors to provide vehicle storage. Other activities/uses in the shop building include material and equipment storage; welding/fabrication; empty and full container rooms; a tool crib; emergency materials/equipment storage; supplies; water reclamation/wash equipment; and a heavy truck/equipment repair bay. A covered outdoor manual truck wash bay is proposed for the east end of the shop building.

The proposed Project includes an outdoor storage yard where four solar canopies are proposed. In addition to providing a form of renewable energy for site, the solar canopies would be used to create shaded parking spaces. The sizes of the new solar canopies and other proposed covered structures are listed below:

Proposed Covered Accessory Structures*		
<i>Structure Type</i>	<i>Size</i>	<i>Parking Spaces Below</i>
Solar Canopy 1	2,155 SF	12 spaces
Solar Canopy 2	594 SF	2 spaces (disabled parking spaces)
Solar Canopy 3	1,078 SF	6 spaces
Solar Canopy 4	3,031 SF	12 spaces
Fuel Canopy	627 SF	-----
Car Wash Bay	490 SF	-----
Trash Enclosure	518 SF	-----
Totals	8,493 SF	32 spaces
* Solar Array is anticipated to provide between 5 and 10 percent of the overall electricity required to operate the renovated MVWD Main Office Site.		

On-site parking for the proposed Project is provided as follows:

On-Site Parking	
<i>Type</i>	<i>Number</i>
Visitor (Daily Use and Board Meetings)	15 spaces (including 1 Disabled Parking Space)
Employees	45 spaces (including 3 Disabled Parking Space)*
Fleet	21 spaces (12 in angled tandem spaces)
Total	81 Spaces
* 32 spaces covered by proposed solar canopies	

Public parking will be available from the Central Avenue side of the site through a rolling security gate allowing access during regular business hours of operation. Employee

and fleet vehicle parking is located toward the center and east end of the site and will be secured by a second (internal) security gate. A final site access point for “employees only” will be located at the east end of the site at the terminus of Brooks Street, via a new rolling security gate.

Architectural Design

The design of the buildings for the commercial center portion of the proposed Project reflects a contemporary Spanish Colonial architectural style featuring a number of associated design elements such as hipped roof forms, smooth plaster wall finish, clay tile roofing material, decorative metal accents, arcades adjacent to small courtyard areas, and dark bronze storefront window and door assemblies. Reveal lines within the stucco finish is utilized on all sides of each building to add visual interest. Proposed colors for the proposed Project are light-colored earth tones.

The new Administration Building is the larger and taller of the two new buildings (29-feet high to roof top) which also features an unoccupied tower that will be 37 feet high (measured to roof top), which is the tallest point of any of the proposed new structures. The proposed single level Shop Building is 18-feet in overall height and also features many of the same architectural elements of the Administration Building. The tall roll-up bay doors of the building will face the interior of the site and not be directly visible to any street.

Landscaping and Fencing

The proposed landscape plan design retains existing trees Sycamore trees along Central Avenue, and provides for additional mix of drought tolerant plant materials along both street frontages of the site and around the new Administration Building. New trees include Palo Verde (*Cercidium* x “Desert Museum), Desert Willow (*Chilopsis linearis*), Crape Myrtle (*Lagerstroemia indica* x *fauriei* “Tuscorosa”), and Eastern Redbud (*Cercis canadensis*). Along the north side of the building the plan calls for an evergreen screening tree mass. No turf areas are proposed as part of the conceptual landscape plan. In accordance with the State and City Landscaping and Water Conservation requirements, the applicant will be required to prepare a water budget for the proposed Project. Irrigation would be provided via drip and/or a subsurface system.

Construction Phasing

As mentioned above, construction of the proposed Project is anticipated to take 30 months or 2.5 years to complete. According to MVWD officials, the new facilities will be constructed in phases that parallel demolition, such that as the demolition of one section of the site is completed, construction of the new facilities within that section will begin. (See Attachment A)

Plans for the proposed Project are included in the Commission packets for reference. A color rendering of the proposed Project and color and material samples will be available for viewing at the Planning Commission meeting.

BACKGROUND

- MVWD, a county water district formed in 1927, provides retail and wholesale water supply services to a population of over 130,000 within a 30-square mile area, including the communities of Montclair, Chino Hills, portions of Chino, and the unincorporated area lying between the cities of Pomona, Chino Hills, Chino, and Ontario.
- On October 1, 2018, the City Council approved a lot merger request (Parcel Merger No. 2018–5) from MVWD to merge the five parcels comprising their site into a single parcel for the purpose of redevelopment into a new campus. The properties in question were generally identified as 10575 Central Avenue.
- The subject site is currently zoned “Commercial” per the HBSP which was adopted in 1991. The City of Montclair General Plan designates the site as Public/Quasi Public (Western half) and Industrial Park (Eastern half).
- The existing former Fire Station located at 10585 Central Avenue will be retained as is on the site. Built in 1950, it was the first fire station in the present-day Montclair area and was operated by the Monte Vista County Fire Protection District prior to the incorporation of the city in 1956.
- Access to the site will be located at two points on Central Avenue (western property boundary), one point at the terminus of Brooks Street (eastern property boundary), and a second point at Rose Avenue (eastern property boundary). These access points are similar to the access points provided at the site at present for MVWD’s current Main Office operations.
- The property is located adjacent to fully developed streets and is surrounded by urban development that includes commercial and industrial developments and uses.

PLANNING DIVISION COMMENTS

Overall, staff finds the proposed Project to be well designed and the proposed buildings and various appurtenant structures to be appropriately situated on the site. When completed, the uses of the site will not deviate from the types of uses that presently exist.

Conditional Use Permit

Although the MVWD facility has been present and active on the subject site for many years before a CUP was required, the significant level of improvement proposed with the project requires compliance with the provisions of the subsequently adopted Holt Boulevard Specific Plan (HBSP). Under the HBSP, Civic Administration or a Utility Facility would require a conditional use permit (CUP), while Administrative/Professional Office uses would be allowed as an accessory use to another permitted use. Given the nature of the MVWD's operation at the site, the City finds it to be a combination of all the above uses and as such consistent with the HBSP. Approval of the conditional use permit associated with the proposed Project will not only bring the use into conformity with the HBSP but allow for the continued use of the site by MVWD with enhanced facilities to serve its customers.

In regard to parking for the proposed Project, although the number of spaces is one less than required, staff believes the total of 81 spaces provided with the project will be adequate for the proposed use, for the following reason. Office and Government uses are typically parked at a ratio of one (1) space per 250 square feet (for the first 30,000 s.f.), whereas general Industrial uses are parked at 1 space per 500 SF. However, since MVWD is a public utility with a public lobby and official board room that are not in constant use (similar to City Hall), the area used for calculating required parking can be reduced accordingly. Given the above ratios, and adjustments, required parking for the proposed Project is calculated to be:

<u>Required On-Site Parking</u>		
<i>Use</i>	<i>Area*</i>	<i>Required</i>
Office	16,070 SF	64 spaces (at 1:250 SF)
Industrial (Shop)	8,852 SF	18 spaces (at 1:500 SF)
<i>Total</i>		<i>82 Spaces (81 provided)</i>
* Figure includes reduction of 2,208 SF for public lobby and boardroom.		

Moreover, according to the information provided in the Initial Study for the proposed Project, MVWD currently employs 36 persons, which may increase by up to 11 new employees in the future for a potential total of 47 employees. The proposed Project provides 45 dedicated employee parking spaces. The 15 visitor spaces could be used to make up for the extra two employees, if needed.

The Holt Boulevard Specific Plan within the City of Montclair allows for a maximum site coverage of 45 percent. The proposed Project site coverage will be 38,917 SF of 123,894 SF total site area, which equates to 32 percent site coverage. On-site landscaping will comprise 17 percent or approximately 21,062 SF of the overall site area.

Lastly, the uses of the site allowed by the CUP will not deviate from the types of uses or intensity that exist at present. Lastly, the renovation of the MVWD facility at its existing

location would be consistent with both the uses surrounding the proposed Project and the surrounding land uses and zoning classifications.

Variance

Staff finds the variance request to allow fence or walls within the required 20-foot deep landscape setback on Central Avenue to be warranted. The “puzzle piece” shaped lot of the MVWD site is unique in the area and is due to the manner in which the curvature of Central Avenue frontage road impacts the site on this side of the site. To meet the 20-foot setback requirement in a manner that follows the property line configuration would adversely affect the efficient use of the property and its internal development in a manner that is different than how required setbacks would impact regularly-shaped lots located in the same area.

While setbacks are key elements of any site design and streetscape appearance, staff believes that some flexibility in the depth of required setbacks is warranted which is the basis for the proposed setback variance. The 2017 HBSP amendments allowed the Planning Commission the flexibility of approving different setbacks for certain projects based on extraordinary and/or site specific circumstances and development limitations of a site and/or when the project is a master planned development of two and a half (2 ½) acres or more. The subject site size, unique use as a public utility, and master plan development for the subject site meets these criteria.

The reduced setback area would still allow for a sufficient amount of landscaping facing the street. Staff supports this request because it would allow for the most efficient use of the site and also minimize the potential for future public nuisance problems with unauthorized access and activities. Due to the site’s location just off Central Avenue, the need to secure the site in an efficient and attractive manner is also important. Lastly, staff notes that the approved commercial and industrial development currently under construction on the west side of Central Avenue was granted a setback variance to address a similar site location, configuration, and security concerns affecting their project.

Finally, by granting the variance, MVWD would be able to maintain the current location of the existing wall and replace it with a new fence that offers security for the site while also allowing visibility to a portion of the interior of the site where main public entry to the new Administration Building will be and to the associated visitor parking area.

Precise Plan of Design

Staff also finds the proposed Project in compliance with the applicable development standards of the proposed Commercial zoning designation by the HBSP for the property, except as modified in accordance with the requested variance for fence and/or wall placement. The proposed buildings and various appurtenant structures are appropriately situated on the site, and access to and from the site will be easy from two directions/streets. Other site improvements such as parking, trash enclosures, exterior

lighting, and landscaping have been appropriately accommodated in the proposed plan. The proposed trash enclosure appears to be well placed and will be both secure and easily accessible to service providers.

In regard to the design of the buildings and structures, staff finds the proposed Spanish Colonial inspired architecture of the buildings to be well done and very attractive. The design for each building and structure are consistent and work well together as a whole and provide a good amount of visual interest. Moreover, the amount of detail provided on each building help to give them depth and visual interest in an appropriate and up-to-date manner without excess. At 37-feet to the tallest portion of the Administrative Building, it is well within the allowed height of 75-feet for the Commercial district of the HBSP.

Although the applicant is aware of the City's requirement to screen any roof top equipment items, staff has added a condition of approval addressing this concern. The proposed colors, finishes, and materials are appropriate for the proposed architecture as well. When the proposed Project is completed, it will contribute to the new improvements being made to the surrounding area near the Central Avenue and Holt Boulevard intersection.

Staff will work with the applicant in preparing a comprehensive sign program for the center which is a condition of approval for the proposed Project. When the final design details for the sign program have been further refined, it will be submitted separately for formal review by the Planning Commission.

Landscaping

As a water district, one of MVWD's objectives is to promote water conservation and to demonstrate it with their own projects. Staff finds the proposed landscape plan to be both visually interesting and consistent with the goal of conserving water. In regard to landscaping, the selected plant materials are appropriate and appear to be evenly distributed around the site where planter areas are proposed. Eventually, the height of the trees will help to lessen the height of the building. Staff will also work with applicant to provide additional visual interest and address any exposed wall areas that could be subject to graffiti. As a condition of approval, the applicant's landscape architect will be required to provide a water budget for the site in accordance with the State requirements on water conservation. The proposed irrigation system is also designed to be water efficient.

FINDINGS

With respect to both the CUP and Variance, Staff recommends that the Planning Commission find as follows:

Conditional Use Permit Findings

- A. That said use is essential or desirable to the public convenience and public welfare. Monte Vista Water District (MVWD), formed in 1927, provides retail and wholesale water supply services to a population of over 130,000 within a 30-square mile area, including the communities of Montclair, Chino Hills, portions of Chino and the unincorporated area lying between the cities of Pomona, Chino Hills, Chino, and Ontario. Approval of the CUP associated with this proposed project will allow for the continued use of the site by MVWD with enhanced facilities to serve its customers.
- B. That granting the permit will not be materially detrimental to the public welfare and to other property in the vicinity. MVWD has operated at the subject site without known adverse impacts for decades. Approval of the CUP and subsequent renovation of the existing facility will be in conformance with the development standards HBSP and current building codes so as to be a positive improvement to the community.
- C. That such use in such location conforms to good zoning practice, in that the CUP approval for the MVWD use will be fully consistent with both the General Plan and the HBSP zone classification for the project site. Moreover, the continued use, and renovation, of the MVWD campus at its existing location would be consistent with both the uses surrounding the project and the surrounding land use designations and zoning classifications; moreover, the proposed Project would not create adverse effects on the established community in any manner.
- D. That such use in such location is not contrary to the objective of any part of the adopted General Plan, because the proposed Project complies with Specific Plan objectives and incorporates good design.

Variance Findings – for Fence/Wall Setbacks

Staff recommends that the Planning Commission find as follows:

- A. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the 20-foot landscape setback would adversely impact the site. The property in question is a unique “puzzle shaped” parcel on the west and sides of the site due to the design and curvature of adjacent roadways - Central Avenue frontage road and the cul-de-sac at Brooks Street. To meet the 20-foot setback requirement in a manner that follows the property line configuration would adversely affect the efficient use of the property and its internal development in a manner that is different than how required setbacks would impact regularly shaped lots located in the same area.

- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications. MVWD already has walls within the required setback so approval of the variance would maintain the ability to utilize the current location of the existing wall and replace it with a new fence that offers security for the site while also allowing visibility to a portion of the interior of the site where main public entry to the new Administration Building will be and to the associated visitor parking area. As a public agency, security and accessibility to the public are integral objectives that the variance helps MVWD achieve at this location.
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the reduced setback for placement of fences/walls along the Central Avenue frontage of the site would still allow for a sufficient amount of landscaping facing the street. Moreover, the variance would minimize the potential for future public nuisance issues with unauthorized access and activities, due to the site's location just off Central Avenue. Lastly, a variance for reduced setbacks was approved for commercial and industrial development on the west side of Central Avenue which has similar site, location, configuration, and security concerns affecting their project.
- D. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of orderly development throughout the City.

PRECISE PLAN OF DESIGN FINDINGS

Staff recommends that the Planning Commission find as follows:

- A. The proposed redevelopment of the subject site would be consistent with respect to the land use designation of "Commercial" zoning district of the Holt Boulevard Specific Plan. The proposed Project fully complies with the applicable development standards of the proposed Commercial zoning designation of the HBSP. The proposed buildings and various appurtenant structures are appropriately situated on the site, and access to and from the site will be easy from adjacent public streets. Other site improvements such as parking, trash enclosures, exterior lighting, and landscaping have been appropriately accommodated in the proposed plan.
- B. The proposed Project would result in a significant improvement to the appearance of the area and makes efficient use of the site, contributes to the ongoing improvement of property values in the area, and is compatible with adjacent land uses.
- C. The site plan, building form, massing, height and design of the proposed buildings are well done and very attractive. The design for each building and

structure are consistent and work well together as a whole and provide a good amount of visual interest internally and externally as viewed by the street. The design features high quality exterior materials and finishes and incorporates appropriate lighting and landscape materials to give the proposed Project a distinct and pleasing appearance.

ENVIRONMENTAL ASSESSMENT

MVWD served as the lead agency for the proposed Project under the California Environmental Quality Act (Public Resources Code, § 21000, et seq.; hereinafter, CEQA). In its capacity as lead agency, MVWD prepared a Mitigated Negative Declaration (MND) that analyzed the proposed Project's potential to have significant effects on the environment. The MND provides that, absent mitigation, the proposed Project could have significant effects relating to Air Quality, Biological Resources, Cultural Resources, Geology, Hazards, Hydrology, Traffic, Tribal Resources, and Utilities. The MND further provides that, with the implementation of specified mitigation measures, the proposed Project's impacts would be mitigated to a level of less than significant.

MVWD circulated the MND for public review and comment from July 13, 2018 through August 2, 2018. MVWD received no public comments during the public comment period and responded to each of these comments in writing.

On or about August 22, 2018, MVWD's Board of Directors adopted the MND and found that the proposed Project would not have a significant impact on the environment with the implementation of the mitigation measures identified in the MND. MVWD's Board of Directors further authorized MVWD's General Manager to sign a Notice of Determination for the Project and file it in the County of San Bernardino. The Notice of Determination was filed on August 24, 2018.

The City of Montclair is a responsible agency for the proposed Project under State CEQA Guidelines (Cal. Code of Regs., tit.14, §15000 et seq.) section 15381 because it is a public agency, other than the lead agency, with discretionary approval power over the Project. Staff has reviewed and considered the information contained in the MND and all supporting documentation. Based on this review, Staff recommends the Planning Commission make the following findings consistent with State CEQA Guidelines sections 15091 and 15096:

1. The MND and supporting documentation complies with all CEQA requirements and is adequate for use by the City as responsible agency. Moreover, the MND and the supporting environmental documentation contains a complete, objective, and accurate reporting of the proposed Project's potential impacts.
2. For the reasons discussed in the MND, the proposed Project and the City's approval of the Entitlements would not result in any significant impact on the environment with implementation of the mitigation measures identified in the MND. These mitigation measures will mitigate to a level of less than significant

all of the proposed Project's potential impacts identified in the MND, including impacts relating to Air Quality, Biological Resources, Cultural Resources, Geology, Hazards, Hydrology, Traffic, Tribal Resources, and Utilities. Substantial evidence supports the City's finding that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or mitigate to a level of less than significant the environmental effects identified in the MND.

PUBLIC NOTICE

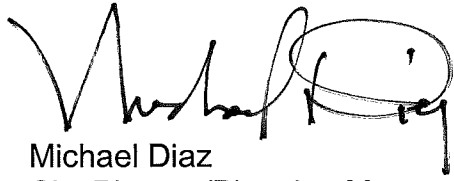
Public notice of the fact that this item would come before the Montclair Planning Commission was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on June 14, 2019, and mailed to property owners within a 300-foot radius of the exterior boundaries of the project site in accordance with State law for consideration of these discretionary entitlements.

PLANNING DIVISION RECOMMENDATION

Staff finds the proposed redevelopment of the Monte Vista Water District campus renovation project to be consistent with City policy and standards and recommends the Planning Commission approve the project under Case No. 2019-8 by taking the following actions:

1. Find that the MND is adequate for use by the City as a responsible agency for the Project, that the potentially significant environmental impacts identified in the MND will be mitigated to a level of less than significant with the implementation of the mitigation measures that were identified in the MND, and that there will be no significant impact on the environment as a result of the City's approval of the Entitlements ; and
2. Direct staff to prepare, execute and file a Notice of Determination with the San Bernardino County Clerk within five (5) working days of the approval of the proposed Project; and
3. Approve a Conditional Use Permit request under Case No. 2019-8 to allow for a Civic Administration and Utility Facility per the Holt Boulevard Specific Plan (HBSP); and
4. Approve a Variance under Case No. 2019-8 to allow for screening and security fences and/or walls to be placed within the required Central Avenue street frontage setback area; and
5. Approve Precise Plan of Design for the site plan, elevations, colors and materials, and landscape plan associated with the proposed MVWD renovation project and associated on and off-site improvements per the submitted plans and as described in the staff report, subject to the conditions in Planning Commission Resolution No. 19-1931.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Diaz', with a large, stylized loop at the end.

Michael Diaz
City Planner/Planning Manager

MD/cc

Attachments: Planning Commission Draft Resolution No. 19-1931
 Attachment A – MVWD Construction Scenario.

c: Van Jew, Monte Vista Water District, 10575 Central Avenue, Montclair, CA 91763
 Bill Koster, SVA Architect, Inc., 2 MacArthur Place, Suite 850, Santa Ana, CA 92707

Attachment A

MONTE VISTA WATER DISTRICT MAIN OFFICE SITE RENOVATION

10575 Central Avenue, Montclair, CA 91763

Construction Scenario.

Construction of the proposed MVWD Main Office Renovation Project is anticipated to take 30 months or 2.5 years to complete. Construction will occur in three phases:

Phase 1

- Demo Existing Buildings in Phase 1 Area, shown on Figure 3
- Relocate Overhead Power Lines
- Build New Administration Building without Engineering Wing
- Build New Shop Building, Storage Yard, Fleet/Employee Parking Area

Phase 1 will require three weeks to demolish existing structures on site, and 16 months to construct new facilities. Phase 1 of construction will require the use of 38,790 SF of asphalt.

Phase 2

- Demo Existing Administration Building
- Build New Engineering Wing of New Administration Building
- Build Visitor Parking Area

Phase 2 will require two weeks to demolish existing structures on site, and 10 months to construct new facilities. Phase 2 of construction will include development of 5,930 SF of pervious pavers.

Phase 3

- Demo Existing Buildings in Phase 2 Area, shown on Figure 5
- Build New Fleet/Employee Parking Area

Phase 3 will require one week to demolish existing structures on site, and one month to construct new facilities. Phase 3 of construction will include 51,630 SF of asphalt and the 5,930 SF of pervious pavers.

Source: Initial Study prepared by Tom Dodson & Associates, June 2018 for Monte Vista Water District

RESOLUTION NO. 19-1931

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING A CONDITIONAL USE PERMIT, VARIANCE AND PRECISE PLAN OF DESIGN UNDER CASE NUMBER 2019-8 FOR THE PROPOSED USE AND THE SITE PLAN, FLOOR PLANS, ELEVATIONS, CONCEPTUAL COLORS AND MATERIALS, AND CONCEPTUAL LANDSCAPE PLAN FOR THE RENOVATION OF THE MONTE VISTA WATER DISTRICT'S (MVWD) EXISTING FACILITY, INCLUDING THE CONSTRUCTION A NEW ADMINISTRATIVE BUILDING AND CORPORATE YARD FACILITIES LOCATED AT 10575 CENTRAL AVENUE (APNS 1011-052-11, 12, 19, 20, AND 21)

A. Recitals.

WHEREAS, on May 6, 2019, Monte Vista Water District (MVWD), property owner, filed an application for a Precise Plan of Design (PPD), Conditional Use Permit (CUP), and Setback Variance under Case No. 2019-8 for its Main Office Site Restoration Project (proposed Project), which entails the renovation of MVWD's existing facility, including the construction a new administrative building and corporate yard facilities; and

WHEREAS, the project site is 2.84 acres in area with street frontage on the west at Central Avenue and frontage on the east boundary where it meets Rose Avenue and the terminus of Brooks Street; and

WHEREAS; the Montclair General Plan designates the western portion of the site as Public/Quasi Public and Industrial Park for the eastern portion; and

WHEREAS, the designated land use of the site is "Commercial" per the Holt Boulevard Specific Plan (HBSP); and

WHEREAS, the Precise Plan of Design pertains to the overall site plan, floor plans, elevations, conceptual colors and materials, and conceptual landscape plan associated with the proposed development on the site; and

WHEREAS, MVWD served as the lead agency for the environmental review, analysis, and approval of the proposed Project under the California Environmental Quality Act (Pub. Res. Code, § 21000, et seq.; hereinafter CEQA);

WHEREAS, MVWD analyzed the proposed Project consistent with CEQA and prepared a Mitigated Negative Declaration (MND) for the Project that evaluated the Project's potential impacts on the environment; and

WHEREAS, the MND disclosed and analyzed the environmental impacts of the CUP, Variance, and PPD (collectively, "Entitlements") at issue here as part of the Project; and

WHEREAS, the MND provides that, absent mitigation, the proposed Project could have potentially significant environmental impacts relating to Air Quality, Biological Resources, Cultural Resources, Geology, Hazards, Hydrology, Traffic, Tribal Resources, and Utilities, but that these potential impacts would be mitigated to a level of less than significant with the implementation of certain specified mitigation measures; and

WHEREAS, MVWD circulated the MND for public review and comment from July 13, 2018 through August 2, 2018, during which time MVWD reported no public comments as being received; and

WHEREAS, the MVWD Board of Directors adopted the MND on August 22, 2018 and filed a Notice of Determination on August 24, 2018; and

WHEREAS, the City of Montclair hereby incorporates by reference the MND, copies of which are on file with the City; and

WHEREAS, the City has more limited approval and implementing authority over the Project and thus serves only as a "responsible agency" for the proposed Project pursuant to the requirements of CEQA; and

WHEREAS, in its role as responsible agency, the City will consider approval of the Entitlements for the proposed Project; and

WHEREAS, public notice of the fact that this item would come before the Montclair Planning Commission was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on June 14, 2019; and

WHEREAS, on June 24, 2019, at its agendaized public hearing commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission independently reviewed and considered the MND and all other related documents in the record before it and further conducted a public hearing at which time all persons wishing to testify in connection with said proposal were heard, and said application was fully studied; and

WHEREAS, all the procedures of CEQA have been met, and the MND prepared in connection with the proposed Project is sufficiently detailed so that all of the potential

effects of the Project relating to those potential environmental impacts within the City's powers and authorities as responsible agency, along with all measures necessary to avoid or substantially lessen such effects, have been evaluated in accordance with CEQA; and

WHEREAS, all of the findings and conclusions made by the Planning Commission pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

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

B. Resolution.

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

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

SECTION 2. In the City's limited role as a responsible agency under CEQA, the Planning Commission has reviewed and considered the information contained in the MND, all supporting documentation, and the administrative record. Based on this review, the City finds that, as to those potential environmental impacts within the City's powers and authorities as responsible agency, the MND and supporting environmental documentation contains a complete, objective, and accurate reporting of the Project's and the Entitlements' potential impacts on the environment; the Planning Commission further finds that the MND complies with all CEQA requirements. These findings reflect the Planning Commission's independent judgment and analysis.

SECTION 3. Having considered the MND, the administrative record, and all other written and oral comments, and pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000, et seq.) sections 15091 and 15096, the Planning Commission finds and agrees with MVWD that (1) the Project and the Entitlements' impacts on the environment would be less than significant with the implementation of the mitigation measures identified in the MND, (2) the mitigation measures identified in the MND will be implemented via the Conditions of Approval attached hereto as Exhibit "A," and (3) changes have thus been required in, or incorporated into, the Project that would reduce the Project's and the Entitlements' potential significant impacts to less than significant levels. The Planning Commission thus finds that with implementation of the mitigation measures set forth in the MND, which the City seeks to implement as conditions of approval for the Entitlements, the Project and the Entitlements will not result in potentially significant environmental impacts. The Planning Commission further finds that there are no feasible alternatives within the City's powers that are required to avoid or substantially reduce the Project's potential impacts. Moreover, the

Planning Commission further finds that any comments received by the City regarding the Project and/or Entitlements have been examined and have been determined to not modify the conclusions of the MND. Therefore, the Planning Commission adopts the County's findings made under State CEQA Guidelines section 15091 as its own.

SECTION 4. Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings set forth in this Resolution, the Planning Commission hereby approves a Conditional Use Permit, a Variance, and Precise Plan of Design under Case No. 2019-8, subject to the conditions of approval attached hereto in Exhibit "A".

SECTION 5 .Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommendation of approval of a Conditional Use Permit:

- A. That said use is essential or desirable to the public convenience and public welfare. Monte Vista Water District (MVWD), formed in 1927, provides retail and wholesale water supply services to a population of over 130,000 within a 30-square mile area, including the communities of Montclair, Chino Hills, portions of Chino and the unincorporated area lying between the cities of Pomona, Chino Hills, Chino, and Ontario. Approval of the CUP associated with this project will allow for the continued use of the site by MVWD with enhanced facilities to serve its customers.
- B. That granting the permit will not be materially detrimental to the public welfare and to other property in the vicinity. MVWD has operated at the subject site without known adverse impacts for decades. Approval of the CUP and subsequent renovation of the existing facility will be in conformance with the development standards HBSP and current building codes so as to be a positive improvement to the community.
- C. That such use in such location conforms to good zoning practice, in that the CUP approval for the MVWD use will be fully consistent with both the General Plan HBSP zone classification for the project site. Moreover, the continued use, and renovation, of the MVWD campus at its existing location would be consistent with both the uses surrounding the project and the surrounding land use designations and zoning classifications and not create adverse effects on the established community in any manner.
- D. That such use in such location is not contrary to the objective of any part of the adopted General Plan, in that the adopted General Plan encourages compliance with Specific Plan objectives and good design for all project which this project proposal provides.

SECTION 6. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows with respect to the recommendation of approval of a Variance from required setback on Central Avenue:

- A. That because of special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of the 20-foot landscape setback would adversely impact the site. The property in question is a unique shaped parcel on the west and sides of the site due to the design and curvature of adjacent roadways - Central Avenue frontage road and the cul de sac at Brooks Street. To meet the 20-foot setback requirement in a manner that follows the property line configuration would adversely affect the efficient use of the property and its internal development in a manner that is different than how required setbacks would impact regularly shaped lots located in the same area.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners in the vicinity and under identical zone classifications. MVWD already has walls within the required setback so approval of the variance would maintain the ability to utilize the current location of the existing wall and replace it with a new fence that offers security for the site while also allowing visibility to a portion of the interior of the site where main public entry to the new Administration Building will be and to the associated visitor parking area. As a public agency, security and accessibility to the public are integral objectives that the variance helps MVWD achieve at this location.
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to other property or improvements in the vicinity and zone in which the property is located, in that the reduced setback for placement of fences/walls along the Central Avenue frontage of the site would still allow for a sufficient amount of landscaping facing the street. Moreover, the variance would minimize the potential for future public nuisance issues with unauthorized access and activities, due to the site's location just off Central Avenue. Lastly, a variance for reduced setbacks was approved for commercial and industrial development on the west side of Central Avenue which has similar site, location, configuration, and security concerns affecting their project.
- D. That the granting of such variance will not be contrary to the objectives of any part of the adopted General Plan, in that, the General Plan specifically recognizes the importance of orderly development throughout the City.

SECTION 7. Based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning

Commission finds as follows with respect to the recommendation of approval of a Precise Plan of Design:

- A. The proposed redevelopment of the subject site would be consistent with respect to the land use designation of "Commercial" zoning district of the Holt Boulevard Specific Plan. The project fully complies with the applicable development standards of the proposed Commercial zoning designation of the HBSP. The proposed buildings and various appurtenant structures are appropriately situated on the site, and access to and from the site will be easy from adjacent public streets. Other site improvements such as parking, trash enclosures, exterior lighting, and landscaping have been appropriately accommodated in the proposed plan.
- B. The proposed project would result in a significant improvement to the appearance of the area and makes efficient use of the site, contributes to the ongoing improvement of property values in the area, and is compatible with adjacent land uses.
- C. The site plan, building form, massing, height and design of the proposed buildings are well done and very attractive. The design for each building and structure are consistent and work well together as a whole and provide a good amount of visual interest internally and externally as viewed by the street. The design features high quality exterior materials and finishes and incorporates appropriate lighting and landscape materials to give the project a distinct and pleasing appearance.

SECTION 8. Pursuant to Section 66412.3 of the Government Code, based on the entire record before the Planning Commission and all written and oral evidence presented to the Planning Commission, the Planning Commission finds the proposed improvements with the subject application will provide new and desirable commercial development along the Holt Boulevard corridor of the City.

SECTION 9. The Planning Commission directs staff to file a CEQA Notice of Determination with the County of San Bernardino Clerk of the Board of Supervisors within five (5) working days of adoption of this Resolution.

SECTION 8. The location and custodian of the documents and any other material that constitute the record of proceedings upon which the Planning Commission based its decision is as follows: Planning Division, Community Development Department, City of Montclair, 5111 Benito Street, Montclair, California 91763, or by telephone at (909) 625-9477.

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

APPROVED AND ADOPTED THIS 24TH DAY OF JUNE, 2019.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____

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 24th day of June, 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

EXHIBIT A
Conditions of Approval

Resolution No. 19-1931
Case No. 2019-8

Planning

1. This approval shall be for the following applications allowing the complete renovation of the Monte Vista Water District (MVWD) campus – main office and corporate yard - located on a 2.84-acre parcel at 10575 Central Avenue:
 - a. A Conditional Use Permit (CUP) to allow for a Civic Administration and Utility Facility per the Holt Boulevard Specific Plan (HBSP); and
 - b. A Variance to allow for screen and security fences and/or walls to be placed within the required landscape setback area along Central Avenue landscape setback area along Central Avenue; and
 - c. A Precise Plan of Design (PPD) for the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan associated with the development of the entire site.
 - d. These entitlements are granted based upon the maps, plans, and elevations submitted by the Monte Vista Water District on file with Planning Department. Minor modifications to this approval which are determined by the City Planner to be in substantial conformance with the approved site plan, building elevations, landscaping, and exterior lighting, and which do not intensify or change the use or require any deviations from adopted standards, may be approved by the City Planner upon submittal of prepared plans submitted for review and approval.
2. 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, the State of California, or Federal Government. Approval of this CUP shall not waive compliance with any such requirements.
3. The CUP and Variance approval shall be valid for six (6) months and shall automatically expire on the anniversary date of Planning Commission approval unless the applicant is diligently pursuing building plan check toward 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.

4. Precise Plan of Design (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 check toward 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.
5. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval.
6. Any modification, intensification, or expansion of the use beyond that which is specifically approved by the above-noted entitlements and that is not reflected in the map, plans, and drawings approved with this action shall require review and approval by staff, the Planning Commission, or the City Council as appropriate.
7. In the event that exhibits and written conditions are inconsistent, the written conditions shall prevail.
8. Within five days of City Council approval, the applicant shall submit the following payments to the Planning Division:
 - a. A check in the amount of **\$50**, payable to "the City of Montclair" to cover the fee for filing a Notice of Determination (NOD) as required by the California Environmental Quality Act (CEQA).
 - b. A check in the amount of **\$420.40**, payable to the "City of Montclair," to cover the cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
9. 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.

10. The applicant and/or property owner shall ensure that a copy of this Resolution is 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.
11. 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 City Planner.
12. All mechanical equipment including, but not limited to, utility meters, air conditioners, vents, and repair equipment shall be located within the building, or screened in a manner that is compatible with the architectural design of the building to the satisfaction of the City Planner. Wooden lattice or fence-like screens/covers are not appropriate screening materials and shall not be allowed.
13. Surface-mounted exposed conduit or electrical lines shall not be allowed. Electrical switchgear, meters, etc., shall be screened or housed in an enclosure to the extent allowed by the utilities.
14. Freestanding electrical transformers and Fire Department double check detector assembly equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the City Planner and Fire Marshal. Efforts shall be made to place these elements in locations that are as unobtrusive as possible.
15. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
16. Business operations at the site shall be subject to the applicable noise requirements of Chapter 6.12 of the Montclair Municipal Code. Outdoor noise levels for industrial areas are a maximum of 70 db between the hours of 7:00 a.m. and 10:00 p.m.
17. No outdoor storage, including storage containers, shall be allowed around the building, drive aisles, or upon required parking spaces.
18. All vehicle or equipment maintenance and/or fabrication activities shall be conducted inside the existing buildings or other approved facilities on site.
19. All utilities within development boundaries shall be placed underground. This requirement shall apply to existing on-site utility poles and overhead wires for

electrical services, transformers and switches, telephone and cable television facilities, serving the new structures and uses located within property boundaries.

20. Prior to the issuance of building permits, the applicant shall provide as part of the plan check submittal the following plans for City Planner review and approval:

a. Fencing/wall/gate plan with details for the entire site. The design of the decorative wall and/or metal fence and gates shall be complementary to overall appearance and colors of the new buildings 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 or 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 walls shall incorporate a finish cap piece. Unfinished gray colored masonry block is prohibited. However, gray colored split face block is acceptable.
- iv. Any gates utilized for either development 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.
- v. Any wall or fence (or combination wall/fence) facing a street or the railroad right of way shall be designed to deter graffiti to the satisfaction of the City Planner. Open fencing and/or landscaping screens are highly encouraged.
- vi. The applicant shall be responsible for coordinating with the adjacent property owners regarding the replacement of existing walls or fences, if required. Double wall or fence situations shall not be allowed.

b. Exterior lighting and photometric plan for the entire site. The plans shall indicate the location of all exterior light fixtures (area, building, parking lot, etc.) and the overall illumination levels across the site (both parcels). All proposed exterior lighting shall comply with the following standards:

- i. Provide a minimum maintained illumination level of one (1) foot-candle across the site.

- ii. All lighting fixtures shall be vandal-resistant and of a design that complements the architecture of the building.
 - iii. 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 and 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.
 - iv. Freestanding light fixtures and poles shall not exceed a maximum height of 20'-0" as measured from adjacent grade to top of luminaires.
 - v. 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.
 - vi. 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.
 - vii. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
- c. Complete Landscape Documentation Package meeting the intent and design criteria of the Montclair Water Efficient Landscaping and Conservation Ordinance (Chapter 11.60 of the Montclair Municipal Code). The Landscape Documentation Package shall include the following items:
- i. Landscape Concept Plan
 - ii. Water Budget;
 - iii. Landscape Construction Drawings (including a grading plan, irrigation plan, and planting plan).

A Landscape Documentation Package shall be approved when the Community Development Director verifies that the proposed Landscape Concept Plan for the project complies with the provisions of Chapter 11.60, other applicable provisions of this code, and when any applicable land use permit or other entitlement requirements have been fulfilled. A copy of the approved plan will be kept on file in order to use at a later date

to ensure that the plan was implemented as permitted and maintained as required.

- d. The trash enclosure(s) details. All trash enclosures shall have a solid roof cover and be designed to complement the overall architecture of the main building and in compliance to City standards.
 - i. Contact Burrtec Waste Industries to determine the number of required bins to support the most likely end user(s) of the building.
 - ii. Black-colored concrete shall be used for the trash enclosure floor and its apron.
 - iii. Access to the trash enclosure shall be constructed with disabled-access features.
- 21. Prior to the installation of any signs, the applicant shall submit an application for a Sign Program for the entire project to the Planning Commission for review and approval.
- 22. 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.
- 23. 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..
- 24. Prior to issuance of a Certificate of Occupancy for any new building or structure, the applicant shall install approved landscaping materials in the immediate vicinity of said building or structure on the property, subject to the satisfaction of the City Planner. 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 new trees (including any required street trees) shall be minimum 24-inch box size and double-staked.
 - c. A minimum of 3 inches of bark mulch (shredded or chips) shall be provided on all planted areas
 - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.

25. All landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure water use efficiency at all times. Future modifications to and/or removal of existing landscaping shall require prior approval by the Planning Division.
26. 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.
27. All landscaping on the project site shall be regularly maintained in a healthy and vigorous living condition at all times. This shall include proper pruning, weeding, removal of litter, fertilizing, and sufficient irrigation of all plants. Dead vegetation shall be promptly replaced with healthy, living plants in accordance with standard seasonal planting practices. The property owner shall also be responsible to keep the landscaped areas reasonably free of weeds, trash, and debris.
28. 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.
29. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping.
30. 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.
31. 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.
32. Freestanding electrical transformers and Fire Department double check detector assembly (DCDA) equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the City Planner and Fire Marshal. Efforts shall be made to place these elements in locations that are the least visually intrusive as possible.

33. The property owner shall be responsible for maintaining all buildings, yards, structures, signs, parking areas and other improvements at all times in such a manner that does not detract from the appearance of the site and the surrounding area. Parking lots shall be maintained in an attractive and suitable fashion with any potholes, significantly cracked or uneven paving, and any other significant damage repaired in a timely fashion throughout the life of the project.
34. All graffiti shall be removed affected surfaces 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.
35. 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.
36. This permit may be modified or revoked for failure to abide by these conditions or in the event that the use is determined to be a nuisance to surrounding properties, businesses, or the community at large.
37. 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.

Environmental – MVWD MND Mitigation Measures

38. AIR-1 Fugitive Dust Control. The following measures shall be incorporated into Project plans and specifications for implementation:
 - Apply soil stabilizers or moisten inactive areas.
 - Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 2-3 times/day).
 - Cover all stock piles with tarps at the end of each day or as needed.
 - Provide water spray during loading and unloading of earthen materials.
 - Minimize in-out traffic from construction zone.
 - Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard.
 - Sweep streets daily if visible soil material is carried out from the construction site.

39. AIR-2 Exhaust Emissions Control. The following measures shall be incorporated into Project plans and specifications for implementation:
- Utilize well-tuned off-road construction equipment.
 - Establish a preference for contractors using Tier 3 or better heavy equipment.
 - Enforce 5-minute idling limits for both on-road trucks and off-road equipment.
40. BIO-1 The State of California prohibits the “take” of active bird nests. To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal should be conducted outside of the the State identified nesting season (Raptor nesting season is February 15 through July 31; and migratory bird nesting season is March 15 through September 1). Alternatively, the site shall be evaluated by a qualified biologist prior to the initiation of ground disturbance to determine the presence or absence of nesting birds. Active bird nests MUST be avoided during the nesting season. If an active nest is located in the project construction area it will be flagged and a 300-foot avoidance buffer placed around it. No activity shall occur within the 300-foot buffer until the young have fledged the nest.
41. CUL-1 Should any cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection shall be performed immediately by a qualified archaeologist. Responsibility for making this determination shall be with MVWD’s onsite inspector. The archaeological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.
42. CUL-2 Should any paleontological resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection should be performed immediately by a qualified paleontologist. Responsibility for making this determination shall be with the City’s onsite inspector. The paleontological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.
43. CUL-3 Should human remains or funerary objects be encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project
44. GEO-1 Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the

use of straw bales or sand bags shall be used to capture and hold eroded material on the Project site for future cleanup.

45. GEO-2 All exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the MVWD Main Office is being constructed.
46. HAZ-1 All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the Project development.
47. HAZ-2MVWD shall prepare an updated Business Plan, with a Spill Prevention Control Countermeasures Plan, and submit this document to the City Fire Department for review and approval. All hazardous materials that may be used at the project site shall be identified (including quantities); methods of storage shall be defined; measures to prevent release of the hazardous materials to the environment shall be defined; and management procedures for disposal of hazardous waste, including proper manifesting, shall be identified. The City Fire Department shall review and approve this plan prior to movement of any hazardous materials onto the site.
48. HYD-1 MVWD shall require that the construction contractor prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving offsite into receiving waters. The SWPPP shall include a Spill Prevention and Cleanup Plan that identifies the methods of containing, cleanup, transport and proper disposal of hazardous chemicals or materials released during construction activities that are compatible with applicable laws and regulations. BMPs to be implemented in the SWPPP may include but not be limited to:
 - The use of silt fences;
 - The use of temporary stormwater desilting or retention basins;
 - The use of water bars to reduce the velocity of stormwater runoff;
 - The use of wheel washers on construction equipment leaving the site;
 - The washing of silt from public roads at the access point to the site to prevent the tracking of silt and other pollutants from the site onto public roads;
 - The storage of excavated material shall be kept to the minimum necessary to efficiently perform the construction activities required. Excavated or stockpiled material shall not be stored in water courses or other areas subject to the flow of surface water; and

- Where feasible, stockpiled material shall be covered with waterproof material during rain events to control erosion of soil from the stockpiles.
49. TRAF-1 The construction contractor will provide adequate traffic management resources, as determined by the City of Montclair. The City shall require a construction traffic management plan for work in public roads that complies with the Work Area Traffic Control Handbook, or other applicable standard, to provide adequate traffic control and safety during excavation activities. The traffic management plan shall be prepared and approved by the City prior to initiation of excavation activities. At a minimum this plan shall include how to minimize the amount of time spent on construction activities; how to minimize disruption of vehicle and alternative modes of transport traffic at all times, but particularly during periods of high traffic volumes; how to maintain safe traffic flow on local streets affected by construction at all times, including through the use of adequate signage, protective devices, flag persons or police assistance to ensure that traffic can flow adequately during construction; the identification of alternative routes that can meet the traffic flow requirements of a specific area, including communication (signs, webpages, etc.) with drivers and neighborhoods where construction activities will occur; and at the end of each construction day roadways shall be prepared for continued utilization without any significant roadway hazards remaining.
50. TRC-1 Retain a Native American Monitor: The project Applicant will be required to obtain the services of a tribal monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation and will be present on-site during the construction phases that involve any ground disturbing activities. Ground disturbance is defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete monitoring logs on a daily basis that will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the site has a low potential for archeological resources.
51. TRC-2 Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while

evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

52. TRC-3 Unanticipated Discovery of Human Remains and Associated Funerary Objects: Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.
53. TRC-4 Resource Assessment & Continuation of Work Protocol: Upon discovery, the tribal and/or archaeological monitor will immediately divert work at minimum of 50 feet and place an exclusion zone around the burial. The monitor(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).
54. TRC-5 Kizh-Gabrieleno Procedures for burials and funerary remains: If the Gabrieleno Band of Mission Indians – _Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as

historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

55. TRC-6 Treatment Measures: Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location mitigated between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

56. TRC-7 Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior

standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

57. UTIL-1: The contract with demolition and construction contractors shall include the requirement that all materials that can feasibly be recycled shall be salvaged and recycled. This includes but not limited to wood, metals, concrete, road base and asphalt. The contractors shall submit a recycling plan to MVWD for review and approval prior to the construction of demolition/construction activities.

Building

58. Submit four 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.
 - g. Waste recycling plan, recycling 65% of all construction debris.
59. The applicant shall comply with the latest adopted California Building Code, other applicable codes, and ordinances and regulations in effect at the time of permit application. These applicable codes shall be indicated on the first page of submitted plans.
60. Submit two sets of structural calculations, and two sets energy conservation calculations.
61. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
62. Submit detailed plans for all walls and fencing associated with the project.
63. A demolition permit is required prior to the demolition of any existing structure on the site.
64. Clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way from the affected area of new construction or renovation. 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%).

65. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
66. Exposed raceways shall be prohibited on all building. Conduits, vents and piping shall not be located on the exterior of the building.
67. 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.
68. Decorative foam trim shall not be used in areas subject to damage such as entry doors, garage doors, etc. Use of decorative foam shall not be allowed to be used below the second story.
69. 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.
70. 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.
71. 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.
72. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed buildings. Double-detector check facility shall be adequately screened by landscaping or an architectural screen wall.
73. 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.
74. 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. Address 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.
 - b. 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.
75. 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.
76. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
77. 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.
78. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
79. A Certificate of Occupancy is required prior to occupancy of the subject building. Issuance of a Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
80. Prior to issuance of a Certificate of Occupancy, the person or corporation responsible for the preparation of the Water Quality Management Plan shall certify, in writing, to the Building Official that all conditions and requirements of the Water Quality Management Plan have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the Building Official 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 Water Quality Management Plan.
81. 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.

82. 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.

Water Quality Management Plan

83. 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.
84. Owner understands that infiltration testing must be conducted and a report submitted for review within 30 days of demolition of the building pad including the revised WQMP.
85. Owner understands that if the stormwater treatment device is infeasible at proposed location, and an alternative treatment device is proposed that may affect site design project owner may have to revisit with the Planning Department for any revised site changes.
86. Owner understands no construction may commence prior to the approval of the WQMP.
87. Post-construction stormwater treatment devices associated with the WQMP must be constructed and operational prior to receiving Certificate of Occupancy for first phase of construction.
88. 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.

89. 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) 983-5501 for further information regarding permit and fees.
90. Prior to issuance of a rough grading and/or precise grading permit, the applicant must:
 - a. Must have a City approved WQMP.
 - b. Submit to the Engineering Division an electronic copy of the approved WQMP in PDF format.
 - c. Obtain a State Construction General Permit and proof must be shown (WDID Number) on both rough grading plan and precise grading plan.
91. Prior to issuance of Certificate of Occupancy, the applicant shall:
 - a. Submit to the Engineering Division as built drawings as it relates to the WQMP.
 - b. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
92. 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 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 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.
93. 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 Best Management Practices (BMPs) shall be duly noted and shown on the landscape plans per the approved WQMP.

Landscape Conditions of Approval Associated with the WQMP

94. It is required prior to receiving Certificate of Occupancy the Landscape Architect of record to comply and submit a Letter of Completion to both Planning Division and Engineering Division.

95. To ensure the landscaping associated with the stormwater treatment device(s) is maintained properly for the life of the project, the property owner/lessee must provide to the Public Works Department every third year after receiving the Certificate of Occupancy, a wet stamped letter of certification from a licensed, certified Landscape Architect, or recognized horticulturist organization or business.
96. The certified letter must state that the plants located within the boundaries of and immediately adjacent to stormwater treatment devices are currently in good health and has been maintained to continue to promote the long-term functional and aesthetic performance of the stormwater treatment device. For example, if the planted component of the stormwater device was designed to control erosion, aid in pollutant capture, or maintain permeability, the plant material must be kept at a level of health and vigor to continually meet these functional requirements.
97. Individuals qualified to submit the certification letter must be able to identify species present and report on their conditions. Providing the original planting design documents to the consulting horticulturist may help them in this process.
98. If mulch is present in the assessment area, this must be noted in the letter along with the current depth of the mulch layer and a description of which areas of the stormwater treatment device are mulched.
99. Five to ten clear and representative site photos showing the condition of the various plant materials located in and adjacent to the stormwater treatment device and any other notable conditions related to the device, printed in color on standard 8.5 x 11 paper, must also be submitted as part of the letter.
100. Representatives of the Public Works Department may follow up with site inspections to confirm the accuracy of certification letters and the overall functional condition of stormwater treatment devices.

Engineering

101. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code.
102. Construction permit shall contain provisions for performance and payment bonds for all work within the public rights of way, and a monumentation bond for tract monuments in accordance with the Subdivision Map Act.
103. A park land fee is not applicable for this site.
104. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.

105. Any street improvements shall be shown on street improvement plans, they may also be included in the grading plans.
106. All pavement damaged by excavation shall be replaced with permanent pavement per the City Standard for paving and trench repair STD No. 121.
107. Replace all existing lifted or cracked curb gutter and sidewalk adjacent to the property. Additionally remove sidewalk that shows signs of ponding or is pitting, scaling or spalling.
108. Project shall pave the curb adjacent lane for the limits of the property.
109. Project shall add at least one light along property frontage. Streetlights will be owned and maintained by Southern California Edison (SCE). The minimum lighting level for all streets shall be to the satisfaction of the City Engineer.
110. Developer shall pay Regional Sewerage Capital Outlay fees as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
111. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
112. Approval of the WQMP is required prior to the preparation of grading and/or other improvement plans. Requirements for the WQMP may be obtained from the City NPDES Coordinator Joseph Rosales at 909-625-9470. Requirements of the WQMP may require significant modifications to the approved tentative map. If significant modifications are required, a resubmittal to the Planning Commission and City Council may be required.
113. A grading plan shall be prepared subject to the approval of the City Engineer. An erosion control plan is to be included and considered an integral part of the grading plan. Grading plans shall be designed in accordance with City standards and guidelines, and shall be on 24" by 36" sheets.
114. All drainage facilities shall comply with requirements of the approved WQMP.
115. 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.
116. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 800-422-4133.

Environmental

117. Discharge of wastewater into the sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
118. 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). Contact Nicole deMoet for fee information.
119. A Wastewater Discharge Survey is required to be completed and submitted to the Environmental Manager for review prior to plan submittal. Contact Environmental Manager Nicole deMoet at (909) 625-9446 for more information.
120. The proposed capacity of the sand oil clarifier for the Vehicle Wash Bay and Maintenance Building is to be determined by the Environmental Manager. Contact Environmental Manager Nicole deMoet at (909) 625-9446 for more information.

Fire

121. 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 Prevention Bureau 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 Prevention Bureau requires three sets of plans be submitted with an application and all fees pre-paid.
122. 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 Prevention Bureau at the time an application for permit is filed (CFC 2016 105.3.8).
123. When submitting plans Provide 3 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 Prevention Bureau permits, paying all necessary fees prior to beginning construction. (2016 CFC 105.4.1)
124. 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)

125. Each page shall bear the 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).
126. Provide an accurate description of the scope of work for the project on the title page.
127. Show all exterior and interior building dimensions on the plans.
128. The plan check application can be found on the City of Montclair web site: <http://www.cityofmontclair.org> and clicking on following Departments, Fire, Fire Prevention, Plan check and permit process.
129. This project is required to comply with the 2016 California Fire Code as amended in the Montclair Municipal Code, and Montclair Fire Prevention Bureau development standards.
130. All fees are required to be paid in full prior to any permit issuance.
131. 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.
132. Provide additional fire apparatus access roads (2016 CFC 503.1.2). Show fire apparatus access on all sides of the building on the plans.
133. 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).
134. Provide a site plan using a 20-30-40- scale to show the turn radius for all corners, using a minimum 32 feet inside & 45 feet outside. (CFC 2016 503.2.4).
135. Provide fire apparatus turn-around dimensions (hammerhead, boot, or cul-de-sac) where fire apparatus access roads and driveways exceed 150 feet (2016 CFC 503.2.5).

136. 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)
Traffic calming devices shall be prohibited unless approved by the fire code official. (2016 CFC 503.4.1)
137. 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).
138. 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)
139. 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.
140. Security gates are required to be setback 45 feet from the public roadway curb line.
141. A Knox Box is required and shall be of an approved type and shall contain Master keys to allow the fire department to gain necessary access (2016 CFC 506.1).
142. 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).
143. Install parapet ladders and emblems. Locations to be determined by the Fire Prevention Bureau during plan check.
144. Commercial Address numbers must be 8-10" tall and automatically illuminated and facing the street. Contact Planning for further information. (CFC 2016 505.1).
145. Exact number, location, and type of fire extinguishers shall be determined by Fire Prevention Bureau.
146. Public Water Systems must meet all Monte Vista Water District standards. Contact the Monte Vista Water District at 909-624-0035.
147. Exact number, location, and design of fire hydrants shall be determined by Fire Department and the Monte Vista Water District.
148. 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.

149. An approved water supply capable of providing the required fire flow for fire protection shall be provided (2016 CFC 508.1).
150. 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
 - o 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.
151. 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.
152. 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)).
153. The installation of check valves is required between fire hydrants and Fire Department Connections (FDC).
154. Show pipe size of the fire water system on the plans.
155. Provide a site plan showing on-site fire hydrants and mains shall be provided when the exterior of a facility or building is more than 300 feet from a fire hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. (CFC 2016 508.5.1)
156. Provide a site plan showing all fire hydrants and distances to nearest fire hydrants in all directions along fire apparatus access roads.
157. Minimum underground fire service supply pipe shall be 6 inches in diameter. (MMC 10.28.060K(5)).
158. Double Check Detector Assembly shall be painted Rustoleum Hunt Club Green, satin acrylic finish stock #7944502.

159. 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.
160. Trash enclosures shall be fully enclosed 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.
161. Any Outdoor detached facilities greater than 200 square feet is required to install an approved fire sprinkler system. (MMC 10.28.060 J(3)).
162. Fire sprinkler system plans are required to be a separate plan submittal with a completed application and all fees pre-paid.
163. 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.
164. When automatic fire sprinkler systems or fire alarm systems are installed in buildings constructed for multiple tenants and these systems protect multiple tenant spaces, the main controls and control appurtenances, such as risers, fire alarm control panels, and valves for such systems, shall be located in an attached or included room or an approved weather resistant enclosure with at least one exterior access door of not less than 3'-0" by 6'-8".
165. 2016 CFC Chapter 33 conditions shall apply to this project during construction and demolition (2016 CFC 3301.1).
166. Develop and maintain an approved pre-fire plan in cooperation with the fire department (2016 CFC 3308.2).
167. 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).
168. 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 through-out the project. (CFC 2016 503.2.3)

169. Approved vehicle access firefighting 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).
170. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles (CFC 2016 503.4).
171. 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).
172. Welding, cutting, open torches and other hot work operations and equipment shall comply with 2016 CFC Section 2601.1.
173. 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).
174. Structures under construction, alterations or demolition shall be provided with not less than one approved portable fire extinguisher (2016 CFC 3315.1).
175. 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

176. Prior to the installation of video surveillance cameras, the applicant shall submit a plan showing their location to the Chief of Police.
177. 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.
178. This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance

issues. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.

179. 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.
180. 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.
181. 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.
182. 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.

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.

183. 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.