



REGULAR ADJOURNED MEETING OF THE
MONTCLAIR PLANNING COMMISSION

to be held in the Council Chambers
5111 Benito Street, Montclair, California

Monday, January 23, 2023
7:00 p.m.

Remote Participation Information:
Zoom Link: <https://zoom.us/j/95858571900>
Dial Number: 1-(669)-900-6833
Meeting ID: 95858571900

*To make a public comment or speak on an agenda item, including a public hearing, please complete the online public comment form at <https://www.cityofmontclair.org/public-comment/>. Written comments (200-word limit per agenda item and 200-word limit for all non-agenda items combined) and requests to speak can also be emailed to pcclerk@cityofmontclair.org at least one hour before the meeting begins. The chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate time during the meeting. Those participating remotely may request to speak using the "raise hand" function in Zoom (dial *9 if on the phone, and then *6 to un-mute when called on to speak).*

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Manny Martinez, Vice Chair Jaso Sanchez, Commissioner Ginger Eaton, Commissioner Krishna Patel, and Commissioner Sergio Sahagun

4. APPROVAL OF MINUTES

None.

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 an online public comment form as described above.

6. AGENDA ITEMS

- a. CASE NUMBER 2022-47
Project Address: 8958 Rose Avenue
Project Applicant: Ali Gorginfar
Project Planner: Silvia Gutierrez
Request: Precise Plan of Design for the exterior remodel to an existing 1,754 SF building including the addition of a 1,244 SF carport and the construction of a new 3,383 SF warehouse building at the rear of the property located at 8959 Rose Avenue. The project includes site and parking improvements to a 0.37-acre lot.

Environmental Assessment

The Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15301 of the State CEQA Guidelines, which covers the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed development involves the remodeling of an existing office structure not exceeding 2500 SF in floor area. The proposed construction of a new 3,383 SF storage building and attached 1,244 square foot covered patio does not exceed 10,000 SF in floor area on sites zoned for such use, where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. As such, there is no substantial evidence the project will pose a potentially significant impact to the environment.

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

Reports, backup materials, and additional materials related to this project item can be viewed on our website www.cityofmontclair.org/agendas by clicking on the Planning Commission agenda for January 23, 2023.

9. ADJOURNMENT

The City of Montclair Planning Commission meeting is adjourned to the regularly scheduled meeting of February 13, 2023, at 7:00 p.m.

**CERTIFICATION OF
AGENDA POSTING**

I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door of Montclair City Hall on January 19, 2023.



CITY OF MONTCLAIR PLANNING COMMISSION

MEETING DATE: 1/23/23

AGENDA ITEM 6.a

Case No. 2022-47

Application: Precise Plan of Design for the exterior remodel to an existing 1,754 SF building including the addition of a 1,244 SF carport and the construction of a new 3,383 SF warehouse building at the rear of the property located at 8959 Rose Avenue. The project includes site and parking improvements on a 0.37-acre site.

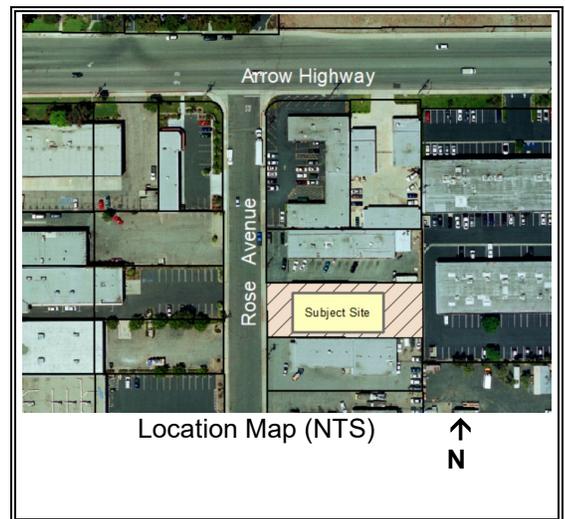
Project Location: 8959 Rose Avenue

Property Owner: Ali Gorginfar

General Plan: General Commercial

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

Assessor Parcel No.: 1008-032-04-0000



ADJACENT LAND USE DESIGNATIONS AND USES

Adjacent Land Use Designations and Existing Uses			
	<i>General Plan</i>	<i>Zoning</i>	<i>Existing Use of Property</i>
Site	General Commercial	MIP Manufacturing Industrial Park per NMSP	Vacant Building
North	General Commercial	MIP Manufacturing Industrial Park per NMSP	Office for Business Consultant Services
South	General Commercial	MIP Manufacturing Industrial Park per NMSP	Auto Repair
East	Business Park	M-1 Limited Manufacturing per NMSP	Multiple Tenant Business Park
West	General Commercial	MIP Manufacturing Industrial Park per NMSP	Carpet Store

Report on Item Number 6.a

CASE NUMBER 2022-47

APPLICATION TYPE(S)	Precise Plan of Design
NAME OF APPLICANT(S)	Ali Gorginfar
LOCATION OF PROPERTY	8959 Rose Avenue
GENERAL PLAN DESIGNATION	General Commercial
ZONING DESIGNATION	Manufacturing Industrial Park (MIP) per the <i>North Montclair Specific Plan</i>
EXISTING LAND USE	Vacant Industrial Building
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15332)
PROJECT PLANNER	Silvia Gutiérrez

Project Description

The property owner is proposing to improve the existing property for their carpet and floor materials contractor business. The proposed project includes the following improvements:

- Interior/exterior improvements to an existing 1,754 SF one-story building to create offices, a conference room, and restrooms and update the appearance of the building.
- Construction of a new 1,244-SF carport addition to the office and a new 3,383-SF warehouse building at the rear of the property.
- Slurry seal/repair of the existing asphalt parking area.
- The parking area will be restriped for twelve parking spaces including a required disabled parking space.
- A concrete cross gutter to convey stormwater to a proposed catch basin.
- Construction of a new covered trash enclosure.
- Realignment and modification of existing driveways, including relocation of an existing fire hydrant.
- Addition of new 15-foot deep landscaping planters at the front of the property.
- A new eight-foot-high block wall with a sliding metal gate to replace the existing chain link fencing to enclose the parking lot.

Building Design

The major changes to the building are focused on the south elevation which includes the “framing-in” of an old opening and the addition of four new 6’ x 6’ square fixed-pane windows and a set of commercial entry doors. In addition, the existing canopy at the front corner of the building will be repaired and then extended further to the east for almost the entire length of the building. The applicant is proposing an extension of a parapet on the west and south side of the existing office building to conceal roof-mounted HVAC equipment from street view.

Between the existing building and the proposed warehouse building. The applicant is proposing to construct a new carport structure. The 1,244 SF carport would connect to the new storage building and provide shade and weather protection to vehicles and persons onsite during inclement weather. The carport will be 10 feet at its highest point.

The new warehouse storage building is rectangular in shape and occupies the full width of the property at its east end. The building will be constructed of a dark-colored (Onyx) concrete block with both smooth and split-face finishes. On the west elevation of the building, a smooth stucco wall finish is proposed to architecturally “frame” the structure’s roll-up garage door. The overall height of the building will be 21 feet.

Proposed colors for the new building include three shades of warm grays. The windows will be gray glass with anodized aluminum frames.

Landscape Plan

The subject property is currently entirely developed with asphalt pavement and structures from the street curb to all property lines with no landscaping areas. The new project will include the addition of two 15-foot deep new planter areas at the street flanking the new driveway alignment into the site and a smaller planter space against the existing building. Two Palo Verde (Desert Museum) trees are proposed for the planter with desert and drought-tolerant plants below. The plants below the tree include Agaves, Barrel Cactus, Cereus, and Hesperaloe parviflora set in decomposed granite and decorative gravel.

Plans for the project are provided in the Commission packets for reference.

Background

- The applicant owns and operates G & S Carpets Mills, Inc., a commercial floor installation company in Pomona. The company’s clients range from various State of California agencies and Air Force facilities. The property was purchased in 2021 to make Montclair the company’s headquarters.
- The 0.37-acre property is located in an area that is largely developed with other commercial and industrial uses and is currently zoned MIP-Manufacturing Industrial Park per the North Montclair Specific Plan allowing for the development of buildings

for manufacturing, and storage of ancillary merchandise and equipment related to the main business within an enclosed building.

- According to property profiles, the building was constructed in 1962 as an auto repair facility with two repair bays.
- The subject site is currently vacant and was most recently used as a copier repair shop.

Planning Division Comments

Overall, staff finds the proposed project to be well designed and the new proposed warehouse building to be appropriately situated on the subject site. The 0.37-acre property has sufficient size and shape to accommodate the proposed project and is situated with direct access to Rose Avenue. Other site improvements such as parking, trash enclosure, exterior lighting, landscaping, and required elements of the approved Water Quality Management Plan (WQMP) have been accommodated in the proposed site plan.

The proposed realignment of the main driveway has been reviewed by the City Engineer and provides a direct entry into the site than currently exists. In addition, the revised front setback area design improves the appearance of the property and provides an organized appearance to the street.

The project complies with the applicable development standards of the MIP zoning designation of the property including setbacks, building height, and parking as generally described above. The proposed warehouse building at the rear of the site exceeds the required 35-foot front building setback from Rose Avenue. No side yard setbacks are required. At 21 feet in height, the building is under the 75-foot height limit of the MIP zoning district. The project also provides twelve (12) on-site parking spaces which meet the minimum code requirement for the size of the building and proposed use. On-site parking is properly distributed on the site where it is needed and easily accessible.

Building Design

Staff worked with the architect on the design of the building and is generally pleased with the overall design. Although the proposed improvements to the existing building are modest in form, they are consistent with the scale of the building. The new windows, doors, and canopy result in an attractive mid-century design look that updates the building and the property's overall appearance.

Regarding the new warehouse building, the scale and form of the building complement the existing building and the development pattern of the surrounding area. The use of a dark-colored concrete masonry block material is somewhat unusual but will work well with the proposed color scheme for the project. The added design touches to the smooth

stucco wall “surround” around the doors of the building add an element of design to the building’s front elevation facing the street.

Landscape Design

The selected plant materials for the front planter areas are appropriate and well-arranged. The proposed irrigation system is designed to be water efficient in compliance with the City’s Water Conservation Ordinance. The landscape plan is also consistent with the approved Water Quality Management Plan (WQMP) for the project.

The use of ¾ inch charcoal colored pebbles in the front landscape planters provides an attractive base for the proposed landscape palette that is consistent with the overall design of the project. The thoughtful placement of the variegated agave plants, coupled with the balance of the shrubs and ground cover, will create a visual interest in the site that complements the modern clean design of the remodeled office and new warehouse building.

Public Notice

Public notice is not required for a Precise Plan of Design (PPD) application, where no further entitlements (e.g., variance or Conditional Use Permit) beyond design review is required.

Environmental Assessment

The Planning Division has determined this project to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines, which covers the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed development involves the remodeling of an existing 1,754 SF office structure not exceeding 2,500 SF in floor area. The proposed construction of a new 3,383 SF storage building and attached 1,244 SF carport does not exceed 10,000 SF in floor area on sites zoned for such use, where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. As such, there is no substantial evidence the project will pose a potentially significant impact to the environment.

Planning Division Recommendation

Staff recommends the Planning Commission Commission approve the proposed project by taking the following actions:

- A. Move that, based upon evidence submitted, the Planning Commission finds the current application for the proposed remodeling of an existing 1,754 SF building

and the construction of a small 3,383 SF warehouse storage building, a new 1,244 SF carport, and related site improvements are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), under Section 15301 of the State of California CEQA Guidelines, which exempts covers the remodeling of an existing office building the addition of a carport and the construction of 3,383 SF storage building and a 1,244 SF attached carport. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, the proposed development involves the remodeling of an existing 1,754 SF office building not exceeding 2,500 SF in floor area. The proposed construction of a new 3,383 SF warehouse building does not exceed 10,000 SF in floor area on sites zoned for such use, where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

- B. Approve the Precise Plan of Design (PPD) for the site plan, elevations, landscape plan, colors, and materials associated with the proposed remodeling of an existing 1,754 SF building and the construction of a 1,244 SF carport structure and 3,383 SF warehouse building and associated site development improvements on the 0.37 -acre site at 8959 Rose Avenue, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 23-1978.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael Diaz". The signature is fluid and cursive, with a large initial "M" and "D".

Michael Diaz
Director of Community Development

Z:\COMMDEV\SILVIA GUTIERREZ\CASES\2022\8959 ROSE AVENUE

RESOLUTION NO. 23-1978

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN UNDER CASE NO. 2022-47 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND LANDSCAPE PLANS FOR THE REMODEL OF AN EXISTING 1,754 SF BUILDING, CONSTRUCTION OF A NEW 3,383 SF STORAGE BUILDING, AND AN ATTACHED 1,244 SF CARPORT AT 8959 ROSE AVENUE (APN 1008-032-04)

WHEREAS, on November 12, 2022, an application for a Precise Plan of Design (PPD) was filed under Case No. 2022-47, to allow the development of a 3,383 SF warehouse storage building, a 1,244 SF attached carport and interior/exterior remodel of an existing 1,754 SF office building, on-site lighting, landscaping, and surface parking at 8959 Rose Avenue; and

WHEREAS, the subject property is approximately 0.37 acres in size with direct access to Rose Avenue which is a fully developed street; and

WHEREAS, the project site is located within the MIP Industrial Park Manufacturing zoning district of the *North Montclair Specific Plan* (NMSP) approved in 1992; and

WHEREAS, the project site is currently developed with a 1,754 SF building that was originally constructed in 1963 per the applicable development standards of the time; and

WHEREAS, the existing 1,754 SF building will be remodeled and a new 1,244 SF carport structure and 3,338 SF warehouse building will be constructed; and

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

WHEREAS, staff has determined that the proposal meets the intent and applicable development standards of the MIP zoning district of the NMSP; 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), under Section 15301 of the State CEQA Guidelines, and based on its independent judgment, concurs with staff's determination of said exemption and finding of no significant effect on the environment; and

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

WHEREAS, on January 23, 2023, commencing at 7:00 p.m. in the Council Chambers at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with the said application were heard, and said application was fully studied.

B. Resolution.

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

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.
2. Based upon the substantial evidence presented to this Commission during the above-referenced hearing on January 23, 2023, including written and oral staff reports together with public testimony, this Commission hereby finds the proposal to be consistent with the overall objectives of the City of Montclair General Plan, Montclair Municipal Code, and good planning principles, and approves the application subject to each condition set forth below.

Planning

1. This approval shall be for a Precise Plan of Design (PPD) for the site plan, elevations, landscape plan, colors, and materials associated with the proposed remodel of an existing 1,754 SF building and the construction of a 1,244 SF carport structure and 3,383 SF warehouse building and associated site development improvements on the 0.37-acre site at 8959 Rose Avenue, per the submitted plans and as described in the staff report.
2. PPD approval shall be valid for 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 before the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval. Any modifications, intensification, or expansion of the use and design found by the Director of Community Development to be significantly different from the approved plan shall be referred to the Planning Commission for review and approval.
4. In establishing and operating a business on the site, the applicant shall at all times comply with all laws, ordinances, and regulations of the City of Montclair, the County of San Bernardino, and the State of California.

Approval of this PPD shall not waive compliance with any such requirements.

5. Within five (5) days of approval by the Planning Commission, the applicant shall submit to the Planning Division a \$50.00 check, payable to "Clerk of the Board of Supervisors," to cover the filing fee for the Notice of Exemption (NOE) as required by the California Environmental Quality Act (CEQA).
6. The applicant and the property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 10 days of receipt of the Planning Commission Resolution.
7. The applicant and subsequent property owners and users shall comply with the following operational standards:
 - a. All land uses and operations other than loading or unloading activities shall be conducted wholly within enclosed buildings. No processing or activities other than storage as allowed below shall be permitted outside of the building(s), including required setback areas, parking and circulation areas, or other landscaped areas.
 - b. Outdoor storage of personal or other items (including motor vehicles) not directly related to the primary use of the property shall be prohibited anywhere on the exterior of the site.
 - c. No outdoor pay telephones, loudspeakers, or vending machines shall be installed or used on the property.
 - d. No outdoor storage of raw materials, finished products, pallets, equipment, and/or other supplies of any kind, or waste materials whether on the ground, on racks, or within storage containers shall be allowed on the site.
8. All on-site property (buildings and site) improvements shall be maintained in good operating and sound condition at all times, including the trash enclosure, gates, fences, walls, exterior light fixtures, vehicular access ways, sewers, storm drains, and stormwater treatment devices associated with the Water Quality Management Plans, and landscaping and irrigation systems, security cameras, etc.
9. Trash enclosure shall be kept in a sanitary, orderly, and functional condition at all times. Sanitary shall mean free of scattered trash and debris, spills or splatter on floors and/or walls, free of odors to the highest degree possible, and free of insects and rodents.

10. All future businesses occupying the site shall obtain and maintain valid business licenses and comply with applicable City regulations at all times. As part of the routine review process for each new business license application, the property and subject lease spaces will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.
11. All automobile parking spaces shall be delineated with double-line (e.g. "hairpin") striping per City Standard No. SP-2A.
12. Permanent outdoor storage of raw materials, parts, finished products, solid waste items, pallets, machines, cargo/shipping containers, shelving, or the storing of any vehicles, structures, or equipment unrelated to the operation of a permitted business operation shall not be allowed.
13. No hazardous or toxic materials shall not be stored, even temporarily, outdoors or within trash enclosures.
14. No temporary or permanent living quarters shall be established on the premises within any building or motorhome/recreational vehicle.
15. The applicant and/or property owner shall ensure that a copy of the Planning Commission Resolution, including all conditions of approval, be reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the project.
16. All future business(es) occupying the completed building shall be required to obtain and maintain valid business licenses and comply with all applicable City regulations at all times. As part of the routine review process for each new business, the property and subject lease spaces will be inspected to ensure compliance with all applicable codes, including the provision of adequate on-site parking.
17. Before the issuance of building permits, the applicant shall provide the following plans submitted for plan check:
 - a. Fencing/gate plan for the entire site. The design of the block fence with stucco finish and metal gates shall be complementary to the overall appearance and colors of the new building and constructed of durable and easily maintained materials as follows:
 - i. Fencing shall have a durable finish (e.g., powder coat) in a color that complements the building or black subject to the approval of the Community Development Director.

- ii. The face or finished side of any fence or wall on the property shall be directed toward the street or where it is directly visible to the street or adjacent properties. Any posts and stringers used to support a fence shall be placed on the inside facing the subject property.
 - iii. 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 Community Development Director. The use of chain-link fencing and security deterrents such as barbed or concertina wire are expressly prohibited.
 - iv. Gates shall be made accessible to emergency personnel (Police and Fire) during times when they are closed. Contact the Montclair Fire Department for further information and requirements.
 - v. The applicant/property owner shall coordinate with the property owner to the east to ensure the removal of the existing chainlink in the area being taken up by the exterior wall of the proposed warehouse building. The use of chain-link fencing and security deterrents such as barbed or concertina wire are expressly prohibited and must be removed before issuance of final occupancy.
- 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. 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 to direct illumination down to the surface to be illuminated and away from public rights-of-way and properties adjacent to the subject site. Cut-off or "house-back" 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 the adjacent grade to the top of the 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 to illuminate the roof shall not be permitted.
 - vii. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
18. Before issuance of a Certificate of Occupancy, the applicant shall install approved landscaping materials on the site including the exterior setback area along the Rose Street frontage of the property, subject to the satisfaction of the Director of Community Development or his designee. The following standards shall apply:
- a. All shrubs shall be a minimum five-gallon container size (except herbaceous perennials and woody spreading shrubs).
 - b. All trees shall be a minimum 24-inch box size and double-staked.
 - c. A minimum of 3-inches of gravel shall be provided on all planted areas.
 - d. All landscape planting areas shall have 100 percent irrigation coverage by an automatic irrigation system.
19. All landscaping and irrigation systems shall be maintained per the approved site and/or landscape plan to ensure water use efficiency.
20. 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.
21. 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.

22. The trash enclosure(s) shall have a solid roof cover and be designed to complement the overall architecture of the main building. Contact Gary Knootz at gknootz@burrtec.com at Burrtec Waste Industries for written approval.
23. Signage on the building shall be limited to the name of the business only and the numerical address. A monument sign may be installed subject to City review and approval. A separate Sign Permit Application shall be submitted by the property owner (or licensed sign contractor) for the abovementioned sign(s) to the Planning and Building Divisions for review, approval, and issuance of all necessary permits before installation of any sign(s).
24. Temporary promotional signs shall comply with Chapter 11.72 of the Montclair Municipal Code. Temporary banners to announce a grand opening or promotional event shall require a banner permit from the Planning Division prior to installation.
25. 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.
26. On-site directory signs or directional signs shall be submitted for review and approval by the Director of Community Development.
27. 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.
28. All roof-mounted mechanical equipment (e.g., vents, meters, HVAC units, ducts, conduit, satellite dishes, photovoltaic systems, etc.), enclosures, or equipment screen walls shall not project above the roof parapet.
29. Screening of roof-mounted equipment shall be accomplished with mechanical roof wells recessed below the roof line or by solid and permanent roof-mounted screens. Screening shall be compatible with the architectural style, materials, and color of the building upon which the equipment is located, subject to the approval of the Director of Community Development.

30. Ground-mounted mechanical equipment shall be fully screened from view from streets or surrounding residential or commercial uses by a combination of decorative walls and an evergreen hedge equal to or exceeding the height of the equipment.
31. Access to the roof of the building shall be from within the structure and not be means of roof access ladders mounted to the exterior of the building.
32. 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 Director of Community Development.
33. 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 Director of Community Development and Fire Marshal. Efforts shall be made to place these elements in locations that are the least visually intrusive as possible.
34. Any graffiti shall be removed within 24 hours of discovery or notification by the City. The paint utilized to cover the graffiti shall match the affected structure. If 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.
35. The applicant/property owner shall upon notification by the City restore and/or replace any glazing, or other exterior design feature/ material that has been permanently damaged by graffiti, etching, or by other means.
36. 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.
37. 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. The City shall promptly notify the applicant of any action brought and City shall cooperate with the applicant in the defense of the Action.

Building

38. 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
39. Submit two sets of structural calculations, if required and two sets of energy conservation calculations.
40. Architect's/Engineer's stamp and "wet" signature are required before plan check approval.
41. 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 the submitted plans.

42. Contractors must show proof of State and City licenses and Workers' compensation coverage to the City before permitting issuance.
43. Separate permits are required for fencing and/or walls. Submit details of construction on the plans. Double wall/fence conditions which have been created by an adjacent property line will not be allowed.
44. Plans shall be submitted for plan check and approved before construction. All plans shall be marked with the project file number.
45. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
46. Prior to the issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Such fees may include but are not limited to Transportation Development Fees, Permit and Plan Check Fees, and School Fees. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District. The applicant shall provide a copy of the school fees receipt to the Building and Safety Division before permit issuance.
47. Construct trash enclosure(s) per City Standards (available at the Building Division's public counter).
48. All utility services to the project shall be installed underground.
49. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.
50. 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.
51. Provide and indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs. Sidewalks, paths of travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path of travel shall not exceed two percent (2%).
52. Construction drawings submitted to the building division for plan review shall comply with the Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:

- a. Install a numerical address on the west building elevation. Address numerals shall be in font acceptable to the Planning Division, a minimum of ten inches in height, a minimum of 1 ½ inches in depth, and be in contrasting colors which adequately contrast the background to which they are attached.
 - b. Provide and maintain a minimum illumination level of one (1) foot-candle from dusk until dawn every day.
 - c. Install approved emergency lighting to provide adequate illumination automatically in the event of an interruption of electrical service.
53. Exposed raceways shall be prohibited on all building-mounted and freestanding signs. An architectural sign backing/raceway may be allowed on the commercial building subject to review and approval by the City Planner.
54. Security gates if utilized on the property shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
55. All mechanical devices and their parts, such as air conditioners, evaporative coolers, exhaust fans, vents, transformers, or similar equipment, whether located on the ground or the roof of the structure, shall be concealed on all sides of public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.
56. All roof-mounted equipment 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.
57. 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.
58. All trash enclosures shall be constructed of 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.
59. Construction drawings submitted to the Building Division for plan check review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:

- a. The numerical address of the building shall be displayed in a maximum of one location on the west-facing elevation of the building closest to the street frontage as follows:
 - i. Numerals shall be in a font acceptable to the Planning Division, a minimum of 10 inches in height, a minimum of 1½ inches in depth, and in a color that adequately contrasts with the background to which they are attached.
 - ii. 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.
- 60. No soil shall be imported or exported to or from the project site from an adjacent building site or other sources for construction purposes without first obtaining approval from the City Engineer. A plan satisfactory to the City Engineer shall be prepared to show the proposed haul route within the City. The subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.
- 61. Underground Service Alert shall be notified 48 hours before any excavation at (800) 422-4133.
- 62. 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.
- 63. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
- 64. 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, the developer shall also submit evidence to the Building Official that the lessee or purchaser has been advised in writing of the lessee's or purchaser's ongoing maintenance responsibilities concerning the requirements of the Water Quality Management Plan.
- 65. 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 per all City Standards, Specifications, Conditions of Approval, and approved plans.

66. A Certificate of Occupancy is required before the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from all other departments and/or agencies.
67. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Complete all on- and off-site improvements.
 - b. Install all disabled parking stalls and parking lot signage.
68. 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 require access to the facility by way of ramps that comply with the California Building Code (CBC) 2022 edition, Chapter 11B, in addition to access to each feature of the trailer.
69. A building, structure, sewage system, utility line, eave, or projection of a structure shall not cross over a property line to encroach on another property.
70. All property, if separated by property line, shall be merged into a singular property by way of a lot merger before the beginning of improvements to the site.
71. Submit detailed plans for all walls and fencing associated with the project. Site walls, fences, site lighting, and trash enclosures shall be permitted separately. Double fencing conditions are prohibited.
72. 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%).
73. Exposed raceways shall be prohibited on all building-mounted and freestanding signs.

74. 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.
75. Security gates that surround the building shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
76. All mechanical devices and their 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.
77. 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. Parapet walls shall be 5 feet in height minimum above the roof level.
78. Fire sprinkler risers and roof access ladders shall be located entirely within the enclosed buildings.
79. Double-detector check facility shall be adequately screened by landscaping or architectural screen wall.
80. All trash enclosures shall be constructed of material consistent with the primary type and color of that used on the building. Side openings shall have a door and all doors shall be lockable. The construction of such trash enclosure(s) shall have a solid roof complementary to the main building. The upper portion of the enclosure between the block wall and roof shall be of a screened material for security purposes. Black-colored concrete shall be used for the trash enclosure floor and its apron. A written statement from Burrtec Waste will be required before construction to meet size criteria that match the use of the building with the appropriate size of trash enclosure.
81. The address of the existing office building shall remain the original 8959 Street address.
82. No soil shall be imported or exported to or from the project site from an adjacent building site or other sources for construction purposes without first obtaining approval from the City Engineer. A plan satisfactory to the

City Engineer shall be prepared to show the proposed haul route within the City. The subject plan shall include provisions for street sweeping and cleanup. Applicant/contractor shall comply with all NPDES requirements.

83. Underground Service Alert shall be notified 48 hours before any excavation at (800) 422-4133.
84. 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.
85. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
86. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
87. A Certificate of Occupancy is required before 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.
88. 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, the developer shall also submit evidence to the Building Official that the lessee or purchaser has been advised in writing of the lessee's or purchaser's ongoing maintenance responsibilities concerning the requirements of the Water Quality Management Plan.
89. 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 per all City Standards, Specifications, Conditions of Approval, and approved plans.
90. 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 require access to the facility by way of ramps that comply with the California Building Code (CBC) 2016 edition, Chapter 11B, in addition to access to each feature of the trailer.

Engineering

91. All public and private streets shall have sidewalks conforming to the Americans with Disabilities Act. Coordinate with James Diaz, Senior Public Works Inspector jdiaz@cityofmontclair.org during the permit process for modifications to the existing driveway, new driveway, and sidewalk along Rose Avenue.
92. Replace all existing lifted or cracked curb gutter, damaged utility pull box lids, and the sidewalk adjacent to the property along Rose Avenue. Additionally, remove and replace all sidewalk that shows signs of ponding or pitting, scaling, or spalling, as determined by the Public Works Senior Inspector.
93. Modify and/or remove existing driveways on Rose Avenue and replace them with sidewalk and parkway as determined by the City Engineer.
94. All pavement damaged by excavation for utility cuts will be replaced with permanent pavement per City Standard for Paving and Trench Repair No. 301.
95. All driveways, existing or proposed, shall comply with the Americans with Disabilities Act and shall conform to City Standard Plan No. 102. Construction and acceptance of street improvements shall be required to obtain a release for a Certificate of Occupancy from the Building Division.
96. All Utilities in the public right-of-way portion of each street frontage adjacent to the site shall be placed underground. This requirement applies to electrical services (facilities operated at nominal voltages over 20,000 volts not included), transformers and switches, and where technology exists, telephone and cable television facilities as well.
97. **Pay in-lieu fees of \$14,250 to the City of Montclair at the Engineering Division** before the issuance of building permits. All utilities in the public right of way adjacent to the site shall be placed underground. This requirement applies to electrical services (facilities operated at nominal voltages over 20,000 volts not included), transformers and switches, and where technology exists, telephone and cable television facilities as well.
98. Sewer plans, if required, shall be submitted to the City Engineer's office for approval. An advance plan check fee, the amount to be determined by the City Engineer shall be required at the time plans are submitted.

99. Prepare and submit to the satisfaction of the City Engineer a comprehensive grading and drainage plan prepared by a Registered Civil Engineer in conformance with Chapter 70 of the Uniform Building Code. Prior to the commencement of any demolition, clearing and grubbing, and/or grading, a grading permit shall be obtained from the Building Division. Plan approval is required before the issuance of a grading permit by the Building Division.
100. No soil may be imported or exported to or from the project site from any adjacent building site or other sources for construction purposes without first obtaining approval from the City Engineer. A plan acceptable to the City Engineer shall be prepared showing proposed haul routes within the City. The plan shall include provisions for street sweeping and cleanup. The contractor (s) shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements.
101. Prepare and submit to the satisfaction of the City Engineer plans for erosion control and stormwater pollution prevention. A general construction stormwater permit may be required. Contact Steve Stanton at 909-625-9444 for details. The erosion control plan shall be an integral part of the grading plans. Plan approval is required before the issuance of a grading permit by the Building Division.
102. A Public Works construction permit shall be obtained from the Engineering Division before any removals or construction of improvements in the public right-of-way.
103. The owner/applicant shall process any right-of-way dedications, easements, or grant deeds required for the development.
104. Coordinate relocation of the existing fire hydrant with Monte Vista Water District.
105. Provide a 1-inch overlay on the existing asphalt pavement surface on the entire site and grind down edges to achieve a smooth transition.

Environmental

106. Discharge of wastewater into the City of Montclair sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
107. Trash enclosures must be designed per the provisions of AB 341 Mandatory Commercial Recycling and AB 1826 Mandatory Commercial Organics Recycling as established by the California Department of Resources Recycling and Recovery (CalRecycle). Contact Engineering Division Manager, Steve Stanton at (909) 625-9444 for more information.

108. Documentation from Burrtec Waste Industries, Inc. (Burrtec) indicating that a service agreement has been set up with Burrtec that meets all Mandatory Commercial Recycling Requirements (AB 341) and Mandatory Organics Recycling Requirements (AB 1826) for waste hauling as established by the State of California and that the appropriate number of refuse/recycling dumpsters has been established, including meeting Montclair Municipal Code 6.16.025, Commercial recycling and organic waste recycling/diversion. Submit documentation to Engineering Division Manager, Steve Stanton (sstanton@cityofmontclair.org). Contact Steve Stanton at (909) 625-9444 for more information.
109. The WQMP must have preliminary approval from the Engineering Division before obtaining grading/building permit(s). Contact Steve Stanton at (909) 625-9444 or (sstanton@cityofmontclair.org) for more information.
110. 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. If 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.
111. 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 Steve Stanton at (909) 625-9444 or (sstanton@cityofmontclair.org) for more information.
112. At the time of Grading permit issuance; Post-Construction BMP inspection permit fees associated with the approved WQMP shall be paid. Contact Steve Stanton at (909) 625-9444 or (sstanton@cityofmontclair.org) for further information regarding permits and fees.
113. Prior to issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Engineering Division an electronic copy of the approved WQMP in PDF format.
 - b. Submit to the Engineering Division as-built drawings as it relates to the WQMP.

- c. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
 - d. Provide a letter from the Engineer of Record that states all BMPs associated with the WQMP are constructed and functional per the City approved WQMP.
 - e. Provide Certification of Landscape Completion form, to be completed by the landscape architect of record.
114. Prior to the 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 Engineering Division Manager 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, the developer shall also submit evidence to the Engineering Division Manager that the lessee or purchaser has been advised in writing of the lessee's or purchaser's ongoing maintenance responsibilities concerning the requirements of the WQMP.

Landscape Conditions of Approval Associated with the WQMP

115. It is required before receiving the Certificate of Occupancy the Landscape Architect of record to comply and submit a Letter of Completion to both the Planning Division and Engineering Division.
116. Property Owner/Lessee is required to employ a Bonded and California Licensed C-27 Landscape Contractor to conduct all landscaping on the property.
117. Landscape Contractors must have City Business License to operate in the City of Montclair.
118. 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 Engineering 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.
119. 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 have 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.

120. 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.
121. 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.
122. 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.
123. Representatives of the Engineering Department may follow up with site inspections to confirm the accuracy of certification letters and the overall functional condition of stormwater treatment devices.

Fire

124. The project shall comply with all requirements set forth by the California Code of Regulations Title 24 Parts 1-12 respectively.
125. The adopted edition of the California Code of Regulations, Title 24, Parts 1 through 12, and the Montclair Municipal Code shall apply at the time the architectural plans are submitted for construction permits.
126. Prior to the issuance of a grading permits a fire department access plan shall be submitted to the City of Montclair for review and approval. The fire department access plan shall comply with the requirements specified by the City of Montclair Guideline for Fire Department Access & Water Requirements for Commercial & Residential Development, and the California Fire Code, Chapter 5.
127. The north, east and south wall of the warehouse shall be a 4-hour fire-resistive wall with no opening. Construction shall be in accordance with the California Building Code, Chapter 7. Details showing compliance shall be included in the architectural plans set that shall be submitted to the city for review and approval prior to the issuance of building permits.

128. Two pedestrian doors shall be provided on the west side of the building. The doors shall be separate by a minimum of 30 feet. Each door shall provide 32 inches clear opening and a minimum height of 6'-8"
129. Prior to the to the issuance of a grading permits, evidence of sufficient fire flow of 1,500 GPM for 2- hours shall be provided to the City of Montclair. The City of Montclair Building and Fire Marshal Water Available/Fire Flow Form shall be utilized.
130. A fire department access road complying with the CFC, Chapter 5 and the approved fire department access plans shall be installed prior to building construction.
131. The fire department access road shall be inspected by Montclair Fire Prevention Bureau prior to building construction.
132. The fire department access road shall remain unobstructed at all times.
133. A fire department connection (FDC) shall be provided and located within 100 feet of a public fire hydrant. The use of a private hydrant may be used with the use of an aboveground check valve to prevent the flow from the FDC back to the fire hydrant, and with the approval of Montclair Fire Prevention Bureau. The fire hydrant that supports the FDC shall be on the same side of the street. A vehicle access roadway/approach shall not be placed between the FDC and fire hydrant.
134. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.
135. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3-feet shall be maintained at all times.
136. Prior to construction a temporary address sign shall be posted and clearly visible from the street.
137. The permanent building address shall be provided and either internally or externally lighted during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.
138. Montclair Fire Prevention Bureau approval shall be obtained prior to the storage and/or use of hazardous materials as defined by the California Fire Code.

139. The building shall be provided with an automatic fire sprinkler system in accordance with NFPA 13. Construction plans shall be submitted for review and approval to the City of Montclair prior to installation.
140. Prior to building final, the building shall be provided with a Knox Lock key box located no more than seven feet above the finished surface and near the main entrance door.
141. Prior to the issuance of a Certificate of Occupancy, the building shall be provided with an emergency radio communication enhancement system. The emergency radio communication enhancement system shall meet the requirements of CFC § 510 and all applicable subsections. The system shall be installed and inspected by the City of Montclair Building Department before the Certificate of Occupancy is issued. The requirement can be waived by the Fire Marshal if the building is evaluated by an Emergency Radio Communication Specialist license by FCC, which certifies the building meets the emergency communications capability as specified by the California Fire Code § 510. The certification shall be in the form of a written report which outlines the analysis used in determining whether the building meets the emergency communications without an enhancement system.

Police

142. 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.
143. 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.
144. 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.
145. The parking lot of the premises shall be equipped with the lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
146. 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 to allow for the

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. Typically 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 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.

- 147. Alarm systems are encouraged to complement the C CVS system. Current responsible party information shall be on file with the Police Department for appropriate response and notifications.

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

APPROVED AND ADOPTED THIS 23RD DAY OF JANUARY 2023.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Manny Martinez, 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 23rd day of January 2023, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\SILVIA GUTIERREZ\CASES\2022-47\ PC RESOLUTION