



REGULAR ADJOURNED MEETING OF THE
MONTCLAIR PLANNING COMMISSION

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

Monday, April 24, 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 2022-49
Project Address: 4790 Brooks Street
Project Applicant: MV Builders, LLC
Project Planner: Silvia Gutiérrez
Request: A Precise Plan of Design (PPD) for a proposed 6,820 SF industrial warehouse building and associated site improvements on a 0.37-acre site.

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 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potentially significant impact on 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, 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 April 24, 2023.

9. ADJOURNMENT

The City of Montclair Planning Commission meeting is adjourned to the regularly scheduled meeting of May 8, 2023, at 7:00 p.m.

**CERTIFICATION OF
AGENDA POSTING**

I, Michael Diaz, Secretary of Planning Commission 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 April 20, 2023.



CITY OF MONTCLAIR
PLANNING COMMISSION

MEETING DATE: 4/24/23

AGENDA ITEM 6.a

Case No. 2022-49

Application: A Precise Plan of Design (PPD) for a proposed 6,820 SF industrial warehouse building and associated site improvements on a 0.37-acre site.

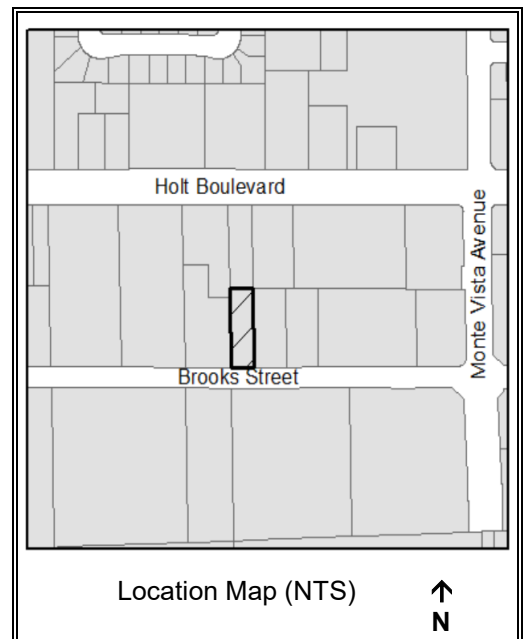
Project Location: 4790 Brooks Street

Property Owner: MV Builders, LLC.

General Plan: Business Park

Zoning: Business Park "BP" per *Holt Boulevard Specific Plan*

Assessor Parcel No.: 1012-101-12-0000



EXISTING SITE FEATURES/CONDITIONS

Vacant site

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	Business Park	Business Park "BP" Per <i>Holt Boulevard Specific Plan</i>	Vacant lot
North	Industrial Park	Commercial "C" per <i>Holt Boulevard Specific Plan</i>	Office Building
South	General Commercial	M-2 General Manufacturing	John Deere Equipment Sales Building and Yard
East	Business Park	Business Park "BP" per <i>Holt Boulevard Specific Plan</i>	warehouse
West	Business Park	Industrial "I" per <i>Holt Boulevard Specific Plan</i>	Vacant "bone yard"

Report on Item Number 6.a

CASE NUMBER 2022-49

APPLICATION TYPE	Precise Plan of Design
NAME OF APPLICANT	MV Builders, LLC
LOCATION OF PROPERTY	4790 Brooks Street
GENERAL PLAN DESIGNATION	Limited Manufacturing
ZONING DESIGNATION	“Business Park” per <i>Holt Boulevard Specific Plan</i>
EXISTING LAND USE	Vacant
ENVIRONMENTAL DETERMINATION	Section 15332 of the State CEQA Guidelines, infill projects in significantly developed areas
PROJECT PLANNER	Silvia Gutiérrez

Project Proposal

The proposed project involves the development of a new 6,820 SF industrial warehouse building on a 0.37-acre midblock parcel on Brooks Street between Ramona and Monte Vista Avenues. If approved, project activities would include site preparation and grading, building construction, and site improvements that include paving and landscaping.

The floor plan for the proposed industrial warehouse building is designed to accommodate a single user. The breakdown of the proposed floor area building respective parking requirements is summarized in the following table:

Warehouse Building - Uses and Parking Requirements			
Use	Square Footage	Parking Ratio: Required/Provided	
Ground floor Warehouse Area	6,820	1 space per 1,000 SF.:	7 spaces
Mezzanine	1,050	1 space per 250 SF.:	5 spaces

A single roll-up door is proposed on the south side (street-facing) of the building. Per the floor plan a modest lobby, an office area, restrooms, and warehouse storage in the interior.

Access to the site would be from a single driveway on Brooks Street allowing for access to the parking lot and lone roll-up door located at the south street-facing side of the new

building. Surface parking spaces for 12 vehicles (including one disabled-accessible parking space) are provided.

Building Architectural Design

The building would be constructed of concrete blocks enhanced with a smooth stucco finish visually broken up by means of vertical veneer at intervals. Storefront windows with a storefront door reception area and an office area create a defined entry that is flanked with block veneer along the sides to break up the massing of the building facade facing the street and add architectural interest. Moreover, the entry facade is defined and articulated with a metal awning with windows above that would bring natural light to the interior office and mezzanine.

Required fire exit doors are also shown as part of the overall building design. The proposed colors for the new building are neutral tones of gray. The overall height for the proposed building height is 30 feet as measured from the finished grade to the top of the parapet.

Landscape Plan

A preliminary landscape plan which utilizes plant species that are compatible with the overall architectural style of the proposed buildings has been provided. The plan features a variety of trees selected to provide texture, shade, and greenery in the setback along Brooks Street frontages of the site, and within the parking areas of the property facing the street. In addition, shrubs, vines, and ground covers populate the planters and create visual interest throughout the site. The proposed trees located in the front setback and in the parking lot are two (2), 24-inch box Chitalpas, and several Strawberry trees are proposed on the interior. All new plants shall be five-gallon as a condition of approval and water-saving including variegated "Smooth Agave", "Blue Elf Aloe", "Coral Aloe", "Winnifred Gilman Blue Sage", Blue Chalk Sticks", and "Coast Rosemary" varieties. The development's irrigation system would be designed to conserve water in compliance with the City's Water Conservation Ordinance.

Fencing Plan

Finally, the site will be enclosed and secured by means of a new 8'-0 high wall and decorative metal fencing vehicular rolling gate setback behind a 20-foot wide landscape planter on Brooks Street. In addition, a new gate on the interior of the property will restrict access to the required 10'-0-foot building setback as required by the Fire Department access requirements.

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

Background

- The project site is zoned BP (“Business Park” of Holt *Boulevard Specific Plan*).
- The project proponent, MV Builders, LLC, specializes in commercial remodels and repairs. They intend to move their offices from Anaheim to Montclair at 4790 Brooks Street. The proposed development will be their main office to conduct day-to-day business and the warehouse will be used to store construction material, lumber, drywall, restaurant equipment, etc. All will be stored within the warehouse. Company trucks are regular pick-up trucks that pull a trailer and will be stored within the warehouse.

Planning Division Comments

Staff finds the proposed project is well designed and the building is appropriately situated on the site. At 0.37 acres in size, the property is of adequate size and shape to support the proposed project as designed with required site improvements for access, parking, landscaping, and the requirements associated with the approved Water Quality Management Plan (WQMP). Moreover, the site has direct frontage and convenient access to Brooks Street. The design as proposed contributes to the development of a visually attractive streetscape. When completed, the new development would raise the high standard for a new generation of industrial development in the surrounding area.

The project is in compliance with the applicable development standards of the zoning designation of the property including setbacks, building height, and parking as generally described above. With regard to setbacks, the building would be setback 113.5 feet from the Brooks Street property line which more than adequately exceeds the minimum 35-foot setback requirement for each frontage. Moreover, the 30-foot building height for the project is well below the maximum 40-foot height limit allowed in the BP (Business Park) zoning district of the *Holt Boulevard Specific Plan*.

On-site parking is properly distributed around the site and 12 spaces adequately fulfill the minimum required number of spaces for an industrial warehouse building under the zoning code. The front (southern) parking area of the site will be adequately secured by means of a new eight-foot-tall iron fence, gate, an existing iron fence on the west, and a partial section of eight-foot-tall iron fence and the existing warehouse located on the east to enclose the site.

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

Building Design and Landscaping

Staff worked with the architect on the design of the building and is generally pleased with its overall design. The use of concrete blocks with a smooth stucco finish is common for constructing a building of this type and size and the level of detail elements incorporated into the design is appropriate. Overall, staff finds the proposed color palette of neutral grays for the balance of the building as depicted in the material board with a stone veneer at key horizontal segments along the office entrance to be an appropriate design solution given the narrow aspect of the parcel which constrained architectural design options.

The proposed three to four-foot tall raised parapet is expected to be high enough to provide appropriate screening of all rooftop equipment from street level and from adjacent intersections. If necessary, the height of the panels could be increased as necessary to achieve full screening of any equipment items. With the exception of skylights, required vents, and placement of limited air conditioning units (not ducts) for the proposed office spaces, no other major rooftop equipment pieces or elements are expected. The staff has added a condition of approval addressing the screening of rooftop equipment.

Staff finds the proposed landscaping to be appropriate and sufficient to enhance the overall appearance of the new warehouse building. The selected plant materials are evenly distributed around the site where planter areas are proposed, and no turf areas are proposed. The proposed irrigation system is also designed water-saving efficient and meets State water-saving requirements. All on-site runoff will be collected by catch basins and conveyed to the on-site underground infiltration system.

PRECISE PLAN OF DEVELOPMENT FINDINGS

- A. The proposed development of a 6,820 SF industrial warehouse building that would include a 1,050 SF mezzanine and associated on-site improvements are consistent with the Business Park zoning designation and applicable development standards of the *Holt Boulevard Specific Plan*. Future site users will be subject to zoning verification and restricted to indoor activities only.
- B. The proposed industrial warehouse building development project would result in a substantial and significant improvement to the appearance of the area by replacing the undeveloped site with a new modern development that incorporates the efficient use of the site, high-quality site design, and architectural design features.
- C. The proposed building design features high-quality exterior materials/finishes, water-efficient landscaping plantings that are intentionally designed to soften views of the project site, and appropriate lighting and hardscape improvements that would result in an enhanced visual appearance for the site.

Public Notice

None is required for a Precise Plan of Design (PPD) application, where no specific entitlements (e.g., variance or CUP) beyond design review are 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 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of the subject site with a 6,820 SF industrial warehouse building is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potentially significant impact on the environment.

Planning Division Recommendation

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

- A. Move that, based upon evidence submitted, the Planning Commission finds the current application to allow the construction of a 6,820 SF industrial warehouse building that includes a 1,050 SF mezzanine and related site improvements is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), under Section 15332 of the State CEQA Guidelines, which covers infill projects in significantly developed areas. The proposed development of the subject site is consistent with the applicable policies of the General Plan, and zoning designation of the site, is less than five acres in area, has utilities present in the area to serve the development, and is similar to other existing industrial and commercial developments and uses in the vicinity. As such, there is no substantial evidence the project will pose a potentially significant impact on the environment.

- B. Approve the Precise Plan of Design (PPD) for the site plan, elevations, landscape plan, colors, and materials associated with the proposed new 6,820 SF industrial warehouse building that would include a 1,050 SF mezzanine and associated site development improvements on the 0.37-acre site at 4790 Brooks Street, per the submitted plans and as described in the staff report, subject to conditions of approval contained in Planning Commission Resolution No. 23-1980.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael Diaz". The signature is fluid and cursive, with a large, prominent "D" at the end.

Michael Diaz
Director of Community Development

MD/sg

Attachments: Draft Resolution No. 23-1980

c: Francisco Morones, MV Builders, LLC 4790 Brooks Street, Montclair, CA 91763
Shucri I. Yaghi, Structural Engineering, 112 E. Chapman Avenue, Suite D, Orange, 92866
Mid Cities Engineering, 9744 Maple Street, Suite 101, Bellflower, CA 90706

Z:\COMMDEV\SG\CASES\

RESOLUTION NO. 23-1980

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN UNDER CASE NO. 2022-49 FOR THE SITE PLAN, FLOOR PLANS, ELEVATIONS, COLORS, MATERIALS, AND LANDSCAPE PLANS FOR THE CONSTRUCTION OF A NEW 6,820 SF INDUSTRIAL WAREHOUSE BUILDING THAT INCLUDES A 1,050 SF MEZZANINE ON A VACANT 0.37-ACRE LOT KNOWN AS 4790 BROOKS STREET (APN 1012-101-20-0000)

WHEREAS, in November 2022, an application for a Precise Plan of Design (PPD) was filed under Case No. 2022-49, by the property owner, MV Builders, LLC, to allow the development of a 6,820 SF industrial warehouse building that includes a 1,050 SF mezzanine, on-site lighting, landscaping, and surface parking at 4790 Brooks Street; and

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

WHEREAS, the project site is located within the “BP” Business Park zoning district of the *Holt Boulevard Specific Plan* (HBSP) approved in 1991; and

WHEREAS, the project site is currently vacant; 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 BP zoning district of the HBSP; 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 Sections 15332 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 April 24, 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 April 24, 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.

Precise Plan of Design Findings

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

- A. The proposed development of a 6,820 SF industrial warehouse building that would include a 1,050 SF mezzanine and associated on-site improvements are consistent with the Business Park zoning designation and applicable development standards of the *Holt Boulevard Specific Plan*. Future site users will be subject to zoning verification and restricted to indoor activities only.
- B. The proposed industrial warehouse building development project would result in a substantial and significant improvement to the appearance of the area by replacing the undeveloped site with a new modern development that incorporates the efficient use of the site, high-quality site design, and architectural design features.
- C. The proposed building design features high-quality exterior materials/finishes, water-efficient landscaping plantings that are intentionally designed to soften views of the project site, and appropriate lighting and hardscape improvements that would result in an enhanced visual appearance for the site.

Conditions of Approval

Based on the findings and conclusions set forth in the paragraphs above, this Commission hereby 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

construction of a 6,820 SF industrial warehouse building that includes a 1,050 SF mezzanine and associated site development improvements on the 0.37-acre site at 4790 Brooks Street, 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 checks and building permits to allow eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days 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 (building 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, 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 metal fence and 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 Brooks 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 peddles 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 Koontz at gkoontz@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 and two sets of energy conservation calculations.
40. 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.
41. Architect's/Engineer's stamp and "wet" signature are required prior to the plan check approval.
42. 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.
43. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
44. Separate permits are required for fencing and/or walls. Submit details of construction on the plans. Double wall conditions which have been created by an adjacent property line will not be allowed.

45. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number.
46. The address for the new building will be 4788 Brooks Street. Please refer to the project with this address on all plans.
47. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
48. 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.
49. 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 that is 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.
50. Underground Service Alert shall be notified 48 hours prior to any excavation at (800) 422-4133.
51. 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.
52. 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 prior to permit issuance.
53. Construct trash enclosure(s) per City Standards (available at the Building Division's public counter).

54. All utility services to the project shall be installed underground.
55. Electrical and fire suppression services shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.
56. 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.
57. Provide and clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs. Sidewalks, paths of travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path of travel shall not exceed two percent (2%).
58. 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 south 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 a contrasting color that adequately contrasts with 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.
59. 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.
60. Decorative foam trim shall not be used in areas subject to damage such as entry doors, garage doors, etc.
61. If any portion of the building is separated for occupancy use, each unit shall have individual and independent one-hour separation walls enveloping each assigned airspace or unit and independent utility meters, sewer and water connections, and fire protection systems, subject to the review and

approval of the Public Works, Community Development and Fire Departments.

62. Security gates shall be equipped with Medeco locks or other acceptable devices to allow access by emergency personnel and utility providers at all times.
63. 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 of public view in a manner that is compatible with the architectural design of the building and to the satisfaction of the Planning Division.
64. 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.
65. 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.
66. 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 and screened to prevent unwanted entrance to the enclosure. Black-colored concrete shall be used for the trash enclosure floor and its apron.
67. The applicant/developer shall install approved emergency lighting to provide adequate illumination automatically in the event of any interruption of electrical service.
68. 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 with respect to the requirements of the Water Quality Management Plan.
69. 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.

70. A certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and the final approvals from all other departments and/or agencies.

Engineering

71. All pavement damaged by excavation for utility cuts will be replaced with permanent pavement per City Standard for Paving and Trench Repair No. 301.
72. 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.
73. Payment of transportation-related development impact fees is required. Fees shall be assessed at the rate in effect at the time the fees are paid.
74. Monument signs shall not be permitted in the line of sight next to driveway locations (see City Standard No. 110).
75. Prepare and submit to the satisfaction of the City Engineer a Water Quality Management Plan (WQMP) in accordance with the State of California Santa Ana Regional Water Quality Control Board Guidelines for San Bernardino County.
76. 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 Steve Stanton 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.
77. 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 commencement of any demolition, clearing and grubbing, and/or grading, a grading permit shall be obtained from the Building Division. Plan approval is required prior to issuance of a grading permit by the Building Division.

78. No soil may be imported or exported to or from the project site from any adjacent building site or from 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. Contractor(s) shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements.
79. Prepare and submit to the satisfaction of the City Engineer plans for erosion control and storm water pollution prevention. A general construction storm water 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 prior to the issuance of a grading permit by the Building Division.
80. A Public Works construction permit shall be obtained from the Engineering Division prior to any removals or construction of improvements in the public right-of-way.
81. The owner/applicant shall process any right-of-way dedications, easements or grant deeds required for the development.

Environmental

82. Trash enclosures must be designed in accordance with 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 Steve Stanton, Engineering Division Manager at (909) 625-9444 for more information.
83. 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 is required. Submit documentation to Steve Stanton, Engineering Division Manager at (909) 625-9444 sstanton@cityofmontclair.org for more information.
84. The future tenant/occupant of each building must complete and submit the City of Montclair's Wastewater Discharge Survey to Engineering Division Manager, Steve Stanton (sstanton@cityofmontclair.org) for review to determine pretreatment/wastewater discharge requirements. Contact Steve Stanton at (909) 625-9444 for more information. In the event that the project

includes or, is required the installation of a grease interceptor, the installation shall conform to Chapter 9.20 of the Montclair Municipal Code.

85. Discharge of wastewater into the City of Montclair sanitary sewer system shall conform to Chapter 9.20 of the Montclair Municipal Code.
86. 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).
87. Connection to the City of Montclair Sanitary Sewer System is required. Additional comments may follow pending submittal of plans for plan check review.

NPDES

88. The property owner shall be responsible to contract with a qualified firm to inspect and maintain any stormwater treatment devices specified for each of the eight approved WQMP documents, 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 each individual property owner to correct the deficiency and restore the stormwater treatment device(s) to its original working condition.
89. The owner understands that if the stormwater treatment device is infeasible at the proposed location, and an alternative treatment device is proposed that may affect the site design project owner may have to revisit with the Planning Department for any revised site changes.
90. The owner understands no permits are issued prior to the approval of the WQMP.
91. 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, Engineering Division Manager, at (909) 625-9444.
92. At the time of Grading permit issuance; Post-Construction BMP inspection permit fees associated with the approved WQMP shall be paid. Contact Steve Stanton, Engineering Division Manager, at (909) 625-9444 for further information regarding permits and fees.

93. Prior to the issuance of a rough grading and/or precise grading permit, the applicant must complete the following items:
 - a. Must have a City-approved WQMP.
 - b. Submit to the Engineering Division an electronic copy of the approved WQMP and, erosion and sediment control plans in PDF format.
 - c. Obtain a State Construction General Permit and proof must be shown (WDID Number) on both the rough grading plan and precise grading plan.
 - d. Qualified SWPPP Developer and Practitioner contact information must be included on the title page of grading plans.

94. Prior to the issuance of a Certificate of Occupancy for each of the eight parcels, the applicant shall:
 - a. Submit to the Engineering Division as-built drawings as it relates to the WQMP document and, provide adequate plan notes identifying grades, and elevations for all inlets, outlets, flow lines, and basins.
 - b. Submit the certification of landscape document
 - c. Submit stamped and signed post-construction BMP certification by the Engineer of Record, identifying that all BMPs have been installed per plans and specifications.
 - d. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Engineering Division.
 - e. Provide an electronic copy of FINAL WQMP including all as-built drawings, certification forms, and, recorded WQMP maintenance agreement as described above.
 - f. Prior to the release of the certificate of occupancy for the new arehouse building, the person or corporation responsible for the preparation of the individual WQMP documents shall certify in writing to the NPDES Coordinator that all conditions and requirements for each of the WQMP documents 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 NPDES Coordinator that the lessee or purchaser has been advised in writing of the lessee's or purchaser's ongoing maintenance responsibilities with respect to the requirements of the WQMP.

- g. Owner of each parcel is responsible for the WQMP Maintenance agreement. The owner is required to self-certify each BMP treatment device per the recorded Maintenance Agreement. While maintenance and inspections are required on a monthly basis, the owner is responsible to provide the City Engineer with a signed and stamped certification form every 24 months. The first certification shall be prepared by a professional engineer and submitted to the City Engineer starting the first July 1 date following the project completion date. Certifications shall be prepared and submitted every 24 months thereafter. The monthly self-certification form shall be recorded and kept as a record. Monthly records shall be readily available upon request during the City inspector's annual visit.

Landscape Conditions of Approval

95. It is required prior to 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 Divisions.
96. Property Owner/Lessee is required to employ a Bonded and California Licensed C-27 Landscape Contractor to conduct all landscaping on the property.
97. Landscape Contractors must have City Business License to operate in the City of Montclair.
98. 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.
99. 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.
100. 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.

101. 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.
102. 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.
103. 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.

Fire Marshal

104. The project shall comply with all requirements set forth by the California Code of Regulations Title 24 Parts 1-12 respectively.
105. 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.
106. Prior to the issuance of 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.
107. The north and west walls shall be 4-hour fire-resistive construction with no openings.
108. Prior to the issuance of grading permits, evidence of sufficient fire flow of 1500 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
109. 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.

110. The fire department access road shall be inspected by Montclair Fire Prevention Bureau prior to building construction.
111. The fire department access road shall remain unobstructed at all times.
112. 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.
113. 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.
114. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.
115. 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.
116. Prior to construction, a temporary address sign shall be posted and clearly visible from the street.
117. 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.
118. 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.
119. Montclair Fire Prevention Bureau approval shall be obtained prior to high-piled combustible storage as defined by the Fire Code.
120. 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.
121. Prior to the 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.

122. 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 subsection. 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, who 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 the building meets the emergency communications without an enhancement system.

Police

123. 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.
124. 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.
125. 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.
126. 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.
127. 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.

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

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

APPROVED AND ADOPTED THIS 24TH DAY OF APRIL 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 24th day of April 2023, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\SILVIA GUTIERREZ\CASES\2022-49\ PC RESOLUTION