



MONTCLAIR

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

REGULAR ADJOURNED MEETING
Monday, December 9, 2013
7:00 p.m.

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

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Tenice Johnson, Vice Chair Luis Flores, Commissioner Manny Martinez, Commissioner Sergio Sahagun, and Commissioner Don Vodvarka

4. APPROVAL OF MINUTES

The minutes of the November 25, 2013 Planning Commission meeting are presented for consideration.

5. ORAL AND WRITTEN COMMUNICATIONS ON NON-AGENDA ITEMS

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

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

6. AGENDA ITEMS

- a. PUBLIC HEARING – CASE NUMBER 2013-26
 - Project Address: 4722 Mission Boulevard
 - Project Applicant: 4722 Mission Boulevard LLC for The Griffith Company
 - Project Planner: Michael Diaz, City Planner
 - Request: Conditional Use Permit to allow a contractors' storage yard
 - CEQA Assessment: Categorically Exempt (Section 15301)
- b. Bi-annual Planning Commission reorganization

7. INFORMATION ITEMS

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

8. PUBLIC INSPECTION OF MATERIALS

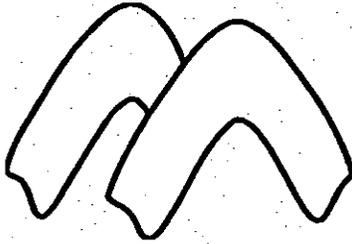
Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection at the Planning Division counter during normal business hours.

9. ADJOURNMENT

The City of Montclair Planning Commission is hereby adjourned to the regularly scheduled meeting of January 13, 2014 at 7:00 p.m. in the Council Chambers, 5111 Benito Street, Montclair, California.

CERTIFICATION OF AGENDA POSTING

I, Laura Embree, Administrative Secretary for the City of Montclair, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door of Montclair City Hall on December 5, 2013.



CITY OF MONTCLAIR PLANNING COMMISSION

MEETING DATE: 12/09/13

AGENDA ITEM 6.a

Case No. 2013-26

Application: A Conditional Use Permit (CUP) request to allow a contractor office and outdoor storage yard on a 3.36-acre site with existing structures.

Project Address: 4722 Mission Boulevard

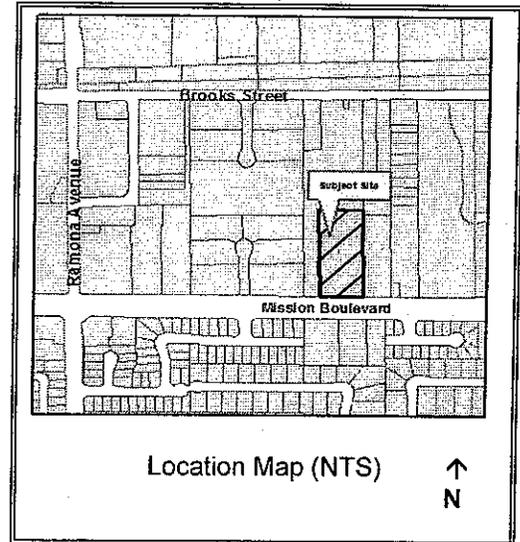
Property Owner: 4722 W. Mission Blvd LLC

General Plan: Business Park

Zoning: MIP (Manufacturing Industrial Park)

Assessor Parcel No.: 1012-121-22

City/Public Utility Easements: None



Adjacent Land Use Designations and Existing Uses			
	<i>General Plan</i>	<i>Zoning</i>	<i>Existing Use of Property</i>
Site	Business Park	MIP (Manufacturing Industrial Park)	Forklift/Equipment Rental
North	Industrial Park	M-1 (Limited Manufacturing)	Materials Testing Facility
East	Business Park	MIP (Manufacturing Industrial Park)	Odyssey Mobile Home Park
South	Low Density Residential (3-7 du/ac)	R-1/SL (Single-Family Residential, Small-Lot Overlay)	Nightclub and vacant lot
West	Business Park	MIP (Manufacturing Industrial Park)	Multi-tenant industrial park

Report on Item Number 6.a

PUBLIC HEARING - CASE NUMBER 2013-26

APPLICATION TYPE(S)	Conditional Use Permit
NAME OF APPLICANT	4722 W. Mission Blvd LLC for the Griffith Company
LOCATION OF PROPERTY	4722 Mission Boulevard
GENERAL PLAN DESIGNATION	Business Park
EXISTING ZONE DISTRICT	MIP (Manufacturing Industrial Park)
EXISTING LAND USE	Forklift and Equipment Rental Business
ENVIRONMENTAL DETERMINATION	Categorically Exempt (Section 15301)
PROJECT COORDINATOR	Michael Diaz

Project Description

The Griffith Company is in escrow to purchase the subject site and is requesting approval of a Conditional Use Permit (CUP) to allow a regional office and outdoor storage for a general contractor that is engaged in large scale private and public works projects throughout the state. The contractor intends to use the three (3) existing main structures on the site, which include an office building and two (2) storage buildings. The use and size of each building is as follows:

Existing Site Development	
Building Type	Square Footage
Office Building	4,100 s.f.
Storage Warehouse	2,500 s.f.
Parts & Service Warehouse	5,200 s.f.
Total	11,800 square feet

In addition to the above structures the site has a paint spray booth that would remain and a 6,000 gallon propane tank that would be removed. In the future, the new owner may choose to install an above ground storage tank for diesel fuel for the company's fleet of vehicles.

The business will have 8-10 employees working from the subject location. Hours of operation are generally 7:00 a.m. to 6:00 p.m. Monday through Friday, with access to the site during off-peak hours as necessary. Visitor and employee parking exist at the front of the property and the site is fenced. No signage has been proposed at this time.

Outdoor Storage

The proposed outdoor storage area would be generally concentrated on the far north side of the property behind the buildings. This area is approximately one acre in size and is

paved and enclosed with six-foot high chain-link fencing. The items to be stored outdoors would include the following:

- Bags of cement under cover
- K-rail sections
- False work/shoring/heavy timber
- Forms
- Equipment (e.g., yellow iron, light towers, arrow boards, message boards, etc.)
- Fleet vehicles (e.g. trailers, pickups, vans, stake bed trucks)
- Traffic control devices and signs
- Construction site office trailers
- Forklifts for moving and loading heavy items/equipment

Site Improvements

Two existing gated driveways off Mission Boulevard provide direct and easy access to the entire site including the rear portion of the site, where the majority of outdoor items and equipment would be stored. Moreover, the site is secured by means of both a six-foot high decorative combination wall/fence at the front of the site and existing chain-link fencing on the other sides of the property.

No major changes or expansion of the existing buildings are proposed, other than clean-up of the site and interior building modifications necessary to meet minimum building code requirements. The only notable physical change to the site would be the removal of the three (3) existing non-conforming poles signs along the Mission Boulevard frontage of the property. At a later date, a new monument sign meeting City standards would be installed for the new business. The future monument sign would be handled administratively by City staff.

Background

- The subject property is approximately 3.36 acres in size and is developed with three (3) existing buildings, 20 striped surface parking spaces, and paved open yard areas. All buildings are single story, 14 feet in height, and amount to approximately 11,800 square feet in area.
- The Griffith Company operates as a general contractor in the construction industry. As a heavy construction contractor, the company is involved in the project management and construction of arterial highway and freeway, flood control and water management structures, material recycling/rock and asphalt plant, underground installation/minor structure, large structure, concrete work, grading and paving, port, road and bridge, airport, and industrial projects. The Griffith Company was founded in 1902 and is based in Brea, California, with additional offices in Santa Fe Springs, Bakersfield, and Santa Ana, and operations in Los Angeles, Orange, Kern, and San Diego counties.

- Pursuant to Section 11.78.030.N.2 of the Montclair Municipal Code, contractor storage yards may be permitted in industrial zones subject to the approval of a conditional use permit (CUP).
- No record of a CUP issued by the County was located for the existing business or for outdoor storage. Since the proposed business is significantly different from the existing equipment rental use, a CUP for the outdoor business operations is required by City ordinance.
- In 2006, the property was annexed to the City as part Annexation No. 26. The current business, Lloyds Equipment, was opened in 1980 when the property was under the jurisdiction of San Bernardino County. A business license for Lloyds Equipment was issued by the City in 2007.

Planning Division Comments

Overall, staff is supportive of the proposed conditional use permit request to allow outdoor storage associated with a contractor's regional office use and storage yard at the subject site. Staff finds the proposed CUP approval will properly entitle the business to operate pursuant to City standards and regulations. With a CUP and conditions of approval, the City is in a better position to monitor and enforce the business operation if necessary. In addition, as with any business in the City, the new use is subject to routine annual inspections by one or more City departments to ensure compliance with the conditions of approval and other regulatory requirements from other agencies.

The property appears to be well maintained and generally in sound condition with minimal need for repairs or repainting. Staff expects only nominal changes to the site to meet minimum building code requirements to accommodate the new use. As mentioned above, City staff welcomes the removal of the three, existing non-conforming pole signs at the front of the site.

At 3.36 acres in size, the site is adequate in size and shape and is designed in such a way so as to easily accommodate the proposed office, maintenance, and outdoor storage activities. The site is appropriately paved and the buildings are large enough to meet the contractor's needs as they have been expressed to staff. Except for the items stored outdoors, all activities such as repairs, maintenance, fabricating, etc., will occur indoors within the existing warehouse buildings. Proposed conditions of approval require that truck/equipment maintenance/repair be restricted to within the existing buildings. Each building appears to be large enough to accommodate these activities adequately and have roll-up doors which facilitates easy access into them.

The areas surrounding the site immediately to the north and west are also developed with industrial buildings and/or uses, including some with outdoor storage. Virtually all of these structures and uses were constructed or initiated when the area was under County control. The mobile home park on the east side of the site was also developed while in the County and is now a non-conforming land use with respect to the City's MIP zoning designation.

However, it is not likely that this use will change to a conforming industrial use at any time in the foreseeable future. Staff is not aware of any noise complaints regarding the existing use at the site, and does not expect the proposed use as conditioned with this approval to have any significant negative impact on the adjacent land uses.

The minimum number of parking spaces required for this site and use is based on the overall square footage of existing buildings. Pursuant to the Municipal Code, parking for industrial/manufacturing businesses is one space per 500 square feet for a total of 24 spaces required for the 11,800 square feet of building area on the site. At the moment, there are about 20 spaces adjacent to the office building with more than ample space on site to restripe other areas at the front of the site or around the other buildings to meet the minimum requirement. As a condition of approval, the applicant will be required to submit a modified parking plan for the site to demonstrate compliance with the parking requirement.

As a construction business, traffic to and from the site is likely to be moderate, but well within the capacity of Mission Boulevard. Given that the business is primarily involved with large construction projects, the business activities at the site will most likely peak during morning and afternoon hours. On occasion, semi-trailers will be on-site to haul large items such as K-rails, shoring, forms, etc. The applicant does not maintain a fleet of semi-trucks on-site but contracts with private haulers when needed. Mission Boulevard is fully developed, in good condition, has adequate room for trucks to safely maneuver in and out of the site, and is a designated truck route. Surrounding businesses also appear to be low-key operations generating relatively low volumes of traffic so no significant conflicts are expected.

Outdoor Storage

Staff is not opposed to the storage of construction related vehicles and equipment on the site provided that these vehicles and pieces equipment/supplies are organized and are directly related to the company's business activities. Staff does not wish to see the site become a "bone yard" where either non-related items or old and non-working vehicles are stored/stockpiled. While the existing buildings provide sufficient screening of the interior of the property staff has added conditions of approval to regulate outdoor storage at the site. Staff believes that storage of the identified items must be limited to the middle and rear portions of the site where it would be out of direct view to the street. With the exception of fleet vehicles of conventional size such as autos, pickups and vans, the front of the property needs to be set aside as an organized parking area for use by guests and employees. If the applicant wishes to store some of the identified items and/or other equipment/vehicles closer to the buildings, then a solid decorative metal fence or block wall and gate could be erected in roughly the same area where an intermediate chain link fence is between the office building and front warehouse building.

The maximum height of the stored items such as K-rails and forms, etc. also needs to be limited to ensure that these items do not become an eyesore or pose undue safety concerns. Height is of particular concern with respect to the existing mobile home park to

the east. Given this condition, the Fire Department has required that no items be stored within ten feet of the easterly property line. Planning staff is also requiring that after the ten-foot setback has been met, that the height of any stacked items be no higher than eight feet (8'-0") in height for an additional 25-foot distance. Thereafter, the maximum height of any stacked items could be up to 14 feet in height at any other portion of the site (not including the front of the property) so that the stacked materials do not loom over the existing buildings on the site.

It should be made clear that the type of items stored on the site would be limited to only those items identified in this report or are directly related to the business and not for the purpose creating a storage yard for storing personal items or vehicles, RVs, etc.

Lastly, staff has been aware since the property was annexed into the City in 2006 that the address of the property is out of sequence with the properties on either side of it. Mission Industrial Park to the west is addressed from 4748 to 4752 Mission Boulevard, and Odyssey Trailer Park to the east is addressed 4762 Mission Boulevard. Staff believes that with a change of property ownership *and* a change of business, it would be an appropriate time to re-address the subject property. Staff is proposing that the address of the subject property be changed to 4756 Mission Boulevard. If the applicant is in agreement with this proposal, City staff will take responsibility for notifying the United States Postal Service, the San Bernardino County Assessor, and all utility providers of the change.

Conditional Use Permit Findings

Staff believes the necessary findings to support the proposed CUP request can be made as follows:

- A. The proposed use is desirable to the public convenience and public welfare, in that the proposed use will make good use of a site already developed for and utilized for industrial uses. Approval of the new use for the property would also result in several improvements to the site that would also contribute to the ongoing improvements being made to the adjacent Mission Boulevard streetscape.
- B. Granting this permit will not be materially detrimental to the public welfare and other property in the vicinity, in that the new property owner will not carry out any expansion of the existing buildings/structure nor intensify outdoor uses on the site other than storage which already occurred on the site with no known complaints. Except for the items stored outdoors, most potential noise generating activities such as repairs, maintenance, fabricating, etc., will occur indoors within the existing warehouse buildings. Further, the focus of the outdoor storage activities would be largely concentrated at the center of and far north end of the property where it would be out of direct view to the street behind the existing buildings and perimeter fencing.
- C. The proposed use is consistent with the underlying Manufacturing Industrial Park (MIP) zoning designation for the property, which conditionally permits outdoor

storage as contemplated by the applicant. The site is adequate in size, is developed appropriately sized office and warehouse buildings, has sufficient area for required on-site parking and outdoor storage, and is accessible to a fully developed street. Since no actual construction or fabricating activities or major outdoor operations other than storing construction materials and equipment will occur on the site, the new use is not expected to pose any significant adverse impact to adjacent uses.

- D. The proposed use at the subject location is not contrary to the objectives of any part of the adopted General Plan or Montclair Municipal Code, as both documents identify the property for industrial uses many of which involve outdoor storage as part of their respective operations. Moreover, the General Plan specifically encourages a balance of uses within the City and the development or continued improvement of industrial properties that contribute to the overall betterment of the community.

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. The project qualifies because it involves the use of a developed property with existing facilities. Only modest site and building improvements are proposed to accommodate the use and meet minimum building code requirements. Further, there is no substantial evidence the project will pose a potential significant impact to the environment.

Public Notice

This item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on November 29, 2013. Public hearing notices were also mailed to property owners within a 300-foot radius of the exterior boundaries of the project site in accordance with State law for consideration of this discretionary zoning entitlement. At the time this report was prepared, no comments or inquiries had been received by staff regarding the proposal.

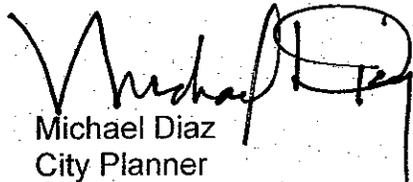
Planning Division Recommendation

Staff recommends the Planning Commission take the following action(s):

- A. Move that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301.
- B. Move to approve a Conditional Use Permit (Case No. 2013-26) to allow a contractor office and outdoor storage yard on a 3.36-acre site with existing structures at 4722 Mission Boulevard, within the Manufacturing Industrial Park (MIP) zoning

district, as described in the staff report and per the submitted plans, subject to the conditions of approval in attached Resolution No. 13-1792.

Respectfully Submitted,



Michael Diaz
City Planner

MD/le

c: Jim Coury, Griffith Company, 3050 E. Birch Street, Brea, CA 92821
Casey Loyd, 4722 W. Mission Boulevard LLC, 1462 E. Ninth Street, Pomona, CA 91766
Armando Bautista, AB Environmental, 2586 Prince Albert Drive, Riverside, CA 92507
Mitch Ashwill, Ashwill Associates, 18605 Gale Avenue, Suite 230, Industry, CA 91748

Z:\COMMDEV\WDCASES\2013-26 PC REPORT1

RESOLUTION NUMBER 13-1792

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF MONTCLAIR APPROVING A CONDITIONAL
USE PERMIT UNDER CASE NUMBER 2013-26 TO ALLOW
AN OUTDOOR CONSTRUCTION STORAGE YARD AT
4722 MISSION BOULEVARD (APN 1012-121-22)**

A. Recitals.

WHEREAS, on November 7, 2013, 4722 W. Mission Boulevard LLC, property owner, filed an application for a Conditional Use Permit (CUP) on behalf of the Griffith Company, which is seeking to acquire the property to establish a regional office and outdoor storage yard to support its construction business; and

WHEREAS, the application applies to the 3.36-acre property at the above referenced address; and

WHEREAS, the subject project site is located within the Manufacturing Industrial Park (MIP) zoning district; and

WHEREAS, the existing site was developed and the previous business was initiated while the property was under the jurisdiction of San Bernardino County ("the County"); and

WHEREAS, the property is developed with three buildings, a propane tank, underground gasoline tank and dispensing equipment, and is fully paved; and

WHEREAS, on October 24, 2006, the existing site and use were annexed to the City of Montclair as part of Annexation No. 26, thereby subjecting the property to City development requirements and standards, including the requirement to obtain a CUP for outdoor storage; and

WHEREAS, Section 11.78.030.N.2 of the Montclair Municipal Code allows contractor storage yards in any industrial zone subject to the approval of a CUP; and

WHEREAS, no record of a CUP issued by the County was located for the existing business or for outdoor storage. Since the proposed business is significantly different from the existing equipment rental use a new CUP for the outdoor storage yard is required by City ordinance; and

WHEREAS, staff has determined the proposal meets the intent and requirements of the Municipal Code for the requested contractor office and outdoor storage yard and the applicable development standards of the MIP zoning district in which the subject site is located; and

WHEREAS, the Planning Commission has reviewed the Planning Division's determination the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines, and based on its own independent judgment, concurs with staff's determination of said exemption and finding of no significant effect on the environment; and

WHEREAS, a Notice of Public Hearing was duly given and posted in the manner and for the time frame prescribed by law; and

WHEREAS, on December 9, 2013, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with said CUP were heard, and said CUP request was fully studied.

B. Resolution.

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

1. This Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.
2. Based upon substantial evidence presented to this Commission during the above-referenced public hearing on December 9, 2013, including written and oral staff reports, together with public testimony, this Commission hereby finds as follows:
 - A. The proposed use is desirable to the public convenience and public welfare, in that the proposed use will make good use of a site already developed for and utilized for industrial uses. Approval of the new use for the property would also result in several improvements to the site that would also contribute to the ongoing improvements being made to the adjacent Mission Boulevard streetscape.
 - B. Granting this permit will not be materially detrimental to the public welfare and other property in the vicinity, in that the new property owner will not carry out any expansion of the existing buildings/structure nor intensify outdoor uses on the site other than storage which already occurred on the site with no known complaints. Further, the focus of the outdoor storage activities would be largely concentrated at the center of and far north end of the property where it would be out of direct view to the street behind the existing buildings and perimeter fencing.
 - C. The proposed use is consistent with the underlying Manufacturing Industrial Park (MIP) zoning designation for the property, which conditionally permits outdoor storage as contemplated by the applicant. The site is adequate in size, is developed appropriately sized office and warehouse buildings, has

sufficient area for required on-site parking and outdoor storage, and is accessible to a fully developed street. Since no actual construction or fabricating activities or major outdoor operations other than storing construction materials and equipment will occur on the site, the new use is not expected to pose any significant adverse impact to adjacent uses.

- D. The proposed use at the subject location is not contrary to the objectives of any part of the adopted General Plan or Montclair Municipal Code, as both documents identify the property for industrial uses many of which involve outdoor storage as part of their respective operations. Moreover, the General Plan specifically encourages a balance of uses within the City and the development or continued improvement of industrial properties that contribute to the overall betterment of the community.

C. Conditions of Approval.

Based upon the findings and conclusions set forth in the paragraphs above, this Commission hereby approves the application subject to each and every condition set forth below.

Planning

1. This Conditional Use Permit approval for the site shall be for outdoor storage of equipment, fleet vehicles, and construction related items associated with a construction contracting company, as described in the staff report. Any modification, intensification, or expansion of the improvements and/or use beyond that which is specifically approved with this approval shall require prior review and approval by the Planning Commission.
2. Conditional Use Permit (CUP) approval shall be valid for a period of six months from the date of Planning Commission approval and shall automatically expire on the six-month anniversary date of Planning Commission action, unless the applicant is diligently pursuing building plan check toward eventual construction or implementation of this project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's CUP expiration date.
3. The approval of this CUP shall supersede any other previous approvals governing the use of the property.
4. Within five (5) days of approval by the Planning Commission, the applicant shall submit the following payments to the Planning Division:
 - a. A check in the amount of \$50, payable to "Clerk of the Board of Supervisors," to cover the County administrative fee for filing a Notice of Exemption as required by the California Environmental Quality Act

(CEQA). The check shall be made payable to the Clerk of the Board of Supervisors.

- b. A check in the amount of the actual cost of publication, payable to the "City of Montclair," to cover the cost of publishing a Notice of Public Hearing in a newspaper of general circulation (Inland Valley Daily Bulletin) as required by state law.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 15 days of receipt of the Planning Commission Resolution.
6. Approval of this CUP shall not waive compliance with any applicable regulations as set forth by the California Building Code and/or City Ordinances, the San Bernardino County Health Department, or the State of California.
7. Business operations at the site shall be subject to the applicable noise requirements of Chapter 6.12 of the Montclair Municipal Code. Outdoor noise levels for industrial areas are a maximum of 70 dBA between the hours of 7:00 a.m. and 10:00 p.m.
8. Any subsequent sale, sub-leasing or rental to another business, or another industrial operators involving outdoor storage shall require separate review and approval by the Community Development Director in order to determine its compatibility with this CUP approval.
9. Outdoor storage of equipment, vehicles and supplies directly associated with the construction business as generally identified below:
 - a. Bags of cement under cover
 - b. K-rail sections
 - c. False work/shoring/heavy timber
 - d. Forms
 - e. Equipment (e.g., yellow iron, light towers, arrow boards, message boards, etc.)
 - f. Fleet vehicles (e.g. trailers, pickups, vans, stake bed trucks)
 - g. Traffic control devices and signs
 - h. Construction office trailers
 - i. Forklifts for moving and loading heavy items/equipment

10. Except for the fleet vehicles, all items listed in Condition No. 9 shall be stored on the rear half of the property or within the existing buildings. At no time shall construction supplies, equipment, or forklifts be stored at the front of the property or in direct view from the street. If the applicant should desire to store some of the identified items and/or other equipment/vehicles closer to the buildings, then a solid decorative metal fence or block wall and gate shall be erected in the space between the buildings approximately in the same area where an intermediate chain link fence currently exists, subject to City review and approval.
11. All items stored outdoors shall be maintained in a neat and organized fashion at all times maintaining appropriate clearances and heights as indicated below:
 - a. No items shall be stored within ten feet of the east property line and stacked no higher than eight feet (8'-0") in height for an additional distance of 25 feet.
 - b. No items shall be stacked higher than 14 feet at any other portion of the site (not including the front of the property).
12. No recreation vehicles, trailers, buses, or other personal items/objects not directly related to the approved business may be stored or parked on the premises.
13. All vehicle or equipment maintenance and/or fabrication activities shall be conducted inside the existing buildings to minimize and/or eliminate noise, dust or visual impacts to surrounding properties.
14. The business operator shall obtain a City of Montclair Business License and comply with regulations and maintain a current City Business License at all times.
15. Prior to the approval of a business license for the subject business, the applicant shall complete the following items:
 - a. Prepare an organized parking plan for the front the property to meet required parking for the subject use.
 - i. Crack seal and slurry or overlay the parking lot in preparation for new striping.
 - ii. All automobile parking spaces shall be clearly delineated with double-line (e.g. "hairpin") striping. Parking stalls for employees/staff and visitors shall be a minimum of 9'-0" in

width as measured to the center of the "hairpin," and a minimum of 20'-0" in length.

- b. Submit plans to construct one (1) covered trash enclosure. The construction of such trash enclosure(s) shall conform to City Development Standard #106 and shall have a solid roof complementary to the main building. Location shall be subject to Planning Division approval.
 - c. Remove all unnecessary or extraneous structures, poles, cabinets, racks, bins, storage tanks, etc. from the premises, whether on the site or within existing buildings.
 - d. Remove the three (3) existing non-conforming pole signs from the front of the property.
 - e. Replace all unshielded exterior light fixtures and replace with new fixtures that incorporate 90-degree cut-off style luminaires and flat lenses so as to direct illumination downward to the surface to be illuminated and away from public rights-of-way or adjacent residential properties/uses located to the east of the subject site. The use of wall packs, barn lighters, other similar unshielded luminaires, and/or roof mounted light fixtures shall be prohibited.
 - f. Patch and paint as needed around each building.
 - g. Comply with all Fire Department, Building Division, and Environmental Compliance requirements.
16. Prior to installation of any new or replacement signs on the property, the applicant shall submit a detailed sign plan to the Planning and Building Divisions for review and approval, and the issuance of required permits. A monument sign of no more than 48 square feet and eight feet in height identifying the business may be permitted. Exposed raceways shall be prohibited on all building-mounted and freestanding signs.
17. Temporary promotional signs/banners shall comply with Chapter 11.72 of the Montclair Municipal Code.
18. No pay telephones or vending machines shall be located on the exterior of the building.
19. Any new mechanical devices and their component parts, such as air conditioners, evaporative coolers, exhaust fans, ducts, 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.

20. All new or relocated 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.
21. The applicant and/or property owner shall be responsible for maintaining the property including building exteriors, parking areas, exterior lighting, signs and landscaping in good condition and/or working order at all times. Any accumulation of trash, weeds, or debris on the property shall be removed immediately so as not to present a public nuisance.
22. Graffiti on the buildings or other site improvements shall be removed immediately by the applicant/property owner upon notification by the City.
23. A copy of the CUP approval letter with all conditions of approval relating to this application shall be kept on file at the subject location and be made available for viewing to any law enforcement officer, fire, building, or code enforcement inspector in the course of conducting an inspection on said premises.
24. The installation of any security cameras shall be integrated into the site or design of the buildings to which they are attached to the greatest extent possible. Cameras or sensors that are mounted to support posts, rods, hangers, wires, etc., and designed to hang from or over the roof, parapet, or canopy shall not be permitted.
25. Trees at the front of the property shall not be severely pruned, topped or pollarded. Any trees that have been pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Planner, within the timeframe established by the City. All existing and new trees incorporated into the project shall be trimmed and maintained per guidelines established and approved by the International Society of Arboriculture (ISA).
26. This CUP shall be subject to revocation or modification by the Planning Commission or City Council at such time as any of the following conditions are found to exist:
 - a. Conditions of Approval have not been fulfilled;
 - b. The use has resulted in a substantial adverse impact on the health and/or general welfare of users of adjacent or proximate property;
 - c. The use has resulted in a substantial adverse impact on public facilities or services.

27. Subject to the approval of the applicant, the address of the subject property shall be changed to **4756 Mission Boulevard** in order to correct its current out-of-sequence address as discussed in the staff report. City staff would be responsible for notifying the United States Postal Service, San Bernardino County Assessor, and all utility providers of the change.
28. 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.
29. The applicant shall agree to defend, at its sole expense, any action brought against the City, its agents, officers, or employees because of the issuance of this approval; or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any damages, loss, court costs and attorney fees that the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve applicant of its obligations under this condition.

Building

30. Submit two complete sets of plans including the following:
 - a. Site/Plot Plan;
 - b. Floor Plan of existing buildings on the site stating the intended uses for each. Please include existing plumbing fixtures and any walls which will be demolished.
31. If new structures are to be constructed, please provide four (4) complete sets of plans including the following:
 - a. Site/Plot Plan;
 - b. Floor Plan;
 - c. Reflected Ceiling Plan;
 - d. Electrical Plans, including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams;

- e. Plumbing Plans, including isometrics, underground diagrams, water and waste diagram, fixture units, gas piping, and heating and air conditioning;
 - f. Existing plan of the buildings, including all walls to be demolished;
 - g. Waste Recycling Plan, recycling 50% of all construction debris;
 - h. Two sets of structural calculations, if required, and two sets energy conservation calculations.
32. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.
33. The applicant shall comply with the latest adopted California Building Code, and other applicable codes, ordinances and regulations in effect at the time of permit application. These applicable codes shall be indicated on the first page of submitted plans.
34. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
35. Separate permits are required for fencing and/or walls.
36. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number.
37. Construction activity shall only be permitted from the hours of 7:00 a.m. to 8:00 p.m. daily.
38. Prior to issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Such fees may include but are not limited to: Transportation Development Impact Fee, Permit and Plan Check Fees, and School Fees. All required school fees shall be paid directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District. Applicant shall provide a copy of the school fees receipt to the Building Division prior to permit issuance.
39. Construct trash enclosure(s) per City Standard (available at the Building Division's public counter).
40. 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.

41. 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%).
42. Construction drawings submitted to the Building Division for plan review shall comply with Montclair Security Ordinance No. 357, including, but not limited to, adherence to the following standards:
 - a. Install a numerical address on the north building elevation. Address numerals shall be in a clearly readable font, a minimum of ten inches in height, a minimum of 1½ inches in depth, and be in a 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 an approved emergency lighting to provide adequate illumination automatically in the event of an interruption of electrical service.
43. 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 other departments and/or agencies.
44. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Building Division electronic images of all plans and records which were submitted for the purpose of obtaining a building permit. Electronic images shall comply with the City's Electronic Archiving Policy.
 - b. Install all disabled-accessible parking stalls and parking lot signage.

Environmental

45. Provide a list and site plan indicating the location of all above and underground storage tanks (UST) to be retained and used on-site. If any UST has been removed from the site, provide documentation certifying the removal/abandonment of said tank(s) as issued by the San Bernardino County Fire Department CUPA.

46. Indicate whether the large waste oil tank located near the spray booth will be retained or removed from the site. Tank must be pumped and documentation/manifests provided to the Environmental Manager. If the tank is to be removed from the site, it shall be removed to an appropriate Transfer, Storage, and Disposal Facility (TSDF). If the tank is to remain in use on the site, the tank must be covered with an approved structural roof.
47. Provide documentation that all permits are current for the existing spray booth if it is to remain on-site. The existing sprinkler system in the spray booth is leaking (heads are covered in plastic bags containing leaked water) and must be repaired and certified with documentation provided to the Environmental Manager for approval.
48. Submit verification of the capacity of the existing clarifier/sump for the vehicle wash rack. A manhole ring is broken, exposing the interior of the tank. The rings must be replaced and the rings and covers must be brought to grade with concrete prior to approval by the Environmental Manager.
49. The Aquacycle Wash Water Recycling System (if it is to remain in use and on-site) must be recertified. A process flow diagram including the attached parts washer must be provided with the recertification to the Environmental Manager.
50. All metal (iron/steel, etc.) that is to be stored on-site must be covered and set above the ground.
51. Schedule a re-inspection with Nicole Greene, Environmental Manager, at (909) 721-1776, to verify that the above conditions have been met.

Stormwater BMP Conditions

52. If the storage tank on the east side of painting booth is to be retained for use by the applicant, it shall be covered by a solid roof structure. Refer to the Building Division for solid roof structure requirements. If it is decided that the tank is not to be used, remove from site and dispose of properly.
53. Storage yard shall be swept at the end of each week and prior to rain events. All equipment, vehicles and tools shall be maintained to prevent any oil leaks on the ground. If an oil leak occurs, a spill pan shall be used to catch the oil until repairs can be made. All spilled/dripped oil on ground shall be cleaned up using a dry clean-up method (e.g. oil absorbent material).
54. Any broken bags of cement shall be repaired or transferred to a container to prevent spillage of material. Spilled cement shall be swept up immediately.
55. No wash down of the site shall be allowed.

56. The washing of vehicles, equipment, machinery and tools shall be prohibited, unless the property has a designated wash bay connected to an approved clarifier.

Fire

57. Storage on the property shall not to exceed 14 feet in height with 48-inch wide aisles between piles. A ten (10)-foot wide aisle shall be provided adjacent to all property lines with no dead end aisles.
58. All existing fire protection equipment in structures and out-buildings on the property shall be serviced and maintained, whether in use or not, pursuant to current California Fire Code requirements (i.e.: spray paint booth and fire extinguishers).
59. A paved roadway with a minimum width of 20'-0" shall be provided and maintained from the front to the rear of property. This roadway shall be designated, maintained clear, and marked with "Fire Lane - No Parking".
60. The subsequent installation of any new buildings or fueling storage and dispensing areas shall be approved and permitted by the Office of the Fire Marshal prior to any construction. Any new construction will be subject to current and applicable Local, State, and Federal regulations.
61. The property owner shall be responsible for reasonable periodic clean-up of the construction site to avoid hazardous accumulation of combustible trash and debris.

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

APPROVED AND ADOPTED THIS 9TH DAY OF DECEMBER, 2013.

PLANNING COMMISSION OF THE CITY OF MONTCLAIR, CALIFORNIA

By: _____
Tenice Johnson, Chair

ATTEST: _____
Steve Lustro, Secretary

I, Steve Lustro, 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 9th day of December, 2013, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Z:\COMMDEV\MDIAZ\CASES\GRIFFITH COMPANY 2013-26 PC RESOLUTION