

CITY OF COLTON

PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS, 650 NORTH LA CADENA DRIVE, COLTON, CA 92324

REGULAR MEETING – Tuesday, May 24, 2016 – 6:30 P.M.

Agenda

Documents: [PC AGENDA 5-24-2016.PDF](#)

A. CALL TO ORDER

. B. ROLL CALL

.. C. PLEDGE OF ALLEGIANCE

... D. APPROVAL OF MEETING MINUTES

... E. PUBLIC COMMENTS

... F. BUSINESS ITEMS

.... F-1 DAP-001-306 Walmart CUP Extension

Documents: [F-1_DAP-001-217_WALMART TIME EXTENSION.PDF](#)

.... F-2_DAP-001-317 Global Premier Development Extension

Documents: [ITEM F-2_DAP-001-317_STAFF REPORT_TIME EXTENSION_ASSISTED LIVING.PDF](#)

.. G. COMMISSION CONSIDERATION

... G-1_Status Report On Squires Lumber_333 E. F Street

Documents: [G._SQUIRES LUMBER UPDATE_5-24-16.PDF](#)

... H. DIRECTOR'S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

.... H-1_DAP-001-287B_Zoning Text Amendment (Carports)

Documents: [H-1_DAP-001-287B_ZONING TEXT AMENDMENT.PDF](#)

... I. COMMISSION COMMENTS

... J. COMMISSION COMMENTS

.... K. ADJOURNMENT

Next Scheduled Meeting: Tuesday, June 14, 2016 at 5:30 p.m.

Documents Related to Open Session Agendas (SB 343). Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection Monday through Thursday 8:00 am to 4:00 p.m. at the City of Colton Development Services Department located at the Civic Center Annex (across the street from City Hall) at 659 N. La Cadena Drive, Colton, CA 92324.

Appeal of Planning Commission Action. If you challenge in court any action of the Planning Commission related to a public hearing item, you may be limited to raising only those issues you or someone else has raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. A decision of the Planning Commission may be appealed to the City Council. An appeal must be filed within ten (10) days following the appellant's receipt of notice of the action.

ADA Compliance. In compliance with the American with Disabilities Act, if you need special assistance to participate in a Planning Commission Meeting, please contact the Planning Division at 909-370-5079. Notification forty-eight (48) hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.



CITY OF COLTON PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS, 650 NORTH LA CADENA DRIVE, COLTON, CA 92324
REGULAR MEETING – Tuesday, May 24, 2016 – 5:30 P.M.

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. APPROVAL OF MEETING MINUTES

E. PUBLIC COMMENTS

F. BUSINESS ITEMS

1. FILE INDEX NUMBER: DAP-001-306 WALMART CUP EXTENSION

APPLICANT: Wal Mart Stores, Inc.
Brent R. McManigal, Gresham, Savage, Nolan & Tilden PC
(Attorney-In-Fact)

PROPERTY OWNER: WAL-MART REAL ESTATE BUSINESS TRUST

PROPERTY LOCATION: 1120 S. Mount Vernon Avenue

ASSESSORS PARCEL NO.: 0276-144-07

REQUEST: Extension of time (First) for one year for the approval of a **Major Modification of Conditional Use Permit (CUP) (File Index Number: DAP 001-217)** relating to (1) alcohol consumption for (a) the addition of a ABC License Type 86-Instructional Tasting- to allow the instructional tasting on the premises of beer, wine and distilled spirits, as an ancillary part of an existing retail operation; and (b) continued operation of ABC License Type 21-Off Sale General for the sale of beer, wine, and distilled spirits for off-premises consumption; and (2) the continued 24-hour retail operation, for an existing general merchandise retailer located at 1120 South Mount Vernon Avenue on a 13.21-acre parcel within a 28-acre shopping center (“CentrepoinTE Plaza”) on nine (9) parcels zoned C-2, General Commercial. Assessor Parcel Number (APN): 0276-144-01; 02; 03; 04; 05; 06; 07; 08; and 38. Expiration Date: 4/28/16 – automatically extended to 6/8/16.

ENVIRONMENTAL DETERMINATION: Exempt pursuant to California Environmental Quality Act (CEQA) Section 15061(b) (3) due to the certainty that there is no possibility that the action (time extension) will have a significant effect on the environment.

STAFF RECOMMENDATION: Approval of a One-Year Time Extension (First), setting a new expiration date of 4/28/2017.

2. FILE INDEX NUMBER: DAP-001-317 GLOBAL PREMIER DEVELOPMENT
EXTENSION

APPLICANT: Global Premier Development

PROPERTY OWNER: Global Premier Development

PROPERTY LOCATION: 2010 Main Street;

COUNTY ASSESSOR PARCEL NO.: 0164-161-30

REQUEST: One-Year Time Extension request (*First Time Extension*) for approved **Architectural and Site Plan Review** for the construction of a new two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot and within the R-3 (Multiple Family Residential) Zone.

ENVIRONMENTAL DETERMINATION: Exempt pursuant to California Environmental Quality Act (CEQA) Section 15061(b) (3) due to the certainty that there is no possibility that the action (time extension) will have a significant effect on the environment.

STAFF RECOMMENDATION: Approval of the Time Extension (First Time Extension), setting a new expiration date of 5/12/2017.

G. COMMISSION CONSIDERATION

1. **Status Report on Squires Lumber, 333 East F Street**

H. PUBLIC HEARINGS:

1. **FILE INDEX NUMBER: DAP-001-287B ZONING TEXT AMENDMENT (CARPORTS)**

APPLICANT: City-initiated

REQUEST: Zoning Text Amendment (ordinance) to modify various provisions of Title 18 of the Colton Municipal Code related to Section 18.12.060 (Building Projections – R-1 Zone), and 18.12.170 (Parking Requirements – R-1 Zone) Pertaining to Carports. (File Index No. DAP–001-287B).

ENVIRONMENTAL DETERMINATION: Exempt from CEQA because it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

RECOMMENDATION: Staff recommends that the Planning Commission recommend to the City Council approval of the draft ordinance by adopting Resolution No. R-15-16:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLTON AMEND SECTION 18.12.060 (BUILDING PROJECTIONS – R-1 ZONE), AND SECTION 18.12.170 (PARKING REQUIREMENTS – R-1 ZONE) OF TITLE 18 OF THE COLTON MUNICIPAL CODE (FILE INDEX NO. DAP-001-287B).

I. DIRECTOR’S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

J. COMMISSION COMMENTS

K. ADJOURNMENT

Next Scheduled Meeting: Tuesday, June 9, 2016 at 5:30 p.m.

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Planning Commission Staff Report

CITY OF COLTON Development Services Department

TYPE OF ACTION: FINAL ACTION

MEETING DATE: May 24, 2016

FILE INDEX NUMBER: **DAP-001-306** **WALMART CUP EXTENSION**

APPLICANT: **Wal Mart Stores, Inc.**
Brent R. McManigal, Gresham, Savage, Nolan & Tilden PC
(Attorney-In-Fact)

PROPERTY OWNER: WAL-MART REAL ESTATE BUSINESS TRUST

PROPERTY LOCATION: 1120 S. Mount Vernon Avenue/ **ASSESSORS PARCEL NO.:** 0276-144-07

REQUEST: Extension of time (First) for one year for the approval of a **Major Modification of Conditional Use Permit (CUP) (File Index Number: DAP 001-217)** relating to (1) alcohol consumption for (a) the addition of a ABC License Type 86-Instructional Tasting- to allow the instructional tasting on the premises of beer, wine and distilled spirits, as an ancillary part of an existing retail operation; and (b) continued operation of ABC License Type 21-Off Sale General for the sale of beer, wine, and distilled spirits for off-premises consumption; and (2) the continued 24-hour retail operation, for an existing general merchandise retailer located at 1120 South Mount Vernon Avenue on a 13.21-acre parcel within a 28-acre shopping center ("Centrepoinete Plaza") on nine (9) parcels zoned C-2, General Commercial. Assessor Parcel Number (APN): 0276-144-01; 02; 03; 04; 05; 06; 07; 08; and 38.

ACTIONS:

APPLICATION FILED: April 20, 2016

EXPIRATION DATE: 4/28/16. – automatically extended to 5/28/16. (based on automatic 40-day extension upon filing)

ENVIRONMENTAL DETERMINATION: Recommendation: Exempt pursuant to California Environmental Quality Act (CEQA) Section 15061(b)(3) due to the certainty that there is no possibility that the action will have a significant effect on the environment.

PUBLIC NOTICE DATE: not applicable

PLANNING COMMISSION ACTION: _____ **DATE:** 05/24/2016

STAFF RECOMMENDATION: Approval of the Time Extension setting a new expiration date of **April 28, 2017**

PROPERTY INFORMATION:

- 1. Location: 1120 S. Mount Vernon Avenue, Colton CA 92324
Assessor's Parcel No: 0276-144-07
- 2. Lot Size: 13.21 acres

- 3. Existing Land Use: Retail commercial
- 4. General Plan Land Use Designation: General Commercial
- 5. Zoning: C-2, General Commercial

Surrounding Properties:

	Existing Land Use	Zoning	General Plan Land Use Designation
North	Commercial, Multi-Tenant Center	C-2-General Commercial	General Commercial
East	Recreational Vehicle Sales		
West	Commercial (Restaurants, Car Wash/Gasoline Sales/Market)		
South	Interstate 215 Freeway		

Past Planning Actions

1. **Major Modification of Conditional Use Permit (File Index No. DAP-001-217)** (Reference: File Index Number: DAP 001-088) relating to (1) alcohol consumption for (a) the addition of a ABC License Type 86-Instructional Tasting- to allow the instructional tasting on the premises of beer, wine and distilled spirits, as an ancillary part of an existing retail operation; and (b) continued operation of ABC License Type 21-Off Sale General for the sale of beer, wine, and distilled spirits for off-premises consumption; and (2) the continued 24-hour retail operation, for an existing general merchandise retailer located at 1120 South Mount Vernon Avenue on a 13.21-acre parcel within a 28-acre shopping center (“Centerpointe Plaza”) on nine (9) parcels zoned C-2, General Commercial. Assessor Parcel Number (APN): 0276-144-01; 02; 03; 04; 05; 06; 07; 08; and 38. . Approved by Planning Commission on 4-28-2015.
2. **Conditional Use Permit (File Index No. DAP-001-088)** for alcohol sales including modification of an existing legal non-conforming off-sale alcohol license-Type 20 ABC (beer & wine) by upgrading to an off-sale alcohol license-Type 21 ABC-full liquor for a general merchandise retail store located within the Commercial Center designation of the Cooley Ranch Planned Community. Approved by Planning Commission on 4-19-2013.
3. **Major Variance (File Index No. DAP-001-077)** for deviations from sign regulations for maximum wall letter height and increase in sign area permitted for a logo for a general merchandise retail store on property located within the Commercial Center designation of the Cooley Ranch Planned Community. Approved by Planning Commission on 2-13-2013.
4. **Design Review (File Index No. D-20-90)** for new retail store (WalMart) at Centerpointe Plaza shopping center. Approved in 1991.

RELEVANT CODE SECTION

CMC 18.58.070. Expiration of land use entitlements. Any land use entitlement described in this chapter granted by the commission becomes null and void if not exercised within one year of the

date of approval thereof. Upon written application by the applicant or property owner filed prior to the expiration of the approved land use entitlement, the time at which the land use entitlement expires may be extended by the commission for an additional one year period, at a time, for good cause. The existence of "good cause" will be determined at the sole discretion of the commission. No more than four extensions may be granted for any approved land use entitlement. Upon written application by the applicant or property owner filed prior to the expiration of the land use entitlement, the approved land use entitlement shall automatically be extended for thirty days or until the application for extension is approved or denied, whichever occurs first. All requests for extension shall be acted upon by the commission on the consent calendar.

BACKGROUND

On April 28, 2015, the Planning Commission adopted **Planning Commission Resolution No. R-06-15** approving an application for a **Major Modification of Conditional Use Permit (File Index No. DAP-001-217)** (Reference: File Index Number: DAP 001-088) relating to (1) alcohol consumption for (a) the addition of a ABC License Type 86-Instructional Tasting- to allow the instructional tasting on the premises of beer, wine and distilled spirits, as an ancillary part of an existing retail operation; and (b) continued operation of ABC License Type 21-Off Sale General for the sale of beer, wine, and distilled spirits for off-premises consumption; and (2) the continued 24-hour retail operation for an existing general merchandise retailer located at 1120 South Mount Vernon Avenue .

Pursuant to Section 18.58.070 (above), approvals become null and void if not 'exercised' within one year of approval. As of April 28, 2016, CUP has not been exercised and was due to expire. The applicant did start work to show conformance with some of the conditions including filing for BOP (business occupancy permit) inspections and determining whether existing lighting meets current code minimums.

As allowed by the Code, the approval was granted an automatic 30-day extension (to May 28, 2016) upon the filing of an application for the consideration of a time extension by the Planning Commission. Pursuant to Code, the Commission may grant up to four one-year extensions after finding that there is "good cause" for granting the extension.

DISCUSSION

The applicant has confirmed that they still wish to pursue the project and submitted a statement (attached) requesting more time to decide how to address a CUP condition requiring that the site meet minimum lighting level of one foot-candle required by Code. Apparently some parts of the site do not meet this requirement so the applicant is considering either upgrading the lighting to meet code requirements or request that the condition be either removed or amended (which would require consideration by the Planning Commission). The applicant is asking for more time to fully consider its options.

Since progress has been made towards conforming to the CUP conditions, staff has no objection to the granting of the extension.

This would be the first of the four extensions the City is able to grant, setting a new expiration date of **April 28, 2017**.

ENVIRONMENTAL DETERMINATION

Exempt pursuant to California Environmental Quality Act (CEQA) Section 15061(b)(3) due to the certainty that there is no possibility that the action (time extension) will have a significant effect on the environment.

RECOMMENDATION

Approval of a One-Year Time Extension (First), setting a new expiration date of **April 28, 2017**.



Prepared by:
Jay Jarrin, AICP, Senior Planner



Reviewed By:
Mark R. Tomich, AICP, Director

ATTACHMENTS

1. Statement of 'Good Cause', dated April 20, 20156

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**Letter of Justification/Explanation in Support of an Application for
Extension of Time for DAP-001-217
Walmart – 1120 S. Mount Vernon Avenue**

APR 29 2015

The City of Colton ("City") Planning Commission approved DAP-001-217 ("Permit") on April 28, 2015 allowing Wal-Mart Stores Inc. ("Walmart") to conduct occasional Instructional Tasting events ("Events") at the Store located at 1120 S. Mount Vernon Avenue ("Store").

This Permit is valid for one year until April 28, 2016. Walmart would like to request an extension of time for the Permit in order to allow for more time to comply with Condition of Approval 6 (c) of Resolution R-06-15 approving DAP-001-217. The condition requires a minimum illumination level of one-foot candle throughout the parking area and although lighting in the prescribed area is currently at an *average* of two-foot candle, there are areas where the minimum one-foot candle level is not being met. Walmart has been working diligently with its lighting engineers as well as the City to determine the most cost-effective plan to meet the lighting requirement.

The additional time being requested is to provide more time for discussion between the parties involved to formulate a plan to meet City conditions.



Planning Commission Staff Report

CITY OF COLTON
Development Services Department

TYPE OF ACTION: Final Action

MEETING DATE: May 24, 2016

FILE INDEX NUMBER: DAP-001-317

REQUEST: **One-Year Time Extension** request (*First Time Extension*) for approved **Architectural and Site Plan Review** for the construction of a new two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot and within the R-3 (Multiple Family Residential) Zone.

APPLICANT: Global Premier America

ACTIONS:

APPLICATION FILED: 05/02/16

APPLICATION REVIEW COMMITTEE: N/A

PLANNING COMMISSION: 05/24/16; Recommendation: Approval; Decision: _____

ENVIRONMENTAL DETERMINATION: The proposed project has determined that there is no possibility that the time extension request may have a significant adverse effect on the environment. Therefore, the proposed use is exempt under Article 19, Section 15061 b. (3) of the California Environmental Quality Act (CEQA) Guidelines.

PROPERTY INFORMATION:

1. Location: 839 Fairway Drive
Assessor's Parcel No: 0164-161-30
2. Lot Size(s): 1.95 acres
3. Existing Land Use: Vacant Unimproved
4. General Plan Land Use Designation: High Density Residential
5. Zoning: R-3 (Multiple-Family Residential)
6. Surrounding Properties:

	Existing Land Use	Zoning	General Plan Land Use Designation
North	Residential	R-2 (Medium Density Residential)	Medium Density Residential
South	Residential	R-2 (Medium Density Residential)	Medium Density Residential
East	Residential/Vacant	R-3 (Multiple-Family Residential)	High Density Residential
West	bakery shop and automotive repair	C-1 (Neighborhood Commercial)	Neighborhood Commercial

DISCUSSION

On May 2, 2016, due to the pending expiration of the approval after one-year, the applicant asked that a request for an Extension of time for the approval of DAP-001-212 (Regency Palms Colton Assisted

Living Facility) be considered by the Planning Commission (*First Time Extension*). The project was approved by the Planning Commission on May 12, 2015. The applicant has indicated the reasoning for the request is that they are still in the process of gathering proposals from consultants to work toward submitting for building permits and is expecting to begin work on them in the next several months. In granting the time extension, the applicant has indicated that the project is ready to move forward and proceed as planned.

On May 12, 2016, staff conducted a field review of the property. In general, the property is well maintained. If the Planning Commission approves the request for time extension, the new expiration date will be on May 12, 2017.

The Zoning Code allows for a maximum of four extensions that may be granted by the Planning Commission. The Planning Commission may grant the one-year extension if it finds there is “good cause,” which is the sole discretion of the Planning Commission pursuant to the Zoning Code cited in the box below.

CMC 18.58.070. Expiration of land use entitlements. Any land use entitlement described in this chapter granted by the commission becomes null and void if not exercised within one year of the date of approval thereof. Upon written application by the applicant or property owner filed prior to the expiration of the approved land use entitlement, the time at which the land use entitlement expires may be extended by the commission for an additional one year period, at a time, for good cause. The existence of "good cause" will be determined at the sole discretion of the commission. No more than four extensions may be granted for any approved land use entitlement. Upon written application by the applicant or property owner filed prior to the expiration of the land use entitlement, the approved land use entitlement shall automatically be extended for thirty days or until the application for extension is approved or denied, whichever occurs first. All requests for extension shall be acted upon by the commission on the consent calendar.

ENVIRONMENTAL DETERMINATION:

Staff analyzed the proposal for California Environmental Quality Act (CEQA) compliance. The proposed project has determined that there is no possibility that the time extension request may have a significant adverse effect on the environment. Therefore, the proposed use is exempt under Article 19, Section 15061 b. (3) of the California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION

Staff recommends that:

The Planning Commission approve Extension of Time for DAP-001-212, which will set a new expiration date of May 12, 2017. Approved Planning Commission Resolutions shall remain in effect with this one-year time extension.



Prepared By:
Steve Gonzales, Associate Planner



Reviewed By:
Mark Tomich, AICP, Director

Attachments

1. Applicant's Request for Extension
2. P.C. Staff Report dated May 12, 2015, with conditions of approval
3. P.C. Resolution No.: R-07-15

Applicant' Request for Extension

Attachment 1



GLOBAL PREMIER AMERICA REGIONAL CENTER

April 5, 2016

Mr. Steve Gonzales
Associate Planner
Development Services Department
City of Colton, CA
650 N. La Cadena Drive, Colton, CA 92324

RE: ***DAP-001-212 Architectural and Site Plan Review
839 Fairway Drive, Colton California***

Dear Mr. Gonzales,

I write to respectfully request your consideration as well as the consideration of the Planning Commission in granting the above referenced project an Extension of Time for the approval of DAP-001-212. The approval expires on May 12, 2016.

We are currently gathering proposals from consultants to work toward building permits and expect to begin work on them in the next several months.

With this said, I respectfully ask for your consideration in granting an extension so that we may continue moving forward with Regency Palms Colton with confidence that the project may proceed as planned.

Mr. Gonzales, I sincerely appreciate your time and patience.

If you have any questions or need additional information, please do not hesitate to contact me at 949-732-0614 or gina@globalpremierdevelopment.com.

Thank you.


Gina Elduayen
VP Operations
Global Premier America

P.C. Staff Report dated May 12, 2015

Attachment 2



Planning Commission Staff Report

City of Colton
Development Services Department

MEETING DATE: May 12, 2015

FILE INDEX NUMBER: DAP-001-212 **Regency Palms Colton**

REQUEST: **Architectural and Site Plan Review** for the construction of a new two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot and within the R-3 (Multiple Family Residential) Zone (continued from the April 28, 2015 meeting).

APPLICANT: Global Premier Development Inc. (Gina Elduayen, VP Operations)

PROPERTY OWNER: Global Premier Development Inc.

ACTIONS:

APPLICATION FILED: 11/12/14

CONSIDERATION OF APPLICATION REVIEW COMMITTEE: 01/05/15

CONSIDERATION BY THE PLANNING COMMISSION: 04/28/15 and 05/12/15; **Decision** _____.

ENVIRONMENTAL DETERMINATION: Staff analyzed the proposed land use for California Environmental Quality Act (CEQA) compliance, denial of the proposed project is exempt from the requirements of CEQA as per State CEQA Guidelines Sections 15061 (b)(4) and 15270.

BACKGROUND

This Architectural and Site Plan Review application was heard by the Planning Commission on April 28, 2015 at which time the application was fully examined. At the conclusion of the public hearing of April 28, 2015, the Planning Commission voted unanimously 6:0 to continue this item and directed staff to allow the applicant and staff to clarify the following issues for consideration at the May 12, 2015 meeting:

- Clarification that the proposed assisted living facility is compliant with Fire Department access requirements;
- Clarification of the location of the elevator for the proposed assisted living facility.

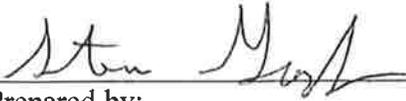
The applicant has provided a revised site plan with clarification on the fire access for the proposed assisted living facility (see attachment 3). The fire access for the proposed facility has been reviewed and approved by the City of Colton Fire Department.

The location of the elevator for the proposed assisted living facility has been clearly identified on the revised site plan (see attachment 3).

In addition, per the recommendation of the City Attorney, a Condition of Approval, to clarify that approval of this project would supersede a previous approval for a low income housing complex in 2007 (DAP-000-668). DAP-000-668 shall become null and void (see Condition of Approval # 3).

RECOMMENATION

Staff recommends that the Planning Commission adopt Resolution No. R-07-15 adopting the Mitigated Negative Declaration and approving Architectural and Site Plan Review relating to the construction of a new two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot and within the R-3 (Multiple Family Residential) zone, subject to conditions (File Index No. DAP-001-212).



Prepared by:
Steve Gonzales, Associate Planner



Prepared by:
Mark R. Tomich, AICP, Director

Attachments:

- Attachment - 1 Planning Commission Draft Resolution No. R-07-15
- Attachment - 2 April 28, 2015 Planning Commission Staff Report
- Attachment - 3 Revised Site Plan



Planning Commission Staff Report

City of Colton
Development Services Department

MEETING DATE: April 28, 2015

FILE INDEX NUMBER: DAP-001-212 **Regency Palms Colton**

REQUEST: **Architectural and Site Plan Review** for the construction of a new two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot and within the R-3 (Multiple Family Residential) Zone.

APPLICANT: Global Premier Development Inc. (Gina Elduayen, VP Operations)

PROPERTY OWNER: Global Premier Development Inc.

ACTIONS:

APPLICATION FILED: 1/27/15

APPLICATION REVIEW COMMITTEE: 2/18/15 (provision of comments and conditions)

PLANNING COMMISSION: 4/28/15; Recommendation: Approval; Decision: _____

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration is proposed for adoption. Mitigated Negative Declaration and Monitoring Program pursuant to Sections 15070 and 15074 of the Guidelines for the Environmental Quality Act (CEQA)

PROPERTY INFORMATION:

1. Location: 839 Fairway Drive
Assessor's Parcel No: 0164-161-30
2. Lot Size(s): 1.95 acres
3. Existing Land Use: Vacant Unimproved
4. General Plan Land Use Designation: High Density Residential
5. Zoning: R-3 (Multiple-Family Residential)

6. Surrounding Properties:

	Existing Land Use	Zoning	General Plan Land Use Designation
North	Residential	R-2 (Medium Density Residential)	Medium Density Residential
South	Residential	R-2 (Medium Density Residential)	Medium Density Residential
East	Residential/Vacant	R-3 (Multiple-Family Residential)	High Density Residential
West	bakery shop and automotive repair	C-1 (Neighborhood Commercial)	Neighborhood Commercial

7. Site Aerial



PROPERTY DESCRIPTION

The property is rectangular in shape, and relatively flat. The project is designed with two driveway access points from Fairway Drive. The site measures approximately 84,942 square feet (1.95 acres) in area and is currently vacant and unimproved.

PROPOSAL

The applicant, Global Premier America, is requesting Planning Commission approval for Architectural and Site Plan Review to construct a new two story, 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds). Pursuant to Section 18.06.060 of the City of Colton zoning Code the proposed use is a permitted use under “Assisted living Facilities” within the R-3 (Multiple Family Residential) Zone. The proposal is for a mixture of assisted living and memory totaling 79 private and semi-private rooms surrounding a landscaped courtyard in the center of the project. The memory care

portion of the facility will have its own wing with separate dining facilities from the assisted living area. Amenities for the facility include a kitchen and dining hall, multiple lounge areas, a library, and a fitness room.

The Assisted Living Federation of America (ALFA) defines living as a long-term care option that combines housing, support services and health care, as needed. Assisted living is designed for individuals who need help in day-to-day living, but who do not need round-the-clock level of skilled nursing care found in nursing homes. Memory care is a more specialized form of assisted living in which memory loss is present, often in the forms of dementia and Alzheimer’s disease. Memory care allows a person experiencing memory loss to maintain a level of independence while relying on the safety and security of being in a residential facility with a professional staff.

The proposed assisted living facility will be operated by “Regency Palms Colton”. Regency Palms Colton is a fully licensed Residential Care Facility for the Elderly (RCFE) and is monitored by the California Department of Social Services. The proposed facility will have a Licensing Program Analyst assigned by the State to assure that the facility in compliance with Chapter 8 of Title 22 and Health and Safety Code which are the regulatory and statutory authorities for this type of facility in California. Regency Palms Colton is currently in negotiations with “Integral Senior Living” (ISL) for management of the day-to-day assisted living, and memory care operations. ISL has consulted on over 70 senior communities and currently manages more than 50 communities throughout nine states.

Staffing:

The proposed facility will hire a variety of both licensed and unlicensed support personnel. The staff will include nurses, CNA’s, administration, dietary and kitchen staff, bookkeeping and maintenance staff. The facility will have staff on duty 24 hours a day 7 days a week. The number of staff on duty at any given time is dependent on the needs of the residents. There is not a state mandated staffing ratio. For the proposed facility Integral Senior Living has calculated a maximum average of 25 staff members at any given time. A breakdown of the average number of staff can be found in the parking analysis of this report. All direct care staff are required to go through state training prior to being allowed to provide direct care. Also, to ensure the safety of all residents, safety measures will be implemented for the proposed facility such as delayed egress, alarmed doors inside the facility, and alarmed doors leading from the enclosed outdoor activity areas.

DEVELOPMENT STANDARDS COMPLIANCE TABLE - R-3 (Multiple Family Residential) Zone

Standard	Required/ Allowed	Project	Compliance
Min. Lot Area	7,200 sf	84,942 sf (1.95 acres)	Yes
Min. Lot Depth	100'	250'	Yes
Min. Lot Width	60'	340"	Yes
Max. Building Coverage (CMC 18.14.050)	70% max of lot area	38%	Yes
Building Height	2.5 Stories or 35'	2 Stories – 34'-2"	Yes
Setback, Front	25'	30'	Yes
Setback, Side	15'	80' – west side, 55" – east side	Yes
Setback, Rear	20	20'	Yes
Parking	No Parking Standard for Assisted Living Facilities – Staff Proposed Parking	43 parking spaces provided	Yes

Standard	Required/ Allowed	Project	Compliance
	Requirement: .5 space for every three beds, 1 for each employee/doctor at largest shift = 43 spaces		
Driveways (two-way on-site)	25' minimum as parking access	25'	Yes
Lighting (parking)	Minimum of one foot candle of light on the parking surface (CMC 15.11.130.L)	location of parking lot lighting show on plan	Yes - Illumination requirement shall be met per Conditions of Approval
Parking Space Dimensions	9' x 20' minus 2 foot overhang (9' x 20' without overhang)	9' x 19	Yes
Mechanical Equipment	Must be screened from public view	HVAC units located on the roof to be screened by parapet	Yes
Handicapped Accessible Parking	1 for each 25 parking spaces – 2 spaces	2	Yes
Fencing (CMC 18.38.070)	6' high wall or fence within side and rear setback areas.	Block wall along the north, west, and east property lines	Yes
Trash areas (CMC 18.22.140)	Enclosed by 6' wall with visually solid gates	One provided	Yes
Landscape Coverage (CMC 18.16.190)	None Assigned	28.2%	Yes
Trees (CMC 18.16.190)	None Assigned	25 – 36" Box trees 38 – 24" Box trees 64 – 15 Gallon Trees	Yes

ANALYSIS

Parking

The Zoning Code does not have a parking standard for this specific proposed use of an assisted living facility. Based on the experience of a typical assisted living facility the majority of the residents do not have cars that they need to park at the facility, staff proposed a parking requirement based on the number of beds, and the maximum number of employees at one shift. The parking requirement is based on the following: .5 parking spaces for every 3 beds, plus 1 space for each employee/doctor on the largest shift. Staff is proposing to follow up with a text amendment to include the parking requirement in a future phase of our Zoning Code Updates. The applicant has provided a breakdown of a maximum average of 25 employees that includes Directors, 3 caregivers for assisted living, 7 caregivers for memory care and approximately 5 staff members in the dining room. The caregiver ratio is based on Integral Senior Living' experience of a ratio of 1:16 for assisted living and 1:8 for memory care. Based on the proposed number of 103 beds and a parking requirement of .5 parking spaces per 3 beds along the above mentioned number of average employees, the facility is required to provide a total of 43 parking spaces. The proposed project is proposing 43 parking spaces and is compliant with the required number of parking spaces.

Compatibility with Surrounding Properties

The project site directly abuts commercial development to the west that includes a bakery and an automotive repair use. The property to the north is developed with single-family residential. The property to the east is vacant with the exception of one single family residential home. Directly across Fairway Drive to the south of the project site is multi-family and single-family residential uses. Due to the commercial nature and existing multi-family and single-family residential uses in the area, no incompatibility issues are foreseen.

An applicant-sponsored neighborhood meeting was held on March 16, 2015. The purpose of the meeting was to give the surrounding residents and property owners an opportunity to express any concerns or issues that they might have on the project. No significant issues were expressed at the meeting.

Building Design

The proposed facility is a two story building with a large open courtyard in the middle and is approximately 61,400 square feet. The building is designed with a “Cottage Style” architectural theme. The front entrance (west elevation) will incorporate a grand porta cache with substantial columns in proportion to the scale of the building. The building will be designed with a series of pitched roofs that provide for visual interest along the expanse elevations of the facility. The roof will use a flat concrete tile material in a dark grey color. The lower portion of the building elevation along with the entire gable portions of the elevations that break up the building will incorporate a stone veneer treatment with grey/light brown color. The building is designed with a generous amount of window on all four elevations with a majority of them including shutters as a decorative accent element. The shutters will be painted a brick red color. The building elevations will be finished with a stucco finish painted a light brown with an ivory colored trim throughout the building. Overall the building will have a warm earth tone appearance.

The project will include a generous amount of landscaping that total approximately 28 percent of the lot area. The proposed landscaping includes a lushly landscaped courtyard area in the center of the building and a memory/therapy garden. The project also incorporates a meandering sidewalk with landscaping along Fairway Drive to further enhance the streetscape view of the project. The proposed landscape includes trees, shrubs, and groundcovers. The site will include twenty-five 36” box, 25, thirty-eight 24” box, and sixty-four 15 gallon size trees that will significantly enhance the proposed project.

Proposed Elevations:





Left Elevation- North



Right Elevation- South

Material Legend	
1. Concrete Roof Tile	6. 5" x 6" Window/Door Trim
2. Stone Veneer	7. 2" x 6" Door
3. Shutter	8. 6" x 6" Wall Cap
4. (11.7" x 9.2") Shutter	9. 7" wide Gable End Accent Trim
5. 2' x 8' Window	10. Trim, Door & Accent Panel

The project will also include a 6-foot high block wall along the east, west, and north property lines. As a Condition of Approval, staff is recommending that the proposed block wall incorporate a decorative block material THAT matches the building elevations. (See **Condition # 4 of Draft Resolution No. R-07-15**).

Site Plan - Lot Consolidation: The proposed construction of a new assisted living facility and site improvements will require the four lots to be combined into one lot via submission of a Parcel Map as a Condition of Approval. The combination of the lots would create one lot for the project maintaining the building and site development areas on one lot.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, with the imposition of mitigation measures related to Air Quality, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared and posted on the City’s website. The Initial Study includes mitigation measures with regard to Air Quality relating to construction emissions. The project shall comply with requirements to control Fugitive Dust and the construction documents shall identify the type of equipment used during grading to ensure emissions do not exceed SCAQMD daily thresholds. The Draft Initial Study/Mitigated Negative Declaration was circulated to responsible agencies for a 20-day public review and comment period starting on April 2, 2015. A Mitigation Monitoring Program (MMP) has also been prepared to ensure implementation of the mitigation measures for the project. The mitigation measures and MMP are included in the Planning Commission Resolution proposed for adoption. The public review period for comments on the proposed adoption of the MND closed on April 21, 2015.

Comments Received on Initial Study/MND: None.

RECOMMENATION

Staff recommends that the Planning Commission adopt Resolution No. R-07-15 approving Architectural and Site Plan Review relating to the construction of a new two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot and within the R-3 (Multiple Family Residential) zone, subject to conditions (File Index No. DAP-001-212).



Prepared by:
Steve Gonzales, Associate Planner



Prepared by:
Mark R. Tomich, AICP, Director

Attachments:

1. Draft Initial Study/Mitigated Negative Declaration/MMR
2. Planning Commission Resolution No. R-07-15
3. Site Plan, Building Elevations, Landscape Plans, Colored Rendering

P.C. Resolution No. R-07-15

Attachment 3

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RESOLUTION NO. R-07-15

A RESOLUTION OF THE OF THE CITY OF COLTON PLANNING COMMISSION APPROVING ARCHITECTURAL AND SITE PLAN REVIEW TO ALLOW THE CONSTRUCTION OF A TWO STORY 61,400 SQUARE FOOT ASSISTED LIVING/MEMORY CARE FACILITY CONSISTING OF 79 UNITS/103 BEDS (47 ASSISTED LIVING UNITS AND 56 MEMORY CARE BEDS) LOCATED ON A 1.95 ACRE LOT AND WITHIN THE R-3 (MULTIPLE FAMILY RESIDENTIAL) ZONE (FILE INDEX NO. 001-212).

WHEREAS, Architectural and Site Plan Review to allow the construction of a two story 61,400 square foot assisted living/memory care facility consisting of 79 units/103 beds (47 assisted living units and 56 memory care beds) located on a 1.95 acre lot on property located at 839 Fairway Drive ("Subject Site") and zoned R-3 (Multiple Family Residential); and

WHEREAS, on April 28, 2015, the City of Colton Planning Commission conducted a duly noticed public hearing on the Application and all persons wishing to testify in connection with the proposed Application were heard, and the Application was comprehensively reviewed; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), an Initial Study was prepared of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration.

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

BE IT NOW THEREFORE RESOLVED AS FOLLOWS:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, and the findings made in this Resolution, the Planning Commission hereby finds that:

- a. ***The provisions for vehicular parking and for vehicular and pedestrian circulation on the site, and onto adjacent public right-of-way will not create safety hazards;*** In that the proposed project site design is providing a total of 43 parking spaces, which is in excess of the amount of parking spaces recommended by the Development Services Department for the development. The zoning code does not provide a specific parking requirement for the proposed use of an assisted living facility. Staff recommended .5 parking spaces per 3 beds plus one space for each employee on the maximum shift. The proposed parking is based on 1 space per three beds plus 1 space for each employee on the maximum shift. The parking has been designed with adequate dimension, drive aisles and access to a public street. The

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project design includes new five foot wide sidewalk and driveway approach to access the site safely.

b. ***The bulk, location and height proposed will not be detrimental or injurious to other development in the neighborhood or will result in the loss of or damage to unique natural or topographic features of the site that are important to the environmental quality of life for the citizens of Colton, and the development is feasible in a manner that will avoid such detrimental or injurious results or such loss or damage;*** in that the proposed assisted living facility is two stories, 34 feet, 2-inches in height, which complies with the R-3 (Multiple Family Residential) Zone and the proposed project will not create any significant environmental impacts affecting the citizens of Colton in that the proposed project is a care facility for the elderly that will not create any significant impacts related to air quality, water quality, noise, or traffic.

c. ***The provisions for exterior lighting are adequate for human safety and will not diminish the value and/or usability of adjacent property;*** because the proposed project is for an assisted living facility and all security lighting will be required to meet light and glare shielding requirements of the Zoning Code.

d. ***The exterior design of the buildings and structures will not be injurious or detrimental to the environmental or historic features of the immediate neighborhood in which the proposed development is located and will not cause irreparable damage to property in the neighborhood, to the City and to its citizens;*** Because the proposed project has been analyzed for environmental impacts by attached Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The project has been conditioned to comply with all local, state and federal code requirements. The project site is not located within a City of Colton Historic District and is not one of 46 designated landmarks.

e. ***The proposed development will not impose an undue burden upon off-site public services, including sewer, water and streets, which conclusion shall be based upon a written report of the City Engineer; and there is no provision in the capital works program of the City to correct the specific burden within a reasonable period after the Development will be completed;*** because the proposed project will be developed with appropriate access and there is current infrastructure in place to address any provision for services.

SECTION 2. The Planning Commission has reviewed the Mitigated Negative Declaration and all comments received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment. The Planning

1 Commission further finds that the Mitigated Negative Declaration reflects the independent
2 judgment and analysis of the Planning Commission. The Planning Commission has also reviewed
3 and considered the Mitigation Monitoring Program for the project that has been prepared pursuant
4 to the requirements of Public Resources Code Section 21081.6 and finds that such Program is
5 designed to ensure compliance with the mitigation measures during project implementation. Based
6 on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration and
7 the related Mitigation Monitoring Program.

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9 **SECTION 3.** Based upon the findings set forth in Sections 1 and 2 of this Resolution, the
10 Planning Commission hereby approves **Architectural and Site Plan Review DAP-001-212**,
11 subject to the attached conditions of approval (Exhibit “A”) and the attached Mitigation Monitoring
12 and Reporting Program (Exhibit “B”).

13 **SECTION 4.** This action by the Planning Commission shall be final unless an appeal of
14 the action is filed with the City Clerk’s office in writing, pursuant to Section 18.58.100 of the Colton
15 Municipal Code.

16 **SECTION 5.** This land use entitlement shall become null and void if not exercised within
17 one (1) year of this approval and the applicant has not been granted an extension of time by the
18 Planning Commission, pursuant to Section 18.58.070 of the Colton Municipal Code.

19 **SECTION 6.** The Secretary shall certify the adoption of this Resolution.

20 PASSED, APPROVED, AND ADOPTED this 28th day of April 2015.

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Planning Commission Chairperson
Richard Prieto

ATTEST:

Planning Commission Secretary
Mark R. Tomich, AICP

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning
Commission of the City of Colton at a meeting held on April 28, 2015, by the following vote of the
Planning Commission:

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AYES:
NOES:
ABSENT:
ABSTAIN:

Planning Commission Secretary
Mark R. Tomich, AICP

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**EXHIBIT “A”
CONDITIONS OF APPROVAL**

THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS AS SET FORTH IN THE FOLLOWING CONDITIONS OF APPROVAL FOR PLANNING CASE # DAP-001-212.

HOLD HARMLESS

1. The Applicant shall defend, indemnify, and hold harmless the City of Colton and its officers, employees, and agents from and against any claim, action, or proceeding against the City of Colton, its officers, employees, or agents to attacks, set aside, void, or annul any approval or condition of approval of the City of Colton concerning this project, including but not limited to any approval or condition of approval of the city council, planning commission, or development services director. The City shall promptly notify the Applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter.

PLANNING DIVISION (909) 370-5079

2. This approval is not considered final until the applicant signs the attached acknowledgement of conditions of approval, and submits the executed form to the Development Services Department.
3. This approval is for Architectural & Site Plan Review, as conditioned and modified herein, for the construction of an assisted living facility (File Index DAP-001-212), as shown on plans stamped April 13, 2015 by the Development Services Department. This approval shall supersede the previous approval for this property (File Index DAP-000-668, approved 3-13-2007). DAP-000-668 shall become null and void.
4. The proposed block wall adjacent to the north, west, and east property lines shall incorporate a decorative block material that matches the building elevations subject to review and approval of the Development Services Director.
5. Any requests for modifications, including any deviation from the approved plans and/or conditions of approval, shall be submitted to the Development Services Director for review, prior to scheduling for Planning Commission meeting, if required.
6. Any proposed signs shall conform to the Sign Code.
7. The Applicant and/or Property Owner shall comply with all requirements of all reviewing agencies and shall comply with all applicable local, state, and federal rules, laws, and regulations.
8. The Applicant and/or Property Owner shall, at all times, operate and maintain the property so as not to constitute a nuisance in the community.
9. During grading and construction phases, the construction manager shall serve as the contact person in the event that dust or noise levels become disruptive to surrounding businesses. A sign shall be posted at the project site with the contact phone number.

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10. Gas meters, backflow prevention devices and other ground-mounted mechanical or electrical equipment installed by the developer shall be inconspicuously located and screened, as approved by the Development Services Director. Location of this equipment shall be clearly noted on landscape construction documents.
 11. Electrical and other service facilities shall be located within an interior electrical room or approved comparable location. All electrical service facilities shall be totally screened from public view, as approved by the Planning Division.
 12. The applicant shall underground all new utilities and utility drops.

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BUILDING

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13. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building & Safety Division as a separate submittal. The 2013 edition of the California Codes will become effective for all permit applications submitted after January 1, 2014.
 14. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include “as built” plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building & Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Colton Building & Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.
 15. Prior to final inspection, the applicant shall submit a Parcel Merger to consolidate the existing two parcels into one and have it recorded with the County of San Bernardino.

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ELECTRIC DEPARTMENT:

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16. The project developer/applicant shall comply with all customer service policies of the City of Colton Electric Utility Department. The developer shall provide the Electric Utility with all information necessary to determine the project’s electric service requirements; and if necessary and at their own expense, install all conduit and vault systems associated with underground primary/service line extensions and street-lighting as per the Electric Utility’s approved design. The developer shall pay all charges associated with the Electric Utility’s cost to construct underground and overhead line extensions and street-lighting.

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PUBLIC WORKS:

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17. STREET IMPROVEMENTS

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- A. Submit (3) sets of street improvement plans for the off-site improvements (including signing and striping), prepared by a licensed civil engineer. The scale of this plan shall be no less than 1” = 40’.

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- B. An automatic sprinkler system shall be installed within any landscaped open space areas, including between the sidewalk and the tract at the right-of-way line.
- C. The developer shall have all parkway and unpaved areas within the public right-of-way fronting the project shall be landscaped and maintained, and an automatic sprinkler system installed along the Fairway Drive.
- D. Construct street improvements consisting of curb, gutter, sidewalk, A.C. pavement, driveway approaches, handicap access ramps, streetlights, street trees, street signs, and roadway striping, etc., as per the approved Street Improvement Plans and City of Colton Standard Specifications.
- E. The Developer shall construct facilities to mitigate traffic impacts as identified by the traffic impact study.
- F. All parkway and unpaved areas within the public right-of-way fronting the project shall be landscaped and maintained, and an automatic sprinkler system installed.
- G. Dedicate ½ width of the ultimate right-of-way and construct street improvements to widen Fairway Drive to half width.
- H. Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance at all street intersections, in a manner meeting the approval of the City Engineer. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the City Engineer.

18. **DRAINAGE**

- A. The property’s street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area, outlet points and outlet conditions; otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the City of Colton for review prior to the recordation of the final map.
- B. The Storm Drain Plan for the proposed development shall be accompanied by hydrology and hydraulic analysis prepared by a licensed engineer and shall be designed per the San Bernardino County Hydrology Manual employing the rational method. The project may only discharge downstream an amount of storm run-off equivalent to the historic flow discharged prior to project development. The storm drain design shall incorporate the drainage from the existing tracts along boundary of the proposed project. The detention/retention basin and open space areas shall be landscaped and maintained by the Developer.
- C. Submit to the City Engineer’s Office the Drainage and Erosion Control plans for review and approval. These plans to be prepared by a Civil Engineer register in the State of California. Provide plan and profile for all storm drainage work.

- 1 D. Submit drainage/hydrology study calculations and a hydraulic analysis for both
2 developed and undeveloped conditions to the City of Colton for review and approval.
3 All of the drainage from each individual lot shall drain into the public right-of-way and
4 not impact surrounding properties, or a drainage easement acceptance letter from the
5 adjacent landowner must be obtained.
- 6 E. Owner/Developer shall notify adjacent property owners about the impact of the
7 proposed development on drainage configuration of existing adjacent properties. Such
8 notification shall be pre-approved by the City Engineer. These drainage issues shall be
9 resolved prior to issuance of a grading permit.
- 10 F. The 10 year storm flow shall be contained within the curb and the 100 year storm flow
11 shall be contained within the street right-of-way. When either of these criteria is
12 exceeded, additional drainage facilities shall be installed.
- 13 G. File a Notice of Intent and obtain an NPDES Construction Activity General Permit from
14 the State Regional Water Quality Control Board and submit a copy of each to the Public
15 Works Department. Ensure that Best Management Practices (BMPs) are followed, per
16 NPDES requirements to reduce storm water runoff during, construction and thereafter.
17 Temporary erosion control measures shall be implemented immediately following
18 rough grading to prevent deposition of debris into the downstream properties or drainage
19 facilities. Submit a Storm Water Pollution Prevention Plan (SWPPP) which specifies
20 Best Management Practices (BMPs) that will prevent all construction pollutants from
21 contacting storm water and with the intent of keeping all products of erosion from
22 moving off site into receiving waters for review.

15 **19. GRADING**

- 16 A. Submit to the City Public Works Department a separate grading plan of a scale of
17 1" = 20' prepared by a civil engineer registered in the State of California. The grading
18 plan shall include a topographic contour map of the site and 15 feet beyond the property
19 lines, with a one-foot contour interval. This contour map shall be prepared within the
20 last 12 months prior to a grading permit approval. The final grading plan shall be a 4
21 mil mylar, which the City Engineer will sign and retain at the City Engineer Office for
22 record.
- 23 B. A note shall be placed on the plans that states "All block walls and fencing shall be
24 shown on the grading plan for reference only and shall be separately permitted by the
25 City Building Department.
- 26 C. Place City Standards grading and drainage notes, including NPDES requirements on
27 the grading plan.
- 28 D. A pad certification prepared by a licensed Civil Engineer registered in the State of
California shall be submitted prior to issuance of building permits.
- E. Prior to final project acceptance, applicant to submit an as built of grading plans. No
final will be authorized until as-builds are submitted to Public Works Department.

- 1 F. Owner/Developer shall notify adjacent property owners about the impact of the
2 proposed development on the drainage configuration of existing adjacent properties.
3 Such notification shall be pre-approved by the City Engineer. These drainage issues
4 shall be resolved prior to the issuance of a grading permit.
- 5 G. Provide the Public Works Department with a separate Erosion Control plan of a scale
6 of 1" = 20'.
- 7 H. All parking lots shall be surfaced with A.C. to a minimum thickness of 4 inches over a
8 minimum aggregate base of 6 inches or surfaced with P.C.C. with a minimum thickness
9 of 6 inches over 3 inch aggregate base. These thicknesses may be waived upon
10 submittal of an R value and pavement thickness testing and analysis submitted by a
11 registered geologist or geotechnical engineer.

12 **20. WATER AND WASTEWATER REQUIREMENTS**

- 13 A. The development shall meet all the requirements as set forth by the water/wastewater
14 department for water, sewer and pre-treatment facilities.
- 15 B. All construction shall conform to the current edition of the specifications for public
16 works construction (green book), and the current standards and specifications of the
17 City of Colton Water / Wastewater Department.
- 18 C. Colton municipal code 13.08.235 and 13.08.253, requires the installation of a grease
19 interceptor for commercial or industrial generators of grease (restaurants, cafes,
20 cafeterias, auto body shops, etc). Clearly show the connection to grease interceptor on
21 plans if applicable.
- 22 D. All wastewater capacity fees must be paid prior to obtaining the certificate of
23 occupancy. Additional capacity fees may apply if the actual discharge exceeds the
24 estimated flow established during initial approval. Service will be terminated if the fees
25 are not paid.
- 26 E. All connection fees and charges shall be levied at rate scheduled by City Council at the
27 time of payment by developer.

28 **21. PROJECT DEVELOPMENT:**

- A. No final inspection will be performed until all Public Works Department requirements
pertaining thereto are in compliance

22. STUDIES & REPORTS

- A. Submit a soils report prepared by a registered geologist or soils engineer. This report
should be based on soil samples taken from the site and should analyze the existing
geotechnical conditions of the site to determine if the existing soil is adequate for the
development and safe from hazardous or deleterious materials. The report should also
satisfactorily address the compaction and soil stability characteristics of the site. The

1 number of soil borings performed on the site shall be strategically located throughout
2 the site.

3 B. The applicant shall submit a Water Quality Management Plan (WQMP) (if applies)
4 specifically identifying Best Management Practices (BMPs) that will be used onsite to
5 reduce the pollutants into the storm drain system prior to issuance of grading permit.
6 Forms are available at the City of Colton Public Works Department.

7 C. Submit drainage/hydrology study calculations and a hydraulic analysis for both
8 developed and undeveloped conditions to the City of Colton for review and approval.
9 All of the drainage from each individual lot shall drain into the public right-of-way and
10 not impact surrounding properties, or a drainage easement acceptance letter from the
11 adjacent landowner must be obtained.

12 23. **FEES**

13 A. A Plan Check fee for all improvement plans and studies for the proposed development
14 shall be paid prior to plan checking proceedings in accordance with the fee schedule in
15 effect at the time the fees are paid.

16 B. Sewer Connection fees shall be paid prior to the issuance of building permits, in
17 accordance with the fee schedule in effect at the time the fees are paid.

18 C. Pay Plan Check Fees and Permit Fees for the review of the site grading and drainage
19 plan. Submit a detailed cost estimate to determine the plan checking fee.

20 D. Pay Plan Check Fee for the review of the site Hydrology Calc. Review

21 E. The applicant/sub divider shall pay the development impact fees and infrastructure fees
22 in effect at the time that building permits are obtained for approved structures.
23 Applicants/sub dividers shall be required to submit detailed plans showing approved
24 Land Uses and the square footage of each structure proposed.

25 F. Pay plan check fee for the plan checking of street improvement plans. Submit a detailed
26 cost estimate to determine the plan checking fee.

27 G. Pay plan check fee for the plan checking of the Water Quality Management Plan.

28 H. Pay Plan check Fee for the review of the Traffic Analysis.

29 24. **IMPROVEMENT PLANS AND FINAL PARCEL MAP**

30 A. Improvement Plans for the proposed project shall be prepared as a separate set of
31 drawings for each of the following categories:

32 a) Rough Grading/ Precise Grading and Plot Plan

33 b) Street and Storm Drain Plan

34 c) Striping Plan

35 d) Landscaping Plan

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e) Water and Sewer Utility Plan

- B. A Final Parcel Map shall be submitted to consolidate the 4 parcels into one lot prior to occupancy.
- C. The Developer shall repair any areas of existing improvements that become damaged during any phase of construction of the project, as determined by the Office of the City Engineer. The contractor working in the right-of-way must submit proof of a Class “A” Contractor License, City of Colton Business License, and liability insurance. The City Engineer shall determine if any existing streets are damaged to the extent that a full 1 ½” A.C. overlay is required.
- D. Submit a copy of the Title Report to the Public Works Department.
- E. All plans, including grading plans shall be drawn on 24” x 36” 4 mil Mylar.
- F. Original drawings shall be revised to reflect As-Built conditions by the Design Engineer prior to final acceptance of the work by the City. Water service lines, water meters, sewer laterals and electric, irrigation lines, etc., within the street right-of-way and 5’ outside of the street right-of-way shall be shown on the As-Built Water/Sewer Plans. Construction plans for gas, telephone, electric and cable TV etc., shall be submitted to the City for records.
- G. A small index map shall be included on the title sheet of each set of plans, showing the overall layout of the public improvements.
- H. A map of the proposed development drawn to scale 1” = 200’, showing the outline of streets and street names, shall be submitted to the City to update the City wall atlas map.
- I. An original mylar of the final map (after it is recorded) shall be provided to the City for the City’s map files.
- J. The street name signs and traffic control devices shall be relocated or installed as required per the approved plans and City of Colton Standard Specifications.
- K. Contact all affected agencies, (Army Corps of Engineers, California Department of Fish & Game, Regional Water Quality Control Board, and San Bernardino County Flood Control & Water Conservation District, etc.), and obtain the necessary approvals with regards to the proposed development, which. Submit copies of correspondence with the agencies to the Public Works Department.
- L. Submit improvement plans to all affected utilities, including the Gas Company, Cable Companies, Verizon California, etc., prior to issuance of the Building Permit and transmit correspondence to the Public Works Department.

1 **25. CONSTRUCTION & MAINTENANCE OF PUBLIC IMPROVEMENTS**

- 2 A. All required water lines and fire hydrants shall be installed and made operable before
3 any building permits for framing are issued. This may be done in phases if the
4 construction work is in progress for emergency vehicles.
- 5 B. Vehicular access shall be maintained at all times to all parts of the proposed project,
6 where construction work is in progress, for emergency vehicles.
- 7 C. All precautions shall be taken to prevent washouts, undermining and subsurface
8 ponding, caused by rain or runoff to all surface structures (curbs, gutters, sidewalks,
9 paving, etc.). The Public Works Department may order repair, removal and
10 replacement, extra compaction tests, load tests, etc. or any combination thereof for any
11 such structure that was damaged or appears to have been damaged. All of the additional
12 work, testing, etc., shall be at the expense of the developer.
- 13 D. All required public improvements for the project shall be completed, tested and
14 approved by the Public Works Department prior to the issuance of any Certificate of
15 Occupancy for such tract.
- 16 E. Prior to any street construction or relocation, when there are monuments in the project
17 area which control the location of subdivisions, streets or highways, or provide survey
18 control, the developer shall locate and reference the monuments and shall reset them
19 after construction as required by Section 8771 of the Business and Professions Code,
20 in a manner meeting the approval of the City Engineer.

21 **26. FIRE DEPARTMENT**

- 22 A. The development shall conform with all the requirements of the city of Colton's Municipal
23 Code requiring on-site fire protection prior to construction.
- 24 B. Access roadways shall be provided in accordance with the City's Municipal Code.
25 Minimum Fire Department Access width is 26 feet clear width.
- 26 C. A water supply system shall be installed, capable of providing the required fire flow for the
27 proposed type of construction. Minimum fire flow for this project shall be 3,375__ g.p.m.
- 28 D. On-site fire hydrants shall be required for this project, and installed prior to construction.
Detailed drawings with supporting calculations shall be submitted to the Fire
Department/Fire Safety Division for review, approval, and permit issuance prior to
installation.
- E. An engineered automatic fire sprinkler system is required for this project. Detailed drawings
and calculations shall be submitted to the fire department for review, approval and permit
issuance, and prior to installation.
- F. Premise identification shall be provided in accordance with the City's' Security Ordinance
#0-13-89, Section XIV (residential), Section XV (commercial).

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- G. Where access to or within a structure is restricted due to secured openings, a "Knox" rapid entry key system will be required. The key box or switch shall be located in an accessible location, as determined by the Fire Department.
 - H. If temporary fencing is used to enclose the construction site, at least two (2) means of unobstructed access must be installed, and maintained in locations as to give maximum access to all parts of the site, and in accordance with the Fire Departments' requirements.
 - I. Portable fire extinguishers shall be required for this project. Size, type, and locations shall be determined by the fire department's field inspector.
 - J. The proposed facility's use and/or operations shall be designed and maintained in accordance with the 2012/2013 editions of the International Fire and Building Codes / California Fire and Building Codes (Title 24).
 - K. A fire alarm system designed; installed and maintained in accordance with National Fire Protection Association's Standard #72 (N.F.P.A. 72) shall be provided. Detailed drawings with supporting calculations shall be submitted to the fire department for review, approval and permit issuance, and prior to the installation.
 - L. Deferred plan submittals and separate permits are required on the following:
 - automatic fire suppression/sprinkler systems
 - fire alarms
 - onsite fire mains and fire hydrants
 - M. The applicant shall comply with all Fire Department requirements as noted during the business occupancy process. (B.O.P.)

20 **27. CODE ENFORCEMENT/POLICE DEPARTMENT**

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- A. Landscaping: Property manager or tenant will maintain all approved landscaping in good condition, including but not limited to adequate irrigation, mowing of grass, and replacing dead trees and shrubs. Above ground landscaping controls or backflow valves will be secured in a locked metal cage to prevent theft or vandalism.
 - B. Loitering: Loitering is prohibited on or about the premises. No exterior fixtures or furnishings at or adjacent to the location that encourage loitering and nuisance behavior. No exterior pay telephones.
 - C. Litter/Graffiti: The exterior of the business and areas adjacent to the business over which they have control, including all signs and accessory buildings and structures, shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter and debris from the premises and on all abutting sidewalks and parking lots within twenty (20) feet of the premises. Graffiti shall be removed within forty-

1 eight (48) hours with a color-matching paint. The expectation for graffiti cover up is an
2 appearance that the graffiti never existed.

3 D. The applicant shall grant “right of access” by the city or agent to remove graffiti.

4 E. Exterior Lighting: All lightning will be maintained in good working order. All lighting
5 shall be shown on the required plot plans. Lighting shall be designed and installed in such
6 a manner that provides adequate lamination to all parking spaces, stalls, walkways,
7 corridors, and stairways, insuring there are no dim, dark, or shadowed areas (other than
8 shadows naturally cast beneath the actual vehicles.) Lighting level will be a minimum foot-
9 candles as required by ordinance. The placement of the lighting fixtures shall be such that
10 the angle of projected light does not interfere or hinder the vision of police officers or
11 security personnel patrolling the areas. All lighting will be properly shielded so as to not
12 trespass or disturb neighboring residences, adjacent businesses, or persons while driving
13 vehicles upon the roadway. In the event a lighting fixture becomes inoperable, property
14 management will have the lighting repaired within 72 hours.

15 F. General Parking: Parking lot shall be maintained in accordance with Title 18 of the Colton
16 Municipal Code, zoning ordinance requirements for paving and striping. Parking shall
17 include the required amount of Disabled parking to ADA specifications and
18 dimensions. All parking lot entrances will be posted in compliance with Vehicle Code
19 22658 which minimally includes: A substantive statement prohibiting public parking, states
20 vehicles will be towed at owner’s expense, references Vehicle Code 22658, and must be a
21 minimum of 17”X 22” with a minimum of 1” letters. In addition, the sign will indicate the
22 name of the private towing company and phone number above the police department name
23 and phone.

24 Complex shall require residents to utilize assigned parking or garage, and a separate parking
25 area shall be reserved for visitors. All visitor spaces must be clearly marked. If permit
26 parking is instituted all permit-only spaces must be clearly marked. All vehicles parked on
27 the property must be currently registered with the Department of Motor Vehicles to the
28 residents and all vehicles must be maintained in such condition that they may be safely
operated on the public roadways meeting the requirements of the California Vehicle Code.
The property manager will promptly abate all abandoned, inoperative, and unregistered
vehicles.

21 G. Disabled Parking: All disabled parking spaces will comply with Americans with Disabilities
22 Act (ADA) requirements and Vehicle Code 22511.8. In addition, disabled parking will be
23 clearly indicated by all three indicia: 1.) blue wheel stop and/or curb, 2.) blue sign with
24 white wheelchair symbol at head of space, and 3.) blue field with wheelchair symbol and
25 blue striping painted on the ground. All parking lot entrances will be posted in accordance
26 with Vehicle Code 22511.8(d).

27 H. Storage: Parking and trash areas will not be used for storage of hazardous materials,
28 including but not limited to tires, waste oil, and inoperable or unregistered
vehicles. Property manager or tenant shall promptly abate hazardous materials or
inoperable vehicles. General exterior storage areas will be screened from public view.

- 1 I. Signage: Applicant will fully comply with Colton Municipal Code 18.50 Sign Ordinance as
2 amended. Temporary promotional signs require a permit and must be authorized by
3 Development Services prior to display. Refer to code for additional signage permitting and
4 requirements.
- 4 J. Advertisements: Handbills or advertisements may be distributed in public places person-
5 to-person but will not be placed or left upon unoccupied vehicles or otherwise left
6 unattended in public places.
- 6 K. Special Events: Per Colton Municipal Code section 5.44, applicant shall not conduct,
7 operate, maintain, organize, advertise, or sell or furnish tickets for a special event or permit
8 the subject property to be used for any special event without first obtaining a special event
9 permit. Special events include, but are not limited to, sales events where merchandise,
10 goods, or vehicles are displayed for sale on the property, political functions, fundraising
11 events by non-profit entities, and events featuring motivational or educational
12 speakers. The Special Event Committee may expressly grant a minor variance of conditions
13 specific to individual special events.
- 11 L. Surveillance Monitoring: Should permittee install a video surveillance monitoring
12 system, the video system shall be capable of recording a clear view of all areas of the
13 subject property including, but not limited to, parking lots, walkways, corridors, all sides of
14 buildings, the perimeter landscape and grass areas. Recordings shall be retained for a
15 minimum of 30 days. Copies of recordings will be provided to the Colton Police
16 Department upon request.
- 15 M. After hours Contact Information: Permittee will ensure after hours contact person
16 information is kept current and on file with the Colton Police Department dispatch
17 center. Ideally there should be several responsible persons available to respond in case of
18 emergency; each should be a key holder with knowledge of alarm reset codes, available to
19 respond within 20-30 minutes, and of sufficient authority to facilitate a board up or other
20 emergency repair measures.
- 19 N. Right of Access: Permittee shall grant “right of access” to the City of Colton and its
20 employees or agents for the purposes of monitoring compliance with these Conditional Use
21 Permit conditions, patrolling, investigating crimes, and enforcing laws and ordinances on
22 the subject property. Permittee shall grant “right of access” to the City of Colton and its
23 employees or agents to remove graffiti and to determine if the applicant is in compliance
24 with these conditions.
- 23 O. Security Personnel: Any on site security guard or security patrol, will be a bona fide trained
24 uniformed security guard, certificated with the California Department of Consumer Affairs,
25 operating under the direct supervision of a bona fide Private Patrol Operator certificated
26 with the California Department of Consumer Affairs and registered with the city of Colton
27 (as required by Colton municipal code 5.50).

27 Complex will enter into a written contract with the security company. Security company
28 will provide a written daily report to the apartment manager, which reflects the true and
factual activity observed within the community. Daily reports will be maintained in a

1 historical file and made available to the police department upon request. The police
2 department may require copies of daily copies of the report via fax or email to ensure
3 monitoring of crime and coordination of police activities at the community. There will be
4 no live on-site security guards or family relations of security guards.

5 Manager will supply a current resident names and vacant apartment list to the security
6 company on a weekly basis. Copies of current blank lease agreement will be provided to
7 the security company for use in familiarization with lease restrictions and violations.

8 P. Security Driveway Gates: Driveway gates will be electrically operated linear style gate
9 constructed of wrought iron material. A key card post may be installed at the curb line of
10 the driveway to facilitate ingress. Direction of travel will be clearly indicated by painted
11 markings on the roadway and signage at the entrance and exit driveways. In the event a
12 driveway gate becomes inoperable, property manager will have the gate repaired within 24
13 hours. Gates will be equipped with a Knox key electrical switch device.

14 Q. E-key: The E-Key emergency access system will be installed and maintained on both
15 driveway gates as required by Colton municipal code 15.52.

16 R. Storage: No storage cabinets, lockers, or closets shall be installed in the parking areas. No
17 flammable materials are to be stored in the parking or garage areas.

18 S. Perimeter Fence and Pedestrian Gates: Perimeter will be secured by an (8) eight foot tall
19 block wall on the north, east and west sides of the community. The front of the community,
20 on the southern perimeter facing Fairway Drive, will be secured by a (5) five foot tall
21 wrought iron fence designed to maximize natural surveillance. Two pedestrian gates will
22 be provided facing Fairway drive. Pedestrian gates will be self-closing and designed to
23 allow free egress while restricting ingress to residents only, by use of a key or key
24 card. Pedestrian gates will be located approximately midway between the apartment
25 structure and the office building so as to maximize natural surveillance of the gates. In the
26 event a pedestrian gate becomes inoperable, property management will have the gate
27 repaired within 24 hours. Each pedestrian gate will be equipped with a Knox device and
28 key to facilitate emergency access.

T. Trash Areas: Complex and manager will ensure a sufficient level of trash pickup service to
avoid excessive rubbish accumulation. Trash areas will be checked each business day and
kept clean from debris, with no soil build up on the ground or walls, no apparent odor, clean
appearing dumpsters with lids. Enclosures will be washed periodically to remove
unhealthful build up and foul odors. Enclosure doors will be maintained for ease of
operation. Abandoned refrigerators will be immediately secured so that children cannot
play inside. Large discarded items, sofas, and appliances will be promptly removed each
week. Shopping carts found on property will be promptly removed each week.

U. Laundry rooms: Will be maintained in exceptionally clean condition, no lint build up
behind machines, no window coverings, doors must not lock from inside (double keyed or
blank on inside), adequate lighting, smoke detector, and fire extinguisher. Dryer lint is
highly combustible and a likely source of laundry room fires. Trash receptacles will have
an all metal container with self-closing lid to smother potential fires. Laundry room doors

1 will be designed to open outward. Empty spaces between machines will be filled to
2 eliminate potential hiding places.

3 V. Location Manager: Senior location manager will maintain a California Certified Residential
4 Manager (CCRM) professional designation or equivalency acceptable to the police
5 department. All location managers and lease agents, and the property maintenance
6 manager will attend the (8) hour Crime Free Multi Housing Program training at either
7 Riverside Police, San Bernardino Police, or San Bernardino Sheriff's Department before
8 opening location for lease-up. Replacement managers, or lease agents, or property
9 maintenance manager will attend the (8) hour Crime Free Multi Housing Program training
10 at either Riverside Police, San Bernardino Police, or San Bernardino Sheriff's Department
11 within 30 days of assignment to location. Managers will attend the Colton Crime Free Multi
12 Housing Managers meetings.

9 W. Building and Apartment Numbering: To facilitate efficient emergency and police response,
10 all buildings will be clearly marked with noble quality letters and numbers which are
11 consistent in color and appearance to the décor of the community. All buildings will be
12 identified by a minimum of (6) six-inch tall alphabet letters permanently affixed to
13 standardized locations, consistent throughout community, on minimum of two sides (all
14 four sides are recommended), near opposite corners or main gable crests or other area
15 plainly visible from the ground level and the driveway approaches from the seated position
16 in a vehicle.

14 Building 'A' will be designated as the building closest to the eastern entrance and increasing
15 in succession in a counter-clockwise direction. Buildings connected by a roof or breezeway
16 will be considered as separate buildings for lettering and numbering purposes. Ground level
17 apartments will be identified by a 100 series number, apartments on the second level will
18 be 200 series, and third level apartments will be 300 series. For example, 201 would be
19 located directly above 101, 301 would be located above 201. Apartment numbers will be a
20 minimum of (3) three-inches tall permanently affixed to the door or immediately adjacent
21 to the door, and increase in succession following a counter-clockwise direction
22 corresponding to the increasing building letters.

19 X. Site Map: Complex will erect a permanent site map at the entrance driveway which
20 illustrates the building letters and apartment numbers and is plainly legible from a seated
21 position in a vehicle.

21 Y. Private Property Towing: It is recognized and agreed that: A vehicle is a tenant's single
22 most valuable possession. A private property tow company acts as the direct agent of the
23 manager, and all liability falls upon the manager and apartment community responsible for
24 employing the towing service. Improperly completed private tows reflect negatively on the
25 professionalism of the apartment community, and may constitute the crime of vehicle
26 theft. Mediation of private towing disputes is a burden on the time and resources of the
27 Colton Police Department. It is imperative for the protection of resident's property and the
28 conservation of limited police resources that private tows be handled in a professional and
lawful manner. The senior location manager is responsible to ensure the selected private
property towing company conforms to good business practices, acceptable operating
procedures, and all laws regarding private towing of vehicles. The manager will ensure the

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private property towing provider has obtained a city business license before commencing services.



CITY OF COLTON

Development Services Department

Memorandum

DATE: May 24, 2016

TO: Planning Commission

FROM: Mark Tomich, Director *MT*

SUBJECT: Update on Squires Lumber – 333 East F Street

The following update is provided in response to a Planning Commission request on May 10, 2016 for an update on progress at Squires Lumber, 333 East F. Street.

Background

- On December 19, 2005, the Design Review Committee approved a site plan for façade improvements to the existing 6,000 sq. ft. building, parking lot and landscape improvements (DAP-000-541).
- In 2006, Building Permit B00-024-846 was issued for remodel of the interior and exterior of the building.
- A partial Special Inspection was conducted in 2007 at the applicant's request. However, there was no further activity (just a request for an extension). The permit expired in March 2008.
- In July 2013, the applicant requested that the plans be "re-activated" and that another Special Inspection be conducted for the building improvements. The inspector received a partial sign-off, but noted that final mechanical, plumbing and electrical inspections were needed. However, the applicant did not follow-up and the permit expired 6 months later.
- In 2014, the applicant requested another Special Inspection. Because Building Codes (Title 24) had changed during the intervening time, the City's Building Official required that plans be updated to comply with current Title 24 energy standards. However, the interior lighting was permitted to remain, as it was installed under the previous energy standards in effect at the time it was installed.
- On June 4, 2015, the applicant submitted revised plans (B00-031-019) that were in compliance with the current Building Code. After several revisions, the plans were approved on December 1, 2015, and the applicant's architect, Jon Zane, were notified that the plans were ready for pick-up and the Building Permit was ready to be issued. Plans were picked up in April 2016; however, fees have not been paid and the Building Permit has not been issued.
- A building permit for a wrought iron fence and light standards was applied for on September 22, 2015 and issued on February 9, 2016 (B00-031-393). As of this date, the applicant has not called for inspections.

Comments

Staff became aware of the non-compliance issues in early 2013, following receipt of a complaint that the site (but not the building) was being occupied without having been issued a Business Occupancy Permit. Additional complaints have been received by Code Compliance regarding lumber truck activity, including obstruction of traffic on F Street and 10th Street. Since receiving the complaints, staff has inspected the site, researched the previous permits and worked with the applicant, Squires Lumber, to resolve all outstanding issues, including completion of all improvements required by the 2005 approval, and secure a Business Occupancy Permit.

As of this date, the following items remain to be completed:

- Secondary entrance/exit on F Street, including paving and sidewalk
- Entrance/exit on 10th Street
- Removal of chain link fence along the Colton bike path and replace with an 8-foot wrought iron fence (Building Permit has been issued).
- Completion of interior improvements to 6,000 sq. ft. building.
- Elements of landscaping remain to be installed and/or replaced.

In addition, staff has notified the applicant that the razor wire on top of the screen wall is prohibited by the Zoning Code, and that the height of stored materials must be below the height of the screen wall (or, at a minimum, not visible to pedestrians or vehicles offsite). The applicant has recently shown willingness to work toward completing the project by pulling permits for the wrought iron fence and light standards, and working toward completing tenant improvements for the building. We continue to monitor progress at the site, and work with the applicant to complete all the required improvements.

Attachments:

1. Design Review Action Form for DAP-000-541
2. Letter to Squires Lumber, June 19, 2014
3. Letter to Squires Lumber, February 1, 2016



January 2, 2006

Kevin Campbell
Squires Lumber Company
3333 East "F" Street
Colton, CA 92324

RE: FILE INDEX NUMBER DAP-000-541(Squires)

Dear Mr. Campbell:

Enclosed is the Design Review Action Form used to review the project you have submitted. This form contains the Conditions of Approval and indicates the Design Review Committee has **Conditionally Approved** your project.

Please sign the Acknowledgment of the Conditions of Approval form and return it to the Community Development Department. The enclosed copy of the Conditions of Approval is for your records. Upon returning the completed forms you may proceed with obtaining building permits and completing your project. **You are required to attach a copy of the Conditions of Approval to your building plans that will be submitted to the Building Department for Plan Check.**

Please call me at (909) 370-5079 if you have any questions or comments regarding this approval.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT
DAVID R. ZAMORA, Director


SKY WARDEN
Associate Planner

Enclosure

DESIGN REVIEW ACTION FORM



APPLICANT: SQUIRES LUMBER COMPANY

FILE NUMBER: DAP-000-541

REQUEST: DESIGN REVIEW OF NEW LANDSCAPING, PARKING LOT AND FAÇADE IMPROVEMENTS TO AN EXISTING 6,000 SQUARE FOOT BUILDING.

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|--|---|
| 1. LOCATION: 333 EAST "F" STREET | 2. AREA: 2.211 ACRES APPROXIMATELY |
| 3. GENERAL PLAN: LIGHT INDUSTRIAL | 4. ZONING: M-1 (LIGHT INDUSTRIAL) |
| 5. EXISTING USE: EMPTY WAREHOUSE
& LUMBER STORAGE YARD | 6. APN: 0162-056-01-0000 |

DRC ACTION: 12/05/05 - CONTINUED

DRC ACTION: 12/19/05 - CONDITIONALLY APPROVED

P.C. ACTION: N/A

ENVIRONMENTAL DETERMINATION: EXEMPT UNDER CEQA, SECTION 15301.

CONDITIONS/REMARKS: THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS AS SET FORTH IN THE CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

HOLD HARMLESS:

1. THE APPLICANT AGREES TO DEFEND, INDEMNIFY, HOLD HARMLESS, AND PROVIDE FOR REIMBURSEMENT OR ASSUMPTION OF ALL LEGAL COSTS IN CONNECTION WITH THIS PROJECT.

MISCELLANEOUS:

1. THE APPLICANT SHALL ATTACH THESE CONDITIONS OF APPROVAL TO ALL PLANS SUBMITTED FOR BUILDING PERMIT PLAN CHECK. FOR COMMERCIAL/INDUSTRIAL PROJECTS, ALL CONSTRUCTION PLANS **MUST** CONTAIN AN EXACT REPRODUCTION OF THESE CONDITIONS OF APPROVAL.
2. THE APPLICANT SHALL MEET AND COMPLY WITH ALL REQUIREMENTS OF ALL REVIEWING AGENCIES.
3. ALL PLANS AND SUPPORTING INFORMATION, AS OUTLINED IN THE CONDITIONS STATED WITHIN SHALL BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR PRIOR TO ISSUANCE OF ANY BUILDING PERMITS, BUSINESS LICENSE OR OCCUPANCY PERMITS, WHICHEVER IS FIRST APPLICABLE.
4. SIGNIFICANT DEVIATIONS FROM THE APPROVED CONDITIONS OR PLANS MUST FIRST RETURN TO THE DESIGN REVIEW COMMITTEE FOR REVIEW.
5. THE APPLICANT SHALL MEET ALL SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) REQUIREMENTS, INCLUDING BUT NOT LIMITED TO: AIR QUALITY, EMISSION CONTROLS, REGULATION XV, AND REGULATION VII.
6. THE APPLICANT SHALL PROVIDE AMENITIES WHICH WILL SUPPORT AND ENCOURAGE THE USE OF ALTERNATE MODES OF TRANSPORTATION BY EMPLOYEES AND CLIENTELE, I.E. BICYCLE RACK, BUS SHELTERS AND BENCH SITES, CARPOOL PARKING SPACES, ETC., AS SHALL BE APPLICABLE TO THE PROJECT USE AND LOCATION.
7. PRIOR TO PLAN CHECK SUBMITTAL AND OBTAINING BUILDING PERMITS, THE SITE PLANS SHALL BE REVISED TO RELOCATE THE "ADA" PARKING TO THE NORTHWEST SIDE OF THE PROPOSED PARKING LOT.

8. THE APPLICANT IS APPROVED TO REMODEL THE FAÇADE OF THE EXISTING 6,000 SQUARE FOOT BUILDING ON SITE, CONSTRUCT A PARKING LOT, AND INSTALL LANDSCAPING AS PER REVISED SITE PLANS SUBMITTED WITH THIS APPLICATION DATED DECEMBER 14, 2005, AND AS CONDITIONED HEREIN.

SIGNS:

1. THE COMMUNITY DEVELOPMENT DIRECTOR SHALL REVIEW ALL SIGNS. THE DIRECTOR SHALL HAVE SOLE RESPONSIBILITY TO APPROVE OR DENY SAID SIGNS.
2. NO SIGNS SHALL BE ERECTED WITHOUT PROPER PERMITS.
3. THE APPLICANT MUST APPLY FOR AND RECEIVE APPROVAL OF A COMPREHENSIVE SIGN PROGRAM IN THE CASE OF A RETAIL OR OFFICE COMPLEX.

SECURITY:

1. THE APPLICANT MUST COMPLY WITH CITY ORDINANCE NUMBER O-13-89, SECURITY ORDINANCE FOR THE CITY OF COLTON, AND ALL CONDITIONS CONTAINED THEREIN. THE BUILDING DIVISION SHALL PROVIDE YOU A COPY OF THIS UPON REQUEST OR IT CAN BE ACCESSED ON THE CITY WEB SITE AT WWW.CICOLTON.CA.US, UNDER THE CITY CLERK'S DEPARTMENT, MUNICIPAL CODES, TITLE 15, CHAPTER 10.

AESTHETICS:

1. THE APPLICANT SHALL MAINTAIN THE ENTIRE PROJECT AREA IN A NEAT, ORDERLY MANNER.
2. THE APPLICANT SHALL SUBMIT TO THE COMMUNITY DEVELOPMENT DIRECTOR, A LANDSCAPE PLAN PREPARED BY A LICENSED LANDSCAPE ARCHITECT OR LANDSCAPE ENGINEER. THE PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL, AND SHALL ALSO INCLUDE (BUT NOT BE LIMITED TO) THE FOLLOWING LANDSCAPE FEATURES AND REQUIREMENTS:
 - A. A PERMANENT IRRIGATION SYSTEM WITH ELECTRONIC CONTROLS FOR ALL LANDSCAPED AREAS OR ALL FRONT YARDS IN THE CASE OF SINGLE-FAMILY RESIDENTIAL INCLUDED IN THE SITE PLAN.
 - B. TWO TREES PER LOT OR THREE TREES PER FIVE PARKING SPACES SHALL BE PLANTED, WHICHEVER IS THE GREATER NUMBER. ALL TREES SHALL NOT BE LESS THAN 15-GALLON IN SIZE. TWENTY PERCENT (20%) OF THE TREES SHALL BE OF THE 36-INCH BOX SIZE, AND TWENTY PERCENT (20%) SHALL BE OF THE 24-INCH BOX SIZE. THESE TREES SHALL BE PLANTED IN THE COMMON AREAS OR IN THE FRONT YARD AREA. THIS REQUIREMENT SUPPLEMENTS THE STANDARD STREET TREE REQUIREMENT BY PUBLIC WORKS.

ADDITIONALLY THE APPLICANT SHALL PROVIDE ONE TREE FOR EACH 50 L.F. OF FRONTAGE (OR PAYMENT FOR SAME @ \$45.00 PER TREE), TO THE PUBLIC WORKS DEPARTMENT. SAID TREES SHALL BE PLANTED ALONG CITY RIGHT-OF-WAYS, WITHIN THE VICINITY OF THE PROJECT.
 - C. ALL LANDSCAPE IMPROVEMENTS INCLUDING IRRIGATION SHALL BE INSTALLED PRIOR TO OCCUPANCY.
 - D. THE LANDSCAPING SHALL BE MAINTAINED AS ORIGINALLY APPROVED, IN A NEAT, HEALTHY MANNER FOR THE DURATION OF THE OCCUPANCY OF THIS BUILDING.
 - E. THE APPLICANT SHALL REPLACE ANY AND ALL TREES WHICH DIE DURING OCCUPANCY, OR DURING THE FIRST YEAR AFTER OCCUPANCY IN THE CASE OF A RESIDENTIAL DEVELOPMENT.
3. ALL LIGHT STANDARD DESIGNS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING DEPARTMENT. ALL EXTERIOR LIGHTING SHALL BE HIGH PRESSURE SODIUM FIXTURES THAT ARE RECESSED AND/OR SCREENED AND DIRECTED DOWNWARD
4. THE APPLICANT SHALL AGREE TO BE ANNEXED INTO THE CITY OF COLTON LANDSCAPE MAINTENANCE DISTRICT AT SUCH TIME DEEMED APPLICABLE BY THE CITY.

BUILDING:

1. THE APPLICANT SHALL COMPLY WITH ALL BUILDING CODE REGULATIONS, AND SHALL OBTAIN A BUILDING PERMIT PRIOR TO START OF CONSTRUCTION OF THE PROJECT

ELECTRIC UTILITY DEPARTMENT:

1. THE APPLICANT SHALL CONTACT THE ELECTRIC UTILITY DEPARTMENT TO OBTAIN ALL CONDITIONS AND REQUIREMENTS REGARDING ELECTRICAL SERVICE AND STREET LIGHTING. IF REQUIRED, THE APPLICANT SHALL INSTALL ALL CONDUIT AND SUBSTRUCTURE SYSTEMS ASSOCIATED WITH ELECTRIC LINE EXTENSIONS AND STREET LIGHTING AS PER THE ELECTRIC UTILITY PLAN. THE APPLICANT SHALL PAY ALL APPLICABLE LINE EXTENSIONS FEES, STREET LIGHTING FEES, CONSTRUCTION CHARGES, PLAN CHECK AND ENGINEERING FEES.

POLICE DEPARTMENT:

1. THE APPLICANT OR PERMITTEE SHALL IMMEDIATELY REMOVE ANY GRAFFITI ON SITE.
2. THE APPLICANT OR PERMITTEE SHALL GRANT "RIGHT OF ACCESS" BY THE CITY OR AGENT TO REMOVE GRAFFITI.
3. ALL CONVENIENCE STORES/BUSINESSES - PRIOR TO THE ISSUANCE OF BUILDING PERMITS, THE APPLICANT SHALL DEVELOP AND SUBMIT A SECURITY PLAN TO INCLUDE INSTALLATION OF VIDEO CAMERAS AND RECORDERS TO HELP PROTECT EMPLOYEES DURING ALL HOURS OF OPERATION. THIS SHALL BE REVIEWED AND APPROVED BY THE POLICE DEPARTMENT.

SLOPES:

1. ALL SLOPES SHALL BE EROSION PROOFED THROUGH THE USE OF VEGETATION AND IRRIGATION, OR OTHER MEANS APPROVED BY THE BUILDING OFFICIAL; THE DESIGN TO BE SUBMITTED TO THE COMMUNITY DEVELOPMENT DIRECTOR FOR REVIEW AND APPROVAL.
2. NO SLOPES GREATER THAN 2:1, NO RETAINING WALLS SHALL BE HIGHER THAN 6 FEET FROM GRADE. DEVIATIONS SHALL BE APPROVED THE COMMUNITY DEVELOPMENT DIRECTOR, IF THE SLOPES CAN BE PERMANENTLY STABILIZED, AND IF THEY WILL NOT BE READILY SEEN BY THE PUBLIC.

DRAINAGE:

1. THE CITY ENGINEER SHALL APPROVE THE SOLUTION TO ANY DRAINAGE PROBLEM WITH THE COMMUNITY DEVELOPMENT DIRECTOR'S RECOMMENDATION.
2. A DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE FINAL MAP. ADDITIONAL CONDITIONS SHALL BE REQUIRED THAT CANNOT BE DETERMINED AT THIS TIME.

CITY ENGINEERING DEPARTMENT:

1. THE APPLICANT SHALL COMPLY WITH ALL CONDITIONS OF A APPROVAL FROM THE CITY ENGINEERING DEPARTMENT, LISTED IN THE AUGUST 1, 2005, DRC MEETING MEMORANDUM CONSISTING OF 1 PAGE, WHICH IS ATTACHED TO AND MADE A PART OF THESE CONDITIONS OF APPROVAL.

CITY FIRE DEPARTMENT:

1. ACCESS ROADWAYS SHALL BE PROVIDED IN ACCORDANCE WITH THE UNIFORM FIRE CODE.

2. WHERE ACCESS TO OR WITHIN A STRUCTURE IS RESTRICTED DUE TO SECURED OPENINGS, A "KNOX" RAPID ENTRY KEY SYSTEM WILL BE REQUIRED. KEY BOX OR SWITCH SHALL BE LOCATED IN AN ACCESSIBLE LOCATION, AS DETERMINED BY THE FIRE DEPARTMENT.
3. THE PROPOSED FACILITY'S USE AND/OR OPERATIONS SHALL BE DESIGNED AND MAINTAINED IN ACCORDANCE WITH THE 2000/2001 EDITIONS OF THE UNIFORM FIRE AND BUILDING CODES / CALIFORNIA FIRE AND BUILDING CODES (TITLE 24).
4. THE APPLICANT SHALL COMPLY WITH ALL FIRE DEPARTMENT REQUIREMENTS.

WATER/WASTEWATER DEPARTMENT:

1. THE DEVELOPMENT SHALL MEET ALL THE REQUIREMENTS AS SET FORTH BY THE WATER/WASTEWATER DEPARTMENT FOR WATER, SEWER AND PRE-TREATMENT FACILITIES.
2. ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT EDITION OF THE SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREEN BOOK), AND THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF COLTON WATER / WASTEWATER DEPARTMENT.
3. WATER AND SEWER CIVIL ENGINEERING PLANS SHALL BE PREPARED BY A REGISTERED CIVIL ENGINEER, AND SHALL BE SUBMITTED WITH AN ENGINEER'S COST ESTIMATE ALONG WITH WATER AND SEWER CALCULATIONS TO SUPPORT THE DESIGN.
4. CONSTRUCTION OF ALL OFFSITE IMPROVEMENTS SHALL BE PER THE APPROVED WATER AND SEWER PLANS.
5. DEVELOPER SHALL VERIFY THE EXISTENCE AND LOCATION OF ANY UTILITY EASEMENTS AND SHOW SAID EASEMENTS ON ALL PLANS. ALL UTILITY EASEMENTS SHALL BE PROTECTED FROM ENCROACHMENT.
6. ANY EASEMENT ISSUES SHALL BE SETTLED EITHER BEFORE APPROVAL OF THE FINAL MAP, OR ISSUANCE OF BUILDING PERMITS, WHICHEVER IS APPLICABLE.
7. REDUCED PRESSURE PRINCIPLE BACKFLOW DEVICES ARE REQUIRED ON ALL WATER METERS FOR COMMERCIAL OR INDUSTRIAL BUILDINGS, AND ON ALL LANDSCAPE WATER METERS.
8. DEVELOPER IS REQUIRED TO PROVIDE A DEDICATED LANDSCAPE WATER METER PROTECTED BY A REDUCED PRESSURE BACKFLOW ASSEMBLY TO BE INSTALLED PER COLTON STANDARD DRAWING NO. 710, OR AN IN FILE LETTER AGREEING TO PAY MONTHLY SEWER SERVICE CHARGES ON ALL WATER USED.
9. DEVELOPER IS REQUIRED TO INSTALL NEW SEWER LATERAL CONNECTIONS FROM THE NEAREST CITY GRAVITY MAIN IF ONE DOES NOT CURRENTLY EXIST, PER CITY OF COLTON STANDARD DRAWINGS NO.124, NO.201, NO.308, AND NO.312. LICENSE: CONTRACTORS PERFORMING THIS WORK ARE REQUIRED TO HAVE EITHER AN "A" LICENSE OR A "C-42" LICENSE TO MEET PERMIT REQUIREMENTS. DEVELOPER IS ALSO REQUIRED TO INSTALL NEW SEWER CLEANOUT AT PROPERTY LINE FOR ALL NEW SEWER LATERAL CONNECTIONS TO CITY SEWER PER COLTON STANDARD DRAWING NO.308.
10. IF A PRIVATE FIRE SERVICE IS REQUIRED BY COLTON FIRE DEPARTMENT, INSTALLATION OF THE SYSTEM WILL BE PER CITY OF COLTON STANDARD DRAWINGS NO.124, NO.127, NO.201, NO.700, NO.703, NO.705, AND NO.708. LICENSE: CONTRACTORS PERFORMING THIS WORK ARE REQUIRED TO HAVE EITHER AN "A" LICENSE OR A "C-34" LICENSE TO MEET PERMIT REQUIREMENTS.
11. DEVELOPER IS REQUIRED TO HAVE A REGISTERED CIVIL ENGINEER PREPARE A PRIVATE SITE UTILITY PLAN (PSUP). THE PSUP MUST SHOW THE SIZE AND LOCATION OF THE EXISTING OR PROPOSED WATER CONNECTION TO THE EXISTING WATER MAIN. PSUP MUST SHOW THE SIZE AND LOCATION OF THE EXISTING OR PROPOSED DOMESTIC WATER METER SERVICE.
12. THE PSUP MUST SHOW THE SIZE AND LOCATION OF THE EXISTING OR PROPOSED SEWER CONNECTION TO THE EXISTING ON-SITE SEWER MAIN OR THE SEWER COLLECTION SYSTEM WITH THE REQUIRED CLEANOUT AT PROPERTY LINE.

13. PSUP MUST SHOW THE SIZE AND LOCATION OF THE EXISTING OR PROPOSED LANDSCAPE WATER METER SERVICE. PSUP MUST SHOW THE SIZE, LOCATION, MAKE AND MODEL OF THE PROPOSED OR EXISTING REDUCED PRESSURE BACKFLOW ASSEMBLIES THAT PROTECT THE DOMESTIC AND LANDSCAPE WATER METER SERVICES.
14. THE PSUP MUST SHOW THE SIZE AND LOCATION OF THE PROPOSED OR EXISTING PRIVATE FIRE SERVICE, UP TO AND INCLUDING THE DETECTOR CHECK IN THE VAULT. CLEARLY SHOW ANY OF THE ON-SITE PRIVATE FIRE LINE OR ON-SITE PRIVATE FIRE HYDRANTS ON BOTH THE CIVIL SUBMITTAL AND WITH A SEPARATE SUBMITTAL AND PLAN CHECK PROCESS TO THE FIRE MARSHAL.
15. ALL WASTEWATER CAPACITY FEES MUST BE PAID PRIOR TO OBTAINING THE CERTIFICATE OF OCCUPANCY. ADDITIONAL CAPACITY FEES MAY APPLY IF THE ACTUAL DISCHARGE EXCEEDS THE ESTIMATED FLOW ESTABLISHED DURING INITIAL APPROVAL. SERVICE WILL BE TERMINATED IF THE FEES ARE NOT PAID.
16. DEVELOPER'S CIVIL ENGINEER IS REQUIRED TO PRODUCE RECORD DRAWINGS IN MYLAR AFTER ALL CORRECTIONS HAVE BEEN MADE.

FEES:

1. THE APPLICANT SHOULD BE AWARE THAT OTHER FEES, NOT SPECIFICALLY DESIGNATED HEREIN MAY BE SUBSTANTIAL. IT IS THE APPLICANT'S RESPONSIBILITY TO ASCERTAIN THE AMOUNT OF ALL FEES. MOST FEES WILL BE DUE UPON ISSUANCE OF BUILDING PERMITS. HOWEVER, SOME FEES WILL NOT BE DUE UNTIL THE CERTIFICATE OF OCCUPANCY IS REQUESTED.

EXPIRATION:

1. THIS APPROVAL SHALL BE NULL AND VOID ONE (1) YEAR FROM DATE OF APPROVAL IF BUILDING PERMITS OR APPROVED ACTIVITY HAS NOT OCCURRED WITHIN TWELVE (12) MONTHS OF APPROVAL. TENTATIVE TRACTS WILL BE VOID TWO (2) YEARS FROM DATE OF APPROVAL IF BUILDING PERMITS HAVE NOT BEEN ISSUED, OR AN EXTENSION REQUESTED PRIOR TO THE EXPIRATION.

PROJECT APPROVAL:

1. PROJECT APPROVAL IS NOT CONSIDERED FINAL UNTIL THE APPLICANT SIGNS THE ATTACHED ACKNOWLEDGMENT OF CONDITIONS OF APPROVAL, AND SUBMITS THE EXECUTED FORM TO THE COMMUNITY DEVELOPMENT DEPARTMENT.

APPEAL:

1. PLEASE BE ADVISED THAT YOU HAVE THE RIGHT TO APPEAL THE DECISION OR CONDITIONS OF APPROVAL WITHIN SEVEN (7) CALENDAR DAYS AFTER THE MAILING OF THE COMMITTEE'S DECISION. THE DATE OF MAILING IS JANUARY 3, 2006.

**CITY OF COLTON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

DAVID R. ZAMORA, Director
Community Development Director


SKY WARDEN, Associate Planner

DATE: JANUARY 2, 2006

SQUIRES LUMBER COMPANY
File Index Number DAP-000-541
Date of DRC Approval: December 19, 2005

ACKNOWLEDGMENT OF CONDITIONS OF APPROVAL

I/WE ACKNOWLEDGE RECEIPT OF THE CONDITIONS OF APPROVAL AND I/WE WILL COMPLY WITH ALL REQUIREMENTS CONTAINED THEREIN.

I/WE UNDERSTAND THAT MY/OUR PROJECT IS NOT CONSIDERED APPROVED UNTIL I/WE SIGN THE ACKNOWLEDGMENT OF THE CONDITIONS OF APPROVAL, AND RETURN AN ORIGINAL, SIGNED COPY OF THIS FORM TO THE CITY OF COLTON, COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION.

AS STATED in Revised Conditions letter DATED MARCH 2nd 2006.

PROJECT NUMBER: DAP-000-541

** Revised Conditions
6/27/06*

PRINT NAME: Kevin Campbell
APPLICANT

PRINT NAME: _____
APPLICANT

SIGNED: [Signature]
APPLICANT

DATE: 6/27/06

SIGNED: _____
APPLICANT

DATE: _____

Signed 10/26/06 2nd Time

Noble R. Bussey, Architect
631 Sunshine Street, Banning, CA. 92220
(714) - 402-6127

March 2, 2006

City of Colton, CA.
Community Development Department
David R. Zamora

Ref: Squires Lumber Company DAP - 000 - 541

Clarification was pursued with different City Departments with reference to
"conditions of approval" of above referenced project on Jan. 11, 2006.

Community Development Dept. : Donna "Sky" Warden
She has on file some modifications to the "conditions of approval"

A new site plan was given showing re-located ADA
Parking and access.

Public Works Dept. : Reggie Torres
A Civil Engineer is to provide topo of new parking lot
Paving re-finish

"F" street only is to have new curb / gutter / sidewalk

Water and Waste Water Dept. : Sury Hunter
Civil Engineer not required (Architect's plans will be accepted)

Tie new added Waste to existing line to street

Fire Dept.
Automatic Fire Sprinklers required

Fire Hydrant on-site required

Sincerely Yours,



Noble R. Bussey, Architect



June 19, 2014

Kevin Campbell
Squires Lumber Company
370 N. 9th Street
Colton, CA 92324

Re: 333 E. F Street, Squires Lumber Offices and Storage (File Index No. DAP-000-541)

Dear Mr. Campbell:

Staff has reviewed your building and proposed landscape plans, date stamped June 10, 2014, pertaining to the above referenced project and have the following, the comments that need to be addressed before moving forward with the BOP:

- Please submit three sets (1 set for Public Works, and 2 sets for Building) of your landscape and irrigation plans (includes drought resistant plant palette and irrigation system) with \$335.00 fee to the Building Division for Plan Check Review.
- Please have the Landscape Architect stamp and sign the plans.
- Because there have been no further inspections completed on the original building permit since 2008, the permit has expired. The Building Official comments are as follows:

After reviewing the City's HdL Permit System, the plans and conducting an inspection of the site, here are the Building Official's assessment of the site:

- 1) The Building Permit was expired due to inactivity on June 13, 2009.
- 2) Building Division's last inspection on the project was a rough electrical inspection on December 12, 2008.
- 3) The original plans were approved and permitted under the 2001 CBC.
- 4) The original architect, Nobel Bussey's license has expired and is no longer practicing.
- 5) We still have several inspections to complete that would add up approximately five hours of inspection time.
- 6) When plans are submitted, please include the updated site plan with your submission.

Since the permit has expired, the City will need to have new tenant improvement plans prepared by a licensed architect and submitted for plan review and approval using the 2013 California Building Code. The site development has changed with the current building codes along with new landscaping requirements (drought resistant plants/irrigation). We can issue a new building permit for the revised plans.

Remaining inspections required to complete the project would be billed at an hourly rate.

- As required by the Development Application Permit DAP-000-541, please incorporate your conditions of approval on a sheet of plans to attach to your building package. Please provide three sets of the sheet with your approved conditions of approval and acknowledgement page.
- Please provide five sets of a revised site plan to include in the final building packet to show latest parking lot improvements and final details for review and approval in association with your expired Building Permits as noted above in the Building Official's comments. The stacking height plans should be reflected on the site plan.
- The submission of the five sets of plans are made at the Development Services Department Permit Counter with payment of fees (Plan Check Fees). Final Building Permit issuance fees will be assessed upon approval of plans.

We look forward to completion of this project. If you have questions pertaining to the Building Division comments please contact Mark Berg, Building Official, at 909-370-5148.

Sincerely,



Mario Suarez, AICP
Senior Planner
City of Colton

cc Mark Tomich, Development Services Director
Mark Berg, Building Official
Reggie Torres, Associate Engineer – Public Works Department



2/1/2016

Kevin Campbell
Squires Lumber Company
3333 East "F" Street
Colton, CA 92324

Re: Status of Improvements at Squires Lumber Facility (333 E. F Street)

Dear Kevin:

This is to inquire about the status of improvements at your 333 E. F Street facility. As you know, City staff has been working with your company since 2010 to ensure that approved plans (DAP-000-541 – approved on December 19, 2005) are implemented, a Business Occupancy Permit secured, and a secondary Business License issued for the site. Following is our assessment of the items that remain to be completed before this site may be considered "completed" and legally occupied:

- Building Plans for the wrought iron fencing and light standards (B00-031-393) and tenant improvements (B00-031-019) were approved on December 1, 2015 and the architect has been notified on multiple occasions that the plans are ready for pick-up and the permit is ready to be issued. However, to date, plans have not been picked up. This permit will expire on March 20, 2016.
- The new entrance/exit on 10th Street has not been completed.
- The new entrance/exit on F Street has not been improved with paving and sidewalk.
- The chain link fence along the Colton Avenue bike path has not been removed and replaced with an 8-foot wrought iron fence.

In addition, based on a site inspection conducted by staff today (February 1, 2016), several elements of the landscaping remain to be installed. We encourage you to examine the approved landscape plan to ensure that the site is in full compliance. We also request that the razor wire surrounding the site be removed and replaced with tubular steel or other more attractive security feature. It is clear that the vines that have been planted have not reached the razor wire and will not provide screening in the near future. The razor wire is considered a code violation within the Mixed Use-Downtown zoning district.

Finally, please reduce the height of stored materials below the height of the screening fence. Outdoor storage must be screened in both the previous M-1 (Light Industrial) and the current MU-D (Mixed Use-Downtown) zoning districts.

Kevin Campbell
Squires Lumber Company
Page 2

Please advise us on the expected completion date for each remaining item listed above. Thank you for your cooperation.

Sincerely,



Mark Tomich
Development Services Director

Cc: Bill Smith, City Manager
Sgt. Jim Jolliff, Police/Code Compliance Division



Planning Commission Staff Report

City of Colton
Development Services Department

MEETING DATE: May 24, 2016

FILE INDEX NUMBER: DAP-001-287B

REQUEST: **Zoning Text Amendment** (ordinance) to modify various provisions of Title 18 of the Colton Municipal Code related to Section 18.12.060 (Building Projections – R-1 Zone), and 18.12.170 (Parking Requirements – R-1 Zone) Pertaining to Carports.

APPLICANT: City-initiated

BACKGROUND

On September 21, 2015, following a request initiated by a Council Member, with concurrence by the Mayor, the City Manager directed staff to process a Zoning Code amendment to permit carports within the front yard setback areas in R-1 (Low Density Residential) neighborhoods. A related request was to allow older single family residential properties with a one-car garage, and less than two onsite parking spaces to provide one covered space (e.g., carport) instead of two enclosed spaces as required by the current Zoning Code.

This issue has become a citywide concern as the number of carports (pre-fabricated and owner/contractor-built) have increased throughout the City, particularly in older neighborhoods. Oftentimes, such properties with carports in the front setback area receive code enforcement citations, and are required to remove the carport.

This amendment was combined with another City Council-initiated Zoning Code amendment (increasing the public noticing radius), and brought before the Planning Commission for consideration on January 26, 2016 and February 9, 2016, respectively. On February 9, 2016, the Planning Commission voted to recommend approval of the Zoning Code amendment to the City Council.

At a public hearing held on March 15, 2016, the City Council approved the zoning text amendment to expand the public noticing radius, and referred the carport ordinance back to staff with direction. The City Council directed staff to revise the ordinance language to address the aesthetic compatibility of carports with the single-family neighborhoods in which they are located.

DISCUSSION

Staff has added language to Section 18.12.170B of the Ordinance to state that the carport shall be "*fabricated of durable materials and colors that are compatible with the existing single family home and garage located on the parcel.*" Staff believes that this language will provide appropriate direction, yet sufficient flexibility, to ensure that carports constructed in front setback areas are aesthetically compatible. Specific, "one size fits all," standards are not recommended because of the wide range of designs and materials that are anticipated (e.g., pre-fabricated

offsite, wood frame/stucco built onsite, etc.). Planning staff and the Development Services Director would incorporate aesthetics as part of the plan review process for individual carports.

As with any structure, whether built onsite or pre-fabricated offsite, compliance with California Building Code standards would be required. It should be noted that the carport standards would not exempt the carport from any required Historic Commission review, if applicable.

ENVIRONMENTAL DETERMINATION

This project is exempt from CEQA because it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Planning Commission recommend to the City Council approval of the draft ordinance by adopting Resolution No. R-15-16:

ATTACHMENTS

1. Draft Planning Commission Resolution No. R-15-16 with Exhibit A

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CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF COLTON)

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Colton at a meeting held on May 24, 2016, by the following vote of the Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Planning Commission Secretary
Mark R. Tomich, AICP

EXHIBIT “A”

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING SECTION 18.12.060 (BUILDING PROJECTIONS – R-1 ZONE), AND SECTION 18.12.170 (PARKING REQUIREMENTS – R-1 ZONE) OF TITLE 18 OF THE COLTON MUNICIPAL CODE (FILE INDEX NO. DAP-001-287).

WHEREAS, on May 24, 2016, the Planning Commission of the City of Colton (“Planning Commission”) conducted a duly noticed public hearing and recommended the City Council of the City of Colton (“City Council”) amend Section 18.12.060 (Building Projections – R-1 Zone), and 18.12.170 (Parking Requirements – R-1 Zone), of Title 18 of the Colton Municipal Code (the “Municipal Code”). Following the conclusion of said hearing, the Planning Commission adopted their Resolution No. R-4-16, recommending approval to the City Council (“Zoning Text Amendment”); and

WHEREAS, the Planning Commission adopted a Resolution recommending approval of the Zoning Text Amendment to the City Council; and

WHEREAS, the City Council has determined that the Zoning Text Amendment is consistent with the City of Colton General Plan (“General Plan”) as indicated below; and

WHEREAS, the City Council has determined that the proposed Zoning Text Amendment is in the best interests of the City, and that it would be in the public interest to approve the Zone Text Amendment; and

WHEREAS, the Zoning Text Amendment was reviewed, studied and found exempt from the California Environmental Quality Act (“CEQA”) as more fully described below; and

WHEREAS, on _____, the City Council held a duly noticed public hearing at which persons wishing to testify in connection with the Zoning Text Amendment were heard and the Zoning Text Amendment was comprehensively reviewed.

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby adopts the recitals and findings set forth above and in the agenda report prepared in connection with this Ordinance.

SECTION 2. General Plan Consistency. Based on the entire record before the City Council and all written and oral evidence presented, including the staff report and the findings made in this Ordinance, the City Council hereby finds and determines that the proposed Ordinance is consistent with the goals and policies of the City of Colton General Plan and is reasonably related to the public welfare of the citizens of the City and surrounding regions. Specifically, the provisions of this Ordinance make clear that projections into the front setbacks of R-1 properties do not encroach into the public right-of-way, provide for additional covered parking opportunities for residential properties, and recognize the existing conditions on older residential properties. Permitting this flexibility within the R-1 Low Density Residential zone within the City of Colton furthers the City’s goals and policies as set forth in the City of Colton General Plan, specifically:

Land Use Element: Permitting carports to encroach into the front setback within R-1 Low Density Residential zones is consistent with the Residential Neighborhood Preservation and

1 Protection policies of the City of Colton Land Use Element, specifically:

- 2 ○ **Policy LU-6.4: “Promote the use of buildings, setbacks, walls, landscaping, and other**
 3 **design features to buffer and reduce conflicts between adjacent properties.”** The
 4 Ordinance requires that any carport structure must comply with current California Building
 5 Code standards, including windload requirements. The existing R-1 standard, restricting
 6 lot coverage to 40% of lot area will remain unchanged. In addition, the minimum R-1 front
 7 yard setback standard of 25 feet will provide a minimum of 5 feet between a carport and the
 8 property line. The recognition of limited onsite parking for older residential properties with
 9 one-car garages will ensure that these properties can accommodate parking needs onsite
 10 without creating conflicts with adjacent properties.

11 Finally, the City of Colton finds that the proposed Zone Text Amendment to permit carport
 12 encroachments into the front yard setback on R-1 properties is reasonably related to the public
 13 welfare of the citizens of the City and surrounding region; more specifically, Section
 14 18.58.12.010(A) in the Colton Municipal Code states that, “The R-1 Low Density Residential Zone
 15 is characterized by single-family detached homes on individual lots that form a cohesive
 16 neighborhood.” The Ordinance includes appropriate restrictions to ensure that the permitted
 17 encroachments and parking are integrated into the overall community pattern of R-1 zone in which
 18 the carports will be located.

19 **SECTION 3.** Section 18.12.060 of Chapter 18.12 of Title 18 of the Colton Municipal
 20 Code, pertaining to the R-1 Low Density Residential Zone, is hereby amended to read as follows:

21 18.12.060 - Building Projections.

22 Building projections into yard areas are permitted as follows:

23 Projection Standard Table 3

24 Front Setback	25 Fire escapes, unenclosed and uncovered stairways, unenclosed 26 patios, porches, cornices, Eaves, sills and similar architectural 27 features, which may project up to five feet into the setback. 28 Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the setback. <u>Carports may project up to twenty feet into the front setback but not more than three feet from property line.</u>
29 Side Setbacks	30 Fireplaces having a maximum linear dimension of eight feet and eaves may project two feet into the setback.
31 Rear Setbacks	32 Fire escapes, unenclosed and uncovered stairways, porches, 33 cornices, eaves, sills and similar architectural features which may 34 project up to five feet into the setback. 35 Balconies and fireplaces having a maximum linear dimension 36 of eight feet may project up to thirty inches into the required 37 setback. 38 Attached unenclosed patios with no freestanding walls may extend up to ten feet into the required setback.
39 Swimming Pools and Spas	40 Five feet from any lot line, and may only be placed in the rear yard area.
41 Small Residential Air Conditioning Mechanical	42 May be setback three feet from any property line; all others will require to meet building setback standards; and all mechanical

Equipment less than eight
square feet

equipment shall be in compliance with all City Noise Standards.

SECTION 4. Section 18.12.170 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to the R-1 Low Density Residential Zone, is hereby amended to read as follows:

18.12.170 - Parking requirements.

A. There shall be no less than two parking spaces in the form of a garage for every dwelling unit, with dimensions of not less than ten feet in width and twenty feet in depth. The required parking spaces shall be provided on the same lot as the main building, and shall be independently accessible with unobstructed space provided for the maneuvering of Vehicles. Vehicles maneuvering area shall comply with appropriate vehicular turning radius as specified by the Director for appropriate driveway width.

B. For dwelling units with a one-car garage, and less than two onsite parking spaces as required by Section 18.12.170(A), a maximum of one parking space is permitted in the form of a garage or carport. The carport and/or garage shall be constructed to California Building Code standards, and fabricated of durable materials and colors that are compatible with the existing single family home and garage located on the parcel.

~~B.C.~~ There Shall be paved vehicular Access to the Off-Street Parking Facilities, with a Driveway not less than ten feet wide and not encumbered by a Projection to height under eight feet above Grade.

~~C.D.~~ For a boarding, lodging, or rooming house in the R-1 Zone, there shall be no less than one Parking Space per room or suite, or one space per two beds, whichever is greater.

~~D.E.~~ No covered or uncovered tandem parking is permitted for parking credit. Each credited parking space shall be so designed that a car need not be moved to gain access to or from any other parking space.

SECTION 7. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 8. The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the environment. Thus, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 9. Certification/Publication. The City Clerk shall certify to the passage of the Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after adoption in a newspaper of general circulation published and circulated in the City of Colton.

SECTION 10. This Ordinance shall become effective thirty (30) days after its adoption in accordance with the provisions of California law.

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PASSED, APPROVED AND ADOPTED on this ___ day of _____, 2016.

RICHARD A. DELAROSA
Mayor

ATTEST:

CAROLINA A. PADILLA
City Clerk